

## ‘Are We Women Not Citizens?’

*Mridula Sarabhai’s Social Workers  
and the Recovery of Abducted  
Women*

**Ayesha Kidwai**

This essay takes place in an extended moment in which a woman’s right to security, sexual autonomy, bodily integrity and the freedom to ‘present’ herself (rather than being represented) in both the public and the private spheres has been demonstrated for and sloganeered on in the streets of Delhi (and now Kolkata).

India’s Tahrir moments of 2012 first met with the response it deserved, in the progressive recommendations of the Justice Verma Committee. However, the euphoria was short-lived, as in the payback in patriarchal coin that this movement received in the form of the Criminal Amendment Act, 2013, even as the specific violence suffered by women has received recognition in the criminal justice system, impunity and immunity have largely been preserved. A woman who is a wife cannot be raped, and consent is irrelevant for sexual relations between young women and men if they are both under the age of 18. ‘Unnatural sex’ is outlawed, and only a woman may be raped.

Even worse, close to 18 months on, the displays of anguish and solidarity seem to have reaped a bitter harvest in the popular discourse on the Muzaffarnagar violence of 2013, where sexual harassment and sexual violence had been instrumentalised as the trigger and justification for anti-minority pogroms and the pernicious discourse of 'Love Jihad'. In October 2014, it was then a real question as to whether the hope that many of us found in the renewed assertion of women's rights, solidarity and social and political citizenship was too naive, too quick on the draw, and whether our intentions and exertions on struggling against sexual violence are doomed to be judged by the sobering facts of what has followed. Will the December 2012 movement be judged as one that injected new strength into patriarchal ownership of women's bodies and as one that gave new idioms to ideologies of communal and caste hatred? I would vociferously contest such a doomsday scenario, for the patriarchal, right-wing appropriation and distortion of women's agenda cannot, and indeed does not, delegitimise the value of the questions we continue to raise.

## The Past as Present

In this essay, I wish to turn the certainty of this feminist gaze to a very uncomfortable period in Indian history—the post-Partition recovery of abducted women. As feminist inquiry in the last two decades has shown,<sup>1</sup> rescue was translated into forcible recovery

<sup>1</sup> V. Das, *Critical Events: An Anthropological Perspective on Contemporary India* (New Delhi: Oxford University Press, 1995); R. Menon and K. Bhasin, 'Recovery, Rupture, Resistance: Indian State and Abduction of Women During Partition,' *Economic and Political Weekly* 28, no. 17 (24 April 1993): WS2–11; R. Menon and K. Bhasin, *Borders & Boundaries: Women in India's Partition* (New Brunswick: Rutgers University Press, 1998); U. Butalia, *The Other Side of Silence: Voices from the Partition of India* (New Delhi: Penguin, 1998); K. Daiya, 'Postcolonial Masculinity,' *Genders On-line Journal* 43(2006): 1–14; J. Didur, *Unsettling Partition: Literature, Gender, Memory* (Toronto: University of Toronto Press, 2006); S. Ray, 'New Women, New Nations: Writing the Partition in Desai's Clear Light of Day and Sidhwa's Cracking India,' in *En-Gendering India: Woman and Nation in Colonial and Postcolonial Narratives* (Durham: Duke

and repatriation, and served a patriarchal ideology that bound national and community honour to women's bodies and control of their sexuality. Women were, in the words of Menon and Bhasin:<sup>2</sup>

Abducted as Hindus, converted and married as Muslims, recovered as Hindus but required to relinquish their children because they were born of Muslim fathers, and disowned as 'unpure' and ineligible for marriage within their erstwhile family and community, their identities were in a continuous state of construction and reconstruction, making of them ... 'permanent refugees'.

Following the harrowing accounts this body of feminist work has collated, it is often commonplace to assume an identity of intentions on the part of the State and the social workers. In Das's words:<sup>3</sup>

We witness here an alliance between the state and social work as a profession, which silences the voice of victims by an application of the 'best interest' doctrine. This voice is silenced by an abstract concern with justice, the punishment of the guilty, and the protection of the honour of the nation. This concern, lucidly articulated within the Constituent Assembly as well as outside the Assembly by national leaders, comprises a discourse of heroic and flatulent nationalism which takes no cognisance of the feelings of the women themselves.

The question I wish to answer is whether Mridula Sarabhai and other women activists—or 'social workers' as they were then called—were indeed willing minions of the patriarchal State. Asking and answering this question is important if we are to find new ways in which popular histories of social movements may be written. If we do not evaluate movements in terms of the

University Press, 2000), 126–47; S. Kamra, *Bearing Witness: Partition, Independence, End of the Raj* (Alberta: University of Calgary Press, 2002) (to name just a few).

<sup>2</sup> Menon and Bhasin, *Borders & Boundaries: Women in India's Partition*.

<sup>3</sup> Das, *Critical Events: An Anthropological Perspective on Contemporary India*.

outcomes they win from the State and the family, but in terms of the persistence of the questions they raise initially and refine subsequently through different periods, perhaps we shall be able to sketch longer and deeper histories (and futures) of movements we encounter.

To this end, I shall first demonstrate that there was no such alliance, and that, in fact, ‘social workers’ were always on a collision course with social mores, the political class, police and administration, and then move on to where I think the reasons for the failure of recovery lay. My chief protagonist here is Mridula Sarabhai, as found in her writings in the *Hindustan Times* (HT) newspaper of 1948–49. Another voice that I shall turn to is that of Anis Kidwai, a close associate of Sarabhai’s, whose memoir of Delhi in 1947–49 I have had the privilege of translating.

### **Rescue Rather than Recovery**

As is well known, the Partition of India was marked by kidnaping, rape and confinement. Official figures placed the number of abducted women at 50,000 Muslim women in India and 33,000 non-Muslim women in Pakistan. Mainly due to the efforts of Mridula Sarabhai, at the Inter-Dominion Conference in Lahore on 6 December 1947, India and Pakistan jointly decided to mount a recovery operation, through a contingent of female social workers assisted by the local police. An ordinance called the Abducted Persons Recovery and Restoration Ordinance was promulgated on 31 January 1949 and was subsequently replaced by the Abducted Persons (Recovery and Restoration) Act of December 1949. This Act was renewed until 1957, although as Menon and Bhasin<sup>4</sup> point out, recovery operations really took place only between 1947 and 1952, and had effectively been abandoned by 1954–55.

<sup>4</sup> Menon and Bhasin, ‘Recovery, Rupture, Resistance: Indian State and Abduction of Women During Partition’; *Borders and Boundaries: Women in India’s Partition*.

It is important to recognise that in a fundamental sense, the institution of such a rescue operation signalled an achievement for the social workers, as it brought crimes against women to the centre stage. This was highly unusual—even contemporaneously, both India and Pakistan had already decided to view the Partition as a time in which there was violence, but no criminal, justiciable acts (something that has conditioned the popular view of every incident of communal violence ever since). This ‘victory’ notwithstanding, by December 1949 however, the number of women recovered was barely one-fourth of those abducted—9,362 in India and 5,510 in Pakistan. Moreover, despite the fact that the Act was renewed until 1957, at the end of it, approximately only 30,000 women were ‘recovered’.

To understand what the experience of abduction was, I turn to Anis Kidwai in his work *In Freedom’s Shade*:<sup>5</sup>

When Muslim girls were recovered from Punjabi Hindu men, they had the names of their rapists dug into their flesh. Even accepting that Hindu men did this in part out of revenge, in part in anger, in part to pass them off as Hindu women, how is one to explain why the Hindu girls recovered from Pakistan arrived in Delhi with names of the mujahideens and the dates of the crimes scratched into their hands? In fact, the spirited Punjabis tried to outdo each other—girls recovered from Delhi had ‘Om’ and designs of flowers and vines dug into their hands; those from Punjab and the princely states had the sinners’ names engraved into their private parts and ‘Pakistan Zindabad’ branded on their chests. (p. 306)

Which nation in the world has escaped war and strife? Only Allah knows how many skirmishes this Earth has seen in which the blood of humans has been let. But nothing of what our valiants undertook had ever been attempted. Such rules of war, such manoeuvres would have never struck the minds of any commander of any army anywhere in this world. Who thought them up? These bastard children on whom the burden of shame has been foisted

<sup>5</sup> Anis Kidwai, *In Freedom’s Shade*. Translated from the original *Azaadi ki Chhaon Mein*, published by Qaumi Ekta Trust, New Delhi (1974) by Ayesha Kidwai (New Delhi: Penguin India, 2011).

for all time; these adolescent girls whose essence is now only carnal hunger; these deranged young women whose whole being is a fervent appeal—as long as they live, they will remember those malignant times. (p. 282)

In 1949 I witnessed the return of a girl who had been abducted eighteen months earlier. This girl was brought to the city from a respected government officer’s house. This was itself remarkable, as in Delhi girls were usually rescued from less affluent homes. Who dared glance at highly ranked officials, ministers, rich men? Who had the gumption to raid mansions? For employees who so dared, these magnificent buildings could well become prisons. The girl told us her story. She and her family had taken their belongings and joined a caravan of a few thousand from Kapurthala, footing it to Ferozepur. A few miles later, the thanedar deputed to safeguard the caravan declared that the police’s responsibility was only to convey the men to Pakistan and the women were not to proceed further. Naturally, this announcement elicited great consternation; people protested that they would rather die than abandon the women. A sum of ₹6,000 was agreed upon as the bribe, but hardly had the caravan moved a few miles ahead that the thanedar again reiterated the injunction. This time, he accepted a further inducement of ₹4,000.

When the caravan finally reached Ferozepur, the thanedar again refused to take the women to the train station (to board the train to Pakistan). Fresh negotiations began and people again delved deep into their purses for the last of their savings, now offering another ₹6,000. Thanedar sahab graciously accepted, the caravan moved. The station was now just a few miles away and people had already begun to thank the heavens that the ordeal would be over soon—their savings were exhausted but their honour was untarnished—when disaster struck. The thanedar had secretly informed the mobs that he would escort a Muslim caravan into Ferozepur. Even before the caravan reached the station, it was surrounded and attacked. Many were killed, many thrown into the stream and about 1,200 girls snatched. Only a few middle-aged women, some men and a few children boarded the train, in service of thanedar sahab’s aspirations for a decoration for bravery. Some girls died trying to escape.

Others were luckier, like this girl. She ran into the stream, flailed around in the water for some time, found firm ground and walked

across to the other side. She ran for three days, until she reached Ferozpur, where a kind officer took her in. She took care of his children and did housework and was paid a respectable amount for her labour. A year and a half later, the police brought her to Delhi. She was educated, so I asked, 'If you can write, why didn't you write to your relatives?' She said she did. 'They should have replied. Perhaps they did and my employer hid the letters.... He didn't want me to leave the job.' Now, she hoped to reunite with her husband, who was alive in Pakistan. But her child wasn't. The water had claimed him. (pp. 283–85)

Reading the writings of the social workers of these times—Sarabhai, Patel, Kidwai—what strikes one is that what impelled the social workers of the period was rescue rather than forced repatriation. Writing in HT on 8 April 1948, Mridula Sarabhai urges:

The time factor is of great importance.... The great majority of captive women are going through hell. Every moment, every extra day, means more suffering for the captive women.... It is only during the last two months that a special organisation has been started and a campaign launched. But the progress is at a snail's pace. ... if we want an early recovery, it is necessary to have a vigorous campaign to educate the abductors and society that by abducting women in your own area, you do not harm your opponent.

Abducted women have been taken away far into the interior of both Dominions. It is not possible to trace them only through government machinery. The nationals of India and Pakistan have to be alert ... and report to the highest authority in their districts the presence of abducted women in their area.

However, without the social workers, rescue would simply be recovery, and at a tremendous cost, for only the social workers know that the fate of one woman is tied to another:<sup>6</sup>

There are interested parties—war-mongers who do not wish the masses to settle down—who want to exploit this human tragedy

<sup>6</sup> *Hindustan Times*, 14 April 1948.

for their own ends. ... if women are restored to their families then one of the causes of inter-Dominion tension will disappear. It will minimise the possibilities of war. So they make an all-out effort to obstruct work. This spirit of retaliation and destruction does not take into account physical barriers dividing countries or communities. Therefore, to tackle this question, the problem has to be considered as a whole and not as a question of inter-Dominion interests.

In both Dominions, the eagerness to recover their women borders on impatience. The question is asked: Why this delay? Blame is attributed to the other side. The average impression is that the recovery of the women is a simple procedure.... Those who think this way are ignorant of human nature.... By use of force alone one may be able to recover a few but large numbers would have to perish.

The involvement of social workers was also imperative because women would only confide in women, as Sarabhai writes:

‘I am a Sikh. I am happy. Pray do not send me to Pakistan. I will do just as you want me to do. Please have mercy on me’—such would be the plea of a stunned young Muslim newcomer [to the camp]. There was no meaning with arguing with her at that stage. She had to be made to feel at home and given time to gather herself.... Then the second stage—she would want to know why she was recovered. The third would be a query about conditions in Pakistan. What are they like? Were her relatives alive? Would they take her back? Had anyone made enquiries about her? And finally, by the evening, she would be so eager to go back that her impatience would not brook even a few minutes delay. But then fear of what would happen to her would make her nervous. She would go to Pakistan provided I went with her!<sup>7</sup>

And only women social workers were motivated enough to challenge the ‘honour’–‘shame’ nexus that ruled South Asian women’s lives:

As the days went by and the possessors of women to know of the method of recovery, they changed their tactics. They knew that

<sup>7</sup> *Hindustan Times*, 18 July 1948.

women could not be kept back by force. The best way was to get their active cooperation in staying behind. They knew all about feminine psychology ... [and] exploited the women's fear complex and their conservatism. For the first few months they had waited to be recovered and had put up a brave fight against the allurements of the abductors. No help came, even those who might have been expected to come to their help had failed them. Now at least a rescue party had arrived. Who knows whether this was 'it'.... Why take a risk? So the number of resisting cases began to increase. Exaggerated accounts of these happenings gained currency and aroused sympathy for these 'resisters'.<sup>8</sup>

Far from the nationalist flatulence demonstrated in the Parliament, both Kidwai and Sarabhai are deeply empathetic to the women's refusals to return, and are aware of the public and private politics that encourages the refusals. In the words of Kidwai:<sup>9</sup>

As recovery work went on, the greatest difficulty was not to facilitate acceptance—instead, we found that most abducted girls didn't want to return. Muslims seethed at these refusals, young men flushing at this ignominious disgrace of their community's honour. Fathers would rant, 'Shame on such daughters! This is why a father prays so hard for a son. At least a son will be a support to his father in his lifetime, and after his father's death, guard the family's honour!' As for the sons, the one sentiment that moved them was a desire for revenge and anger at their sisters. How could the immoral wantons want to live with those who had murdered their relatives!

Readers cannot comprehend what I, as a woman, suffered when such things were said. I would try to explain, 'Try to understand their psychological state. Try to see why they refuse to return.'

Far from silencing the voices of the women survivors and brushing aside their feelings, Kidwai foregrounds their anxieties:

Take the young woman who had spent all her life behind the purdah, never seeing the face of any other man besides her brother

<sup>8</sup> Ibid.

<sup>9</sup> Kidwai, *In Freedom's Shade*, 149.

or father. Today, this girl loathed herself as a wanton who had expended her dignity by being with strange men for months. This girl was being offered a return home and she wondered whether her parents, husband, society, would own her again. A deep sense of misgiving and a fear of rejection would drive her to refuse the offer. (p. 149)

... And there were also some married women, who believed their honourable husbands to be their companions until death rendered them asunder. They wondered how they could, tainted by infidelity and scandal as they were, ever face men as proud as them? Would their husbands tolerate such treachery? Would their gazes ever invest in them the same respect as before? These feelings would shackle their feet and they would say, ‘What was written as our fate has come to pass. Leave us where we are to live out the rest of our days’.

There were also some girls whose eyes had opened in homes of great poverty, who had never eaten a full meal or clothed their bodies in anything but rags. But now, they were in the keep of such generous men, who brought them silken shalwars and dupattas, introduced them to the delectable taste of hot coffee and cold ice-cream, took them to see two shows at the movies in a single day. Why would such a girl want to leave such fine men to return to her amma and abba, to a life of rags and scraps to conceal her burgeoning youth, to days of toil in the fields under a sun hot enough to melt her brain? And even if she were to do it, even if she were to leave this splendid man, so handsome in his uniform, all the romance that her old life had in store for her was a mud-spattered uncouth rustic, clutching the staff hoisted on his shoulder, for a husband. She wanted to escape this terrible past and that frightening future; she wanted to be happy in the present that was hers.

And for all women, there was another reason for refusal. How was she to know whether her self-professed rescuer was friend or foe? What if the rescuers were also traffickers? Until now, whichever strange man had taken her, had sold her. The fact that the rescuer wore a police uniform was no guarantee either. And even if it were not a uniform but an ornamental pagdi with a shining tassel, how could she trust that he was what he said, a man sent by her relatives? (pp. 149–50)

I also met some young girls who angrily scorned the offer of return to husbands who had proven so cowardly that they just turned tail and ran, leaving the honour of their family, the mother of their children at the mob's mercy. These women would go mad with anger, 'You ask us to go back to those impotents? We kept on crying out to them to help us—In Allah's name, save us! Why are you running away? Why don't you strike these scoundrels? Wait! Take me along! But for each one, his life was most dear. There was no love for us. Why didn't they kill us with their own hands? We certainly don't want to ever see their faces again!' (pp. 151–52)

Both educated and illiterate girls had another problem. When the police or activists came to rescue them, they would be paralysed by the question: Will my parents/husband accept this child in my womb? What if they make me kill it, in the name of honour? (p. 152)

In a reality in which societal structures like religion always exclude women, women could not own the society that they were being asked to return to:

The question of religion and of conversion rarely crossed the minds of such girls. After all, what was their religion to them? It was only Muslim men who went to the mosque regularly to read the Friday namaz and the Alvida namaz, only men who listened to the mullaji's sermons. Mullaji wouldn't let women even stand in the mosque. Every time he saw young girls, his eyes would redden, 'Get out! What do you have to do here?' Their presence in the mosque would defile the namaz; if they went to the dargah, there was the danger of a commotion; if they attended a qawwali mehfil, then the Sufi was in peril of straying from his contemplation of the One to thoughts of more earthly pleasures. Women simply polluted sanctity.

In any case, what did these women know of Islam? They had never been taught anything but a few kalmas and a little bit of the namaz. What relevance did that have? They had learnt it by heart and recited it by rote, but what connection did this prayer have with the soul? Her name was Rahimat, her abba Ramzani and her husband Nawab Idris. Besides a few Islamic names, what wealth of faith was hers that she should give up her life to safeguard it? And if truth were to be told, it was not as if the Almighty had kept

her in such comfort. In fact, the god that this new man had was much more bountiful, for at least she was fed. No, it was better to let them rant on; she was certainly not going to leave this new man, who had brought such colour to her life.<sup>10</sup>

From both Sarabhai and Kidwai, we learn of a patriarchal ‘conspiracy’ to legitimise abduction. As early as April 1948, in an HT article ‘Recovery of Captive Women’, Sarabhai writes of what she considers to be an alliance of intentions of the abductors and members of the public who had begun to argue that ‘settled women should not be uprooted’.

Some continue to give asylum to abducted women as hostages, while others argue that ‘now that women have settled down in their new environments, why again upset them and create new problems in their lives?’ Anyone who knows the psychology of a captive will not be taken in by this line of thought. Captive women have resisted, waiting to be rescued.... With disappointment after disappointment on one side and on the other, the continuous all-out effort of the abductor has made them succumb to the instinct of self-preservation, and they have given in, but this does not mean that they welcome their new environment.... No doubt that these women are uncertain and apprehensive about their future, the call of their motherland has not yet reached their seclusion. If they have lost their near and dear ones, they feel their future is dark and full of struggle.<sup>11</sup>

On 8 August 1948, in her HT article ‘The Recovery of Abducted Women’, Sarabhai presents a full typology of those arraigned against the recovery operation. Besides the village/town bully, the white-slave dealer, the procurers for brothels, the communal political organisations, there is a type who claims to be a victim: ‘we have treated the women shabbily, brutally if you like. But take the practical side. The Pakistan people have taken away our women. If now we give back these other ones we have, how shall we fare?’

<sup>10</sup> Ibid., 1510.

<sup>11</sup> *Hindustan Times*, 14 April 1948.

There are also the ‘professional go-betweens’: ‘A friend of mine from the Frontier writes that he can get your women out provided you are to pay him handsomely.’ But later, ‘What can I do? We were not successful. Those rascals let us down. Took the money and said that the woman was dead.’

And there is also ‘the fanatic’—‘She is so well versed in our religious books. Here is an entirely voluntary conversion’—and the ‘humanitarian’, who ‘waited and waited but nobody turned up to claim her’ and in the end had her married off into a good family, completely unmindful of the fact that the whole episode was in direct violation of the Inter-Dominion agreement of September 1947.

At the top of Sarabhai’s (and Kidwai’s) list however, are the ‘influential protectors’, who work against ‘the recovery of the women who are with highly placed individuals or someone under their protection’. While some of ‘these zamindars, Civil, Police, and military officials and personnel, MLAs, and leaders of political parties’ ‘keep the women in their own households, others have distributed them amongst their dependents and servants so that in case of an enquiry they would not be personally involved’. It is because of these people that the recovery operation was found to be ‘extremely difficult to tackle’, because while some ‘hide their crimes under big political and nationalist theories’, others like the ministers from both sides of the Punjab have less artifice: ‘Why don’t you give us the women we want. What is the use of sending us ‘low’ class women, when we give you a better type?’

Sarabhai also reveals how the judiciary collaborated wholeheartedly with the abductors:

A recovered girl reported that she had eloped with her father’s servant and got married to him before the disturbances began. The camp officer and the tribunal made extensive enquiries for about four weeks and were about to hand the girl over to her husband when accidentally the Hindu husband turned up. Seeing him, the girl completely changed her story.... She had been abducted during an attack on a convoy. She had fainted when the attack took place. When she recovered she found that she was surrounded

by Muslims. They told her that all her family members had been killed.... After a few days she was converted and married. The nikah certificate was dated before March 1 1947.<sup>12</sup>

‘Are we women not citizens?’ Sarabhai asks. ‘Have we no right to expect State protection and aid in adversity? Are not Ministers our representatives also?’ In an angry piece in the HT on 10 July 1948, ‘The Problem of Abducted Women’, Sarabhai sharply chastises the political class as well:

Members of legislative assemblies are generally believed to represent the people. It is surprising, however, to read the Assembly proceedings. Not one MLA either in Pakistan or the Indian Parliaments or the East and West Punjab legislatures had asked questions regarding the difficulties faced by their respective Governments in recovery work in their own territories.... Joining hands in efforts to bring out women from the other side helps one in gaining popularity. It is a political asset. But to get out women from one’s own Dominion is a struggle against one’s own people. It is going against the popular trend—and therefore means a temporary setback in popularity.

Kidwai too implicates government officials in the fact that less than half of the approximately 70,000 women abducted on both sides were ever rescued:

Inspector sahab was posted in an area where hundreds of abducted women were being held. It was even rumoured that two were being kept for him by a zildar friend. As the government had issued strict orders, this policeman had to now cover up his past misdeeds and get a high-ranked government official to certify to his industry on this front. He therefore ‘recovered’ two more girls. They were produced before Mr Button, the Anglo-Indian police superintendent, and they said they didn’t want to return to their parents. A signed statement to the effect, certified by a magistrate, was also produced. It so happened that Subhadra was with Mr Button when these girls were brought in and she recommended that the girls be sent to me. Inspector sahab was alarmed and blurted out, ‘No, not to that lady! Once she gets the girls, she doesn’t let them

<sup>12</sup> *Hindustan Times*, 18 August 1948.

out.' Mr Button scolded him, 'No! Her decision will be the correct one. She will be able to counsel the girls.'

The distressed girls were brought to me and exactly what Inspector sahab had feared, transpired. I took leave for a night and took them to Purani Tehsil, near Red Fort. We found their relatives there; in fact, one saw her brother in Urdu Bazaar itself and started shouting to catch his attention.<sup>13</sup>

The extent of the involvement of the officials and the police was not limited to collusion with the abductors alone; indeed, in many cases, they were the abductors themselves.

In March 1948, a young woman named Husn bi was brought from a policeman's house. As usual, she began reeling off the same old story of kindness and gratitude, but when I took her husband's name, her eyes filled with tears. She said, 'I'm sure he has been murdered. But if he is alive, or if my chacha, who is also my devrani's father, can be found, I can go back to them; otherwise, I will not leave.' Our list indicated that Husn bi had a two-year-old daughter with her when she was taken. I found out that the policeman had kept the child. No mention had been made of her to the magistrate either.

All day long, Husn bi pined for her daughter; by evening, she was beside herself with worry. My problem was that I didn't know where the child was being held and I had to leave for Allahabad the next morning. Husn bi was to be presented the next day before the police commissioner; before I left, I called Maulana Mohammed Miyan, a well-known writer and activist in the Jamiat office to say that Husn bi's statement should be recorded only after her child was in her arms. But that didn't happen. Tormented by a mother's love for her missing child, Husn bi said that she wanted to go back to the policeman—and this was the statement recorded. She is still with that man, despite all my efforts to get her out.<sup>14</sup>

Indeed, Kidwai's record is a searing critique of the negligence of the police, the courts and government officials, as well as the general public:

<sup>13</sup> Kidwai, *In Freedom's Shade*, 154–55.

<sup>14</sup> Kidwai, *In Freedom's Shade*, 156–57.

In general, the police and the administration were callous. Not one government official was suspended for a single day. What I could not comprehend was how the government expected to run an administration relying on the abilities of such sinners? How could those that worked against the interests of justice be trusted to impose laws on others?

As for the general public, many people were led astray or were simply uneducated—straws whipped any which way the wind blew. However, they were individuals and ultimately responsible for their own deeds. But those courts, magistrates, policemen, officers were not—when the guardians of the nation and arbiters of its nationhood placed their hand in blessing on the heads of sinners, when they became their accomplices and accessories, then where would the doers of justice come from, and who could be called a criminal?<sup>15</sup>

As the social workers threw themselves into the rescue operation and raised questions about the role of the police, Kidwai reports greater obstruction by the officials, whose officers she says were to 'somehow implicate the activists in some case and arrest them, or at least defame them as criminals'.<sup>16</sup> Dealings between the East Punjab Liaison Agency in charge of recovery operations and the Steering Committee of the Recovery Operation, of which Mridula Sarabhai was a member, suggest constant friction. The minutes of a meeting of the Steering Committee for the recovery operation stand witness to this inherent conflict between Sarabhai's social workers and the agency. Women social workers were not allowed to go out alone in search of abducted women:

The Steering Committee requested the C.L.O. to cancel his instructions to the DLOs that the women workers are not to go out alone in the districts. If a woman worker desired to go out alone, there should be no restriction on her movement. If, however, she wants the D.L.O. to accompany her, then it is a matter of mutual adjustment. (as quoted in Singh 1998)<sup>17</sup>

<sup>15</sup> Ibid., 158–59.

<sup>16</sup> Ibid., 152–53.

<sup>17</sup> Kirpal Singh, 'Partition and Women' Abstracts of Sikh Studies (June 1999).

## Rescue Rather than Recovery

Although I hope to have shown that there is no reason to assume an alliance of intentions between the social workers and the patriarchal State—indeed, there is ample evidence for the opposing contention—there can also be no gainsaying the fact that as time went by, certainly beyond 1949, Mridula Sarabhai and the social workers' will to rescue became hostage to recovery encoded in the letter of law. As the excesses of forcible repatriation increased in number, both Kamlabehn Patel and Anis Kidwai increasingly offered up the explanation that this was not a law of their own making and that they were only implementing what the two governments had agreed upon. Unable to implement rescue, outdone by the alliances between the abductors and the administrators of the recovery operation, less and less convinced by the modes and universal applicability of recovery, both Kidwai and Patel take the blame for the activist's failure to bring relief:<sup>18</sup>

The activists had to reassure the women, support them, build trust, and gently try to turn their hearts towards accepting the idea of return. But I'm sorry to report that we were all unequipped, incompetent. We lacked the right spirit, which had to be of the order of Christian missionaries. None of us had any understanding of psychology, nor did we try to gain it. We would just parrot the few catchphrases that were habitually used in such circumstances, and when they proved ineffectual (as they often did), we would berate the girls. (p. 142)

The girls would bring with them grief-laden hearts and disturbed minds. There was no one here to vent one's feelings on, no one to unburden one's heart to, nothing to do. Besides aimlessly skipping around all day, bickering and weeping over their misfortune, these girls had nothing else to occupy them. As I had no formal connection with the camp, I went infrequently. Whenever I went though, I was advised at the reception itself to not speak too much to them. Rude girls, they always mouthed obscenities, I was told. I would take a silent round of the camp and return.

<sup>18</sup> Kidwai, *In Freedom's Shade*.

This treatment, I believe, had an adverse effect on the girls. They could not vent the fever in their hearts and their disaffection only mounted. No one comforted them, or gave them hope, their just due as humans. Even a straw is a source of support to one who is drowning but this straw too was not in their grasp. None of them was told what lay ahead. Those whose relatives came could go away happily (as many did), but there were also scores of others who were bundled off screaming and cursing to Pakistan, without any promise of light at the end of the tunnel. (p. 161)

However, the problem was in fact, not of the activists’ alone. There are many indications in the writings of both Kidwai and Mridula Sarabhai that the networks of women’s solidarity that criss-crossed the camps took them by surprise. Because of the moral position that both Sarabhai and Kidwai take on matters of family (but not of honour or community), the empathy with which they relate to the fears of women cannot extend to solidarity. In the 27 July 1948 article, Sarabhai is unable to respond to the incarcerated women’s refusal to leave the camp with a critique of the institution of marriage, which implicitly is not unlike that of abduction.<sup>19</sup>

<sup>19</sup> In fact, this analogy is made explicitly in the annual Parliamentary debates on the renewal of the Abducted Persons Recovery and Restoration Act. In 1952, the representative from Mysore, Shri C.G.K. Reddy observes:

It is not as if it is only due to partition that this strange and most unfortunate relationship has come into play in this country or in the world. There are other occasions—in our country specially—when even though solemnised and respectable, marriages start off with a relationship almost akin to that between an abducted woman and another man. Are we not aware, Sir, that many of our girls are forced against their consent to marry men whom they thoroughly dislike? Are we not aware that even a few years of this remarkable companionship which more or less is thrust upon them—after five years, after some children are born, it is not possible for us to separate them?

If recovery operations were to continue, if ‘social workers’ were allowed to separate women from their families against their will, he argues, the very notion of family would be at stake. We would be led to ‘the logical conclusion of trying to separate men and women of the same religion living here,

In one such camp, Sarabhai recounts a confrontation with a group of dissenting young girls:

A young girl took the floor and argued out their case. 'You say abduction is immoral and so you are trying to save us. Well, now it is too late. One marries only once. Willingly or by force, we are now married. What are you going to do to us? Ask us to get married again? Is that not immoral? What happened to our relatives when we were abducted? Where were they? They tell you that they are eagerly waiting for us. No, you do not know our society. Life will be hell for us! Some of our nearest relatives are here living as converts. We can't leave them and go away.'<sup>20</sup>

Although Sarabhai manages to persuade this lot, others were less amenable. More generally, even for those who left willingly, farewells would be a spectacle:

Leave-taking was also a problem. It is said to be usual with women to cry when bidding farewell to someone but never have we known such hysterical outbursts as at these camps. The outgoing women and those remaining behind, saying goodbye to each other, raise such a tumult of grief that it draws the attention of the whole area, and the outsiders, not knowing what was going on, might easily suppose that violence and force was being applied to the women in the camp. In this way a big crowd is apt to collect outside and its sympathy with the women would be obvious. Only elaborate police bundobast saves the situation.<sup>21</sup>

The pathos of this situation in which the women who have nowhere to go tug at those who do, and the welter of grief that spills over do not leave Sarabhai unmoved as the rest of the article shows; however, she has nothing concrete to offer these women beyond the acceptance that they are driven by fear of the future, of losing their children, the reception they get, and of public

living in this country for years together, whose beginnings were as unfortunate as these beginnings have been'.

<sup>20</sup> Mridula Sarabhai, 'The Recovery of Abducted Women'. *Hindustan Times*, 27 July (1948).

<sup>21</sup> *Ibid.*

opinion, and shame at the loss of honour, a fear embedded in them by the police recovery squads, novice social workers and camp managers. Having been deceived so often and having had to face so many 'bogus rescue friends', these women have lost all faith in human goodwill.

Kidwai too, at least so close to the Partition, is both defensive and moral:<sup>22</sup>

Both men and women want children. To perpetuate family and race, both need a new human that springs from them. For this, a woman bears all the trouble. To agree to this union on the promise made by a pair of love-filled eyes is in her nature. If there is no companion, she will make do with the memory of one but if reflecting on the past is horrifying, how will she bear this great burden alone?

While there is no doubt that birthing, rearing, loving a child is a woman's natural proclivity, it is still a huge burden—one that she has never had to bear alone. Indeed, if such an intolerable situation is foisted upon her, she hands it to someone else and skips town. Many abducted girls were no different; often, almost as soon as they arrived, they said, 'Send these children off to their fathers. We don't want them.' No doubt that behind these words lay fear of society and shame at their unwed status, but the way they spoke did not indicate that an abiding love underlay it. They would wrap their arms around the child, weep, and push him at us, 'Give him away, I can't keep him. Or you take him. He will survive, and when he grows up, he will meet me.'

I remember those two young girls, one seventeen and the other barely fourteen. The older one had been bought by two men in partnership and been the object of their joint amusement. The younger one had been taken two years earlier, when she was twelve. She sat beside me a silent question mark, her petrified eyes asking of me and every other human—who am I? She had no words left, no ambition in her heart, no vigour in her limbs, no obstinacy of adolescence, no loveliness of youth. Can my readers

<sup>22</sup> Shortly after the Partition, in around 1953, Kidwai herself established a home for women rendered destitute by the 'Partition disturbances'.

tell me what transgression we committed in bringing these two back? Would leaving them there not have been a sin?

But such girls were merely a handful of the many I met. How could we have executed the desires of these teenagers, when their parents were still alive? No law would permit us. Besides, in light of past events and our milieu, what other option did we have? Should we have instead tried to erase these crimes? If we did so, this bad habit would only grow and, instead of preying on the other community, dishonour its own.

In fact, hasn't this ill already taken root in our society? Scores of abducted girls, all Hindus, continue to be brought to us from the railway station, where they were sold into prostitution. The camps also frequently witnessed incidents where one man shamelessly made away with another's daughter. It was our duty—as much as it was that of the government and political leaders—to end this situation quickly.

Having managed to get the two Dominions to act against abduction by making reference to the claims of family, Sarabhai was unable to move beyond, or at the very least, question the bounds of the law:

... Once I had to interrogate a Hindu woman who had made a statement in court ... that she was a willing party and wanted to stay where she was. We were alone. I was facing a girl hardly in her teens. Her expression was full of sorrow; there was a haunted look in her eyes. ... she asked a few questions: Why did we want her? Were we interested only in her or others too? What about her izzat? How would her family react? Would they take her back.... I drove home the point by asking her that how, if no one had registered her name with us, we could have found our way to her.... Still she hesitated. Her mother and two nephews had been taken away but had not been separated and were kept together by the same family in a distant district. It was in order to save them that she had agreed to this life of 'shame'.

... She warned me that if she was asked to state what she wished to do in front of the Pakistan authorities or the Muslim relatives, she would say exactly what she had said in the court. If they were to find out that she was eager to go and went willingly, and we on

our part failed to rescue her mothers and nephews, then the latter would have to face a life of hell. Even though I had informed her otherwise, she was sure that her relatives were dead, except these three, and she did not want to lose them also. Moreover, she was by no means sure that we were going to be able to get her back finally. If we failed then her life too would be hell... But if by force of law we took her back, she would have no objection!

I was in a dilemma. She was in law not a minor but a full grown adult. What was to be done? The Pakistan authorities did their best to persuade her to go with me. But she did not budge. Should coercion not be used in a case like this?<sup>23</sup>

A series of such experiences has convinced us, field workers of India as well as Pakistan that a recovered abducted woman is not in a normal state of mind. In treating such cases the usual code of human rights cannot be applied nor can time factor be considered. The wish of the women concerned should not be given undue weight. Their statements are almost false, or at least valueless.<sup>24</sup>

Statements like these by Sarabhai have usually been indexed as the reason why the outcomes of the recovery operation were as cruel to women as they were, and the fact that many such remarks were usually couched within a general argument that decisions about repatriation should not be made blindly following a general rule, and must instead be made case by case, has had little effect on conclusions about Sarabhai's authoritarian pig-headedness. Some feminist writers have argued for the need for a distinction between Sarabhai and other more empathetic social workers such as Kamlabai Patel and Anis Kidwai: For example, Menon and Bhasin<sup>25</sup> suggest that while other social workers were caught in an 'ambivalent' and 'increasingly troubled' relationship with the government, Sarabhai's proximity to Gandhi and Nehru invested her with authority, 'minus political accountability, that

<sup>23</sup> Mridula Sarabhai, 'Abducted Women: Typical Problem Cases'. *Hindustan Times*, 27 July (1948).

<sup>24</sup> Mridula Sarabhai, 'The Recovery of Abducted Women'. *Hindustan Times*, 27 July (1948).

<sup>25</sup> Menon and Bhasin, 'Recovery, Rupture, Resistance: Indian State and Abduction of Women During Partition'.

she brought into full play on the issue of recovery, which operation bore her stamp as much as it did that of the government's'.

This focus on Sarabhai's persona and ideological rigidity—however factual this may be—might allow us to fix the blame, but is in no way explanatory as to why the social workers' efforts floundered in the way they did. After all, even given Sarabhai's notorious truculence and brusqueness, she remained an inspirational figure for the social workers of her time. In the closing section of this talk, I would like to contend that the failure of the social workers to build a movement was not at a personal level for either the benign or authoritarian social workers but derived fundamentally from the political moment that these women were located in and their appreciation of women's rights as citizens.

### **The Long Road to Citizenship**

With the benefit of hindsight and our experiences of the many decades of the Indian women's movements, one could always of course expect that they would have learnt to work *with* the abducted women to frame an alternative agenda for a radically different set of demands, all of which would essentially boil down to a guarantee of civil rights *outside* the framework of the family. Such an alternative agenda would have demanded not only a reconfiguration of the social workers' class alliances and ideals of (in) discipline, it would also have required the creation of resources for an interrogation of the nature of the family. While the Partition's pornographic violence created the resource for a critique of religion and community, there were perhaps no comparable ones available for the family.

Rather than asking of the personalities of social workers of the abducted women period why they did not transform empathy into solidarity as easily as we do today—most spectacularly with the Manipuri women's protests against AFSPA, and on a routine basis every day—I think that the proper question is what it was at that political moment that rendered this impossible. My contention is that this impediment lay in the relationship that women

such as Kidwai and Sarabhai, at the moment of the birth of the nation, had to the notion of citizen.

The sociologist Sylvia Walby<sup>26</sup> has noted that in most societies, ‘women have a different relationship to citizenship than men’, where citizenship is defined as having three elements—the civil, political and the social:

The civil element is composed of the rights necessary for individual freedom—liberty of the person, freedom of speech and thought and faith, the right to own property and to conclude valid contracts, and the right to justice.... By the political element ... [is meant] ... the right to participate in the exercise of political power, as a member of a body invested with political authority or as an elector of the members of such a body.... By the social element ... [is meant] ... the whole range from the right to a modicum of economic welfare and security to the right to share to the full in the social heritage and to live the life of a civilised being according to the standards prevailing in the society.<sup>27</sup>

Although Marshall has argued that in liberal democracies, these three elements have been placed in a historical trajectory of development, by which civil rights are the first to appear, followed by political rights and lastly the social, Walby points out that across the world, the history of women’s acquisition of these rights is substantially different. Women in Britain before 1928 did not acquire civil rights—such as the right to person or justice, embodied in the right to be free of sexual coercion by husbands—in fact, ‘for first world women political citizenship is typically achieved before civil citizenship, the reverse of the order for men.’ In other countries, Walby argues, ‘citizenship did not arrive at one moment for all people’, and in the order instantiated—particularly for many third world women, as political citizenship came well in advance of civil and social citizenship.

<sup>26</sup> S. Walby, *Theorizing Patriarchy* (Cambridge: Oxford, 1990); *Gender Transformations* (London: Routledge, 1997).

<sup>27</sup> T.H. Marshall, *Citizenship and Social Class* (London: Cambridge University Press, 1950).

Walby<sup>28</sup> goes on to argue that in many areas of the globe, the acquisition of political citizenship has created the conditions for a transformation of the basic nature of patriarchy itself—from a private patriarchy to a public one. In her theorising, these two forms of patriarchy differ at many levels: While private patriarchy is based upon household production, with the patriarch controlling women individually and directly in the home, public patriarchy is based on structures other than the household (which may still remain an important site). While in private patriarchy, the exploitation of women in the household is maintained by their non-admission into the public sphere, in public patriarchy, the exploitation of women takes place at all levels, but women are not excluded from any. This access itself creates the space for struggles against subordination both in the home and outside, and for the rights of civil and social citizenship. In other words, public patriarchy forms the edifice upon which the access of civil and social citizenship rights can be erected, as it is only public patriarchy that is ever powerful enough an opponent against private patriarchy.

Returning to Sarabhai and the social workers and using Walby's arguments, at the cusp of the Partition, movement beyond the letter of the law was well-nigh impossible, as to reject the State and the public would have resulted in a denial of the one weapon handed to them to challenge private patriarchy. While the social workers' optimistic assertions of how 'every citizen is needed by India and Pakistan to help each build up a model state'<sup>29</sup> (and of how 'the women in captivity have a brilliant future ahead of them')<sup>30</sup> must have rung false even contemporaneously, these lies also paved way for the utterance of other truths directed at the outer rims of private patriarchy—religion and community.

Not one person in both Dominions will refrain from vehemently denouncing what has happened but before the might of anti-social

<sup>28</sup> Walby, *Theorizing Patriarchy; Gender Transformations*.

<sup>29</sup> Sarabhai 'Recovery of Captive Women'.

<sup>30</sup> Ibid.

elements, how many are there who have had the strength openly to resist them and to curb their activities? How many have dared to assist in freeing a woman from captivity or to stand by the converted minorities to stay in their homes as followers of their original faith?<sup>31</sup>

More than sixty years on, while it is absolutely necessary for us to critique the failures of the social workers in producing a women’s movement, this critique has to be one from within. Even today, the Indian women’s movement chooses public patriarchy as the one with whom to wrestle and wrest rights from. More assured than Kidwai and Sarabhai, we know who we are fighting with—it’s still patriarchy, so what if its public—and with the gains of civil rights that political citizenship has brought us, solidarity is the form that our struggles take. Today, if we are overtaken by dread over the present scenario, it is because the familiar target of our battles is itself in a state of flux, as the Khap panchayats and campaigns of Love Jihad are determined to violently undo the limited gains that have been won and to once again reinstate the power of private patriarchy. Our invocation of the Constitution and existing laws does not therefore legitimise public patriarchy but the achievements of civil and political liberties that we have won from it. It is in this context that we must see Sarabhai, Kidwai and other social workers as one of our own—women who cast the first stones at a spectre that still looms before us all.

<sup>31</sup> Ibid.