

## **Outlawing Inhuman Practice**

*Subhashini Ali*

### **I**

The self-immolation by Charan Shah on the funeral pyre of her husband in a remote hamlet in Mahoba district in Uttar Pradesh has elicited a spate of articles dealing with the practice of Sati. Of these, a number of articles by Ms. Madhu Kishwar that she has amalgamated into one long piece, "Deadly Laws and Zealous Reformers - The Conflicting Interpretations and Politics of Sati", require to be answered because behind her misrepresentation and distortion of history lies her defence of the most indefensible of traditional practices.

Ms. Kishwar's article begins with her comments on the British who, she says, did not just stop at pillage and appropriation of wealth: "They attempted to destroy almost all indigenous institutions, notion of ethics and, most importantly, the sense of self-worth among the people of South Asia. Our erstwhile colonial rulers had a vested interest in identifying select criminal acts and projecting them as Indian traditions in need of reform. They began this cultural invasion by deliberately targeting a few cases of young widows in Bengal who were forcibly burnt on their husbands' pyres, calling those murders sati and banning it by law, so they could appear as agents of a superior civilisation rescuing victims from a savage culture. Thereafter the supposedly miserable plight of a newly-invented creature called the Indian woman (sic) became emblematic of the inferior civilisation and culture of the Indian people. There is absolutely no evidence that any of our vast array of religious texts sanctified such murders as Sati."

While it is true that the motives of the imperialists were anything but charitable, the statements quoted above are highly questionable. Not only is it fantastic to say the British invented a creature called the Indian woman but to imply that the plight of most Indian women was not miserable is also a travesty of truth. The rest is not only bad historiography but also dangerous propaganda. To pass Sati off as just a product of the British machinations would be to condone barbaric anti-women practices which to this day are sanctified in the name of religious tradition. They are used to inculcate in religious and traditional women the belief that not only are they inferior to and

therefore lifelong wards of men but their only purpose in life is to serve men, not only sacrificing their energy and lives in their service but preparing to willingly follow them to their funeral pyres as the culminating glory of their lives.

It is significant that, in ways similar to that of Ms. Kishwar, over-zealous propagandists of the Sangh Privar peddle theories that purdah, an ancient practice among many Hindu castes and communities, made its appearance only as a reaction to the arrival of marauding, lustful Muslims in India; that Muslim rule was somehow responsible for the suppression of the Dalits and shudras in India, etc. They seem to feel that once they have established that oppressive social practices are not the fault of Hindu tradition, they become less reprehensible; that those belonging to other religions who are now deemed responsible for these practices become, therefore, more loathsome; and that, once these two objectives are attained, it will be possible to justify the same practices.

It is important to remember that the Bengal Satis referred to by Ms. Kishwar created a sense of outrage in several Indian reformers, the foremost among whom was Raja Rammohan Roy. The dragging of widows to the pyres of their dead husbands by avaricious in-laws aroused him to strongly oppose this practice and demand legislation outlawing it. This, as can be imagined, provoked a howl of protests from the so-called defenders of the Hindu tradition. A brief quotation from one of Roy's writings against Sati will prove illuminating:

"Advertisement: The little tract, of which the following is a literal translation, originally written in Bungla, has been for several weeks past in extensive circulation in those parts of the country where the practice of widows burning themselves on the pile of their husbands is most prevalent. An idea that the arguments it contains might tend to alter the notions that some European gentlemen entertain on this subject has induced the writer to lay it before the British public also in its present dress. (Roy is referring to the fact that, in order to stall the passing of the Sati Prevention Act by the British Parliament, many learned Indian were lobbying Englishmen to oppose the Bill in the name of not interfering with sacred Hindu Tradition.)

"Nov. 30, 1818. Conference Between an Advocate for, and an Opponent of, the Practice of Burning Widows Alive. Advocate: 'I am surprised that you endeavour to oppose the practice of Concremation and Postcremation of Widows, as long observed in this country'. Opponent: 'Those who have no reliance on the Shastru and those who take delight in the self- destruction of women may well wonder

that we should oppose that suicide which is forbidden by all the Shastrus, and by every race of men'."

"Advocate: 'You have made an improper assertion, in alleging that Concremation and Postcremation are forbidden by the Shastrus. Hear what Unggira and other saints have said on this subject: There is no other way known for a virtuous woman except ascending the pile of her husband. It should be understood that there is no other duty whatever after the death of her husband. Hear also what Vyas has written in the parable of the pilgrim. A pigeon devoted to her husband, after his death, entered the flames, and ascending heaven, she there found her husband. And hear Hareet's words: As long as a woman shall not burn herself after her husband's death, she shall be subject to transmigration in a female form. Hear too what Vishnoo the saint says: After the death of her husband a wife must live as an ascetic, or ascend his pile. Now hear the words of the Brahmū Pooran on the subject of Postcremation: If her lord die in another country, let the faithful wife place his sandals on her breast, and pure enter the fire. The faithful widow is declared no suicide by this text of the Rig Ved: When three days of impurity are gone she obtains obsequies. Gotum says: To a brahmuneē after the death of her husband, Postcremation is not permitted. But to women of the other classes it is esteemed a chief duty. Concremation and Postcremation being thus established by the words of many sacred lawgivers, how can you say they are forbidden by the Shastrus?'

"Opponent: 'All those passages you have quoted are indeed sacred law, but attend to what Munoo and others say respecting the duty of widows: Let her emaciate her body, by living voluntarily on pure flowers, roots, and fruits, but let her not, when her lord is deceased, even pronounce the name of another man. Let her continue till death forgiving all injuries, performing harsh duties, avoiding every sensual pleasure, and cheerfully practising the incomparable rules of virtue which have been followed by such women as were devoted to one only husband'."

Thus Raja Rammohan Roy along with many other Indians opposed the practice of Sati as something supported by those who take delight in the self-destruction of women. The passages quoted establish that not only did the practice have much religious sanction but the texts quoted in opposition to it also emphasised the dehumanisation of widowhood. A widow could be spared the pyre only if she willingly, happily and gratefully agreed to suppress all her human feelings and senses to the point of extinction. Both these groups of argument reinforce the subordination role of women in society, a role in which they were denied individuality, autonomy and rights.

## II

The condition of widows in India to this day remains pitiful. The fact that a widow is considered inauspicious and a harbinger of every kind of bad luck was a recurring theme in the last election campaign. And yet Ms. Madhu Kishwar, in her article "Deadly laws and Zealous Reformers - The Conflicting Interpretations and Politics of Sati," would have us believe that Sati is a myth invented by the British and therefore of no context. Ms. Kishwar goes on to say "Though some references to women committing voluntary self-immolation along with their dead husbands can be found in the Mahabharata and Puranas, the practice never received much sanctity or popularity. It is only in 19th century British discourse that forced immolation of women on their husbands' pyres came to be regarded as Sati." The author's effrontery is breathtaking! Why the emphasis on voluntary self-immolation mentioned in the Mahabharata and Puranas?

The assertion that the practice never received much sanctity or popularity flies in the face of the evidence. Not just incidents of 19th Century Bengal, but the imprints of the reddened hands of Rajput queens and princesses, many of them infants, left on innumerable medieval fortresses before they were burnt on the pyres of their dead husbands, and the fact that Sati temples and chabutras are to be found in kasbas, villages and towns all over North India are all testimony to the fact that Sati was practised with varying frequency in many parts of the country and was glorified in prayer and legend and song and was, to say the least, most often not voluntary.

Her gratuitous remark on 19th Century British discourse completely negates the huge amount of evidence available which suggests that hundreds of Bengali widows were burnt to death on the pyres of their husbands by members of their marital families who wanted to take possession of their property. They were able to do so with impunity precisely because their acts of murder were socially accepted as acts of Sati. Reformers such as Raja Ram Mohan Roy realised that to combat this evil practice it was not enough to use existing laws against murder. Since the act in question was not considered murder by much of society, the murderers could not be brought to justice. A special law to deal with the specific nature of the crime was, therefore, deemed necessary.

Ms. Kishwar questions the labelling of Charan Shah's death as an act of Sati and says that perhaps it was a loving act on her part. She then castigates all those who are demanding strong administrative action against members of Charan Shah's family who, according to them, are guilty of abatement and, in turn, asks them why they are not

protesting against the lack of health and development facilities in the area and why they are not demanding the arrest of the officials responsible. Whether Charan Shah died because of love for her husband or because she was influenced by the ideology of Sati prevalent in the area is a matter of conjecture, since she did not discuss her actions with anyone. Our fact-finding team was clear that none of the family members was involved in encouraging, inciting or coercing Charan Shah to commit Sati. We, therefore, disagreed with the demand raised by certain groups for the arrest of family members.

However in our memorandum to the Uttar Pradesh Governor, while demanding redress of the basic demands of development in the area, we also demanded that the administration remain alert against glorification of the incident as Sati. Whereas the press reports of thousands congregating to worship at the site were highly exaggerated, there were strong indications of the possibility. In any case, the demand for development on the one hand and administrative action on the other are not contradictory as has been wrongly posed by Ms. Kishwar. Her intention in doing so becomes clear when she goes on, in subsequent paragraphs, to demand the repeal of the Act itself. She implies that all those who favour implementation of this Act are products of a Western education whose very purpose was to create a class ashamed of its own culture and traditions and that such people look down on most of their fellow countrymen and women as inferior, backward, illiterate and superstitious barbarians. This is why they support draconian measures like the Act. (It is interesting that the opponents of the Women's Reservation Bill echo Ms. Kishwar's sentiments equating women fighting gender injustice with Western-educated women to buttress their most retrograde arguments in favour of denying women their constitutional right to electoral office.)

Ms. Kishwar goes on to use a highly inappropriate analogy by saying that no one would have dared to protest against the millions who laid flowers on the grave of Princess Diana which was, after all, also a kind of glorification. By comparing forcible self-immolation with death in an automobile accident, she ends up championing and defending the worst representatives of upper-caste, feudal patriarchy like those who marched through the streets of Jaipur brandishing swords and proclaiming that Roop Kanwar's murder was a Rajput tradition which they would defend with their blood. As far as the weaknesses of the Commission of Sati Prevention Act itself are concerned, several women's organisations as well as the NCW - had strongly protested against Section 3 of the Act which makes the attempt to commit Sati by the hapless woman an offence with a stringent punishment, long before Ms. Kishwar ever did. By standing the facts on their head in a bizarre fashion, Ms. Kishwar claims that, the real problem was that the Act was too draconian for even the judge to implement. She, therefore, demands that the Act itself be repealed. The real reason for the accused going scot-free was not the inhumanity of the law but the inhumanity of those who were supposed to

be implementing it. It is the gender-bias of members of the judiciary and the administration coupled with their own acceptance of practices like Sati as being divinely-ordained that is responsible for this kind of complete miscarriage of justice. The problem is not of the over- zealous implementation of the law but of its being flouted with impunity.

Ms. Kishwar's attempt to transform the horrifying act of Sati into an exercise of free, cultural choice is not only totally unacceptable but objectionable. Inhuman practices, laws and pressures can never be justified in the name of culture and tradition. In our own country, the most objectionable methods of practising untouchability have always been justified in the name of culture and tradition but can certainly not be accepted as such by persons committed to democracy and justice. And if people persist in such practices, it is absolutely essential that they be punished under the law, whoever and however many they may be.

Similarly, the most pernicious anti- women laws exist in the name of Personal laws, justified by religious tradition, tracts, and practice but can those fighting for gender justice accept them for these reasons? The answer has to be no. Witch- hunting, human sacrifice, attacks of all kinds on those who believe in different gods is sought to be condoned in the name of culture and tradition. Similarly, the worst kind of exploitation of young girls, women, poor people and all those who are driven by poverty and hunger is justified in the name of choice. We are told, ad nauseam, that one is exploited of one's own free will, as if social and economic conditions had nothing to do with it.

To speak of free choice and - cultural choices in the context of Sati is particularly reprehensible because Sati is probably the most cruel final solution to the woman question devised by patriarchy. It is not limited to the actual burning of the widow but incorporates a whole system that makes women themselves acquiesce in their own subjugation and the denial of their right to an independent existence. To compare the placing of flowers on Princess Diana's grave with the glorification of such a system is not just a trivialisation of their suffering and complicity in its perpetuation, but a terrible travesty of the truth.

*The writer is the Secretary of the All India Democratic Women's Association.*