CONSTITUTING THE EXCEPTION: LAW, LITERATURE AND THE STATE OF EMERGENCY IN POSTCOLONIAL INDIA

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TABLE OF CONTENTS

Abstract.....iv-v

Introduction: Representing Crisis.....1-9

1. Sovereignty as a Body Language: History, Memory and Partition.....10-52

2. Fortress-Text: The Democratic Constitution as a Global Genre.....53-96

3. Constitutional Emergency in India: 1950-1977.....97-137

4. Reproducing the Citizen: Sovereignty and the Constitutional Body.....138-178

Conclusion: The Futures of Rights.....179-198

Bibliography.....199-205

Biography.....206

CHAPTER ONE:
Sovereignty as a Body Language: History, Memory and Partition

I. Introduction

In the moment of Partition, the people of the subcontinent were in the process of becoming-citizens, but many would not complete the journey. Identities had rapidly changed from Punjabi and Gujarati to Muslim and Hindu. The interim Indian government set up refugee camps to provide protection for people who were being attacked both when trying to leave their ancestral homes and when trying to take up residence elsewhere. Over one million people lost their lives. Despite the existence of a vast popular archive on the events of Partition (including novels, short stories, films and music in Hindu, Urdu, Punjabi and English) there is still no public memorial in India or Pakistan to commemorate the loss that occurred during the period.

In Chapter Two, I will argue that the Indian state *did* memorialize Partition, but it did so through the incorporation of emergency provisions in the new constitution. In its dual role as interim government and constitutional drafting committee, the Constituent Assembly used the immediate threat of religious violence to justify the establishment of an overwhelmingly centralized state apparatus. We recall that the Constituent Assembly is a body that has an exceptional relation to historical time—in the process whereby constituent power becomes constituted power, the Assembly's task is to describe its work in terms that disavow its own historicity. The exceptionality of sovereignty therefore, is not just in its ordering of space but in its creation of a (non) relation to history. Perhaps it is no surprise that the statist

"memorialization" of the period is one in which the present is frozen under the sign of crisis.

Two recently published texts have revisited the period of Partition by using narrative to reinscribe historical memories that were foreclosed by the exceptional temporality of crisis. In Shauna Singh Baldwin's novel, *What the Body Remembers* (1999) and Urvashi Butalia's ethnography, *The Other Side of Silence* (1998) Partition is a moment in which historical memory, whether official or personal, is under siege. I will argue that Baldwin and Butalia represent Partition as a crisis of representation brought about by the redefinition of the body politic and the land in a simultaneous "time outside of time."

In *What the Body Remembers,* Shauna Singh Baldwin focuses on the history of the Sikhs in the Punjab and the influence of the epistemological projects of the colonial state on the formation of modern Sikh political and religious identity. The narrative registers the effects of Partition as a displacement of bodies, not only from ancestral lands but from historical relationships that contextualize religious identity. In my reading of the novel, I argue that Baldwin represents the foreclosure of historical memory during Partition in two ways: through her deliberation on the "map" as an achievement of colonial epistemology that cannot represent historical time, and through her reconfiguration of the scene of hailing, a common element in Partition narratives in which a person must "prove" his or her religious identity to avoid murder, rape or abduction. If the map and the scene of hailing demonstrate the crisis of identifying, reading and representing the citizen-body during a period of crisis, the

novel as a whole employs narrative as a means of "giving a form" to historical memory in a way that maintains rather than erases its ambivalent elements.

Urvashi Butalia's ethnography, *The Other Side of Silence*, served as a major source text for Baldwin's novel. Through interviews with members of her own family, social workers, scheduled castes and others, Butalia brings together the stories of Partition survivors who were not "recognizable" under state definitions of religious or group identity. Many people experienced a crisis of legibility before their own communities and the state, both during migration (when they sought protection) and after its completion, when they had no proper claim upon (or relation to) a particular place. Baldwin and Butalia explore and respond to the phenomenon whereby the erasure of people's historical relationship to the land resulted in the rhetorical advancement of the body as a transcendental vessel of religious identity. In both texts, narrative is a formal means of resisting the placement of the body "beyond history."

The process whereby the body came to be the governing signifier of religious identity in the subcontinent intensified through the anticolonial response to such instruments as the colonial census.[1] In his study of what he calls Gandhi's "biomorality," Joseph Alter explains how a politics of anticolonial resistance would have to respond to the colonial construction of the native body through its own body politics

> To understand why Gandhi was preoccupied with the problems of celibacy, dietetics, and health, one must first take seriously the notion that eating and sex do not require meta-interpretation. In the context of colonialism there is a direct relationship between self-control and politics rather than one mediated by either subconscious symbols or

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[1] See Joan V. Bondurant, *Conquest of Violence: The Gandhian Philosophy of Conflict* (Princeton: Princeton UP, 1958).

> some other set of cultural meanings encoded in myth, ritual, and spirituality on the one hand or early childhood on the other.[2]

If politicizing the body as a material entity was part of both colonial strategies of domination *and* anticolonial forms of resistance, how can attempts to re-engage the history of Partition move beyond a politics that locates identity solely in bodies? Indeed, can we get beyond the fact that if Partition was a point of rupture in terms of defining territory, it was also a point of suture between state sovereignty and entrenched hierarchies of the body, including caste, class and gender?

Bapsi Sidhwa's *Cracking India* (perhaps the most well known novel about Partition written in English) openly engages with this problem through its exploration of the pleasures and dangers of the body as an unstable signifier. Sidhwa represents Partition as a moment in which the body is torn through the emergence of state sovereignty. Through narrative, Sidhwa, Baldwin and Butalia represent the body as a process rather than an entity—it is a temporal movement, a coming into being of identity that is shaped by the circumstances of the moment which "crisis" threatens to erase. I focus on the relation between crisis and the removal of the body from history to recognize the kind of intervention that these fictional and ethnographic narratives are making: they are attempting to uncouple the relationship between religious identity and the body—a legacy of colonial epistemology that was crystallized as the biopolitics of the subcontinent in the foundational emergency known as Partition. During Partition, land had become an unstable category onto which one could no longer make material claims, and thus bodies began to take on the role of "founding"

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[2] Joseph S. Alter, *Gandhi's Body: Sex Diet and the Politics of Nationalism* (Philadephia: Univ. Pennsylvania Press, 2000) 6.

historical claims and transcending history at the same time. Of the complex forces involved in attributing to bodies the attributes that usually pertained to land, I want to begin with the role of colonial epistemology in mapping the subcontinent. As the quintessential operation of sovereignty, the demarcation of territory in the colonial period was always articulated as a body language.

II. Colonial Body Counts

Identity politics in contemporary India continue to reflect the colonial project of mapping the subcontinent. Although *land* was the ostensible subject of the cadastral surveys undertaken by the British colonial state in the nineteenth century, the persistent focus on the ornamentation, physiognomy and variation of native bodies in these archives suggests that the body of the native needed to be mapped simultaneously with the landscape. Bernard Cohn and Gerald Barrier have shown how our modern understanding of the body politic of the subcontinent developed out of colonial knowledge projects. Cohn's groundbreaking analysis demonstrated that the nineteenth century censuses not only shaped the state's understanding of native bodies, but also influenced the rhetoric of anticolonial political movements.[3] Drawing on the wave of scholarship inspired by Cohn's work, Arjun Appadurai has recently argued that we must reorient our analysis of the census to consider what kind of force the practice of enumeration had on the meaning of the "body" in the colonial state.[4]

[3] Bernard Cohn, "The Census, Social Structure and Objectification in South Asia," *An Anthropologist Among the Historians and Other Essays* (Delhi & London: Oxford UP, 1987).
[4] Arjun Appadurai, "Number in the Colonial Imagination," *Orientalism and the Postcolonial Predicament*, eds. Carol Breckenridge and Peter Van der Veer (Philadelphia: University of Pennsylvania Press, 1993).

As the practice of "enumeration" homogenized bodies into distinct identities, it made the individual body the integral unit of measuring political identity.

The rise of the statistical sciences peaked in the nineteenth century, when "number" and the statistical "fact" had become indispensable technologies of state governance. For the British colonial state in India, the production of the census reflected a belief in the usefulness of numerical data for the successful maintenance of rule. Regarding the specific features of the imperial census, Arjun Appadurai argues that enumeration was not only functionally useable, creating a sense of manageability over land, resources and a diverse population, but also rhetorically powerful, inflecting the theory of rule and constituting the core of its practical execution.

In the essay, "Number in the Colonial Imagination," Appadurai demonstrates that number (specifically, the practice of counting, or "enumeration") had both a "justificatory" and "pedagogical" function that together defined the style of imperial rule. Appadurai uses the term "justificatory" to define practices of enumeration that were designed to legitimate policy choices or conduct basic activities of the state such as revenue collection. The pedagogical impact of enumeration however, is Appadurai's primary interest, for the emphasis on measurement and techniques of data collection in the training of future officers and native functionaries made counting a standard procedure of rule. Combined with the Orientalist imagination of the land and people as impossibly diverse, enumeration reinforced the need to define more and more kinds of information as *countable* in order to manage diversity (324). For Appadurai, the relationship between the imperial census and the formation of modern politico-religious identity springs from the pedagogical force of number

> In each of these important ways, the prose of cadastral control set the grounds, and constituted a rehearsal, for later discourse concerning human communities and their enumeration. This rehearsal had three components: it set the stage for the widespread use of standardizing enumerative techniques to control on-the-ground material variations; it treated the physical features of the landscape, as well as its productivity and ecological variability, as separable (to some extent) from the complex social rights involved in its use and meaning for rural Indians; and it constituted a pedagogical preparation for the kind of disciplinary regime that would later be required for human census enumerators and tabulators at all levels. (325)

The pedagogical influence of the census was reiterated over time through the training of future officials who would continue to report on the issue. The body could be both a countable abstraction (represented in number) and a signifier of identity (represented variously by caste, religion or 'race'). But instead of congealing into a singular, bounded entity, the body "counted" by the practice of enumeration was at least as intractable a shifting signifer as caste or the religious identity mapped "onto" it.

Appadurai goes on to argue that the operations of the census set the terms for the modern form of community or group-based politics in the postcolonial state. In the process of defining this historical and institutional inheritance from the colonial period, he concedes that in some ways, all modern democratic nation-states face the problem of identity-based political movements. What made the colonial context unique was the way in which the processes of identity formation and enumeration were interarticulated so that the one term could *only* be expressed in terms of the other

> The net result was something critically different from all other complex state-apparatuses in regard to the politics of the body and the construction of communities as bodies. Put very simply, other regimes may have had numerical concerns and they may also have had classificatory concerns. But these remained largely separate, and it was only in the complex conjuncture of variables that constituted the project of the mature colonial state that these two forms of "dynamic nominalism" came together, to create a polity centered around self-

> consciously enumerated communities...what was generated was a specifically colonial political arithmetic, in which essentializing and enumerating human communities became not only concurrent activities but unimaginable without one another. (333)

The entanglement of representation and enumeration was part of the fabric of politics in the twilight of colonial rule. The polity that is shaped by this "colonial arithmetic" persists in the postcolonial era. Although identity politics in India has a history that reaches back into the colonial paradigm, the modern democratic state, and in particular, the democratic constitution, has been an instrument of governance that shores up the perpetuation of group-differentiated citizenship over and against an abstract citizenship. The Indian Constitution sets the terms for the definition of the citizen as an embodied figure, differentiated by religion, caste, economic status and gender. If the census began this process, in many ways the constitution enabled it to progress unimpeded. The journey therefore, might be described as a movement from an epistemology to a political sociology. Or, to put it another way, the legacy of the census in India is one which demonstrates the historical force of state epistemology in the formation of political institutions.

In Appadurai's account, the instruments of knowing and the object of knowledge were mutually constitutive but it is the impact of enumeration on the understanding of the "body" that interests him most. Appadurai frequently refers to "bodies" as objects of enumeration and as sites where a particular kind of information is inscribed, concluding that the practice of counting served to "homogenize" the unruly bodies of the sati, the hookswinger, and the like. Through his discussion however, there is a shift in the meaning of the term "body" between the concept of

individual bodies, the body as a discursive site and the concept of the body politic as an aggregation of individual-group-identities. This multiply articulated idea of "body" suggests that the relation between enumeration as a way of knowing and the body as the object of knowledge needs further exploration.

If the relationship between the imperial census and articulations of religious identity in the modern Indian nation-state is as Appadurai suggests, then the legacy of body counts in massacres could be read primarily as attempts to reduce the number of people in a particular group. But accounts of partition violence, both historical and fictional, suggest that the ritual mutilations of bodies constitute a statement of territorial occupation. The Partition pogrom is a compressed tableau in which the forces of coloniality and modern sovereignty are both visible. The cutting of fetuses from the wombs of pregnant women, the severing of genitalia and other explicit attacks on the reproductive capacities of the body reflected the collusion between Brahminical ideologies of caste and religion on the one hand, and colonial understandings of caste as the structure of indigenous civil society on the other.[5] But the persistence of such violence in modern India, most recently exemplified in Gujarat, suggests that the body, as the signifier of religious identity "beyond history," continues to be the site where transcendental claims to land are made.

III. Where Does Memory Reside?

[5] For a complete discussion of attempts to map caste into a coherent system, and the waxing and waning of the idea of caste as a biological inheritance on the model of race, see Nicholas Dirks, *Castes of Mind: Colonialism and the Making of Modern India* (Princeton: Princeton University Press, 2001).

Bapsi Sidhwa's *Cracking India* explores the political consequences of the proximity between conceptions of territory and embodiment. [6] The novel opens with the description of a blissful childhood 'order of things' in which a young Parsi girl (Lenny) relies on her Ayah for love, and on her Ayah's two admirers, Ice-Candy Man and the Masseur, for entertainment. Unable to walk freely because of the effects of polio on her foot, Lenny is the constant companion of her Ayah, taken everywhere as a witness to her caretaker's daily life. If, in the outset of the narrative the body is a means of connecting to the social group, as the plot develops, its "pleasures" become an extraordinary source of danger. In many ways, we can read the unwholeness of Lenny's body as a fact that draws her outside of an identification with Parsis only, and into the society of Hindus, Muslims and Sikhs around her. Alternatively, the spectacular fullness or extreme materiality of Ayah seems to doom her to the fate of being an "occupied territory."

Although her disability prevents her from interacting with her peers (who call her "lame Lenny") it guarantees her unique access into the adult life of her Ayah (named Shanta), as well as the concern and attention of her parents. When Lenny's mother and father try to repair her foot through surgery, Lenny is overcome with the fear that the resolution of her problem might result in neglect from her parents or abandonment, rejoicing when she discovers that the foot did not fully improve after the operation. (24-25) Lenny's awareness of the impact of her body on her relations with others seems to be a confession about the ambivalent pleasures of embodiment. It

[6] Bapsi Sidhwa, *Cracking India* (Minneapolis: Milkweed Editions, 1991), Originally published as *Ice-Candy Man* (London: Heinemann, 1988).

is no surprise therefore, that ideas about the body dominate her perception of Shanta, whose physical form seems to have a magnetic force over those around her

> The covetous glances Ayah draws educate me. Up and down, they look at her…Holy men, masked in piety, shove aside their pretenses to ogle her with lust…Ayah is chocolate-brown and short. Everything about her is eighteen years old and round and plump. Even her face. Full-blown cheeks, pouting mouth and smooth forehead curve to form a circle with her head…And, as if her looks were not stunning enough, she has a rolling bouncy walk that agitates the globules of her buttocks under her cheap colorful saris and the half-spheres beneath her short sari blouses. The Englishman no doubt had noticed. (12-13)

In this extended description, Lenny notices how Ayah's body has power over men in particular, yet she does not tell us if Ayah self-consciously uses this power or not. What we do have is a picture of a woman who is *all* body—as Lenny says, "everything about her is eighteen years old and round and plump." It seems that Lenny's interest is in the way that the body, whether complete in its roundness or incomplete in disability, is a means of connecting to a larger social group. Lenny's sense of the importance of her own disability seems operative in her account of Ayah's bodily-power: her estimation of Ayah as "all body" reflects her own belief that it is her body, rather than any other characteristic, that prompts others to attend to her, accompany her and show her affection. The danger of such logic becomes clear in moments when the body is vulnerable to change and development, rendering its "power" precarious at best.

The problem of bodily change for Lenny has two dimensions: as a child, Lenny has anxieties about the inevitability of growing up, but the context in which she must face this fact is one of spectacular violence in which the body is overexposed to violence.

In her memory, the older Lenny registers the outbreak of violence in the streets by recalling the sound of sirens wailing in the night. The first time that she hears the piercing wail of sirens, the loss of her childhood and the circumstances of this loss come together in the form of a nightmare

> That night I have the first nightmare that connects me to the pain of others. Far away I hear a siren…The nocturnal throb and shrieking grow louder, closing in, coming now from the compound of the Salvation Army next door. Its tin-sheet gates open a crack to let out a long khaki caterpillar…it metamorphoses into a single German soldier…his cap and uniform immaculate…he comes to get me. (31)

The metamorphosis of the "khaki" caterpillar into the German solider marks the extraordinary transformation of the police in the moment of Partition. "Khaki" was the traditional color of the British colonial army uniform in the subcontinent, and the metamorphosis of this diverse group of subalterns into the single German soldier figures both the consolidation of national identity (and national militaries) during Partition and the state of emergency in which the body is abandoned to violence. Rather than functioning as an emblem of the particularity of the holocaust, the German soldier here marks the global career of genocide.[7]

The perspective of the narration shifts after the description of the nightmare, and an older Lenny questions why the sound of the siren shaped her dream in the way that it did. She continues to have the dream of the soldier, and begins to connect it to the memory of another recurring dream

[7] Indeed, the historical relationship between Hindu nationalist ideology and Nazi propaganda is too detailed to summarize here, but I will note a few important connections. Among members of the RSS (Rashtriya
Swayamsevak Sangh), a Hindu nationalist organization founded in 1928, Hitler's *Mein Kampf* has long been a favorite text. Leaders of other organizations in the Sangh Parivar (BJP, VHP, Shiv Sena) including Bal Thackeray have announced their admiration of Hitler in public rallies since the late 1980s and the longstanding fascination with the Third Reich has often been invoked in defense of the idea of "Hindu Rashtra," the Hindu nation.

> I recall another childhood nightmare from the past. Children lie in a warehouse. Mother and Ayah move about solicitously...Godmother sits by my bed smiling indulgently as men in uniforms quietly slice off a child's arm here, a leg there. She strokes my head as they dismember me. I feel no pain. Only an abysmal sense of loss—and a chilling horror that no one is concerned by what's happening. (31)

This scene in which Lenny's mother, godmother and Ayah deliver her to dismemberment at the hands of the uniformed men eloquently describes the process of becoming-citizen in the subcontinent. During this period, both colonial and anticolonial resistance movements explicitly linked the body to the religious identities which functioned as the guidelines for dividing the region. Lenny's nightmare reflects the collusion of colonial epistemologies of the body and anticolonial body politics, and thus, the dismemberment of the children reconfigures their bodies for a new form of national belonging.

Lenny laments the articulation of the new citizen in such a "body language," by performing the brutality of this logic. In what is perhaps the most famous scene in the novel, she tears one of her dolls in two, with the help of her cousin, Adi

> I examine the sari- and dhoti-clad Indian dolls. They are unreal, their exaggerated faces too obviously painted, their bodies too fragile. I select a large lifelike doll...I hold it upside down and pull its pink legs apart. The knees and thighs bend unnaturally, but the stitching in the center stays intact...Adi and I pull the doll's legs...until making a wrenching sound, it suddenly splits...The cloth skin is ripped right up to its armpits spilling chunks of grayish cotton and coiled brown coir and the innards...I examine the doll's spilled insides and, holding them in my hands, collapse on the bed sobbing.

Although this moment can be read as an allegory of land division expressed through the tearing of a body, it requires no such allegorical interpretation since land and bodies were mutually constituted. Lenny's sense that the bodies are "too fragile"

expresses the longing for a political vocabulary that transcends the coloniality of the rhetorical deployment of the body.

Bapsi Sidhwa's representation of Partition as a form of dismemberment reflects the rhetorical status of the body as that which is "beyond history" in the political discourse of the period. As Arjun Appadurai has shown, the colonial mapping projects (such as the census, Gazeteers and geographical surveys) abstracted religious identity from land and historical context in ways that shaped the anticolonial resistance movement. Rather than functioning as an allegory of the partition, *Cracking India* exposes the way in which, during the period of crisis, the body was both *all matter* and all *that* mattered in the discourse of politics.

If the emergence of the sovereign states of India and Pakistan each resulted in the formation of a new body politic from which certain members were irretrievably cut, it was also the case that on both sides of the border, the presence of religious and ethnic minorities continued to prevent the construction of a normative national identity. Insofar as it functions to define a body politic, sovereignty is the instantiation of a ruling body language in which some identities can be signified in the state language of citizenship and others most certainly cannot.

IV. Beyond the Citizen

In her ethnography of Partition entitled *The Other Side of Silence*, Urvashi Butalia focuses on those who were beyond signification in the emergent sign system of "citizenship"[8] Butalia argues that the designation of the Constituent Assembly of India as a sovereign body under the Cabinet Mission Plan resulted in the formation of

[8] Urvashi Butalia, *The Other Side of Silence: Voices from the Partition of India* (Durham: Duke University Press, 2000).

a new body politic in which only normative Hindu, Muslim and Sikh identities were recognized.[9] The formation of the Assembly was a moment in which only some religious identities were institutionally recognized by the state, and others were simply lumped, like the Sikhs, Jains and Buddhists, into the larger category of "Hindu." Unfortunately, this process merely reflected existing power imbalances and forms of oppression that would grow worse over time. Groups that were far more marginal than these in terms of economic, social and political stats, such as Dalits, were left entirely in limbo. B.R. Ambedkar, Chairman of the Constitutional Drafting Committee and the nation's most prominent "untouchable," tried to bring the government's attention to the problem created when identities were abstracted from their historical and territorial contexts

> In December 1947 Ambedkar wrote to Nehru, complaining that scheduled caste evacuees who had come into East Punjab were not able to take shelter in refugee camps established by the Indian government. The reason, he said, was that officers in charge of the camps discriminated between caste Hindus and scheduled caste refugees...only those who could get into camps were eligible for rations; scheduled castes could not get into camps because camp officers would not allow them in. They were, ostensibly, 'Hindus' living in Hindustan. By and large refugee camps housed two kinds of refugees: those coming in from Pakistan (mostly Hindus), and those waiting to go there (mostly Muslims). The Harijans of Tihar did not fit any of these categories. They were *from* Delhi and needed a place *in* Delhi. Where then, could they go? (240)

Because they were designated by normative Hindu culture as untouchable, the Dalits were not welcome in refugee camps meant to provide assistance to Hindus. But they were also residents of Delhi, a status which had been erased under the somewhat

[9] Ibid, 239. See also S.K. Chaube, "The Last Straw that Broke the Nation's Back: The Formation of the Constituent Assembly of India", *Pangs of Partition: Vol.1, The Parting of Ways*, ed. S. Settar and Indira B. Gupta (Delhi: Indian Council of Historical Research, 2002) 95-112.

paradoxical identity "untouchable Hindu." Yet this status was maintained (when disadvantageous to the Dalits) insofar as they were considered "tillers," of the land, rather than owners, enabling the state to deny them land grants.[10] Although not all Dalits were refused entry into refugee camps, the influence of their historical role within the labor-culture nexus of Hindu community makes clear how state recognition of identity did not challenge the oppressive norms of the status quo, but often shored them up. Even as the identity "Hindu" was supposed to be legible to the state, the example of the Dalit refugees proves not only that state regulation must be investigated in its local manifestations but also that the standardization of religious identity was not done in such a way that would prevent such lacunae.

If the Dalits had fallen into the fissures of identity categories, women affected by Partition found themselves subject to an intensely strict categorization. During the migrations, many women were abducted by men of a different religion and taken from their homes to live either in India or Pakistan. The Indian government responded to this problem by creating an official program of "Relief and Recovery" in which the women who disappeared would be tracked down and returned to their "home" country. The official records of women reported missing had not been released to the public until several years after Partition in order to protect the reputations of the families from which they were taken. In 1988, the journal *Manushi* published the memoir of a relief worker named Kamlaben Patel in which she described her role in

[10] Although many tried to seek remedy for the situation, Dalits who attempted to claim land grants meant for refugees were denied because of their historical status as those who worked the land. "According to the administrative rules that had been laid down, compensatory land was made available mainly to those who could be defined as agriculturalists—in other words, to those who owned land. Dalits however, were not owners. Rather, they were tillers of the land, so they could make no legitimate claim to getting compensatory land." (Butalia, 240)

assisting women who were abducted and sexually assaulted during Partition. Kamlaben states that 75,000 women were victims of rape and/or abduction during Partition, but that this figure does not include Kashmir, which Butalia estimates would put the number at roughly 100,000.[11] Although Butalia is shocked that both the extent and the history of such a phenomenon would not come to light for forty years, Kamlaben offers a crucial explanation: the state's solutions to the problems of abduction were profoundly patriarchal and often left the women in worse condition than before—for Kamlaben, both the crime and the form of justice were often intensely traumatic. Reflecting on Kamlaben's inability to "accept" what she witnessed during the time, Butalia attempts to theorize the silence surrounding Partition as a story that cannot be articulated rather than a form of indifference.

Kamlaben was one of many social workers who participated in the project of "returning" women to their homes, a project that was formally instituted by the Prime Ministers of India and Pakistan. Both countries agreed that "forced conversions would not be recognized" and that women and girls ought to be returned to their families. This policy contained many confusing elements, for it defined a woman's original home as her family, her place of residence *and* her religious affiliation. (111) The concept of return depended rather heavily on the meaning of the term "home," making the slippage in meaning a serious problem. Several women, once "found" by the recovery teams, had already settled into new lives, married, converted and borne children. Many did not want to return to an uncertain home, where their families, whose honor they had jeopardized, might not be able to accept them. It was simply not

[11] Interview with Kamlaben Patel (Butalia, 105).

possible for these women to prove that their conversions were not coerced because the state policy was founded on the assumption that this was the case.

The project of recovery was not a form of repatriation, but hinged on the idea that women could not have a home outside of their biological family and the family's biologically *inherited* religion. This narrow conception of religion as a form of inheritance was one of the many instances in which a Hindu understanding of religious identity dominated the meaning of the term. Butalia recounts several stories of women who were forced, though unwilling, to leave the new homes and families that they established after abduction. The claims of these women could not be accommodated within the State's understanding of Partition *or* citizenship. The conflation of home, religion and land had been part of the crude calculation through which a Hindu India and a Muslim Pakistan were demarcated, leaving aside both the diversity of those identities and the fate of those who did not belong in either

> India's reluctance (although recent history has questioned this) to accept Partition was based on its self-perception as a secular, rational nation, not one whose identity was defined by religion…the 'proper' home for Hindu and Sikh women who were presumed to have been abducted was India, home of the Hindu and Sikh religion, and for Muslim women it was Pakistan, home of the Muslim religion, not the home that these women might actually have chosen…Theoretically, at Partition, every citizen had a choice in the nation he/she wished to belong to. If a woman had had the misfortune of being abducted, however, she did not have such a choice. (111)

Butalia's frustration over the theoretical nature of citizenship exposes the crucial element of deferral that Partition inaugurates and Emergency perpetuates. The moment of crisis had frozen the defining moment of citizenship for abducted women, so that only the state could determine their "proper" placement. The scope of Butalia's study

however, shows that the same problem was faced by many people during Partition: those who were Christian or belonged to Scheduled Castes, scores of orphaned and abducted children and many others who had no opportunity to choose or declare their citizenship, such as her uncle, Rana.

The story of Rana demonstrates how the terms of membership in political community were contorted during Partition by the estrangement of religious identity from its historical and geographical contexts. At first, Rana, like many of Butalia's informants, refuses to speak. His pain over the events of Partition manifests itself in silence—both the symptom of what happens to historical memory in crisis and in many cases, the only means of relief. Rana is Butalia's maternal uncle who chose to remain in what would become Pakistan despite the rest of his family's decision to leave. Rana converted to Islam shortly thereafter. His decision to stay provoked much resentment from his siblings, for they believed that he was motivated only by the desire to hold on to family property. In addition to this problem, his siblings found it unconscionable that he insisted that their mother remain in Pakistan with him. Although he took care of and provided for his mother, his decision prevented his other siblings from seeing her (which he could not have anticipated in terms of state policy) even at her death.

After learning that her grandmother had converted to Islam, Butalia faces the emotional shock of accepting that she was buried upon death. The materiality of her grandmother's body in death is painful for Butalia because it violates her family's traditional practice of cremation. Though deeply troubled by the fact that the body has not been consecrated according to tradition, she recognizes that this is precisely the

crisis of the body during Partition. When she asks Rana to see the grave, his answer reflects the enormity of his own ambivalence about the decision to convert. Butalia recalls the exchange

> It's been many years now since I have seen Rana. I no longer know if he is alive or dead...Years ago, when Rana answered my mother's question about whether he had buried or cremated my grandmother, I asked if he would take me to her grave. I still remember standing with him by his gate in the fading light of the evening...saying to him, "Ranamama, I want to see my grandmother's grave. Please take me to see it.' It was the first time he answered me without looking at me: he scuffed the dust under his feet and said: 'No my child, not yet. I'm not ready yet." (39)

Although she may have been trying to acknowledge and honor the truth of her grandmother's fate, perhaps Rana senses that her request is still fraught with a note of accusation. In this painful moment, it becomes clear that the story of Rana's "becoming Muslim" is a metamorphosis that will always remain incomplete. Ranamama's unwillingness to take his niece to the grave suggests that the attempt to "go on" and assimilate does not and cannot remove the pain of losing a social world with which one is familiar, and into which the cycles of one's life are consecrated. In this moment and in her account of Rana's fraught relationship to his new (Muslim) family, Butalia sheds light on the marginality of Rana's Muslim identity. The personal traumas of Rana may have been many more than Butalia could record, but the dominant narratives (those of Butalia's family, those of Rana's family, those of the community in which he lives) have made his story unspeakable because it testifies both to his victimization and his inability to claim status as a "legitimate" victim. Normative historical accounts, whether made by families, individuals, communities or the state, often cannot cohere unless certain ambiguities are erased, and along with

them, histories. Her experience with Rana enables Butalia to refine her understanding of the silence of abducted women as an expression of impossibility. Rather than retrieving voices perceived to be lost, Butalia's ethnographies register the "suspension" of certain historical narratives during and after the moment of crisis.

But even unofficial historical narratives often contain within them a foreclosure or abjection of alternative viewpoints. As she recalls the many stories and ritual remembrances in which Sikh communities commemorate the violence of Partition, the one-sided nature of these narratives begins to overwhelm her

> So much violence, so much pain and grief, often so much dishonesty about the violence—killing women was not violence, it was saving the honor of the community; losing sight of children, abandoning them to who knew what fate was not violence, it was maintaining the purity of the religion; killing people of the other religion was not murder, it was somehow excusable…seldom has a process of research I have been engaged in brought me more anger, and more anguish. (284)

If Sikhs rationalized and memorialized the killing of women in their families as an attempt to save the community, this depends on an understanding of the gendered body as *the* vessel of reproducing identity. Why could there not be another conception of identity transmission that was not such a confluence of biological and patriarchal conceptions of embodiment?

Perhaps the answer lies somewhere along the trajectory of thinking about the body that Appadurai sketches out—namely, that if embodiment and identity in this moment were mutually constituted under the political sociology of enumeration, the result was the reinforcement of hegemonic conceptions of the social person rather than an altogether "new" paradigm of identity (religious, gendered, linguistic, etc). In nearly every ethnographic encounter, Butalia shows the state's failure to challenge

oppressive hierarchies. It seems necessary therefore, to be skeptical of accounts of identity formation that offer a strictly functional model of the relation between state institutions and identity discourse. If we take Butalia's intervention seriously, we would be remiss in interpreting Cohn's work on the census as an example of how the state "creates" religious identity in a top-down causal fashion. Butalia helps us understand Cohn's work as a description of the way in which political identity is created through a *relation between hegemonic forces*, even if these forces are in outright opposition.

Given this approach to reading Cohn, how do we account for the fact that such a politics of identity continues to have great force? Perhaps Butalia's ethnography can provide an answer by directing our attention beyond the state. In the rituals of remembrance, songs and ethnographic histories of the Sikh Punjabi community, she locates a popular technology of memory in which the foreclosure of alternative conceptions of Partition continues. Taken together, the ethnographic narratives that Butalia assembles allow her to show the way in which Partition enforced a conception of identity as a familio-biological inheritance that was tied to individual bodies (their placement, their "integrity") rather than individual choices. Perhaps it was her insistence that narrative can register and retain the ambivalence of historical memory that inspired Shauna Singh Baldwin to use the text as one of the primary sources for her novel, *What the Body Remembers*.[12]

[12] "The following print sources were invaluable: Urvashi Butalia's articles and her book, *The Other Side of Silence*; *The Sikhs* by Owen Cole and Piara Singh Sambhi, Hew McLeod's books on Sikhism; J.S. Grewal's books on Sikh history; *Ethics of the Sikhs* by Avtar Singh; Ayesha Jalal and Sugata Bose's *Modern South Asia: History, Culture, Political Economy;* and Sardar Bahadur Sarup Singh's

V. The Body Language of Sovereignty

In *What the Body Remembers* (1999) we have a reengagement with the history of Partition at a moment when most novels by South Asian writers focused on the diasporic experience. Baldwin broke new ground by chronicling the experience of a Sikh family during the period, showing how the Hindu/Muslim dichotomy that dominates Partition narratives obscures the effect of the emergence of state sovereignty on the identity discourse of other minority communities. The novel begins in 1928, with the story of a girl named Roop who lives with her family in a village known as Pari Darvaza ("doorway of the fairies.") The village is located near what would be one of the most contested sites of the Pubjab, the Rawalpindi district, which includes Hindu, Muslim and Sikh inhabitants.

At the beginning of the novel, Roop's family identity as "Sikh" is fluid in terms of both lineage and religious practice. Roop's father, Bachan Singh, was born to a Hindu man who was unable to have a son until he promised that his next child would become a Sikh. Her father's half-brother, Shyam Chacha, is a Hindu whose presence in the village is one of the many reminders that the family's Sikh identity is neither uniform nor rooted in history. Other members of the household also have religious identities and engage in religious practices that are not exclusively part of one tradition—the servant Gujri was a Hindu orphan widowed at the age of seven and given as a servant to Roop's mother who raised her as a Sikh; a cousin-sister named Revati Bhua, though a Sikh, regularly worships an idol of Lakshmi and visits the local temple to pray and see performances of the Ram Leela.

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unpublished manuscript: *Note on the Canal Water Dispute between India and Pakistan*." Shauna Singh Baldwin, *What the Body Remembers* (New York: Random House, 1999) Acknowledgments.

The family seems to manage the religious and cultural hybridity that typifies Pari Darvaza itself, but a tragedy and a spectacle of mutilation radically change the pattern of everyday life for them. After her mother dies in childbirth, Roop's father and brother Jeevan travel to Benares to perform the last rites. While the men of the house are gone, Roop's grandmother holds a mourning ceremony called a "siapa" in which the women of the town collectively mourn the family's loss. (36-37) The servant Gurji warns them however, that the siapa is considered to be a Hindu custom, and is an improper activity. (37) Upon his return, Bachan Singh is furious to hear that the siapa was performed, and declares that the family has been cursed because they have failed to live an exclusively Sikh lifestyle. He forbids Roop and Revati Bhua from visiting Hindu shrines and demands that the Akhand Path be recited to purify the household. As Roop considers the new limitations on her movement within the village, she recalls her mother's practice of traveling in purdah—a practice that her father now forbids because of its association as an iconically Muslim practice. Her limited mobility also reflects the geographical reconfiguration of the village, in which the borders of Muslim, Hindu and Sikh areas are becoming more pronounced.

Bachan Singh's insistence that his misfortune comes from an insufficiently Sikh way of life also draws from an event that occured during his return trip from Benares

> I was in Gujarkhan—Gujarkhan! Only two villages from here! Arya Samaj followers took that retired military-man's son, you know, that young boy who was going off to join the Sikh Regiment, like his father…They took him, hobbled him like a goat…and stopped in the bazaar so everyone could see him and then they went to the temple where everything was prepared—the holy fire, the waiting pandit.

> There they tore off his turban, undid his knot of hair, and *cut it off.* All of it! Returned him to shuddhi, they said. (40)

When Roop fails to understand the motivation for the attack, Bachan Singh explains that the "return to shuddi," is an attempt to purify and reclaim those who have left the Hindu fold. The way in which the purification is accomplished is through acts of mutilation that enable a ritual recoding of the body. Bachan Singh recognizes that the mutilation not only causes pain, but prevents the boy from joining the Sikh Regiment of the army. This moment of mutilation exposes the double-bind experienced by the colonial subject who wants to have a legible identity before the colonial state.

Harjot Oberoi's historiography of the development of a normative Sikh identity provides a historical context for the novel's representation of "identity crisis" among Punjabi Sikhs.[13] If during the period of Guru Nanak, Sikhism was largely a syncretic movement, by the seventeenth century, persistent conflicts with the Mughal state and a need to consolidate a Guru tradition shifted the focus to one of particularism.[14] Oberoi dates the development of the Khalsa as new conception of Sikh community to the 1790s, and the leadership of Guru Gobind Singh

> Given the paucity of written records it is hard to specify...the exact nature of the Khalsa under Gobind Singh. But one thing is clear: the Khalsa was instituted to finally end the ambiguities of Sikh religiosity. The Sikhs would henceforth, at least normatively, be able to distinguish between 'us' and 'the others.' These distinctions were inscribed through a complex cultural repertoire made up of inventive rituals, codes of conduct, mythical narratives and a whole new classificatory code regarding the body."[15]

[13] Harjot Oberoi, *The Construction of Religious Boundaries: Culture, Identity and Diversity in the Sikh Tradition* (Delhi: Oxford University Press, 1994).
[14] Oberoi argues that the Janam-Sakhi mythological tradition depicted Nanak in a variety of ways that were not always coherent, and that this reflected the fact that in the early seventeenth century, Sikh identity was more fluid than it would be upon the rise of the Khalsa. (Oberoi, 56)
[15] Ibid. 59

The codes regarding the body were intensified during the rise of the reformist Tat Khalsa movement, whose goal was to purify and consolidate Sikh identity. Oberoi argues that the Tat Khalsa disseminated their message through a medium known as the Rahit-namas, "code-of-conduct manuals [that] cover all domains of human life, ranging from such routine matters as how the Khalsa shall eat to laying down the nature of piety." [16] The Rahit-namas that circulated during the eighteenth century often included polemics against non-Sikh practices in addition to catalogues of Sikh rituals that should be observed in daily life. Oberoi's account of this popular literature suggests that the representations of purging non-Sikh practices from the domestic sphere in *What the Body Remembers* had a strong historical foundation. The influence of this popular form on religious practice also accounts for the way in which the Tat Khalsa was able to mobilize support for their particular conception of Sikh identity. By bringing this archive to light, Oberoi challenges the notion that modern Sikh identity was entirely a "creation" of the colonial state, a thesis put forth by social anthropologist, R. G. Fox, in which he argues that the wearing of the Sikh turban was not a Sikh practice until it became part of the regimental uniform in the army.[17] Oberoi's work thus compliments that of Butalia, since both describe identity as a process in historical context rather than a simple top-down causal relation.

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[16] Ibid. 63

[17] According to Oberoi, Fox argues that "...Sikh identity as we know it today was a creation of the colonial state." (Oberoi, 372). Oberoi provides this quote from Fox as an illustration, "British rulers, in pursuit of their colonial interests through means dictated by their own cultural beliefs, foreshadowed the reformed Sikh, or Singh identity, propounded by the Singh Sabhas." from R.G.Fox, *Lions of the Punjab* (Berkeley: University of California Press, 1985) 10.

Among the many practices advocated by the Rahit-namas were so-called life-cycle rituals, in which milestone events in a person's life would reinforce their membership in the Sikh community. Of these events, the "naming ceremony" is particularly important, and plays a crucial role in *What the Body Remembers*. Roop's name, was originally a nickname to be replaced by a name chosen from the Guru Granth Sahib. The naming ceremony was supposed to happen after her newly born brother was named, but the baby died shortly after birth and Roop's ceremony was not even contemplated. Roop's name itself means "shape," but ironically lacks the shape or form that the naming ceremony is meant to provide. Although the text of the Guru Granth Sahib is supposed to be the source for Roop's proper name, another text in another language performs this function in a way that endangers the link between her body and her identity.

The day after the continuous recitation of the Akhand Path, Roop and Gujri encounter a bangle seller in the local tunnel. Although Roop is not interested in buying any of the bangles, she offers the seller a banana to honor her late mother's wish that she always display generosity. Unwilling to take something for nothing, the bangle seller offers to give Roop a tattoo. Since both Revati Bhua and her grandmother have tatoos, Roop agrees and holds out her wrist

> She scrunches her eyes and commands, "Write my name." The bangle seller holds the needle poised above the light brown skin on her unclean side.
> "Qya naam?"
> "Roop," she says.
> Roop, temporary vessel of God. Small body, just a shape...The bangle seller grips her arm...Skin turns to canvas. Ink spreads across the vulnerable softness of her inner wrist, giving shape to the sound of her name...Roop examines her left arm with startled dismay. She had

> expected him to write in the Guru's script, Gurmukhi. Instead, he started from the right, and wrote her name in Persian script, as if he were writing in Urdu. Papaji, Gujri, everyone will be angry. Urdu is a language only Muslims use.(52-3)

Even though Roop wishes to have her name tattooed on her arm, her decision to have it inscribed on her left arm, or her "unclean side," reflects a sense of this act as profane (or not sacred). She is shocked therefore, when she sees the Persian script, since this only amplifies the profanity of the tattoo and threatens to draw her father's ire. But despite her fear that the tattoo will be revealed, she cannot read Persian, and only recognizes the "script"—reflecting the relation between signifier and signified as a customary, rather than a natural relation. In other words, Roop reads her tattoo as a series of shapes that signify Muslim identity instead of the name "Roop." Thus, the textual inscription that is supposed to encode the body as Roop, fails to do so, succeeding only in exposing the problems inherent in encoding bodies.

If Roop's name reflects a gap between naming as a provisional practice and identity as a stable category, it prefigures a similar crisis around embodiment in the run-up to partition. As political tensions escalate, Roop's friend Huma begins to identify more as a Muslim by wearing purdah and avoiding Roop's company. When Roop is alarmed by the splintering of a once cohesive community, Huma casually remarks that except for "tum log" (you people), Pari Darvaza is a Muslim village. Roop protests that no one observed the community distinctions before, but Huma counters that it is all the more important now to distinguish between peoples, for "Sikhs are just Hindus who can't be disguised." (345) Even though Roop believes that her tattoo may cause confusion about her identity, Huma's observation suggests the

opposite—namely, that Sikhs *cannot* be mistaken for anything but Hindus who haven't the ability to "pass" for Muslims. Although her statement about passing seems to apply clearly to Sikh men (whose topknots and/or turbans would mark them apart from Hindu men) it is not clear how Sikh women would be "unable" to pass by wearing purdah. The implication of Huma's statement is that the Sikh cannot prove his or her distinctiveness because the Sikhs can never transcend the idea that they were "once" Hindus. Huma fails to consider whether or not Muslim may pass as Hindus or Sikhs.

Because of her family's dire financial situation, Roop becomes the second wife of a wealthy Sardarji, a landed aristocrat and canal engineer who works for the Irrigation Department. Sardarji's elder wife, the Bari Sardani named Satya, is unable to bear children, and he marries Roop with the hope that she will produce offspring. When Roop enters married life, she joins a family unit that is radically different from her own. Both Sardarji and Satya are from "pure" Sikh families, which have been Sikh for generations (unlike her own). Whereas her father only owns the right to work his land, her husband, Sardarji owns the land.

Bari Sardarni, Satya, is deeply angered at her husband's decision to take a second wife, especially one from a poor family. Her anguish comes not only from a feeling of abandonment, but frustration at not being able to conceive. Despite her powerful position in the household, Satya's infertility is the way in which her body betrays her. In a dream, Satya imagines that she is the embodiment of the Indus river, which is drained by Vayu, who draws the water away through canals. Although

Vayu's redirection of the water echoes the irrigation and development of the Punjab, it also causes the destruction of the fertile Indus in the dream

> *The canals feed the desert till it turns green…Left in my bed, I discover pain in each limb…The raw, unlined canals stir my muddy water, bringing all that is buried and denied to the surface. I can hardly move, my thighs are stained white by the fine salt dust that extinguishes life in my valley…Then comes a hakim…Breathing solicitously and carefully on my sleeping shape, he takes a kirpan, hones its steel blade, cuts the salt from my thighs. Deep gashes, till I bleed so long and so much his brow knits in worry and repulsion…Then into my canals flows my blood, so strong and so red, the salt dissolves.* [emphasis original] (244-5)

The canals not only draw out the water of the Indus, they change its composition. Satya's body, figured as a river, lies in its bed and experiences this draining as a loss rather than a simple redirection. The salt that accumulates "extinguishes life," figuring Satya's sterility. The man who emerges to cut "the salt from [Satya's] thighs," allows her blood to flow as the water once did. The dissolving of the salt, rather than being a return to fertility, reflects instead the gradual dissolution of Satya's bitterness toward Roop, which only the man with the kirpan [Sardarji] can bring about. Satya often criticizes Sardarji for believing that the British irrigation schemes will benefit anyone other than the British. The figure with the kirpan in her dream thus operates on two registers: it echoes the strain of estrangement in the relationship between herself and Sardarji, and highlights the fact that Sikh political interests played a role in the construction of the boundary between India and Pakistan.

In Satya's dream, the irrigation of the Punjab brings life to the desert, but does so by taking life from somewhere else. The transfer of life in the dream allegory is more than just the movement of Satya's own life force—it is a historical reminder of

the influence that the canal development projects had on the demographics and development of the Western Punjab.[18] Unlike the eastern part of the Punjab, which received enough monsoon rain for agriculture to flourish, the western areas were unable to support large-scale farming or settlement. Imran Ali has argued that under British rule, the demography of the western Punjab changed dramatically as a result of a program of "agricultural colonization," in which the landholding classes reaped great benefits which made them beholden to the colonial state. [19]

The canals established in the Western Punjab after 1885 were designed to be perennial rather than seasonal ones, and the tracts of land soon became known as "canal colonies." The existing population of the canal colony tracts was low and therefore, many people from neighboring areas migrated to work on the irrigation and farming projects. The British state compensated the landlords for the loss of labor forces that moved to work on the canal tracts with grants of land in the new colonies. Ali refers to the development of the doabs as "agricultural colonization," in part because it set in motion a process that allowed wealthy landowning castes to maintain and/or increase their landholdings. The ownership claims of poor and/or non-landed farming communities (particularly, the Janglis) were ignored, and all "fallow" land ceded immediately to the colonial state.[20]

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[18] The area that Ali focuses on is the Western Punjab, which became part of Pakistan in 1947. This area is also the setting of Baldwin's novel—in particular, the cities of Rawalpindi, Lahore and Khanewal. Imran Ali, "Sikh Settlers in the Western Punjab During British Rule," Working Paper No. 94-04, *Center for Management and Economic Research Working Paper Series* (Lahore: Lahore University of Management Sciences, 1994) 3.

[19] Ibid. 3

[20] The Janglis protested the loss of their pastoral land and those with camels or cattle were eventually given small land grants, but "their underlings had to survive through subtenancies and labour services. Again, the British sought to preserve the pre-existing hierarchy." (Ali, 2)

The land thus ceded could be used or apportioned to anyone the state designated, and thus the scheme of "agricultural colonization" was shaped by a colonial policy that sought to maintain indigenous landlord-tenant relations.[21] The land grants were limited strictly to Punjabis, and the people who were to colonize the region were chosen from areas of the Punjab that were considered overpopulated, including the central and north-west barani regions. The rubric used to determine which populations would settle and develop the newly habitable regions was the list of "agricultural castes" drawn up after 1900 in the Alienation of Lands Act, another instance in which colonial epistemologies of identity changed the fate of communities.

In proportion to their population, Sikhs were major beneficiaries of the land grants given to elite landowning Punjabis. Many of the Sikhs, in turn, joined the army, a relationship which was actively sought by the colonial state. A large influx of settlers into the central Punjab occurred in the Rechna Doab. (7) Because the Sikhs played important roles in the colonization of the Western doabs of the Punjab before partition, their position vis-a-vis the state was complex. The idea of the Sikhs as a "martial race" was not merely a British projection, it was an exemplum of the kind of self-making that developed in coloniality. The British benefited by having an elite class of native landowners who were beholden to them, and the Sikhs were able to build their status and consolidate their community's historical identity in the region.

It is this position of "complicity" with the colonial state that Baldwin explores through the character of Sardarji and in particular, his role as a canal colony engineer. Having studied at Cambridge, Sardarji firmly believes that science and progress are

[21] Ibid. 2

values that the British hold above all else. But when his superior, Mr. Farquharson, fails to promote him to chief irrigation engineer, Sardarji realizes that he is merely a pawn in a political process rather than a heroic figure who can modernize India.

V. N. Datta has recently considered the role of the Sikhs in the creation of the Punjab Boundary Commission Award (also known as the Radcliffe Commission Award, after its chairman, Sir Cyril Radcliffe).[22] His main question is to ask if there is sufficient historical evidence to support the account that the Viceroy Lord Mountbatten used his influence to force Sir Cyril Radcliffe to alter the Partition Boundary at the last minute, to the detriment of Pakistan. (13) According to Datta, Mountbatten was thought to have favored India, a position that some have argued was a form of retaliation for not being appointed Governor General of Pakistan by Jinnah.[23] Most historians agree that the bloodshed of Partition resulted from Radcliffe's dilatory ways, since the two countries became independent (August 15th, 1947) before the boundary award had been announced (August 16th, 1947).

The controversy emerged out of an exchange of draft maps between Radcliffe and Mountbatten. The purported difference was between a map that Radcliffe's secretary had drawn on August 8 which placed the tehsils (districts) of Ferozepur and Zira in Pakistan, and the final map of August 12, 1947, that allotted these territories to India, giving the majority of the largely Muslim district of Gurdaspur to India.[24] The

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[22] V.N. Datta, "Lord Mountbatten and the Punjab Boundary Commission Reward," *Pangs of Partition, Vol. 1: The Parting of Ways*, ed. S. Settar and Indira Baptista Gupta (Delhi: Indian Council of Historical Research, Manohar, 2002) 13-40.

[23] Michael Drecher, *Nehru: A Political Biography* (London, 1959) cited in Datta, 36.

[24] Although Mountbatten countered that the earlier version was merely one draft of many, he himself did not draw it. For a more complete discussion of the boundary maps, drawn by Mountbatten's secretary Sir George Abell under the direction of Radcliffe's secretary, Chirstopher Beaumont, see Datta, 14-15.

change was attributed to the fact that Mountbatten, after reviewing this draft, had recommended the tehsils to be placed in India. Radcliffe however, vehemently denied that he had been influenced by anything Mountbatten could have recommended or suggested. Datta concludes that Radcliffe's ultimate award corresponded, almost exactly, to a boundary made in 1946 by Lord Wavell—a boundary that was actually drawn up for Wavell by V.P. Menon and B.N. Rau.[25]

Datta's investigation does not end there, but attempts to broaden the scope of inquiry to include the influence of the political parties representing minorities. The boundary commission was intended to divide the Punjab "on the basis of ascertaining the contiguous majority areas of Muslims and non-Muslims" but was also supposed to consider "other factors," such as minority populations.[26] Four members from the major parties were appointed to the committee, two by the Muslim League and two by the Congress Party, respectively: Justice Din Mohammed, Justice Mohammed Munir, Justice Mehr Chand Mahajan, and Justice Teja Singh. (16) The primary plans were presented by Counsels for the parties: Justice M.C. Setalvad for the Congress and Justice Zafarullah Khan of the Muslim League. Whereas Setalvad argued that the "other factors" that should be taken into consideration in drawing the boundaries should include the placement and protection of the Sikh minority, Khan argued that the only factor should be the location of majority populations. (21) The question between the Setalvad and Khan was whether the boundary would be at the Chenab or

[25] "The conclusion is that the Radcliffe Award corresponds to the border line specified by Wavell in 1946, and Wavell's boundary line was actually drawn by V.P. Menon and Sir B.N. Rau...Radcliffe was not the progenitor of the demarcation of the boundary, but was an accessory to give the Award a semblance of impartiality...Further, it is a myth that Mountbatten kept himself out of the boundary question." Datta, 35.
[26] Speech by British Prime Minister Clement Atlee before the House of Commons, June 3, 1947. Quoted in Datta, 16.

Ravi rivers. Between these two plans, Harnam Singh asked for recognition to be given to the Sikhs, "Harnam Singh pleaded for a Sikh homeland in the area between the Beas and Chenab including the Canal Colonies, which the Sikhs though hard labour and determination had turned from a desert into a land of prosperity."(21) Through an analysis of communications between Mountbatten and Radcliffe, Datta shows that Mountbatten was significantly involved in the boundary demarcation largely in terms of his concern for the fate of the Sikhs.

By acknowledging the historical basis for the Sikh community to claim the canal colonies, Datta opens the question of who would benefit from their location and the long-term economic and demographic effects involved. Since the parties in the Commission disagreed so strongly, Radcliffe claimed that it was left to him to make the final award, although he did so without attending the public hearings in which the Counsels for the parties argued in favor of their plans. (24-25) Despite the fact that Radcliffe wanted both countries to share the task of managing the Punjab waters, his request was denied.[27] The ultimate boundary line was largely irrational from the perspective of irrigation—it made little sense that Lahore was going to be split from the center of the Upper Bari Doab (at Gurdaspur) even though it was Lahore (and not the district of Gurdaspur) that was the major beneficiary of the canal center's waters.[28] According to Datta, the proximity of Gurdaspur to the Sikh majority city of Amritsar was a major factor guiding the decision

> Supposing the Gurdaspur district had been allotted to Pakistan then Amritsar, the holy city of the Sikhs, would have been surrounded by

[27] Leonard Mosley, *The Last Days of the British Raj* (London: 1961) 185, cited in Datta, 26.
[28] Arthur Aloys Mitchell, *The Indus Rivers, A Study of the Effect of Partition* (New Haven and Longon, 1967) 189, cited in Datta, 28.

> the Muslim majority areas of Sialkot, Jammu & Kashmir and Kapurthala. The Sikh factor was crucial in the allotment of a major portion of Gurdaspur district to India...Like Wavell, Radcliffe too regretted that he could not preserve undivided the irrigation system of the Upper Bari Doab canal, though he did make some adjustments of the Lahore-Amritsar boundary to eliminate some of the consequences of the severance. (30)

Under the Radcliffe Commission Award, the boundary between India (East Punjab) and Pakistan (West Punjab) follows the Sutlej river from the south and moves north at Ferozepur (just before the Beas and Sutlej rivers split) eventually connecting with the Ravi and moving upwards to Jammu and Kashmir.

The picture painted by Datta is one in which Sikh political leadership appears to have had a uniform opinion regarding the partition of Punjab.[29] In Shauna Singh Baldwin's novel, *What the Body Remembers*, a canal engineer, the man with the kirpan from Satya's dream, prepares his own map, reflecting the debates among different Sikh interests. In the novel, Sardarji moves his family to Lahore in 1942, where he works as the superintending engineer of the Upper Bari Doab Canal. He is later asked by the Maharaja of Patiala to modernize the canal system, and towards the end of the novel is a chief engineer in the construction of the Bhakra Dam.[30] By the time of the Boundary Commission, he decides to send his plan to the Sikh representatives who would argue before the very hearings for which Radcliffe never cared to make an appearance. Sardarji's plan does not advocate the creation of a

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[29] "Mountbatten emphasized that the Sikhs had asked for the partition of Punjab. Though the Sikh leadership was divided on political issues, it was united on the Partition of Punjab. During 1946-7, Baldev Singh, Giani Kartar Singh, Ujjal Singh, Swaran Singh and Tara Singh urged the British authorities on several occasions to partition Punjab in a manner so as to safeguard their legitimate interests.

[30] The character of Sardarji may in fact be based on the life of Jagman Singh, a hydraulic engineer who published an autobiography of his experiences working on the Bhakra Dam. See Jagman Singh, *My Tryst With the Projects Bhakra and Beas* (New Delhi: Uppal, 1998). Baldwin's novel was published in 1999.

separate Sikh nation, but aims to preserve both the efforts of his life's work and his sense of Sikh history

> He...carefully draws a deep crimson line down the Chenab river—he demands all the land east of Chenab for the Sikhs, recommends that every field and canal east of the Chenab remain out of Pakistan...*Including Lahore*...The line he draws takes hallowed ground, where Guru Nanak was born...out of reach of the Islamic state, into India...But the line Sardarji draws leaves his own haveli, that haveli in which...seven generations of his clan have lived and died, on the side of Pakistan. It leaves his mill, his villages...leaves Punja Sahib Gurdwara...where Guru Nanak left his handprint (386)

Although Sardarji's line preserves the integrity of the canal system, he clearly justifies the allotment of all of the area east of the Chenab on the belief that only the Indian state will protect the needs of the Sikh community. Moreover, the inclusion of Lahore on the Indian side reflects the unrealized desire of Sikh leaders to keep historically Sikh-owned land together.[31] Sardarji's boundary reflects the inevitability of compromise between the values of ancestral property, economic infrastructure, demographics and sacred space. But perhaps the most important element of his decision to draw a map is what he hopes that the Boundary Commission will do with it, "The pleader will show them this corner of the planet in two dimensions and the map will ask that the honourable judges imagine a third dimension and, more important, a fourth—memory." (387). After submitting his proposal, Sardarji sends his family to Delhi before Radcliffe announces the official award. Despite his hopes, the history of the Sikhs could not be reconciled in territorial terms.

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[31] "On 30 April 1947, Giani Kartar Singh, Harnam Singh and Ujjal Singh met Lord Ismay, Chief of the Viceroy's Staff...They emphasized that in no case would they like the Lahore Division to be included even as an interim arrangement in Pakistan territory. 'It was a matter of life and death for the Sikhs and they would far sooner all die fighting,' they said." (Datta, 28) Datta's source is document 258 in Vol X of *Transfer of Power 1942-7* (London, 1981), edited by Nicholas Mansergh.

. The climactic moment that defines the crisis of gendered embodiment in the novel occurs at this point, during Roop's desperate journey to Delhi after the outbreak of Partition violence. Since Satya has passed away, Roop has sole custody of her two children and must lead them to safety along with Jorimon, but without Sardarji. During the journey, the engine of the car overheats and the group is stranded at the side of the Grand Trunk Road. The driver leaves the car to search for water, and during his absence the women are accosted by a gang of Muslim marauders. In this moment, Roop is immediately aware that she and the children will be hailed as Hindus or Sikhs, and tries to convince the men otherwise by speaking in Urdu. When this ploy fails, Jorimon is attacked and narrowly escapes by proclaiming that she is a Muslim. But Roop cannot bring herself to say that she is a Muslim, and thinks of another way out instead

> And so Roop extends her unclean arm, her bared left arm, from the window till her upturned inner wrist falls in the spotlight from the torch. Her tattooed name, in Persian script, floats on the bronze of her skin.
> "See?" Her almond eyes say…praying he will not ask to see her right wrist, circled as it is by her steel kara marking her as a Sikh; praying he will not take scissors and threaten her long dark hair…
> "Achcha," he mumbles, satisfied. (523)

Upon seeing the tattoo, the marauders who only a moment before threatened their lives, become their saviors. They fetch the water needed to start the car, and help Roop and her family to travel to safety. It is significant that Roop's ability to speak perfect Urdu is not enough to convince the men that she is a part of their community. The force of the tattoo in this moment, is greater than that of spoken language—it is an inscription on the body that is "read" as an expression of identity.

In an extraordinary reversal, Roop's fear that the tattoo would erase her identity as a Sikh is precisely what saves her life (and does so without any endangerment to her hair and other elements of her observance of Sikh codes of embodiment). The inscription performs a double exposure—it signifies "Roop" as shape, and shaping as a contingent process. In this moment, when Baldwin demonstrates the liberatory potential of a "text," she invites us to think of the body as that which is constructed through an exchange of signs. Baldwin's "body as text" not only opens our understanding of the body as more than matter, but returns to the theme of the narrative as a space that can accommodate the many forms that embodiment takes. The public consequences of embodiment are problems for both women and men in Baldwin's novel. But if the male's Sikh identity is excessively legible (exemplified by the turban), the woman's body is insufficiently so, always in danger of being misread or misidentified.

In the stories of Roop and Satya, the body is not only a domestic liability that threatens an individual's personal fate and destiny, but a site of public and explicitly political crisis. By allegorizing the sterility of Satya's body through a description of the irrigation and development of the Punjab, the dream vision forcefully demands us to understand the mapping of the subcontinent as a body language. Yet, the signifying magic of Roop's tattoo suggests an alternative in which text allows for multiple readings, embodying possibilities of signification rather than "inscribing" a unique identity.

After Satya dies, the narrator describes the two women as becoming one. The reconciliation between Satya and Roop occurs through an imagined dialogue between

the two women in which all bitterness is gone, and in which Satya's djinn celebrates its liberation from the form of the body. Thus Satya, in death, escapes the confines of "form" and shape to persist in the text as memory. (349-50) If the title of the novel seems to define the body as the vessel of memory, the function of the narrative is to transfer memory beyond the temporal limitations of the body, maintaining its located-ness in time.

Sumathi Ramaswamy's elegant reading of the differences between the disenchanted, modern cartography of the colonial state and the rise of popular, enchanted maps suggests that the idea of the subcontinent as a discrete, sovereign territory circulates through the figure of the (female) body.[32] Ramaswamy's analysis points to a connection that I attempted to explore further in the literary texts: namely, that sovereignty is, in many ways, a body-language, where the body is a bounded unit that is alternatively beyond history and "frozen in time." In political theory, the term "sovereignty," not only refers to the power to order and delimit territorial space but implies the existence of a right underlying this power. In other words, sovereignty is both a form of power and the right to defend the exercise of that power against other forces that try to limit it. If the nation-state draws on the idea of sovereignty to justify the curtailment of civil liberties, put down secessionist movements and generally maintain its territorial integrity, this operation is not very different from the way in which religious and cultural institutions reserve the right to define what it means to be a Hindu, Muslim or Sikh. Can we differentiate one deployment of sovereignty from another?

[32] Sumathi Ramaswamy, "Visualizing India's Geo-Body: Globes, Maps, Bodyscapes," *Contributions to Indian Sociology* 36 (2002): 191-232.

The work of Sidhwa, Butalia and Baldwin all point to the dangers of "body-language" as a force that defines space in terms of its inhabitants and inhabitants in the terms and logics of space because of the foreclosure of history that this conjunction effects. A crisis erupts when these two terms must be re-defined historically rather than in the terms of land and body as matter. Sardarji's hope that the Boundary Commission will somehow be able to add the dimension of "memory" to his map makes clear the inability for cartography to represent the kind of historical memory that the narrative seeks to retain. The critique of sovereignty in these novels and Butalia's ethnography operates by locating the ability for bodies to have multiple signifying properties, and by addressing the absent presence of memories that cannot be assimilated. The power of mapping is an epistemology of the state that continues to shape the political discourse of modern India. Rather than simply insisting on the maintenance of a secular state, modern political movements in India must confront this history by uncoupling the relation between religion and the rhetoric of the body. The citizen waits for this moment to come.

VI. Constituent Power and Partition

"The political vocabulary of the subcontinent did not include the term 'sovereign' until India framed its new constitution."[33]—S.K. Chaube

The Indian Constituent Assembly began its work in 1946, and by this time, it was clear that the subcontinent would be partitioned. But historian S.K. Chaube challenges the widely held view that the force of "identity politics" made Partition inevitable. The passage of the Lahore Resolution in 1940 called for the establishment

[33] S.K. Chaube, "The Last Straw That Broke the Nation's Back: The Formation of the Constituent Assembly of India" *Pangs of Partition, Vol.: The Parting of Ways*, eds. S. Settar and Indira Baptista Gupta (Delhi: Indian Council of Historical Research, 2002) 100.

of "independent states of Pakistan," but there was no explicit mention of a *sovereign* state of Pakistan.[34] The Muslim League floated a proposal for grouping the subcontinent by states that would be joined in a loose federation, maintaining the territorial integrity of the subcontinent. This plan, known as the "grouping scheme," was rejected by the Indian National Congress in favor of a centralized state apparatus in 1946. In a letter to Lord Pethick Lawrence, the President of the Congress dismissed this suggestion outright

> Your reference to two groups of Provinces, the one of the predominantly Hindu Provinces, and the other of the predeominantly Muslim Provinces, is not clear...We consider it wrong to form groups of Provinces under the Federal Union and more so on religious or communal basis...Any sub-federation within the Federal Union would weaken the Federal Centre and would be otherwise wrong. We do not, therefore, favour any such development.[35]

The desire for a strong central state culminated in the establishment of the Indian Constituent Assembly, which was designated a sovereign body under the Cabinet Mission Plan (1945). For Chaube, the designation of the Constituent Assembly as *sovereign* (in particular, a body that had rejected an earlier, federalist plan advanced by the Muslim League) was the "last straw" that made Partition inevitable, "The Indian Constituent Assembly not only recorded the inevitable misfortune of partition but also was instrumental to its occurrence."(233) Rather than the standard account of a conspiracy between Muslims and the British state, or the idea of a "sibling rivalry"

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[34] "The demand for 'independent states' was not spelt out in detail and could fall short of the demand for secession as the resolution did not speak of 'sovereignty' or of one state of Pakistan. There is reason to believe that the Muslim League was thinking in terms of Dominion Status within the framework of the British Commonwealth of Nations—probably of the Canadian variety. In fact, Pakistan remained an independent dominion long after India became a sovereign republic. The political vocabulary of the subcontinent did not include the term 'sovereign' until India framed its new constitution." (99-100)

[35] From the Correspondence relating to the Tripartate Talks (Simla Conference). Letter dated April 28, 1946, quoted in K.M. Pannikar, *Indian Constituent Assembly* (Bombay: K.S. Hirlekar, 1947) 33.

between the two groups, Chaube argues that the authority given by the Cabinet Mission Plan to the Constituent Assembly as *the* law-making body of an independent, sovereign state was a rejection of earlier claims (made by both the Indian National Congress and the Muslim League) for a federal state. Unlike the Philadelphia Convention (1787) and the French National Assembly (1789-91) which convened as a result of a revolution, the Indian Constituent Assembly was created through a deal with the British colonial state, a freedom "that had to be earned at a very high cost…the country's integrity." (233)