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Nidhi Shrivastava

Sacred Heart University, [shrivastavan@sacredheart.edu](mailto:shrivastavan@sacredheart.edu)

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## Chapter 1

# Genocidal Violence, Biopolitics, and Treatment of Abducted and Raped Women in the Aftermath of 1947 Partition in India

*Nidhi Shrivastava*

### Abstract

As we reckon with the #MeToo movement, the gender-based violence that occurred during the 1947 Partition continues to remain forgotten in mainstream discourses and is an emotive and polarising issue within both India and its diaspora. Just like mainstream news in the United States covered the Gabby Petito case, causing a controversy as it led to the realisation that the rape and gender-based violence of missing indigenous women were not covered, it can be suggested that mainstream news channels both within India and in the diaspora construct narratives that privilege the stories of some over others – with issues of shame, *izzat* (“honour”) and policing of women’s bodies compounding the silence in South Asian communities. In this chapter, I argue that we need to rethink the Partition as a genocide to recognise the gender-based violence that occurred on women’s bodies as the cataclysmic event occurred. I discuss the feminist historiographical research led by Urvashi Butalia, Kamla Bhasin and Ritu Menon who interviewed survivors in the aftermath of the 1984 anti-Sikh riots that triggered their research and reminded them of the Partition violence. It is only recently when the 1947 Partition Archives (in 2010) and the Partition Museum (in 2017) that the conversations of Partition are also taking place in academic spaces.

*Keywords:* 1947 partition; the #MeToo movement; genocide studies; partition studies; central recovery operation; 1947 partition archives

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Gender Violence, the Law, and Society, 23–33



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In August 1947, the Indian subcontinent was partitioned into Hindu-majoritarian India and Muslim-majoritarian Pakistan. The Partition displaced an estimated 10 million to 20 million people in its aftermath, which led to an outbreak of sectarian violence as Hindu-Muslim communities that had co-existed for centuries were enveloped in carnage – looting, massacres, forced religious conversions, mass abductions, and heinous sexual and gender-based violence. Unlike the Holocaust, which was the state-led, the Partition is more akin to brutal, ethnic violence that has been observed in genocides like Rwanda – a by-product of decolonisation.<sup>1</sup>

During the years leading up to Indian independence, the Partition became imminent after Mohammad Ali Jinnah (the leader of Muslim league) believed that there would not be enough Muslim representation in India, and demanded a separate country – Pakistan. The borders that divided India and Pakistan were hastily drawn by British civil servant, Cyril Radcliffe, and were not known to citizens even on the eve of India and Pakistan's Independence Day (Pollack, 2007). As a result, brutal ethnic and sectarian violence took place. Political scientist Paul R. Brass (2003) describes the violence that occurred at this time as 'retributive genocide' (p. 72). Unlike most genocides, it was neither sanctioned by the state nor spontaneous. Rather, Brass points out, '...there were also local acts of violence carried out for a multiplicity of reasons and motives that were not genocidal in intent: loot, capture of property, abduction of women. Moreover, much of the larger-scale violence was mutual' (p. 72). Historian William Dalrymple calls it a 'mutual genocide' (2015) and describes the violence in the following terms: 'the carnage was especially intense, with massacres, arson, forced conversions, mass abductions, and savage sexual violence. Some 75,000 women were raped, and many of them were then disfigured or dismembered'. American photojournalist Margaret Bourke-White (1963), who had witnessed the liberation of Nazi camps and later found herself in India as the Partition became imminent, describes the violence that took place during the Direct Action Day in 1946 Calcutta as follows:

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<sup>1</sup>Paul Rusesabagina's *An Ordinary Man* (2006) speaks at length about the history of Rwanda, which was colonised by the Belgians who considered Tutsis more superior than Hutus. They were responsible for creating identity cards, which were later used during the Rwandan genocide. In *Midnight's Furies: The Deadly Legacy of India's Partition* (2016), Journalist Nisid Hajri has also drawn a similar comparison between the Partition and Rwandan genocide. He writes, 'The conflagration stands as one of the deadliest and most brutal civil conflicts of the twentieth century, unrivaled in scale until the 1994 massacres in Rwanda. Yet like Rwanda, the riots were relatively confined in time and space. The worst killings lasted only about six weeks. While the chaos spread throughout most of western Pakistan and great swathes of northern India, much of the rest of the subcontinent was not directly affected. Today Partition is a horrific memory for millions – but it is just that, a memory' (Hajri, 2015, Chapter 1, paragraph 12). Though rape was declared a war crime in 1919, this status was not finalised until 1997 during the trial of Jean-Paul Akayesu in the International Criminal Tribunal for Rwanda (ICTR).

On the heels of this announcement [Jinnah's declaration of Direct Action Day], violence broke out in Calcutta. I flew there from Bombay and found a scene that looked like Buchenwald. The street were literally strewn with dead bodies, an officially estimated six thousand, but I myself saw many more...In Calcutta, a city larger than Detroit, vast areas were dark with ruins and black with the wings of culture that hovered over impartially dead Hindus and Muslims. Like Germany's concentration camps, this was the ultimate result of racial and religious prejudice.

(p. 283)

Indeed, Dalrymple notes that 'the comparison with the death camps is not so far-fetched as it may seem. Partition is central to modern identity in the Indian subcontinent, as the Holocaust is to identity among Jews, branded painfully onto the regional consciousness by memories of almost unimaginable violence'.

Partition remains an emotive and polarising issue within India and in the diaspora communities. Just like mainstream news in the United States covered the Gabby Petito case, which inspired controversy as it led to the realisation that the rape and gender-based violence of missing indigenous women were not previously covered, it can be suggested that mainstream news channels both within India and in the diaspora construct narratives that privilege the stories of some over others – with issues of shame, *izzat* ('honour') and policing of women's bodies compounding the silence in South Asian communities (Shrivastava & Bibi, 2021).<sup>2</sup> At the peak of the #MeToo movement in 2018, Rochelle G. Saidel and Batya Brutin held an exhibition entitled *Violated: Women in Holocaust and Genocide* at the Ronald Feldman Gallery in New York. Although the exhibition brought up pivotal questions on genocidal sexual violence from countries such as Bosnia, Rwanda, Darfur, Yazidi and Guatemala, the 1947 Partition was *not* highlighted at the exhibition. Only in the last decade, academics and activists have started the work to preserve and research the Partition, leading to the establishment of the Partition Archive (in 2010), the citizenship archive of Pakistan and India's first museum dedicated to the Partition which was founded in 2017 in Amritsar.

While sexual and gender-based violence received worldwide recognition during the #MeToo movement in 2017,<sup>3</sup> the turning point in India was the 2012 Delhi

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<sup>2</sup>Recently, sociology scholar Somia R. Bibi and I published a conversation on the silencing of Partition narratives within the context of the #MeToo movement in the South Asia diaspora in the United Kingdom and United States, that was published in the following article. To learn further about this issue, please see the following link: <https://bloomsburyliterarystudiesblog.com/continuum-literary-studies/2021/12/metoo-in-south-asia-subcontinent-and-diaspora.html>.

<sup>3</sup>Found by Tarana Burke in 2006, the #MeToo movement gained popularity after actress Alyssa Milano tweeted the hashtag #MeToo to encourage victims of sexual violence to publicise allegations of sex crime against their perpetrators in 2017.

gang-rape case, when a young woman was heinously gang-raped in a bus while she and her friend were returning home after seeing a movie together. During this time, the news coverage called attention to rape cases that dated back to the 1970s (*BBC* 2013, *Newsable* 2018), but they did not cover the brutal sexual violence that occurred during the Partition.

In this chapter, I argue that we *need* to recognise the Partition as a genocide, not only on a global level but on a national level as well. The Partition is rarely acknowledged in private spheres, and if it is brought up in popular culture, the representations do not acknowledge or recognise the gender-based violence that occurred during this tumultuous period. Recent trends in Genocide studies, as represented in the works of *Barta* (1985), *Rashed and Short* (2012), *Totten, Theriault, and Joeden-Forgey* (2017), have shown that the field is recasting jurist Raphael Lamkin's original definition of the term – genocide – to make it more inclusive and include countries that have been undergoing the process of decolonisation. In his article, 'After the Holocaust: Consciousness of Genocide in Australia', *Tony Barta* (1985) contends that the word genocide has been associated globally with the Holocaust but he suggests that it should be also thought of within the context of the massacre of Australian aborigines (p. 157) and that the 'prospect of genocide – "the most certain getting rid of the race"' also applies to countries that had been colonised in the past. As *Hitchcock, Flowerday, and Babchuk* (2017) point out in their study, the definition of genocide initially established by the UNCHR that says that a genocide is 'a set of acts committed with the intent to destroy groups whole or in part' (p. 10), other scholars have also included 'actions as intentional prevention of ethnic groups from practicing their traditional customs; forced resettlement; denial of access to food relief, health assistance and development funds; and/or purposeful destruction of the habitats utilised by indigenous populations' (p. 10). Interestingly, in their edited volume about the controversies in genocide studies, *Theriault and Joeden-Forgey* only focus on trends of genocides within Rwanda, Darfur and Armenia, but the Indian Partition is still not recognised in these conversations.

*Haifa Rashed and Damien Short* (2012)'s article, however, sheds light on recent conversations in which scholars are locating a 'nexus between colonial processes and genocidal practices' (p. 1144). *Rashed and Short* contend that Lamkin's conceptualisation of genocide is 'intrinsically colonial' (p. 1144). Thus, their new perspective sheds light to the ways in which genocide studies and the definition of genocide itself is evolving. As has been shown in the opening paragraphs with figures and quotes from the historians and photographers who have studied the Partition and witnessed its violence, the genocidal violence that occurred was not due to one state actor that was determined to destroy a race/ethnicity. Rather, the violence was similar to Rwanda and Cambodia, in that the act of partitioning India left many displaced. People were unaware where the boundaries of their own new countries were and they feared that their ethnic majority village would go to the country they did not belong to. Hence, the brutal and heinous ethnic and sectarian violence that occurred since 1946. Therefore, the Partition does not enter into the national consciousness or raise awareness among

younger generations who may be unfamiliar with the genocidal violence that occurred during this time.<sup>4</sup> In the next section, I discuss how rape was used as a weapon of genocide. Furthermore, I'll show that the violence that women experienced was not only perpetrated by members of other communities but also by their own family members, who reiterated the problematic idea that women should embrace death over being abducted or raped by men from other communities. If the women escaped and did not experience violence from their own family members, then they faced ostracisation and rejection from their family after they were often forcibly recovered by the Central Recovery Operation (1948–1957).

### **Rape as a Weapon of Genocide: The Story of Women's Experiences During the Partition**

There is a powerful link between genocides and sexual/gender-based violence. In fact, after a decades-long silence that followed both the Holocaust (1941–1945) and the Rwandan genocide (1994), only recently have scholars started to explore and acknowledge the testimonies of women who either witnessed or suffered sexual assault, rape and brutal accounts of violence during these genocides.<sup>5</sup> The discourse of Partition has been absent from India's national imagination. As film historian Bhaskar Sarkar (2009) notes, in post-independence India the Partition was seen as a 'one-time aberration in an otherwise continuous tradition of secular unity' (p. 34). According to Sarkar, the 'post-Partition Indian ego' was constructed by 'the experience of loss' (p. 35) which the individual was never able to face, thus never able to recognise the pain and trauma of that loss. Undeniably, Sarkar also suggests that the goal of Indian politicians was to find ways to erase the Partition – as if the sectarian violence, mass rape and abductions had never occurred. This mentality shaped the arduous and complex work of nation-building. Because of this, we have not developed the language needed to address the pain and trauma that many families experienced. Also, until recently, there were no monuments to mourn the aftermath of the violence within India. Therefore, families, including my own, have never discussed the Partition, nor its impact on our lives.

The various types of violence that took place on women's bodies have been largely neglected and are missing from the discourse surrounding India's

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<sup>4</sup>During my online writing sessions, one of the academics from Calcutta realised that in her family, the Partition is not discussed because the memories are too painful. She also shared this with me after she learned more about my research.

<sup>5</sup>Research on sexual violence during the Holocaust began in the 1980s. For example, in 1983, Esther Katz and Joan Ringelheim planned the first ever *Conference on Women Surviving the Holocaust* in New York, NY (Hedgepeth & Saidel, 2010). But it wasn't until Saidel & Hedgepeth's 2010 anthology that the academic conversation among feminist scholars gained traction and wider visibility, perhaps not unlike Menon and Bhasin (1993) research in relation to the genocide in India.

contemporary rape culture.<sup>6</sup> While the actual numbers are unknown, [Urvashi Butalia \(2000\)](#) notes that at least 75,000 women were kidnapped (p. 3). However, this history has only recently been recognised in India. It was largely disregarded until 1984 when the anti-Sikh violence took place that motivated scholars such as [Butalia \(1993, 1995, 1997, 2000\)](#), [Ritu Menon and Kamla Bhasin \(1993, 1996, 1998\)](#), and [Veena Das \(2006\)](#) to raise concern over the State's treatment of women. During the Post-Partition violence, often, these women experienced multi-layered traumatic experiences. Not only were they forcefully kidnapped during the mass migrations and forced to marry their abductors, they also experienced a second separation from their newly formed families and children and faced rejection from their society and families if they returned to their 'original nation' (which was determined based on their religion), experienced forced abortions and feelings of helplessness as they experienced abandonment.

Numerous women were subject to state, communal and intra-violence. The degrees of their trauma, however, varied in each individual case. [Menon and Bhasin \(1998\)](#) use the expression 'honourably dead' to demonstrate the sexual violence that women experienced during this time. The authors mention that the forms of gender-based violence included 'stripping; parading naked; mutilating and disfiguring; tattooing or branding the breasts and genitalia with triumphant slogans; amputating breasts; knifing open the womb; raping; killing foetuses...' (p. 43). This is not different from the narratives of gender-based violence that we have seen in the Rwandan genocide, as an example. On 2 September 1998, the International Criminal Tribunal of Rwanda (ICTR) convicted Jean Paul Akayesu for rape and inhumane treatment of women. As [Bijleveld, Morssinkhof, and Smeulers \(2009\)](#) note 'this was a landmark decision because for the first time ever rape was being prosecuted as a crime against humanity and as a war crime for an international tribunal' (p. 213). They further discuss instances of sexual violence that occurred during the Rwandan genocide upon the bodies of Tutsi women – 'many of whom were subjected to the worst public humiliation, mutilated and raped several times in public, in the Bureau communal premises, and often by more than one assailant' (qtd. in [Bijleveld, Morssinkhof, and Smeulers, p. 213](#)).

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<sup>6</sup>Here, when I discuss the term – contemporary Indian rape culture – I am specifically referring to the actions of toxic masculinity and GBV that have been widespread in the South Asian subcontinent. In fact, a recent article by [Rudabeh Shahid, Kaveri Sarkar, and Azeem Khan \(2021\)](#) also addresses the following: 'The weaponizing of women's bodies *has always been part of the fabric of South Asia, with mass rapes in 1947 and 1971* being integral to the birth of the three most populous countries in the region. Women's bodies became a battlefield for national honor, and the shame continues to be laid on the door of the victim while perpetrators face no repercussions' (emphasis added). Although the term 'rape culture' was originally coined by the second-wave feminists in 1970s, I use it as a way to talk about the complexities and nuances regarding the culture of gender-based violence as it has existed within India, specifically. But, as can be seen in the work of Shahid, Sarkar and Khan, the issue of GBV is widespread within the South Asian subcontinent. My work also does not address the GBV that occurs within the LGBTQ+ community in India, because their sexualities themselves are often criminalised.

The quote belongs to *the Prosecutor v. Jean Paul Akayesu* case and, yet, the similarities in the practices that occurred in the Partition and the Rwandan genocide are striking.

During their research, Menon and Bhasin were unprepared to listen to narratives of women who were ‘forced to die – at the hands of men in their *own* families, or by their own hands’ (1998, p. 45; emphasis added). To prevent rape and abduction, women were either ‘poisoned, strangled, or burned to death, put to the sword or drowned’ (1998, p. 45). The authors further argue that ‘it was made abundantly clear to them that death was preferred to “dishonour”, that in the absence of their men the *only* choice available to them was to take their own lives’ (1998, p. 45; emphasis added). Urvashi Butalia (2000) concurs with Menon and Bhasin’s observations, sharing with her readers that during her research she met Prakashvanti, a Partition victim-survivor, who was living in the Gandhi Vanita Ashram at Jalandar, Punjab. During an interview with Butalia, Prakashvanti mentioned that ‘her husband came to her and suggested he kill her. “Else”, he told her, “they will dishonour you”’ (p. 170). She ultimately notes that she recalls very little of the aftermath because she had lost consciousness after her husband violently struck her (p. 170). Butalia notes that according to cultural perceptions ‘women could not, therefore, be *named* as violent beings. Therefore, their actions are narrated and sanctified by the tones of heroic, even otherworldly, valour. Such narratives are meant to keep women within their *aukat* [Hindi: status], their ordained boundary, which is one that defines them as non-violent’ (p. 171; author’s emphasis). In other words, the men, for the most part, problematically assumed that women were not capable of defending their honour and sexual purity, and thus, were vulnerable to gender-based violence by men from the othered ethnic communities. If they chose to defy their family members, especially their fathers and brothers, the women were seen as pariahs and as bringing shame and dishonour to their respective families. Thus, even after they had been recovered, Hindu and Sikh families rejected them. Examples of such rejection can be seen in films such as *Pinjar* (Hindi: Cage, 2003) and *Khamosh Pani* (Hindi: Silent Waters, 2003), which explore the psychological, social and emotional experiences that women experienced after they met their families years after their traumatic abduction. Indeed, this national narrative, which privileges and celebrates women who died to protect their own and their respective communities’ honour, supersedes the stories of women who were raped and abducted during the chaotic violence of the Partition.

The nation-building project in India located the women who had been exposed to gendered Partition violence in a site of precarity in the aftermath of the Partition.<sup>7</sup> Feminist philosopher Judith Butler’s (2004) theoretical concept of precarity allows us to understand how biopolitics functions when a country faces

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<sup>7</sup>Precarity is defined as an ontological state of being when an individual who is left vulnerable due to conditions they face and who may be left to feel helpless against the actors that are responsible for their situation. In this case, I’ll take it to mean that the person faces either social, economic, political, religious or gender persecution or a combination of all the aforementioned.



a political crisis. Biopolitics, in this context, can be defined as the Indian government's responsibility towards its citizens. Although it was not responsible for the initial displacement of these women, the role of the Indian government in the violence the women experienced contains two prime examples of biopolitics directed at women, which created precarious identities and circumstances.

In the aftermath of the Partition, both India and Pakistan decided to restore the abducted women to their 'original countries' based on their religion, often without their agreement. The precarious circumstances that these abducted women experienced on the outset were products of communal violence rather than the Indian State. In fact, with the creation of the Central Recovery Operation (1948–1957), the State worked to reinstate them within the newly formed India. The programme began with an agreement – the Inter-Dominion Treaty of 6 December 1947 – between the Indian and Pakistani governments, which had the goal to restore as many abducted women as possible. Mridula Sarabai, a politically influential chief social worker, and Rameshwari Nehru oversaw the programme. At this time, Sarabai received a team which mostly composed of male policemen, who were to aid her in the recovery and restoration process. According to Menon and Bhasin, the recoveries were carried out between 1947 and 1952, but women were still being recovered until at least 1956. During this period, about 30,000 women were recovered (Menon and Bhasin, 'Abducted Women', 16).

In a state of emergency, the government created laws that defiled the rights that abducted women had in the process of their re-integration into modern India. It problematically assumed that if a woman was found cohabiting with a man of a different religion after a certain date in 1947, she had been forcefully abducted (and potentially converted). While some women were happy to be recovered, the Indian state was unprepared for women who resisted the actions of the social workers (Menon & Bhasin, 1996, p. 16). Menon and Bhasin note that their identities 'were in a continual state of reconstruction and construction, making them, as one woman said to us, "permanent refugees"' (Menon & Bhasin, 1996, p. 16).

The term *permanent refugee* underscores the precariousness that was related with the Central Recovery Operation because it was ineffective in its cause to restore the recovered women. In theory, Butalia observes, every 'citizen had a choice in the nation s/he wished to belong to. If a woman had the misfortune of being abducted, however, she did not have such a choice' (p. 111). The social worker and tribunal's decisions often left the women who were recovered meaningless often by forcibly removing them from their newfound relationships, their children, and families and sometimes encouraging them to live in ashrams (Hindi: 'a secluded dwelling') for the remainder of their lives if they did not want to live away from their children from mixed unions. Their families perceived these children as illegitimate and did not want to see the women bringing dishonour and shame to them, and thus would ostracise them. The 1960 Hindi film, *Chhailia*, represents this moment when Shanti (Nutan) introduces her husband Kewal (Rehman) to their son, Anwar. Kewal immediately rejects them, believing that Rehman is the product of her rape and abduction, while, in actuality, he was

conceived at a time before Kewal and his family abandoned Shanti in the chaos of the Partition violence.

A second way in which the government played a pivotal role in Post-Partition violence against women was revealed in a conversation that occurred in 1996 between Aparna Basu and Kamla Patel, a social worker who worked with Mridula Sarabai in the Central Recovery Operation. During the interview, Patel mentions that the refugee camps where the women were living after their recovery were worse than cattle sheds (p. 127). She notes that the camps were ‘overcrowded’ due to a ‘lack of sanitary facilities – there were frequent outbreaks of epidemics and deaths. Within the limited budget, it was not possible to provide for more than two meals a day and a pair of clothes’ (p. 127). We only see rare representations of the camps in film depictions, especially in the early depictions of Partition films. In *Chhaila* (1960), for example, the camps are represented as being clean but are not the focal point of the film. The recovery camps can also be seen in films such as Govind Nihalani’s *Tamas* (1989), Deepa Mehta’s *Earth* (1998), Chandra Prakash Dwivedi’s *Pinjar* (2003), Rahat Kazmi’s *Mantostaan* (2017) and Nandita Das’s *Manto* (2018). With that said, these filmmakers do not depict the camps as being unsanitary or unkempt but rather as sanitised versions of crowded areas that can be found in refugee camps worldwide. It is evident that filmmakers are staying away from depicting the government’s role in the Partition, and especially the recovery of women in its aftermath.

## Conclusion

In my experience, the Partition was not brought to light in conversations with elders in my family who may have witnessed it. Rather, the stories that I hear are of my family’s treating other ethnicities with respect and helping them. But we rarely speak of the Partition, by stating that since our family belongs to central India (and not Punjab and Bengal, where most of the atrocities took place) we were not directly affected by it. As post-colonial theorist [Nandi Bhatia \(2013\)](#) notes, the ‘Partition has been subjected to a haunting silence marked by survivors too traumatized or faced with “collective guilt” to talk about it publicly’. (p. 89) The Partition has always been viewed as a dark chapter in modern Indian history – as a rupture that took place. Although there have been initiatives such as the 1947 Partition Archive and the Partition Museum, it is only in the last decade that the Partition has become a focus for academics, cultural critics, historians and archivists. Nonetheless, I argue that the Partition was and is in fact a genocide that was shaped by interethnic, communal violence as well as rape and sexual violence, and the subsequent silencing of events as if they never happened. Yet, events such as the 1984 anti-Sikh riots, 1992–1993 Bombay riots, the 2000 Gujarat riots and, more recently, the anti-CAA protests, all serve as reminders that the spectre of the Partition continues to haunt the subcontinent and the wounds from the cataclysmic event are yet to heal.

Because there remains a silence in India and the diaspora, these women’s traumatic experiences of gender-based violence are not acknowledged, especially

as we continue to make sense of the #MeToo movement. Similar to how the narratives of gender-based violence experienced by indigenous women continue to remain obscured in Western mainstream culture, the narratives of these women also do not enter into the conversations of gender-based violence in South Asia and in the diaspora. Therefore, we need to *urgently* recognise the narratives of raped and abducted women to acknowledge the heinous gender and sexual violence that occurred during the genocidal violence that took place during the Partition.

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