



Letters To Manushi

Consultation, Not Confrontation

The article "Pro Women Or Anti Muslim ?" by Madhu Kishwar in **Manushi** No. 32, 1986, is well re-searched and an eye opener to many of us. As you have rightly pointed out, the Media has blown the judgment in the Shahbano case out of all proportion, creating needless controversy.

The desire for a common civil code is laudable, but will we ever have it, given the stronghold of the fundamentalists in every religion ? They can whip up communal passions at the drop of a hat in the name of safeguarding religion. For the masses, this is enough to stand behind the clergy and thwart any attempt at reform. The reformers will be thrown-out as heretics.' So there is, not much hope for change in religious laws.

I agree fully with your analysis that Hindu law is as inadequate as Muslim law, in fact, more retro-grade in a few instances you have quoted, in safeguarding women's interests. So the unseemly haste in imposing Hindus' views on minorities is patently wrong. Let the majority community set its house in order and give equal rights to women.

I do not claim to be very progressive but at least I try to treat my wife and daughter with equality vis-a-vis my son as far as property settlement and other issues are concerned

Government can at best act as a catalyst in hastening reform. Resorting to law should be the last weapon. Let us have consultation, not confrontation. Your article deserves widespread publicity to remove the tremendous confusion created by the media in

clouding the real issue—women's right to live with dignity....

D.B.N. Murthy, Pune

Who Suffers ?

With all sympathy for the Sikh or Muslim cause, I regret that there has been no sympathetic article in **Manushi** for bereaved Hindu widows and families in Punjab, suffering at the hands of Sikh extremists or Akalis for the last five years. As per some newspapers, Hindu families also have begun moving out of Punjab gradually as they feel unsafe in Punjab. The Sikh government has no desire for law and order, even though it sheds crocodile tears and talks of relief to Hindu families. Your magazine has not made an issue of it, for reasons you now best.

Strangely, it is the majority community that suffers because it is disorganised. The attitude of media such as yours created a Pakistan and will create a Khalistan, and another Pakistan after about 50 years.

A little caution on the part of **Manushi** not to contribute to the political destabilisation of the country may be desirable.

K.D. Baveja, Delhi

Manushi has condemned extremist violence in Punjab (see, for example, "Open Letter To AISSF And Dandami Taksal", **Manushi** No. 32, 1986). However, we cannot characterise this violence as primarily anti Hindu violence, because very many of those killed by extremists are Sikh. Even a casual reading of newspaper reports will confirm this. During our visits to Punjab, we have clearly seen that not just Hindus but also Sikhs feel unsafe and perturbed by terrorist violence. It is significant that ordinary Sikhs in rural Punjab, although they are in a majority, have not attacked their Hindu neighbours at any time in this period of unrest,

not even in retaliation after the November 1984 anti Sikh riots.

Yet, the media, particularly the government controlled media, has deliberately confused the issues by portraying Sikhs predominantly as terrorists and assassins, thus creating a rift between Sikhs and Hindus. We believe that many disasters, including political destabilisation will be the consequence if people act on the views you express.

—**Manushi**

No Need For Politics ?

I am sending my subscription but I must say I am beginning to be very disappointed with **Manushi**. For one thing, it is beginning to get much too political. There is no need for politics in this kind of magazine. Secondly, I entirely agree with, Mrs B. Holmberg's letter in No. 31, that your article about Mrs. Sonia Gandhi was in very bad taste indeed. She is a person who is greatly admired by many, for her quiet and dignified ways. There is no one without faults. But when there is no harm done, one should live and let live.

If you would just stick to the good work you first started out doing, it would be a great help. Remember, **Manushi** is a journal about women in society. When I finish with my copy, I send it to different people or libraries so that more people come to know about it. I hope people will not be disappointed with it now.

Ratai D. Patell, Pune

Denied Humanity ?

I read "The Tradition of Female Gurus" in **Manushi** No. 31, with some interest. It is curious that women in India are allowed to be superhuman or subhuman. What is denied them is common humanity. If woman was granted humanity the male would have to be responsible for her human needs,

not just trample on her or worship her.

Eira Patnaik, USA

Common And Patriarchal?

I am writing in regard to the resolution we passed on Muslim women and personal law at the conference held in Bombay in December 1985 (see **Manushi** No. 32).

There was along and heated debate on the issue. Many of us strongly opposed calling for a "common civil code", primarily on the grounds that in the poisoned- atmosphere of today it has taken on strong anti Muslim overtones and has come to have the meaning of applying Hindu law to Muslims. Instead, we stressed support for Shahbano and Muslim reform efforts, maintenance of section 125 and a condemnation of Hindu communalism as the focus of the resolution.

After much debate, a compromise resolution was passed which had the following points :

1. All religions oppress women. There should be an equalitarian civil code. The term "common civil code" was not used.
2. Hindu communalism is the main danger.
3. Support for Shahbano and other reform efforts.
4. Retention of section 125, CrPC

Although I voted against it at the time, I felt this was a reasonable resolution.

However, the newspaper reporting on the conference has confirmed my worst fears. All reports, including those in the Marathi women's liberation journal *Bayaza*, have said that we passed a resolution calling for a "common civil code." Thus, the socially prevalent meaning of this slogan has very easily over ridden the ideals we had in mind in talking about an "equalitarian civil code."

When the demand for family reform was first raised by the All India Women's Conference, they chose to fight only for Hindu law reform, thus losing the chance to stand forth as a militant movement of all Indian women.

Since then, the slogan has been taken up more on nationalist than on feminist grounds. The sentiment it behind it has

been that in an independent and secular India, if there is to be "national integration", all communities should have the same law. This is one interpretation of how to build national integration, and it is one that is very easily usable by Hindu communal forces.

After all, a "common" code can also be patriarchal ! This can very easily be seen in the experience of most countries which have had "common" laws since the beginning of the industrial revolution— laws which recognised men



as family heads and discriminated against women in many ways.

What we want is laws that give freedom and equality to women, and laws that can be implemented. In the complicated religious, national and communal conditions of India, this will be a long process. Probably it will go ahead via reform in different communities, as it has done in the past. I think our role should be to support such reform efforts, particularly since in supporting them we also help build up the social forces that will be able to implement prowomen laws.

Furthermore, I am somewhat sceptical as to whether we have fully thought about exactly what an ideal "family code" should be, and we have very limited knowledge of the existing codes and customs of various communities in India. At least, this is true of myself. I first

began to think about the issue when the question of adivasi law came up and we had discussions with adivasi women about their customary law which is different from both Hindu law and Hindu custom.

Gail Omvedt, Kasegaon

Avoid Complacency

I would really like to congratulate you on the good work you have maintained throughout the year. I often read with interest letters in your columns accusing you of being pessimistic and of drawing a sorry picture of the life of women in Indian society.

While I agree that some balance has to be maintained, I do not think it would be honest or obligatory on your part to keep this at 50-50, until at least that stage is reached, between achievement and what remains to be done. It is easy to wish that things were not so bad but closing our eyes is not the solution. On the contrary, exposure will at least create awareness and avoid complacency which is so easy to slip into.

Letha Saldanha, Qatar

Women And Religion

Recently, I attended a meeting of a popular religious leader which was held in my locality. About 2,500 people must have been present. I was at first puzzled as to why I was told to move round to the other side of the enclosure, but realised as I passed behind that half of the area had been reserved for males and the other half for females and children. Shortly afterwards, I realised that the microphone, the musical groups and the whole rostrum was placed in front of the males' side, so that the speakers and musicians were communicating first and foremost with the males. This insulted me so much that I got up and left but before leaving, I took a good look at the women and girls amongst whom I had been sitting. Some looked as though they were trying to listen but most looked indifferent, almost bored. Others were managing boisterous children. The females' side was restless, with a constant coming and going.

The male chauvinism inherent in the organisation of this and other such meetings amounts to deliberate

discrimination. It seemed as if the men were overtly telling the women that women are a lesser species, that they must look after children and leave men free to attain worldly and heavenly wisdom. On the one hand, the religious leader was preaching that god is for everyone, and that by loving and serving human beings one is loving and serving god. On the other hand, there was a deliberate and politically motivated denial to women of their fundamental right to equality. One wonders at the blatant hypocrisy of the message of love for all human beings being addressed to only half the audience.

In view of the urgent need for rational and public discussion on perhaps two of the most burning issues in India today—communalism and women's oppression—it might be well for media to focus attention on the matter of sexual discrimination in religious affairs. An analysis needs to be made of contemporary religious rites, of temple, church, mosque going practices and of access by men and women to education about spiritual matters.

Also, it is essential that the religious texts be reexamined to find out how much of these texts are discriminatory and disrespectful to women. Let us not forget that most of the religious texts were written by men, even though divine authorship is claimed.

Ariane Loening, Calcutta Eliciting Truth

...As no enquiry report about the anti Sikh riots in November 1984 in Bihar was available, a team of two members, Col. H.S. Chandoke and myself, was asked by the Sikh forum, New Delhi, to make enquiries into the riots at Bokaro, since the jurisdiction of the Misra commission in Bihar was confined to Bokaro. The main aim of the enquiry was to elicit the truth and combat the rumours being spread by mischiefmongers to create tension in the town.

Bokaro has a population of about three lakhs. The population of the Sikh community before the riots was about 10,000 of whom about 6,000 have now migrated to Punjab. Most of the Sikhs were employees of Bokaro Steel Ltd and Hindustan Steel Construction Ltd. There

were also shopkeepers, transporters and spare parts Dealers. Almost all the shops owned by Sikhs were destroyed by rioters on November 1, 1984.

After the riots, some rumours were spread that several Sikhs had been thrown into the furnaces of BSL and HCSL. In fact; those Sikhs who were on duty on November 1 were saved from the mob fury. Only those employees who were on their way to or from work were killed by mobs. Their families were evacuated to relief camps by the Central Industrial Security Force (CSIF) under the directions of the management. Thus, our enquiry removed very serious misunderstandings.

Both Sikhs and non Sikhs report that while the CSIF had helped save Sikhs, the police, even senior officers, were either passive spectators of or active participants in looting. No one has been punished so far. It is said that the lady SSP, who is popular for her boldness, was on leave at the time, and had she been on duty, she would have saved the situation.

As in Delhi, the rioters in Bokaro used uniform methods in their attack. However, here, women and children were not spared but were also burnt. Many children were thrown down from top floors. On the evening of October 31 and morning of November 1, meetings were held and fiery speeches were made by leaders of various parties. We received mainly reports against the Youth Congress (I) in this connection. The attacks took place on November 1 morning. Attackers used *lathis*, iron rods, and also arrows, stones, firearms. Another special feature was that mobs, besides burning people by pouring petrol on them, also used countrymade bombs and, at one place, plastic dynamite, to destroy houses.

In many case, *kirpans* and licensed firearms were taken away from Sikhs by policemen on the assurance that they would be protected. But in fact, the police remained apathetic. In one case, when a family had escaped from the mob, they were fired on by the police, and died.

The intensity of violence was far more in poor resettlement colonies than in middle class areas. Several *gurdwaras*

were destroyed. *Two gurdwaras* were saved by the resistance put up by Sikhs.

Many of the victims still feel insecure. They have been threatened by the culprits and prevented from filing complaints. No voluntary organisation had come to their aid. Some individuals had helped them. There was a general complaint that unless the culprits are identified and punished, the Sikh community cannot feel secure. Organisations like BSL and HSCL had done their best to help the victims, but government compensation was wholly inadequate...

G.S. Chadha, Delhi Sharing Bewilderment

In *Manushi* No. 27, you have reported two cases of dowry murders and the perverse judgements by two judges. Your presentation in the report was superb. I liked also the lively photographs of the demonstrators. ...

I would like to share with you a case of a woman on whose behalf I recently, filed a petition in the civil court. She works as a public sector employee and gets a good salary. She comes from a lower middle class, conservative, rural based family.

She was married to a driver in the State Transport Corporation, and found, after marriage, that he had a first wife, and also a mistress with three children. This whole group lived together as a family in a small two room house. Next door lived another woman, also the man's mistress. She had to put up with all this. In addition, her jewels were snatched away and she was violently maltreated.

She moved to her brother's house but after two and a half years, was again lured back by the man. This time, she became pregnant. He used to beat her up regularly, with an iron rod. She was made to withdraw her provident fund and give it to him.

Finally, she separated from him and started living on her own with the baby. She came to me, wanting a legal divorce. Knowing of her vulnerability to that man, I gave her a lot of time since I did not want time, money and energy wasted on a useless petition. She was she wanted a divorce.

The petition was pending for eight months. He avoided filing a reply and

she never went to court for fear of encountering him there. After eight months, she appeared in court and withdrew the petition, saying she had been advised by everybody not to rush , to court since such things do happen in the family, and life is not decided in courts. She refused my suggestion to take time to decide. I saw her merrily chatting with some of her advisers and felt sure she was not acting under fear.

Many things bother me about the episode. "What makes a woman who has tested out living independently want to go back into a man's trap ? Something ironic happened that day when we were waiting near the court to withdraw her petition. A book *Vratas for good women* was being sold. She wanted to buy it but did not have the money for it. I did not offer to buy it for her. I could not be so dishonest with myself.

Krpa, Bangalore

I Am A Muslim

I was born in 1976 in Kasaragod district, Kerala. My father was a famous lawyer. I was the only daughter. In spite of She strong opposition from our family elders and people around us, my father got me educated up to SSLC. I secured very high marks but was refused college education just because I was a girl. My five brothers are graduates. Soon after, I was married off. Ever since I was a small child, I had seen sufferings of Muslim women in the families in my neighbourhood. I realised that they had no security in their married life and were living under the tyrannical rule of their husbands.

As there was no parda system in Kerala, I had never encountered this system. But after my marriage, I went to live with my in-laws in Dakshina Kannada district in Karnataka and there I had to wear parda. I spent a number of precious years of my life in this imprisonment. I felt as if I was burning up from within since I had no way out. When my husband got transferred to Bangalore, I had to follow him. There I rejected parda completely and decided that in future I would not wear this black veil. In 1982, I read *about* Nazma Bangi,

a Muslim woman in Bijapur who had defied the ban on seeing films which had been imposed by Muslim men on Muslim women there. She was suspended from the college where she was teaching. This enraged me further. About this time, I started writing articles for a progressive weekly, *Lankesh Patrika*, brought out from Karnataka. The editor suggested that I try to write a short novel on our community. Three novels written by me have since been serialised in this magazine. One of them deals with problems arising from the unilateral right of the husband verbally to divorce his wife.

On January 6, 1985, I was asked to present a paper on "Coastal Muslim women" at a seminar organised by a group called Revolutionary Literature. As soon as I came to the mike and started reading my paper, a man in the audience asked me : "What is your religion ? I was pained by this question but I answered : "I am a Muslim." "You rare not wearing *burkah* therefore you are not a Muslim. You have no right to talk about Muslim women", he said. Immediately, a number of men started shouting . ."Sara, down down", "Sara, go "back." Chairs were thrown ac me. When the president tried to intervene, he was wounded by a hurled chair. Bulbs, tomatoes and eggs were hurled at me. The organisers tried to encircle me and most of them got injured in the process. The ruffians had blocked the only exit to the hall, so we were imprisoned inside.

A complaint signed by about 25 people was submitted to the police. But no action has been taken against the culprits.

I have never written an article against Islam or the holy Quran. My paper was on the life of coastal Muslim women and not Islam.

My only offence was that I did not wear the *burkah* and I came to the dais of men. Subsequently, letters threatening to shut my mouth have been published in local newspapers. The police have been informed of these threats but have not taken any action.

Sara Aboobacker, Bangalore

From Purity To Pyre

*Desire or desperation ?
Woven intricately in the red wedding sari,
Its gaudy glitter
Mirrored with clouds of tears.
The tempest of emotions
Not unleashed for fear of parents,
Society, and above all, myself.
I prepare myself for the change
That will follow,
Somehow, somewhere,
The 'me' with its confident intonation
Is compelled to be left behind
To merge with 'them'
A whole severed
Performing the wary role of perfection,
Afraid to lose. What ?
"Those furnishings bought
After many quarrels,
I myself sold to an honourable husband.
Is it enough compensation
To spend days, months, years,
Evoking dreams in the drudgery
Of embroidery stitches ?
For what ?
To make a bedspread on which
The first frantic trial,
The proof of my virginity
Is subdued beneath a darker hue
Of violence, vituperation, vengeance
Because I was not able to bring
A bedstead,
For what ?
Only to bang my head against it
In times of despair.
Or to utilise the honeymoon
American mattress
To leave up my burden around the fan
And hang them over
My bridal pyre.
To bring dough for his business.
Why ? So that
Hard cash should elude
My hands struggling with the dough,
Hands not capable enough for him.
To bring silver utensils.
Only to spend
My life cleaning them.
To bring a refrigerator*

While I smoulder under
 Outbursts of sarcasm.
 My eyes blaze
 Only to be extinguished
 By the fatal flames.
 Get money for an engineer
 Who makes his own home
 After getting a bribe.
 From the bride
 For a doctor
 So that he may use
 His scalpel to peel away
 Every iota of my will power.
 For a bank officer
 So that he may bungle
 My final account
 On my deathbed.
 For an insurance officer
 Who cannot ensure my life,
 Where do I fit in
 In this scheme of things ?
 How long will this unfit scheme
 continue ?

Navneet Sethi, Kanpur

Ineffective Dowry Act

I would like to ask whether you think the amended Dowry Prohibition Act is sufficiently effective.

In the wake of this legislation came the news that someone living in Daryaganj had demanded Rs 50,000 cash at the engagement ceremony in addition to countless dowry articles.

I was shocked at the law minister's statement that hardly any complaints of dowry had been lodged with the police. Are not the cases of bride burning enough for him ? Who complains about dowry extortion ? Parents are so keen to marry off their daughters that they are not in a position to complain.

Moreover, it is not at marriage alone that a problem is posed. The exploitation and extortion go on in cash and kind, at every fair and festival, on the birth of each child, and so on. It is not only when a woman gives birth that her father is expected to heap countless gifts on her in-

laws, but even when a male child is born to her brother or a wedding takes place in her parental home.

Women's organisations should protest against the amended Dowry Act...

S.Aryan, New Delhi

Manushi No. 24 carries a detailed analysis of the amended Dowry Prohibition Act, pointing out why it is likely to remain ineffective.

A more positive legislation recently passed by the Andhra Pradesh legislative assembly for application in that state is the amendment to the Hindu Succession Act, which gives near equal rights to daughters in the property of the Hindu undivided family. The bill awaits the president's assent to become law. **Manushi No. 17** carries an analysis of this legislation. It is a significant step forward, in that it can help some women claim inheritance in their own names rather than vicariously in the form of dowry.

—**Manushi**

Investigating So Called Suicides

On February 19, 1986, the Punjab Human Rights Committee was informed by some lawyers that a 26 year old woman, Darshna Devi, mother, of a one year old boy, had been burnt to death by her in-laws at Dabhwali in Haryana, on February 18. Members of the committee including some lawyers went to Dabhwali and, after much argument with the police, got a case of murder registered against Darshna's husband and parents-in-law.

The committee formed a panel of five persons to investigate the case. The panel interviewed many people in Dabhwali and learnt that Darshna was married to Radhey Sham on March 10, 1983. Her parents spent about Rs 100,000 on the marriage. Soon after the marriage, the in-laws started demanding more money. The parents met the demands and paid them cash. A couple of months

ago, they paid Rs 4,500 to Radhey Sham. It confessed this fact before a large number of people in Dabhwali. After this, the in-laws made more demands which Darshna's parents could not meet.

The panel noted that the in-laws then made a well thought out plan to get rid of her for good. Radhey Sham wrote a letter to Darshna's parents that Darshna had quarrelled with him and his family, and they suspected that she would burn her-self to death. This letter was shown to the police.

The panel recorded that according to the first information report lodged with the police, Darshna was found lying dead under a burnt string bed. There were no signs of struggle. The panel was of the unanimous opinion that Darshna was first murdered by her in-laws and then set on fire. The panel members met the police officer in charge of the case



Darshna Devi

and demanded that he arrest the accused, but he was reluctant to take any action.

The Punjab Human Rights Committee then sent telegrams and the panel report to the chief minister, Haryana, and the inspector general of police. Finally, the police were compelled to arrest Radhey Sham and his parents.

—**Ved Parkash Gupta**