

Communal Riots and Plight of Women

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Abstract- In this paper I am going to explore the topic of communal violence in general and violence against women in particular and the violation of women's basic rights. The time span, which I am going to look at, is phase of partition 1947 and riots of 2002 Gujarat. Then I will also look upon the Communal violence Bill 2011.

Index Terms- Communal, Gender, Gujarat, Hindu, Muslim, Nation, Partition, Violence, Women, Riots.

I. INTRODUCTION

Starting with Communal violence, it is a form of violence that is perpetrated across ethnic or communal lines, the violent parties feel solidarity for their respective groups, and victims are chosen based upon group membership. The term includes conflicts, riots and other forms of violence between communities of different religious faith or ethnic origins. The Indian law defines communal violence as, "any act or series of acts, whether spontaneous or planned, resulting in injury or harm to the person and or property, knowingly directed against any person by virtue of his or her membership of any religious or linguistic minority, in any State in the Union of India, or Scheduled Castes and Scheduled Tribes within the meaning of clauses (24) and (25) of Article 366 of the Constitution of India". (Constitution of India)

Now coming to conflict's gendered perspective, women were the worst and most sufferers of these kinds of violence. Due to the reason of the difference between gender and sex, the oldest known difference embodied into language, is seen as basic, unquestionable and unproblematic- a condition of life. Difference "in itself" is historically determined as the hierarchy/ domination/ injustice/ social inequality that are "theoretically" based on patriarchy/gender/sex. In conflict's time women were not seen as individual, rather they were seen as reproductive unit and property or pride of "other" community which is meant to be distorted so as to destroy the pride of community.

I am tracing communal violence and the experiences of women, to re-write her history. It has been experienced by many that the history we read is male biased i.e. written from men's perspective. I'm not denying the fact that there were considerable women figures who worked on partition but that too were male centered. Their contribution in freedom struggle was seen as the supplement of male. When feminists began their study of partition violence against women, they used first-hand accounts of social workers and memoirs and the testimonies of women in rehabilitation camps. And if we talk about government records, women were considered as mere objects only shown in numbers. No subjectification was provided as to what had happened? What

were the causes and consequences of violence against women? What were the steps taken by government?

Talking about the partition of 1947 India, the practice of nation building employed social constructions of masculinity and femininity that supports a division of labor in which women reproduce the nation physically and symbolically and men protect, defend, and avenge the nation. National mythologies draw on traditional gender roles and the nationalist narratives is filled with images of the nation as mother, wife, and maiden. At that point of time and till now women's bodies become symbolic and spatial boundaries of the nation. Women's were seen as the property of the nation and at times property of the community. Partition: a metaphor for irreparable loss. (Menon & Bhasin, 2000)

II. PARTITION VIOLENCE 1947

The violence which immediately followed the partition of British India into India and Pakistan resulted in the death of nearly 2.5 million people across both the regions. As the partition was announced Minorities from both the sides tried to migrate to the other country. Perhaps some of the historians peg the figure of migration at about 15million. There were a large no of incidents of mass violence. Sikh villages were burnt in West Punjab, male members killed and female were subjected to physical violence and mass rapes. Similarly in Eastern Punjab and other parts of India the migrating minority community faced a similar fate. The worst suffer of the violence were women. Both Hindus and Muslims were affected on both sides of borders during the partition riots. The main cause of partition was division of the nation on religious grounds and the unbending attitude of the political parties. The communal award announced by Ramsay Mcdonald in 1932 was the beginning point of the conflict between the different religious groups. The award provided for separate electorates along religious lines. It resulted in compartmentalization further the policy of divide and rule of the Britishers and their sudden withdrawal lead to a bloody aftermath.

III. 2002 GUJARAT VIOLENCE

Since partition, there have been a number of incidents of mass brutality against Muslims in Gujarat. In 2002, in an occurrence depicted as a demonstration of "fascistic state terror", Hindu radicals completed acts of extraordinary savagery against the Muslim minority population. The beginning stage for the episode was the burning of a train, which was blamed on Muslims. Later in the riots, young ladies were sexually assaulted or hacked to death. These assaults were virtually approved by the decision of

ruling BJP, whose refusal to intercede prompted the relocation of 200,000 Muslims. Loss of life figures extend from the official gauge of 790 Muslims and 254 Hindus murdered, to 2,000 Muslims slaughtered. Then Gujarat CM Narendra Modi has too been blamed for starting and overlooking the brutality, as have the police and government authorities who remained silent and virtually participated, as they literally coordinated the agitators and gave addresses of Muslim-possessed properties to the radicals. Women in both these cases faced the most brutality and the most heinous crimes were committed on women of both the religious communities.

As I had mentioned earlier women during the partition and even before the partition also didn't constitute a separate or individual identity. Their identity was clubbed with the community so as the honour. The nature of violence which occurred was very ghastly ranging from:

1. Disfigurement,
2. Mutilation,
3. Disembowelment,
4. Castration,
5. Branding or tattooing the breasts and genitalia with triumphal slogans,
6. Raping and killing the foetuses,
7. Abduction,
8. Honour killing,
9. Stripping and parading naked

These are the parts of its pathology and must be recognized for their symbolic meaning. As Veena Das had noted "There is no contradiction between the fact that, on the one hand mob violence may be highly organized and crowds provided with such instruments as voters list or combustible powders and on the other hand that crowds draw upon repositories of unconscious images." This phenomenon of violence is described most aptly by the *language of feud*. As in, feuds may be defined as "a pact of violence" between social groups in such a way that definition of self and other emerges through the exchange of violence i.e. the exchange of violence is an integral part which is directed towards the others. In such an exchange the "victims are simply the bearer of status of their group". The other group thinks by directing their violence towards the victims they can crush the prestige of their opponents. Similar was the case of women who faced the violence in 1947 and 2002 Gujarat. The groups targeted the women (victims) for the above mentioned reasons. The brutal violence that women faced during the communal riots can also be seen in the context of the place the women's sexuality occupies in an all-male, patriarchal arrangement of gender relations between and within religious or ethnic communities. Most of the violence experienced by women is when women are sexually assaulted by men of other community in an assertion of their identity and in order to humiliate the other by hurting their *honour*. The violence, rape faced by Sikh, Hindu and Muslim women were a result of similar action-reaction, retaliation and the fake honour concept. There were a range of testimonies or case studies from 1947 violence riots and 2002 Gujarat riots, from the women who personally experienced it or by the family members or by the fact finding teams.

"Puttar, aurat da ki ai, aur tan varti jaandi ai
Hamesha, bhanve apne hon, bhanve paraye"

The incident of Sheikhpura is quite shaking. The Sheikhpura district in Western Punjab was a Sikh minority district. During the partition riots Sheikhpura became a byword for murder, arson, loot and rape. A person named Dr. Virsa Singh claimed that he had shot 50 women personally even his wife, daughter and mother because he said that Muslims came to get them. The most disturbing element is that the women themselves came and said "Viran, pehle mannu maar". Despite being highly educated Dr. Virsa did not regret killing them. Rather he said that this was necessary in order to protect the *honour* of the community, because he considered the women as the honour of the community.

The trauma of Partition violence was very difficult to tell for both men and women. The gendered nature of experience of violence has given rise the different narrations of the events of violence. As Veena Das and Ashish Nandy have pointed out that the difference in narrations of women and men was different because the women have "retained the memory of loot, rape and plunder" in their bodies as well. But the memories were more formal and organized as in case of Iqbal or Dr. Virsa Singh.

An article from the Caravan: Journal of politics and culture, titled "how Hindu mobs used rape as weapon against women like Bilik Bano during Gujarat riots" by Prita Jha. "*The struggles of Gujarat's rape survivors were not, and still are not, limited to the courts of law,*" Jha writes. "*These women had to also fight for their dignity in their own communities.*"

The heavily pregnant Kausar Bano's stomach had been ripped open with a sword, her foetus removed and thrown into fire. This clearly shows the patriarchal mentality of the mob.

Another case from Gujarat, was from the rehabilitation camp where the Muslim survivors were kept for their safety and security. Girl named Jamila stated that the Maulana there has asked for sexual favor from her mother and sister, in return she will get proper benefits of the camp. This shows the hypocrisy and patriarchal nature of their community.

Kumkum Sangari's response to this viewpoint is very important. For her there is no abstract disembodied patriarchy. Rather, there is a multiplicity of patriarchies located in a variety of institutions in the civil society, apart from the state.

State's Role from recovering from the pain of partition and Gujarat riots.

Apart from setting up rehabilitation camps for refugees in 1947, the governments of the two countries came to an agreement that abducted persons should be recovered. **India's Abducted Persons Act of 1949** stated that "Abducted person" means a male child of under the age of 16 years or a female of whatever age who is, or immediately before the first day of March, 1947, was a Muslim (Pakistan's Law stated Hindu or Sikh) and who on or after that day or before the first day of January, 1949, was separated from his or her family and is found to be living with or in control of any other individual or family, and in the latter case includes a child born to any such female after the said date." This law in itself is very good, which allowed women and children from other side to come to their respective countries. But the question here is of honor of the family. Question was of acceptance of those women who were coming from other side and after long time. The issues of Abducted women were taken into account, resistance was coming from within India, the question of children born from these

women, they were considered illegitimate in the eyes of law said by one of member of Hindu society. Those children were needed to send back to Pakistan. This also created trauma of separation from the child to women. Homes for widows and children were also setup.

Earlier known as '**Prevention of Communal and Targeted Violence (Access to Justice and Reparations) Bill, 2011**' is brought to curb the riots taking place between majority and minority communities. After the alleged post-godhra riots in Gujarat, The former UPA government proposed for the need of the bill. The controversial Communal Violence Bill (later name changed from "Prevention of Communal and Targeted Violence bill") has raised the brows of one and all. While some believe it is UPA's strategy to win minority vote banks, others believe that it is a tool to strengthen the integrity and harmony of the country. At first glance, it does seem to be a peacemaker, but on second thoughts it brings out the darker side of democracy. When the government should be emphasizing on equal rights for all, it is promoting the minority community as the underprivileged and the deprived. Recent amendments- drawing the wrath of various parties, starting BJP, the two major points of contentions may be amended. The words "majority" and "minority" have been removed from the Bill. With this, communal violence law becomes applicable against any particular community and not against a minority or a majority. To emphasize its point, the UPA further proposed to change the name of the Bill to "Communal

Violence Prevention Bill". However, another clause that allows the Centre to send paramilitary force to a state, without its consent, when a communal tension threatening the harmony of the society arises.

From all this I only want to say that, women is not a heterogeneous group. Each woman has her individual human rights. In the time of riots women was the first whose human right is violated. Her dignity was outraged. She was considered as the mere reproductive machine for the community. Her honor was honor of community but she is not part of community. Her motherly nature was praised until she was under the set boundaries of patriarchal society. She doesn't have any control on her life and death. When needed set on fire, and that too very proudly. The concept of "Ghar Wapsi" is only applicable to men folk and many more constraints in women's emancipation.

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