

WHILE journalists, civil liberties groups and opposition parties all over the country are agitating against the Bihar press bill, it is surprising that most women's organizations have not actively joined the agitation. Journalist's unions have gone out of their way to mobilize trade unions, students, youth and other sections of public opinion but have not considered it necessary to involve women's organizations in protests. Even **Manushi** as a women's journal, was not informed of the protest meetings and rallies, and when some of us did attend them, surprise was expressed that we should be interested in this issue, and we were even asked if we had gone there just to sell the magazine, since it was assumed that we are interested only in "women's issues." This ghettoization of women's issues is an effective way of preventing women from challenging social and political decisions which affect their lives.

What significance does the Bihar press bill have for women and women's organizations? Why do we, as a women's journal, feel that we have a big stake in ensuring the freedom of the press?

The struggles to improve the people's lot will be made more difficult if the government is able to prevent the spread of such news through the mass media. For example, when agricultural labourers organize to fight for fair wages, the government will find it easier to press these struggles with greater impunity when their misdoings go unreported. This will result in even greater misery among the poor, and women's lives will deteriorate even faster under these conditions, because they are the ones who bear the greater burden of poverty, destitution and oppressive conditions.

Secondly, it is because we feel that the present upsurge in women's protest actions all over the country is related to a relatively greater and more sympathetic coverage of such actions by certain sections of the big commercial press, as well as to a substantial increase in the number of small, non-commercial papers which set as the mouthpieces of people's movements, and which report much more regularly on women's issues.

MADHUKISHWAR

The Bihar Press Bill

Impact On Women's Lives And Women's Movements

While on the one hand the emergence and proliferation of women's action groups in various parts of the country has helped sensitize the mass media to women's issues, the press in turn has spread the message of women's struggle, thus helping build public opinion against atrocities on women. It is largely because of this role being played by certain sections of the press that even a small protest action by a handful of women in Delhi or Bombay helps inspire thousands of women all over the country, building the conviction that it is possible to rise collectively against injustice.

It was not so long ago that atrocities like rape and sexual violence were shrouded in a veil of silence. At best, they were considered fit subjects for sensation-mongering yellow journals. If today they have become important issues, it is not only due to the efforts of various women's action groups but also because, in recent years, some sections of the press have helped spread awareness on these issues, and have given relatively better coverage to cases of atrocities on women as well as to protest actions against sexual violence. It seems to be a result of this new trend in journalism that perhaps for the first time in the history of independent India, rape and sexual violence are being acknowledged as important issues.

I am reminded of the time when in 1978 we were doing the preparatory work for **Manushi**. There was a strong feeling among many of the **Manushi** workers that sexual violence was an issue which we should try and highlight, with a special focus on sexual violence as a weapon used by upper caste landlords to crush the attempts at self-organization by the rural poor. This was written down in the form of a tentative proposal for the first issue of **Manushi**. We were surprised that many who supported our venture and who were

progressive political activists reacted with hostility to the focus on sexual violence because they felt it was avoidable "sensationalism". However, over the last few years, as not only little papers like **Manushi** but also the big press began to give systematic coverage to this specific aspect of women's oppression, attitudes have changed significantly, so that today there is hardly a political group in the country which would dismiss the issue in so summary a fashion.

It would not be overstating if one were to say that certain sections of the press perhaps played no less important a role than did protest actions by women's groups against such sexual atrocities as the Mathura rape case. Even small protests during the Mathura campaign were highlighted in a way that made them seem the beginning of a nationwide anti-rape campaign.

If the Bihar press bill were to become law, neither Belchhi nor Beldiha nor the Maya Tyagi case nor the Mathura case could be reported because it could easily be alleged that attempts to expose the offenders were "indecent", "scurrilous", meant to "injure" or "blackmail" the persons concerned. It is well known that the word "indecent" is too often used to refer to any writing on sexual matters. Reference to details of sexual exploitation or rackets involving trafficking in women could well be termed "indecent" and the government machinery is likely to jump to protect the reputations of the offenders, because these men usually occupy powerful positions in the government or act with the active connivance of the government machinery and the police. In 1980 the government had tried to stem the tide of protest actions against its own misdoings through a devious clause in the antirape bill then introduced in parliament, whereby trials of rape cases were proposed

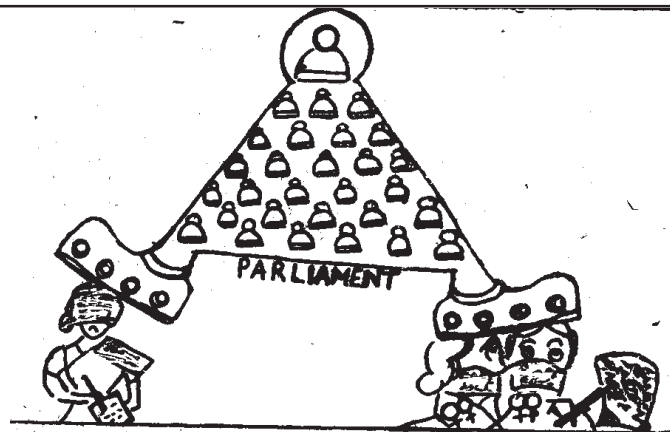
to be held in camera and reporting on them was to be prohibited. This was one way of silencing the press on the issue of rape and sexual violence. However, that bill was temporarily shelved following protests from various women's organizations. This new bill will arm the government with powers that may well prove sufficient to silence us, since the censorship in this bill will be backed by the power to arrest without trial not only publishers and editors of such papers but also anyone who sells, distributes, advertises in, or reads such a paper. Such a paper will not even be sold as junk since the junk dealer can also be arrested for being in possession of "scurrilous" matter.

The history of agitation against dowry murders is even more revealing. I would like to confine my observations to the city of Delhi because here we witnessed and participated in the process from the beginning. Today, many of us seem to be under the impression that dowry murders are a new phenomenon. People often wonder aloud whether dowry murders never took place in the past, or whether they were just not reported in the papers. If we examine the newspapers of some years ago, we will see that even then they did carry the three-line reports of women's deaths by accidental burning, and families of such women still recall those deaths, but they were never investigated or treated as murder cases. It was only in 1977-78 that the actions against dowry murders were initiated, when the Mahila Dakshata Samiti began to investigate and follow up some of these cases. In early 1978 they published a report on the cases they had followed up. In this report, for the first time they revealed that many of the deaths which were being passed off as suicides or accidents were in fact murders. The report was widely publicized in the press which gradually woke up to the fact that it was helping to hush up these murders, by neglecting to independently investigate them, or report on them in any detail. For years, the press had blindly and dutifully reproduced on the third page of newspapers three-line news items based on police bulletins : "Housewife died accidentally of burns

when stove burst while she was cooking" or "A young married woman today committed suicide by setting herself on fire. The police have registered a case of suicide." Such is the power of the printed word that the public accepted these reports as factual representations of reality, never dreaming of the invisible horrors lying behind them.

The Mahila Dakshata Samiti report seems to have helped sensitize some sections of the journalist profession, who began to give systematic coverage to any protest actions which sought to bring the reality to light. Gradually, some journalists

what appear to be "suspicious circumstances". The very fact that neighbours or girl's families now notice that the circumstances are "suspicious" is largely due to the role played by the press in alerting people. The coverage given by the press to such small actions by local residents helped the fire spread further (see the report from Amritsar on page 41). To keep quiet and suffer in silence began to be considered less and less respectable with every sympathetic press report of protest. This is how even "respectable" middle class women and men began to come out on the streets and



Legislating "indecent" out of existence !

also began to do some investigative reporting on such cases instead of relying wholly on police bulletins (though a large number of these bulletins on "suicides" and "accidents" continue to appear daily) and the press began to act as a kind of catalyst in fomenting protest action.

The publicity given by newspapers to every small and big protest action sparked off a powerful chain reaction. The message began to be spread far and wide that what were being passed off as suicide or accidental deaths of young married women could well be murders, and secondly, that it is possible to protest and mobilize the weight of social opinion against the perpetrators of such crimes. It is partly as a result of this spreading awareness created by the press that people in many small towns the country over have begun to independently investigate and protest when young women die under

make public issues of what were so far considered the private affairs of the family. This is how a new phase of the women's movement began in Delhi and this is perhaps how it spread to other areas so that we now hear of new women's groups in almost every city.

The attempt to clamp down on the press is therefore not just an effort to repress the journalist's and editor's freedom of expression. Much more importantly, it is a conscious attempt to repress the growing discontent and growing realization that in most cases of violence against women the state machinery actively shields the criminals whether they are husbands who murder their wives or landlords whose hired gangs rape landless, poor women.

Unlike with the big newspapers, for papers like **Manushi** the question is not one of being "more free" or "less free". It

is a question of survival because the very reason for the existence of papers like **Manushi** is to try and expose the social system which makes possible such oppression. It is not a matter of occasional exposure of the scandalous doings of some public figure as a sensational "scoop" but rather of systematically analysing the very fabric of oppression and how those in power perpetuate injustice. This analysis is bound to injure the persons concerned if they choose to consider themselves injured by expression of the truth. The terminology used by the Bihar press bill can very easily be used against those who report on any form of oppression, especially women's oppression.

It would mean that all the papers which act as mouthpieces for various people's movements such as the dalit movement and the tribal movement would have to voluntarily close down. Though the big newspapers have become sensitized to issues of oppression and struggle, yet they devote a very small proportion of their space to such reporting or writing. The larger proportion still dutifully devoted to how "gram rises and moong falls" in the wholesale market, the ups and downs of the news about flower shows, dog shows, the visits of VIPs to temples and gurudwaras, the colour of the prime minister's sarees, the prime minister watching dussehra celebrations with her grandson, the brand of hair dye she bought in New York, a banquet given in honour of some visiting dignitary, mini bus ramming into an electric pole, statement after statement of various ministers, and of course pages and pages devoted to facilitate the buying and selling of furniture, airconditioners, brides and bridegrooms, houses and other property. The so called political news too is invariably a dull account of pious public platitudes uttered by ministers.

It is the small, non-commercial papers who do not survive by the patronage of government and business advertising, who are able to concentrate on reporting about struggles. The big press is unable to consistently perform this function because much more than blatant press censorship, it is government and

commercial advertising and patronage which functions as a stranglehold and truly effective censorship on the big papers. The small non-commercial papers try to disseminate the vital information about people's lives and struggles which could never get to the people through the big media—the kind of news that has the potential of stimulating people into action.

Our own experience confirms this. As news of women's struggle is carried through **Manushi** from one region to another, it gives a message of hope and encourages women to organize themselves. For example when a group of women in Hissar read in **Manushi** about a protest action or a group effort in Delhi or Bombay or Bangalore, they begin to feel that "If women in another town could do it, perhaps we can do it too". It is the feeling

all forms of bonded labour. Militant organizations of rural landless women had also sprung up to fight against sexual violence perpetrated by landlords and police. The government reacted by declaring these areas "disturbed areas" and unleashing a reign of terror. (See **Manushi** No. 2) The people in other parts of the country were led to believe that the mass movement in rural Andhra was only the misdoings of "naxalite trouble makers."

Similarly, Nagaland has long been converted into a virtual military controlled concentration camp, and one of the reasons why the government is able to freely terrorize the Naga people is that the people in the rest of India are led to believe that the rebel Nagas are all violent trouble makers and sold out to foreign powers,

"A society whose press is filled only with good news invariably has its jails filled with good people"

that it is possible to do more than suffer in silence, which sparks off organized effort, and often gives birth to new groups.

For those already organized, and struggling, the news of other struggles becomes a source of strength, brings the assurance that they are not alone, that their effort is part of a larger movement for change, and therefore gives a growing confidence in the possibility of change, a possibility which otherwise seems remote. It also becomes possible for groups to communicate and support each other's struggles through the pages of such non-commercial media, whereas readers of the big newspapers remain more or less passive, at best contributing a letter to the letters column once in a while.

For a long time, the big business house owned papers had conspired with the government in presenting many of the people's struggles as "law and order problems." The government version of these struggles was the only one which found its way into print. For instance, in Andhra Pradesh in the mid-seventies, the poor peasants had organized themselves in Ryotu Coolie Sanghams to demand higher wages, and an end to illegal landholdings, economic exploitation, and

while the government is trying its best to "integrate" them into "the mainstream of national life." Why do people have this impression? Because the only version we get of the happenings in Nagaland is the version given in official and ministerial statements conveyed through radio, television and the official press. We have no other way of getting information from these areas nor do the suffering people there have any other means of communicating with people in other areas.

It is only as such movements develop their own small struggling media that they can hope to filter through another version of reality. For instance, the Jharkhand Mukti Morcha in south Bihar is struggling for the rights of tribal people, who are not only being thrown out of their ancestral lands and being converted into homeless, destitute labourers, but are also victimized by the police when they rise in protest. The official media has long presented the movement as being anti-national and divisive. However, the movement found its own vehicles of dissemination, for example, a small paper called *Singbhum Ekia* which, despite the pressures it faces, manages to expose and report on every fresh atrocity, every fresh encroachment

on tribal rights, thus keeping tribal people informed of the struggles going on in various regions, and systematically conveying the message of organized struggle as a way of combating injustice.

Keeping all this in view, it is no coincidence that the government has felt the need to clamp down on the press precisely at a time when the various small struggles are beginning to spread and to make connections with each other, and there is a possibility of their assuming the form of a widespread movement. In the seventies, government reacted to the JP movement by clamping down general censorship as part of the declaration of emergency. However, they are now wiser and realize that the people are perhaps not in a mood to tolerate such a move. They therefore wish to censor movement papers out of existence and silence the big press, to clear the way for crushing small local movements without vocal protest being possible. The attempt to introduce this bill in one state is obviously an experiment. They probably calculated that if they could get away with this one, they could then smuggle similar legislation into other states as well, and let the rot spread slowly to the centre, just as they have already smuggled censorship laws into Tamilnadu and Orissa.

The role of the press is particularly crucial in our country because the government is already in complete control of many other forms of information dissemination such as radio, television and school and university curriculum. These media selectively allow only such information to reach the people which can manipulate their thinking to accept the injustice of the system. The press is the only media wherein some bit of non-governmental versions of reality may be communicated. Small, independent papers which come into existence to lend support to people's movements and to act as catalysts for people's action for change and for building a more humane society are in a better position to conduct independent investigations and to expose the malfunctioning of government machinery, and of the system of exploitation that it upholds and protects.

MODHUMITA MOJUMDAR

The Bihar Press Bill

What it States and What it Implies

BIHAR is, today, by common consensus, one of the worst administered states in the country. It was in Bihar that undertrial prisoners were blinded, and it is in Bihar that undertrials have been languishing behind the bars for years, some driven mad and some declared "mad". That is why the newly passed press bill that seeks to prevent the publication of "grossly indecent or scurrilous matter or matters intended for blackmail" is causing alarm throughout the country. For who is to decide what is "scurrilous" and what is not?

The bill, which seeks to amend the Indian penal code and the code of criminal procedure, was rushed through both houses of the state legislature in an unseemly hurry, without a full debate, and is now awaiting president's consent, which will be given or denied depending on the central government's advice to the president. The bill makes it a cognizable, non-bailable offence to print, distribute, exhibit, sell, hire, convey, receive profit from, advertise or have in possession any picture or printed or written document which is "grossly indecent or scurrilous or intended for blackmail." A person convicted of this offence will be punished with either simple or rigorous imprisonment for a term upto two years or with fine or with both, and a second conviction will be punishable with imprisonment upto five years and with fine. The phrasing of the clause makes it possible for the state to punish not just publishers, editors and journalists, but even vendors, newsagents, readers, advertisers, shareholders, and dealers in old newspapers.

The bill also states that "any magistrate", even an executive magistrate, can try an alleged offender. So far there

has been a distinction maintained between executive magistrates who are administrative officials and are therefore more compliant to the wishes of government, and judicial magistrates who are expected to exercise a degree of independence. The bill obliterates this distinction, thus depriving the judiciary of its independent role.

The bill does not define the words "indecent" and "blackmail". "Scurrilous" is defined as "any matter which is likely to be injurious to morality or is calculated to injure any person". The bill lays down that "it is not scurrilous to express in good faith anything respecting the conduct of a public servant in the discharge of his public functions or respecting his character so far as his character appears in that conduct and no further; or of any person touching any public question and respecting his character so far as his character appears in that conduct and no further".

This attempt to draw a fine line between the private life and public life of politicians is obviously designed to shield their misdoings. In any case, there are provisions in the penal code against slander, blackmail and pornography. The government has yet to produce a shred of evidence in support of its contention that these existing laws are inadequate to proceed against offending journals. The only case the Bihar chief minister Jagannath Mishra has cited of scurrilous writing is the report that he had, following the advice of a *tantrik*, bathed in the blood of several hundred goats! The Bihar government is not known to have approached the press council or any other professional body with complaints against any newspaper or periodical.

The government has long been trying to play off the small and medium sized

journals against the major English newspapers. The hope of Indian journalism, according to Vasant Sathe, till recently the information and broadcasting minister, lies in the smaller newspapers. Perhaps it was felt that these papers would be more vulnerable to arm twisting tactics, dependent as they were on government advertisements. On the other hand, reporters and correspondents of small papers in Orissa and Bihar have often been singled out for physical assault, since they exposed corruption and fraud at the local level. Now Jagannath Mishra has categorically stated that he has no grouse against the national press, but only against mofussil papers and certain journals published from Calcutta and Bombay.

For magazines like **Manushi**, the Bihar bill could mean a ban on reporting rape and assault on women by police officials and other public figures. Not only would the magazine be banned in Bihar, but a correspondent or distributor in Bihar could be arrested and prosecuted, even though the magazine could be sold in other parts of the country.

It is imperative that all of us should organize against the Bihar press bill and the similar laws which were enacted in Tamilnadu in 1960 and in Orissa in 1963. Last year, the Tamilnadu government enacted amendments which have served as a model for the Bihar bill, and have been given presidential sanction. The Tamilnadu bill has now been challenged before the supreme court, which has stayed some of its obnoxious provisions pending final judgment.

The realization that such piecemeal legislation at state level could develop further until freedom of the press is reduced to nought, despite the protestations of central leaders on their commitment to the concept of a free press, has created considerable alarm which accounts for the phenomenal success of the all-India newspaper and news agency strike on 3 September. The strike was the first of its kind because all members of the industry including top editors and managements were sympathetic participants. Also, this was the first time the industry rose in protest to defend a principle rather than for economic demands.

On the eve of the strike, Indira Gandhi provided conclusive proof that in initiating the press bill, Jagannath Mishra presumably had the blessings of both the god and the Prime Minister by whom he swears. She not only described the journalist's agitation as "*naqli*" but also accused the journalists of playing the opposition game. This unrepentant and menacing statement firmed the resolve of those journalists who had been wavering, to cast in their lot with the strikers.

The strike was against the Bihar press bill and also against the anti-press laws in Orissa, Tamilnadu and Jammu and Kashmir. This is the first step in a long drawn out struggle which will become necessary if the Indian press and people are determined to prevent the recurrence of the emergency repression in 1975-77. What is needed, however, is not just the repeal of these obnoxious laws but a specific guarantee in the Indian constitution ensuring press freedom. Today, whatever freedom the press has is derived indirectly through the constitutional safeguard of freedom of thought and expression. □

Why Are All-Male Teams Not Boycotted ?

On November 13, 1982, the Tehriki Khwateen organized a large protest demonstration at Lahore airport, when the Pakistani Asiad contingent of 102 men was leaving for Delhi. Many other women's organizations, independent women and students joined the protest against the government policy to ban women's participation in international sports events, as a result of which not a single Pakistani woman was allowed to participate in the Asiad. Neva Channan, a well known athlete, was in the forefront of the demonstration which shouted slogans such as "*Team to adhoori ni*" (the team is incomplete). Several sportsmen including wrestler Salahuddin, tennis team captain Saeed Mir and hockey team captain Niullah, spoke in support of the women.

Wajid Ali, president of the Pakistan Olympic Association, was gheraoed by the demonstrators. He reacted by saying that Pakistani sportswomen were not capable of competing at an international level. The women challenged this, and quoted several instances of women having won honours in the past, including that of Neva's performance at the last Asian games. Several newspapers reported favourably on the demonstration, pointing out that it is women's constitutional right to participate in the cultural life of the community, that they have always participated in sports since the creation of Pakistan in 1947, and that the Pakistani government is violating the UN charter of human rights by this form of discrimination against women. Other countries which did

not allow a single woman to participate in the Asiad included Iran, Iraq, Syria and Arabia.

How is it that all those countries who oppose apartheid rightly refuse to participate in sports events with South Africa because its government discriminates against the black population and sends all white sports teams to international meets, yet these same countries, including India, who are constitutionally committed to the principle of equality between the sexes, do not even register a formal protest against the policy of governments which exclude half the population of their countries from participation merely on the grounds of sex, let alone boycotting such all male sports teams? □