



Responses to Manushi

Degradation of Law

We were disturbed by *Hamida's Nightmare* by Deepa Agarwal, even though this is not an isolated case. The complete degradation of our democratic institutions is to be seen everywhere, and especially in our capital city. And the judiciary is no longer an exception.

We regard **Manushi**, and the articles appearing in it, as factually correct and reliable. We realise that you and the writer, Ms Deepa Agarwal, are taking utmost risk. We wish to do whatever we can to lessen the plight and suffering of the little Bangladeshi girl.

We have written a protest letter to the Additional Sessions Judge. We have also circulated your article and our letter to various women's organisations and individual women in Gujarat, requesting them to write protest letters to the judge, and also to send copies to you. Do count on us for whatever help we can extend regarding this case.

**Trupti Parekh, ARCH-Vahini,
Distt. Bharuch, Gujarat**

Personal Choices

Please accept my congratulations on the excellent piece on *How India "Missed" the Universe* in Issue 88 of **Manushi**. It is quite rare that I come across a piece I identify with totally, and find my exact thoughts expressed far more richly than I would ever be

able to. When this happens, I am not likely to forget it for a long time.

I am rather keen to know how **Manushi** reacted to the Anjali Kapoor issue — the case of a lawyer who pinned for some magazine. It confused me a lot, but I finally did make up my mind, and even wrote a letter to the editor of the *Times of India* disagreeing with Nivedita Menon. By that time, the issue had blown over, and the letter didn't see the light of day. But I am still very eager to know how **Manushi** reacted to it and I shall be grateful for any references you may be able to give.

Prajapati Sah, Kanpur, U.P.

Manushi did not think it necessary to comment on the lawyer Anjali Kapoor having posed nude for a soft-porn magazine because we felt that the media had paid undue attention to the issue, I believe women who allow themselves to be used as sex objects for male titillation harm themselves more than anyone else. No self-respecting woman would allow herself to be used like that. However, the Lawyer's Association had no business to debar her from her profession on account of an indiscretion in her personal life. While I personally disapprove of porn-magazines, I am not a supporter of legal bans on such magazines nor in favour of laws punishing through law those who produce them — as long as the magazine concerned has not indulged in any criminal activity, such as procuring nude models through

force and fraud. This view of mine is based on my mistrust of government censorship and forcibly imposing the norms of morality of one section of readers on others.

Moreover, if the Lawyer's Association decided to punish Anjali Kapoor for her modelling in a semi-porn magazine, I would insist that they extend the logic of their stand to debar all those lawyers who read pornographic magazines or watch blue films. Our Delhi Lawyer's Association and other similar organisations have rarely taken a stand against fellow professionals for their immoral conduct — not just in their personal life, but even in their professional life. For instance, can you imagine the Lawyer's Association taking a stand that lawyers who beat up their wives, have extra-marital affairs or visit prostitutes will be debarred from the profession? If their Association is not willing to police the personal lives of male lawyers, why let them choose such a relatively harmless and soft target like Anjali Kapoor? I feel the Lawyer's Association could respond so irresponsibly to Anjali Kapoor's indiscretion only because they are not used to doing the job they are meant for - that is, to regulate professional standards, to ensure that lawyers provide honest and quality service to their clients and that our legal system function efficiently to deliver justice. We have rarely if ever heard of lawyers' associations taking action against

corrupt or inefficient lawyers, those who cheat and exploit their clients, those who habitually bribe judges to get cases decided in their favour, those who clog the legal system with flippant and trumped up cases, those who facilitate the activities of crooks and criminals, those who devise devious ways to prolong litigation with a view to harassing the innocent and increasing their own fees. Had this Lawyer's Association any experience of performing the professional tasks expected of it, I don't think they would have responded in such a Khomeini-like manner to Anjali Kapoor's personal stupidity.

-Madhu Kishwar

Room for Others

I have been a lifelong subscriber to Manushi. and depressing though some of the news is, I always look forward to receiving it. Lately, though, I must confess that I am getting fed up with overly long articles. The latest magazine, for instance, has far too many pages from Madhu Kishwar on beauty contests. Also, these views are highly personal, and relevant as they are, I would love to hear from others. In fact, there is room to add one or two other small articles??

Dr Dina Abbott, Nottingham, UK

Criteria for Segregation

I was fascinated by your exposition of the sociology of ragging in elite colleges, When India Missed the Universe (Manushi No. 88). Looking back, I now see that a similar type of segregation between the offspring of the elite and the common folks obtained during ragging at IIT; however the lines between the classes would appear to be less rigid for boys — one could always gain some degree of acceptance in the elite circles with exceptional sports or academic talent.

I do remember, though, the all-round perturbation and concern evinced when a larger proportion of Tamil-medium students were admitted under a new reservation policy, and they proved to be quite insensitive to the subservient status expected of them as befitted those from an “inferior” background! (This was in the mid-1970s)

In that same article, I thought that your analysis of the Indian aesthetic preference for fair skin was quite sound; however, when it comes to attitudes in traditional literature, I think the situation is a bit more complex than a straightforward valuation of Gauravarna (pp 16) — surely the adoration of Krishna and, to a lesser extent, Rama, as a love-god and sex symbol if you will, with explicit reference to their extra-dark skin (ghanashyam) cannot be wished away simply to validate what may just be a glib conjecture! Even where it comes to the ladies, we have Shyamala, the benign form of Kali, who is eulogised with a distinctly sensual adoration by Kalidasa in his Shyamala-Dandakam. I realize that this may be a minor quibble as far as your article about beauty contests is concerned, but it does have a relevance in the context of today's prevailing social doctrines that are often based on perceptions of past history and tradition. (I have found that your writings display an all-too-rare awareness of the need to be accurate and fair about Indian culture and traditions while eschewing false sentimentality; hence the raising of this point.)

In an earlier issue, you wrote an article on the uniform civil code issue in which you proposed that personal law be administered at the local level, while the government judicial machinery would be responsible for the enforcement of the “uniform” part of the law. (I have missed reading the

article; I read only a summary of it, and my recollection may be inaccurate.) It seems to me that leaving Personal law solely to the locals is fraught with risk: we have seen instances in India and Bangladesh where local caste panchayats ordered the beheading of young people marrying across caste boundaries, and Mullahs ordered the stoning of women accused of adultery. The problem is that the various personal laws may not be in agreement with the uniform law as to the dividing line between the civil and criminal aspects; thus a local personal law body such as a caste panchayat or a putative “Mullah council” could, in good faith, arrogate to itself the power to judge and levy criminal penalties in what would be considered civil matters (such as marriage and marital fidelity) in a secular uniform law context. Further, there will be a great deal of confusion and ambiguity in the matter of evidentiary rules and trial procedure. There is also the political issue of local “chieftains” gaining absolute control over the local legal system without any sort of democratic checks and balances. So, I think that there must be some effective procedural check on local authority in this regard.

Lastly, as I am now the father of a 16-month-old daughter, I would like to see Manushi focus occasionally on issues relating to the inculcation of values and attitudes in rearing children in this “global village” of ours.

K.V. Bapa Rao, Los Angeles, USA

There is a slight misunderstanding of my position on the uniform civil code. The article you mention appeared in Issue no. 32 of Manushi, which is available if you are interested. My follow-up article in this issue should clarify some of your doubts. I look forward to your opinion and suggestions in response to this article.

Madhu Kishwar