

TODAY there is widespread dissatisfaction with the way things are run in our country. Among other things, we are dissatisfied with our government, our economy, our educational institutions, our public health system, the bureaucracy, the police, and the judiciary, as well as the way we have ordered our family structures and social relations. Because of this disgruntlement there has emerged a whole range of social and political activists who have taken it upon themselves to change things for the better.

Some have confined themselves to dealing with specific issues such as the environment, law reform, or helping disadvantaged people — whether tribals, landless poor, or slum dwellers. Some, like me, find it hard to stay confined to specific groups or issues (though I find I spend more time on some areas of concern than others) and would like to bring far-reaching changes that will make our society more just and humane for all, and not just improve things for this or that section of the population.

Over the years, I have developed some basic ground rules which I have come to use for my chosen work. However, I do not present them as a necessary code for all activists, but simply wish to share with others my views about the role of an activist.

It took me many years to realise that good intentions are by themselves no guarantee that my work will inevitably produce good results. It is much easier to do harm than to do good. Therefore, I must constantly attempt to evolve meaningful criteria for judging and evaluating my interventions and actions, especially since most of us unfortunately are not accountable

\* Presented as a keynote address in the session on **Activism** at the annual Indian Social Science Congress held in Baroda in Nov 1994

# A Code for Self-Monitoring\*

## Some Thoughts on Activism

**Madhu Kishwar**

to the people whose interests we claim to serve.

It is not as if people have demanded that we intervene in their lives. Nor have they elected us to represent their political or economic interests. We are essentially 'self-appointed' social reformers and guardians of social morality. An MLA or MP who does not represent people's interests can at least be voted out by his constituency. There is no such check on a self-appointed reformer, except that people might choose to ignore him or her. And that is precisely the kind of external check we

must make space for in our work. We must make sure that people have the option to ignore us if we don't make sense to them; they must not be coerced to take notice of us or do our bidding. It is for this reason that **Manushi** has avoided, as far as possible, taking the *sarkari* or statist approach to social reform. This approach relies heavily and at times exclusively on the state machinery for carrying out the agenda of social reform and justice.

### The Statist Approach

Unfortunately, the *sarkari* route has become all too popular among the



educated elite of India. They have inherited this tendency from their erstwhile colonial rulers who, after looting various parts of India to build an empire, subsequently became enamoured with the idea that they had been engaged in a 'civilising' mission all along. With this as justification, they began to imagine they could banish those activities and people they considered undesirable, immoral, and uncivilised by simply declaring them unlawful. Their norm was an idealised notion of how their own society functioned — its imperial beliefs, laws and customs.

Due to our western education we have come to deeply imbibe the colonial view of Indian society, and to relate to our people in the same way as the British did, especially if those people happen to be poor and uneducated. Every time we confront social practices we do not like, we demand that they be outlawed and people forced to act as we think right. For instance, when confronted with any aspect of social oppression or violence against women, the characteristic response of progressive organisations has been twofold:

□ To ask for a stringent application of existing laws;

□ To ask for new, even more strict legislation, with a view to controlling the wrongdoers by strong punitive measures such as long prison terms.

Most activists tend to see such legislation as a precursor to changing social norms, without ensuring that the laws are enacted judiciously and implemented with care. Consequently, new laws have rarely achieved the desired results. If anything, they have added to our problems. Most of our legal interventions only succeed in estranging us further from the people we wish to reform through law.

For example, in 1987, when the

Roop Kanwar sati case came to light, progressive-minded people all over the country joined with women's organisations to demand that sati be outlawed and that strict action be taken against Roop Kanwar's in-laws for either forcing or allowing her to commit sati. The outcry was so strong that, after a lot of initial confused dilly-dallying, the Rajasthan government sent a heavy police contingent to Deorala for the ostensible purpose of preventing the *sati-sthal* (the site of sati) being made into another religious shrine and to stop the deification of Roop Kanwar for having committed sati.

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In addition, under pressure from women's organisations, the government passed an anti-sati Ordinance which is both foolish and draconian as a piece of legislation. Among other things, anyone who admits to having witnessed a sati is liable to prosecution under this law. The law became more of a hindrance than a help to people interested in investigating what actually happened, because under the new law many were afraid that they would be prosecuted as abettors to the crime if they admitted they had been present when it took place. That did not, on the other hand, prevent the police from making a number of arrests of ordinary villagers, mostly with a view to harassing them and extorting money from them. Thus, what re-

ally took place could never be established. Did Roop Kanwar voluntarily climb onto her husband's funeral pyre or was she dragged there, as some journalists alleged?

When we visited Deorala nearly a month after the incident we found it was like a police camp. But that did not prevent the villagers from performing regular *aarti* at the *sati-sthal* with the very policemen, posted there to prevent such activities, themselves joining in the *aarti*. The arrests and the harassment caused by the heavy police presence had made the villagers both angry and hostile to all those outsiders who, they felt, had no right to interfere in their internal community affairs. Social activists were often prevented from even entering the village. Even if they got inside the village, no one was willing to talk to them (see **Manushi** 42-43, 1987, for a more detailed report).

It was not just the men of Deorala who reacted with such hostility to outside intervention. The Rajput women, for whose supposed benefit the campaign had been launched, were no less hostile to outside intervention. They joined their men in vociferously defending the cult of sati.

The backlash was largely due to the fact that the anti-sati campaign had been carried out mainly through the press and not in direct communication with the people concerned. This led to a complete breakdown of communication between the reformers and the supposed beneficiaries of the reform. Consequently, the activists were unable to carry out a proper investigation to establish whether the sati was voluntary or a product of coercion.

If it turned out to be the latter, as many suspected, there was no need to invoke anti-sati legislation or pass a new draconian law. It could simply be dealt with as plain murder without the

reformers needing to enter into a debate on the sanctity of the Roop Kanwar sati. If it could be proved that Roop Kanwar was forced onto the pyre, even the pro-sati enthusiasts would not dare call it sati. That would destroy the myth of sacredness which they presently bestow upon it by insisting that it was Roop Kanwar's divine *sat* which prompted her to commit self-immolation.

### **Crime Vs. Culture**

If Roop Kanwar had indeed been murdered, we have strong provisions in the Indian Penal Code for dealing with murderers. They can be sentenced to life imprisonment, or even given the death penalty. We did not need another law to deal with Roop Kanwar's murder. By using the anti-sati Ordinance against her in-laws rather than the Indian Penal Code provision for murder, the government gave their alleged crime a measure of respectability.

The unfortunate truth is that the state and the police were not really interested in stopping sati. To expect a government which doesn't implement even the existing laws for people's protection to enforce even more stringent laws is laughable. For instance, Deorala has a very large proportion of families in which the men are employed in the police. A good number of these policemen were in the village on the day Roop Kanwar allegedly committed sati. These policemen were duty-bound to prevent the sati; they did not do so. Our demand could well have been that they be punished for dereliction of duty so that those in charge of law enforcement understand that they are being closely monitored.

If Roop Kanwar had been forced to immolate herself, then the act falls in the realm of criminality. But if it was voluntary, it comes in the realm of cultural traditions. If it turned out

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that Roop Kanwar had indeed decided to immolate herself and, therefore, commanded genuine reverence from her community, then the problem needed to be dealt with altogether differently. In such a situation mere condemnation and punishment would not do. It would require a genuine dialogue on why women among certain communities like the Rajputs are culturally conditioned to consider their own lives worthless after the death of their husbands. Instead of a dialogue, there was only a confrontation between the villagers and the activists, leading to a hardening of positions on both the sides, thus defeating the very purpose for which the campaign was launched. While the progressive out-

siders continued to condemn sati, Rajput women joined their men in sati's defence.

We need to learn to distinguish carefully between crime and culture. No self-respecting society can promote crime in the name of tradition, though it may support repressive norms. In an orderly society, dealing with crime should be left to agencies of the state such as the police and the judiciary. Crime might also be controlled by judiciously worked out social sanctions and punitive measures. But dearly held and deeply cherished cultural norms cannot be changed simply by applying the instruments of state repression through legal punishments. Social reform is too complex and important a matter to be left simply to the police and law courts. The best of laws cannot substitute for approaching the people directly to build a new social consensus, rather than talking at them through the newspapers as many of us are prone to do.

### **Encouraging Criminalisation**

In fact, our obsession with outlawing the social practices we find harm-



**Photo collage of a beatific Roop Kanwar on her husband's pyre**

ful is encouraging the widespread criminalisation of our society. For instance, the zealots who fight to get prostitution banned have not succeeded at all in stopping, or curbing it. The anti-prostitution law has meant simply that the police have been armed with too much power to harass prostitutes. Consequently, brothels function under police protection and the flesh trade provides a lucrative source of income for policemen. They not only collect regular *haftas* (weekly or monthly money bribes) but also extort sex bribes from prostitutes. In addition, the police stage occasional dramas of carrying out raids during which arrests are made to instill greater fear among prostitutes, their pimps and the brothel owners. This helps the police to raise their bribe rates even higher. The criminalisation of prostitution and the police-pimp nexus makes it much harder for women to escape from prostitution if they so desire.

Yet all these unfortunate results of our activities have not dampened our enthusiasm for continuing to use laws in ways that are counterproductive. For instance, ever since it became clear that pre-natal tests for genetic defects were being used almost exclusively for detecting and aborting female fetuses, women's organisations have been demanding that such tests be banned. As a result, a series of state laws were enacted, followed by central legislation along the same lines, which provide for jail terms of up to five years and heavy fines for any doctor performing these tests. The recent central government law states that even the family and the woman who undertakes these tests will be punished with imprisonment.

However, the law has not curbed the practice. Far from it. SDT clinics continue to flourish. The only change in the situation is that the ban has made the tests more remunerative for

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doctors. Earlier the test cost between Rs 100 to Rs 600. After the ban, doctors have begun charging anything ranging from Rs 500 to Rs 8,000, depending on the status of the doctor and the paying capacity of the family. One can be certain that a part of this money is going to buy police protection. Now that the test has gone underground there are no ways to monitor malpractices. All we have succeeded in doing is criminalising large sections of the medical profession and increasing corruption in police.

Those who asked for the ban also failed to realise that technological advances are moving along at such a fast pace that it is impossible to control the spread of these tests through mere legislation unless the doctors could be made to act with social responsibility. For instance, it took various governments within India nearly a decade and a half to respond to an earlier SDT technique called amniocentesis by passing an ineffective law against it. In the meantime ultrasound techniques came into vogue. There is no way this new technology can be controlled because it is used for a range of diagnoses, from detecting kidney stones to checking inflammations of intestines or various other organs. One would have to police hundreds of thousands of ultrasound examinations in the country round the clock in order to ensure that the machines are not used for SDTs. Even if one man-

aged this impossible feat, where is the guarantee that the police won't stand there merrily collecting bribes for each test they let pass? In all likelihood they themselves will be keen to bring their own wives or sisters in for the test.

We had better face up to the fact that SDTs cannot be controlled as long as those who perform them and those who take them are convinced they serve an important need. As things stand most doctors feel they are doing an important social service, a noble job, by providing this facility. They see it as a valuable device for population control that prevents the birth of unwanted daughters. Most families are also convinced that they should have not more than one daughter while ensuring the birth of at least one or two sons. This creates a real demand for the test. Unlike prostitution, there is no shame associated with wanting sons and being averse to too many daughters.

When proposing a social reform measure, it is important to remember that the people for whose benefit it is meant must envision their lives improving as a result, if they are to adopt the change willingly. In the case of SDTs, most women who go for the tests believe that producing more daughters will adversely affect their lives and make them more vulnerable to abuse. Unless we are able to change those pressures which make people averse to having daughters and devalue female lives, our campaign won't be heeded. By using punitive measures we will only become more estranged from the society we wish to reform.

Campaigns cannot work if they stay confined to the ideological level. We activists need to work for those changes in our economy and polity which will contribute toward making daughters far more desired than they are at present. To accomplish this pref-

erence change we will have to do many things, including changing our inheritance patterns and family structures which allow sons to act as the main supports of the family. At present families concentrate property in the hands of sons and willfully disinherit daughters. This culture of disinheritance of women has in turn led to harmful institutions such as the modern-day forms of dowry, which only strengthen the popular prejudice that daughters are an undesirable financial burden.

Thus, foeticide cannot be controlled unless this equation changes and families begin to value their daughters more than they do at present. It doesn't take much to kill an infant daughter even without the aid of technology, if she is unwanted. Simple neglect of infant girls does the job as efficiently. Trying to solve the problem of our low sex ratio through a law about foeticide or even one about infanticide is like trying to stop someone from coughing by forcibly holding and blocking his mouth rather than by attempting to find out what is wrong with his or her health, and providing treatment.

### **Reform Government First**

I am willing to concede that a legal ban would have a salutary effect if we had an honest law enforcing machinery. For instance, if the government could honestly enact and implement a law that any doctor who provided an SDT test would lose his or her licence to practice medicine, I would be perfectly willing to support such a law. But as things stand, those doctors who pay off the police or other enforcement agencies would be allowed to continue with the tests and police would simply harass those doctors with whom they have some personal scores to settle.

Thus, for anyone seriously interested in using law as an instrument of

social reform, the task of reforming the legal machinery ought to be taken up as a high priority. We cannot set lawless tyrants upon people in the name of reform. (See Box on p.11 and 13) This is not to suggest that in the meantime we sit quietly and let things continue as they are. Nor am I proposing that we activists and reformers should meekly accept the cultural values and social norms of every group across the country simply because they are widely cherished by most of the people. I am only trying to emphasise that we need to work harder at changing those cultural norms through a process in which people become voluntary participants in adopting more humane values. Otherwise, the effects of our campaigns opposing harmful practices will not be enduring.

Given the present state of our law enforcement machinery, it would be better if we let our opposition be known through protests, demonstrations and even dharnas and picketing outside SDT clinics. We should try to prevail upon the various medical associations in the country to condemn such practices and debar membership for such doctors. In short, through our rigorous publicity campaigns we should ensure that we do not let people rest in peace until they recognise the harm that comes from virulent son preference.

Avoiding the overuse of the statist route to social reform ensures that you get a proper feedback from those whose lives you seek to improve. If you are not using coercive methods like the threat of imprisonment, arrest, and so on, then you are more likely to find out if your ideas are indeed workable. The process of persuading people to a different mode of thinking necessitates dialogue with them. If they are not frightened by punitive measures, they would have no hesitation in pointing out the limi-

tations or weaknesses of what is proposed for their benefit. This ensures that the many complexities of the situation are taken into account, and that potentially harmful approaches are eliminated from the social reform agenda.

### **Practise Before Preaching**

Too often activists themselves cannot implement what they preach. Take, for example, the anti-dowry campaigns in which activists demanded stricter anti-dowry laws to abolish the practice altogether because they saw it as very harmful to women in all its forms. We at **Manushi** started on the same note in the late '70s. I found it very distressing, however, that many of the activists would participate one day in anti-dowry demonstrations condemning those who give or take dowry, but would not themselves hesitate to participate in a dowry wedding the very next day. When I argued with them they offered excuses such as that they couldn't annoy or displease their family or friends. I was terribly distressed by this gap between what we preached and what we were practising, and thought this might be the real reason the anti-dowry movement was having no impact.

Some of us at **Manushi** decided to try to implement our anti-dowry campaign in our own lives before we condemned others for taking dowry. We took a public vow that we would not attend any wedding where dowry was given or taken, even if it involved our close relations or friends. We hoped that others would also take this oath and help in curbing the dowry menace. In addition, we called for a boycott of such weddings by other activists, arguing that we ought to begin with implementing the reforms we advocated in our own lives. No more than half a dozen women responded. This list did not include any of the prominent women activists. However,

I personally carried out my boycott vow meticulously for more than thirteen years, even at the cost of hurting dear friends and close relatives. The only totally dowryless wedding I was witness to during this period was that of my own brother. In most other cases, the woman to be married would come and argue with me heatedly, pointing out the foolishness of my stand given that they themselves wanted to take dowry. Why should they be forced to give up a dowry, they argued, when they knew their parents would not give them a share in the family estate? If I did not have a means of ensuring that daughters got their due share in parental property, what business did I have to prevent them from getting dowries? In their view, it would only serve their brothers' interests, as they would get an even larger share of the inheritance.

It was this process of feedback which compelled me to reconsider my stand and shift its focus to fighting for an equal inheritance right for daughters. I am convinced that if I had not practised what I advocated, and simply asked for a more ferocious anti-dowry law than already exists, I would not have understood the weakness of my position. I believe activists should attempt to put their ideas into practice at least among their own relatives and friends before they propose important changes in law. We should not make a mockery of legislation, and avoid enacting unimplementable laws.

### **Start with Existing Laws**

For instance, though we already have a Dowry Prohibition Act, it has no effect. If anything, the practice of giving dowry has grown and spread. Before asking for a new law we need to find out why the existing plethora of laws are not functioning. The anti-dowry law does not work not only because it is stupidly devised, but also because even the dowry givers are by

and large convinced that dowry must be given. Most of all, the women concerned don't see the anti-dowry campaign as a help. Since in most cases they are going to be denied property rights anyway, most women feel that dowry is their rightful due, and that entering their marital homes "empty handed" would only reinforce their dependence on their husbands and in-laws. The early years of a marriage, before the woman has had time to develop a relationship with her husband and his family, can be particularly uncertain, and entering the house without a dowry could make her position seem even more insecure.

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We also need to understand that most people are not anti-dowry per se, but against "dowry demands". It is the harassment of brides to extract more money from their parents which is disapproved of, not the voluntary giving of dowry, which is indeed seen as both necessary and desirable. We would have done better had we made this existing social consensus our starting point for combating some of the negative aspects of dowry giving. Our attempts to outlaw dowry outright are inherently absurd. How can parents be prevented from bestowing gifts or property on their own daughters? Why outlaw *stridhan*, especially if the daughters themselves are keen to receive it?

We could easily have focused our efforts on preventing extortion, and received greater social support. For those efforts, we need no new laws.

The Indian Penal Code defines extortion (putting someone in fear of injury or death with a view to extracting money or property from him or her) as a criminal offence for which a person can be sentenced to up to ten years of imprisonment. With this as a starting point, we can launch rigorous campaigns to persuade parents to change the forms of dowry from consumer items such as televisions and furniture, which depreciate in value, to income generating forms of property such as land, fixed deposits, or shares in business, which appreciate in value. This would be a pre-mortem inheritance, and ensure that a daughter would not need to enter her marital home as an economic dependent, but rather possess some independent assets of her own. If we could offer a genuine choice to a woman between a dowry and an inheritance share, we would find that most would probably prefer the latter, because it is likely to be more substantial and enduring, and our reforms would be effective. Instead we are saddled with an anti-dowry law which is universally flouted, including by the law-makers themselves, and a mockery has been made of our reform campaign.

In short, whenever we see people bypass or ignore a social law which has been enacted for their supposed benefit, we must ask what is wrong with this law that its alleged beneficiaries ignore it, rather than assume that there is something wrong with the people who disobey its dictates.

I am not suggesting that laws have no use in our society, or that our society is uniquely lawless and therefore does not heed legislation. I am however arguing that:

□ We should take laws more seriously and try to ensure that the gap between what the law says and what people practise is not so large as to

*contd. on p. 12*

**T**HE Child Marriage Restraint Act is yet another example of a well-intentioned piece of legislation with great potential to be exploitatively implemented against the vulnerable. The famous case of Kaneez illustrates this very well.

In early December 1993, national newspapers blazoned on the front pages how the Nizamuddin police rescued a minor Muslim girl named Kaneez from Saudi national Mohammad Elausi and his uncle. The two men were arrested on the charges of abducting and raping Kaneez. Kaneez was put into "protective" custody in Nari Niketan, and her family charged with selling their daughter. In a high-profile press conference, the police alleged that Kaneez's parents sold their 16 year old daughter in "marriage" to 35 year old Saudi national Elausi, who had brought her from her home in Hyderabad to Delhi on his way back to Saudi Arabia. The police implied that Elausi probably planned to sell Kaneez to flesh traders.

The police claimed that they intervened upon seeing a crying Kaneez walking with her husband in the Nizamuddin market. When they enquired why she was crying, she broke down and asked to be rescued from her abductors. They arrested Elausi and his relatives and sent Kaneez to the government-run Nari Niketan. The entire tone of the press conference and of subsequent press reports was that the police had behaved as noble rescuers of a damsel in distress. They encashed on the national and international publicity already generated by the earlier Ameena case, wherein an air hostess rescued a young Muslim girl from her involuntary marriage to an older Arab man. The press reporters gave the same slant on the Kaneez case, and not one bothered to ask the police simple questions

## Kissa Kaneez Ka



Photo : India Today

**Kaneez**

about the apparent contradictions in the case, such as: 'How could Elausi be accused of "abduction" while Kaneez's parents were simultaneously being charged for selling their daughter in marriage?', or 'How could he be charged with rape if she was indeed married to him, given that no legislative provision exists for marital rape in India?'

Puzzled by these unexamined contradictions, I interviewed Kaneez in Nari Niketan. Her version of the case was entirely different. She told me that she was in fact not a minor at all,



**Ameena**

and that her passport and ration card both gave her age as 18.. She said that she came from a very poor family. Her father worked as a rickshaw-puller in Hyderabad and was unable to shoulder the burden of his large family. She had always wanted to marry a Saudi, and so her parents had arranged for such a match through a marriage broker. The warden at Nari Niketan told me that this was the story Kaneez had been telling from the beginning, and that therefore she felt that Elausi had been wrongly implicated.

On the day of the arrests, Kaneez, along with her husband and two of his relatives, was watching television in their room when the police suddenly burst in and forcibly dragged them to the police station. This was corroborated by people in the neighborhood, who also told us how for a few days prior to the arrests, policemen had been in the area acquiring information about Kaneez's marriage. The shopkeepers (almost all of them Hindus) in the local market alleged that the police often harassed foreigners (especially if they were Muslims) to extract money from them. Eyewitnesses to the Kaneez case saw it as another instance of police high-handedness and corruption. Yet our overzealous reformers and newspaper reporters celebrated it as an example of curbing the unhealthy practices of child marriage and bride-selling supposedly rampant among the poor Muslims of Hyderabad. .

Kaneez did not want to return to her parents or be "rescued" from her husband. She described the "rescue" as an attack. Some of the policemen

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make a mockery of these laws. In other words, we need to ensure that the laws are implemented fairly and honestly.

□ Before asking for new legislation we should find out whether or not there are existing laws that can do the job but are not being implemented. If this is the case, there is no way of ensuring that a new, more stringent law will do the job any better.

### **The Colonial Legacy**

Unfortunately, such a basic exercise is seldom undertaken. We also tend to forget that we are saddled with a largely lawless government which does not follow its own laws and dictates. If anything, the laws are mainly used by the enforcing agencies - the police, the judiciary, the bureaucracy - to harass and tyrannise people so that they are compelled to pay bribes. This is not only in India, but in most of those societies which have had the misfortune of being colonised by a western power. The state machinery that the British built for colonial rule was devised as an instrument of economic and political subjugation. It was in no way accountable to the people over whom it ruled. Since those who inherited power from the British failed to overhaul the government to make it both sensitive and accountable to people's needs, it therefore developed unbridled corruption and lawlessness in our society, emanating mostly from the rulers themselves.

Since our bureaucracy gives open protection to criminals, we have to be careful in asking for more and more stringent laws. Also, because our lawmakers and bureaucrats have never tried honestly implementing even the existing laws, and are mostly inter-

**YOU HAVE A PROBLEM .  
....BUT DON'T WORRY,  
I HAVE THE ANSWERS !**



ested in finding ways in which laws can be used for extracting bribes, they are extremely inept when it comes to making meaningful new laws. They tend to think that legislating frightening provisions, allowing for more arbitrary powers in the hands of the state, will convince the public of their bonafides and demonstrate their moral outrage at the crime being committed. However, the actual effect of the law is simply to add to corruption and criminalisation.

The use of law as an instrument of social reform has worked reasonably well in many western societies because while they built lawless states in the colonies, the western powers ensured that within their own societies governments are not quite so tyrannical nor viewed with as much hostility. Even

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there, however, law does not act as a magic wand. Much effort of a variety of kinds has to go into making people change their value systems in accordance with the law. However, in India we tend to use law enactment as a substitute for all else. Often people are neither aware what laws are passed for their ostensible benefit, nor how to get the laws they are aware of enforced. It is time we understood that at the heart of our own efforts to make social change there has to be a reform of the government machinery itself.

Even if we had a government sincere about implementing good laws we should not overlook some special characteristics of our society. This society has no history of external lawmakers. The diverse communities of India have for centuries been governed by internally evolved customs rather than by textual commandments. The Hindu faith has no equivalent of the Bible with its commandments or the Quran with its list of do's and don't's. In fact, all of our supposed lawmakers, including the much maligned Manu, repeatedly emphasised that custom must override textual authorities to remain a living force, and must adapt to the changing times and needs of society. Even today the most common justification people offer for following a certain custom is not "because that is what the law of a sacred text says", but rather "that is how we do things in our *biradari* (kinship group)".

### **Embodying Your Message**

People in India may not heed laws but they are willing to be challenged in their cherished beliefs by those whose words and life they respect. In our culture people who succeed in

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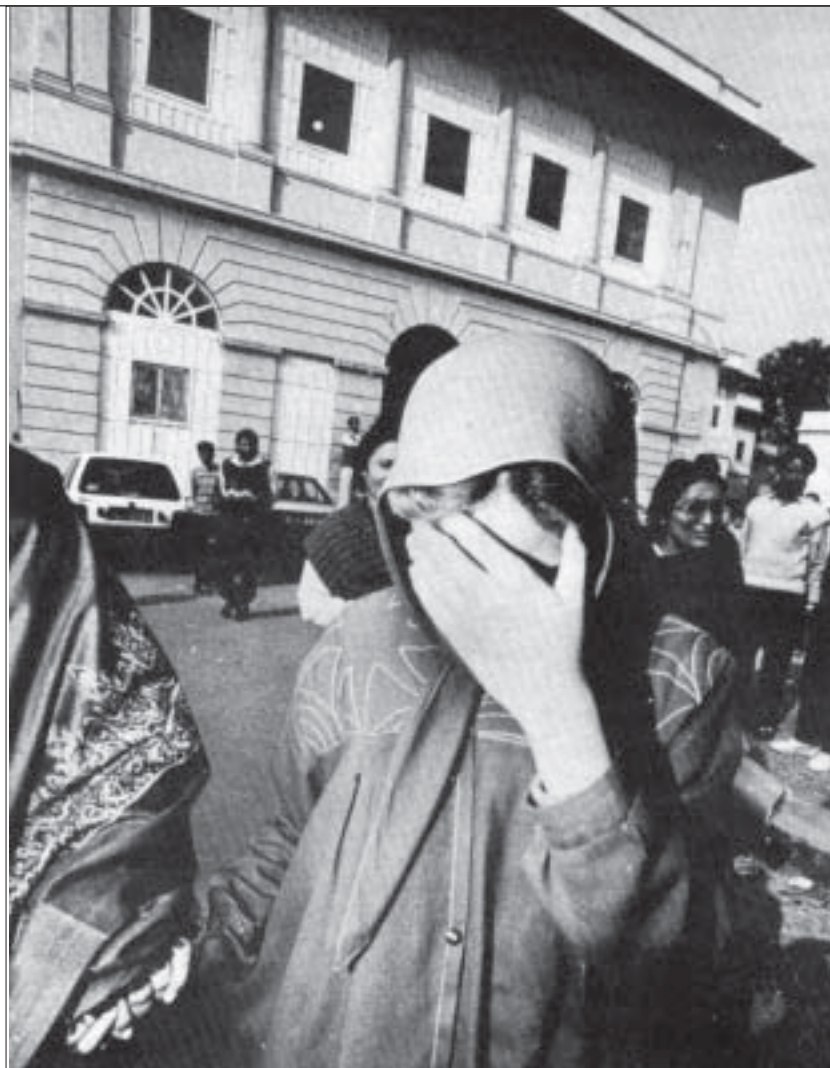


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had barraged her with obscenities, suggesting that she have sex with them instead of her Saudi husband. Both she and her family were additionally outraged at the manner in which her photograph was splashed across newspapers all over the country, defaming them and making their already difficult and poverty-stricken lives even more vulnerable. They feared that Elausi might refuse to accept his bride after being harassed and defamed in this fashion. Her husband and family were compelled to fight an expensive court case in order to secure their release from jail and get Kaneez out of Nari Niketan.

When I interviewed the police officials concerned, they could not explain how and why they had charged Elausi, his family, and Kaneez's family, on what were mutually contradictory indictments. I was amazed by how ignorant they were of the very laws they had invoked. When we exposed this bungling in a television documentary, many people still defended the police action on the grounds that they had after all been trying to prevent a child marriage. It did not seem to matter that the police had lied about Kaneez's age in the first place. Kaneez fortunately had documented evidence of her age; many women in her position might find themselves disbelieved simply because they came from rural areas where families often do not possess such documents as passports and ration cards. In such cases, how could they assert themselves against the police?

It is abundantly clear that the police do not use similar methods of enforcement against the rich and powerful. Sanjay Gandhi, for instance, married Maneka Anand when she was 17 years old, with no attempt made to hide the fact that she was "underage". Did the police dare a similar arrest of



**Kaneez hiding her face from press men as she comes out of court**

Sanjay Gandhi?

More importantly, in a country where at least 70 percent of women are married before they are legally adults, it is dishonest to generate a blaze of publicity and righteousness around one dubious case where the family is too poor to defend itself.

While child marriage was previously practised primarily among certain upper caste groups in some regions, the pattern seems to have reversed in recent decades. The age of marriage has risen considerably among the upper caste elite groups

while poorer and lower caste groups have begun increasingly to marry their daughters young. They defend this on the ground that the increasing social violence makes them fearful for their daughters' safety and security. These concerns are not imaginary.

We need to address ourselves to these fears if we want to effectively curb the practice of early marriage. Social legislation which targets already disadvantaged and disenfranchised groups needs to be more carefully enacted, because such groups lack the means to resist and challenge government tyranny. □

*Continued from page 12*

changing the hearts of other people are usually those whose life is their message. Through their compassion, generosity, wisdom and love, they often manage to make people adopt new, more humane values, or bring about far reaching behavioural changes. A famous fable, told in virtually every Indian language, describes what kind of messages people are most sensitive to in India. The story goes as follows:

A mother once took her son to a Mahatma complaining that the child ate too much *gur* (jaggery), and was consequently ruining his health. The Mahatma asked the mother to return with the child a week later so that he could think of how to get his message across to the child. When she came back a week later, the Mahatma simply told the child, 'Bete, *gur* eating is bad for your health. You should control this habit.' The mother found this very annoying and asked the Mahatma irritably, 'If this is all you had to say why couldn't you do it last week? Why did you make me take this extra trip? As if I don't keep saying the same words to him all the time!'

The Mahatma calmly answered, 'Till last week I was myself fond of eating *gur*. How could I forbid him from doing what I did myself? It took me one whole week to give up the habit. Now I can advise him in good conscience.'

Needless to say the child never ate *gur* again.

Mahatma Gandhi understood this secret of reaching the hearts of his

people. He began all his campaigns for reform with his own life — whether it was the removal of untouchability or cultivating the spirit of *swadeshi*. That was why he touched such a deep chord in people and succeeded in mobilising them for far-reaching changes in their personal and political behaviour. Unfortunately, most contemporary reformers think mere preaching is enough and do very little to embed the changes they advo-

activists are increasingly resorting to the use of mass media for getting our messages across — barring those few who are working in small communities where directly spoken word of mouth still matters most.

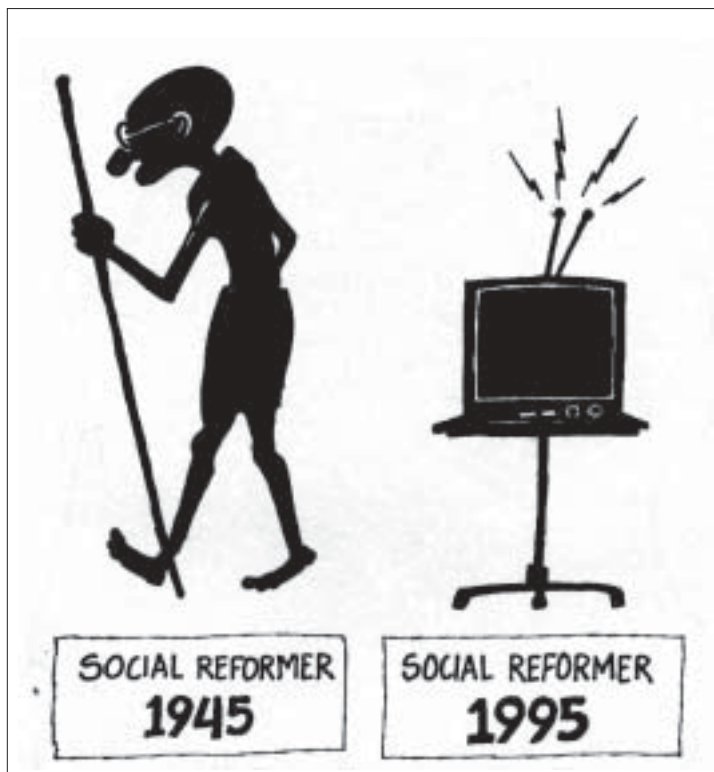
This makes us far less accountable to the people on whose behalf we speak. They have no way of ensuring that we take up issues that are most important to their lives and require urgent attention. Since most of us are

well connected to the media world, we can manage to get good coverage even if what we say does not have much relevance to the everyday privations people are undergoing. Moreover, the press prefers sensational issues to everyday mundane ones. That too often influences the priorities of activists.

For instance, the lack of access to clean and adequate sources of water in our country is killing hundreds of thousands of children every year with easily preventable diseases such as cholera, diarrhoea and jaundice.

Yet we choose to tune in to the alarmist sensational concerns of the West because our media is heavily influenced by the western media and its concerns. In recent years there has been much more talk of the hole in the ozone layer and the need to fix our refrigeration technology, and much less attention has been paid to the scarcity of basic survival requirements such as clean water for the bulk of our population.

The year 1980 witnessed one of the



cate in their own lives. Nor do they live sufficiently respectable lives which alone can inspire confidence in people.

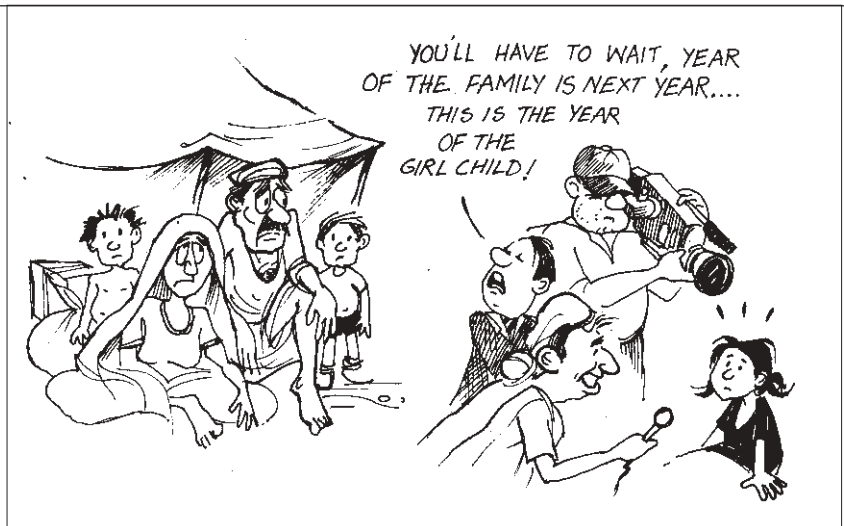
### **Need For Accountability**

In all previous ages those who wished to mobilise society towards certain goals communicated directly with the people whose lives they sought to influence, and therefore understood what worked and what did not. In our modern age of technological communication, however, we

most severe droughts in the country, leading to great distress for the rural population, particularly the women. But the most influential group of our activists spent their entire energy focusing on changes in the rape law. It is no doubt important to improve our rape laws, but we need to have a better sense of priorities. The concerns and troubles of the most disadvantaged sections of our society ought to get greater attention from us if we wish our work to be meaningful. We need to be vigilant to prevent being swayed by issues that the media finds fashionable in a way that makes us lose sight of our initial goals. The media is constantly looking for either sensational issues or those that are made respectable by powerful lobbies.

The moment, for example, that the UN declares a particular year to be the Year of the Girl Child you find a spate of articles on the subject. Activists begin to organise workshops and seminars on the theme, some hoping to encash on the current political fashion and get media publicity. The next year they will move on to whatever new subject is at the top of the media list. Much of this is related to the flow of funds from various national and international agencies which is increasingly determining the priorities of activists who depend upon such grants. The priorities of funders often end up determining the agendas of activists in the same way that much social science or science research is determined by the allocation of funds and research grants.

It is crucially important that we learn to make our work self-supporting, instead of relying on grants from government or private funding agencies. This will help our attempts to stay close to priorities we set for ourselves. The challenge of creating an independent economic base for our work re-



quires people's active participation, and thus builds a viable support base for the movement.

Another equally important rule we activists need to be forever vigilant about is that when we are dealing with poor, disadvantaged groups who are being exploited by others — say a group of landless poor being made to work for low wages by rich peasants — we need to be cautious that we do not escalate the conflict to levels which cannot be sustained by the group concerned. One of the prime reasons for the collapse of radical left politics in most parts of the country is that it did not recognise people's own fighting capacity, and indulged in acts of violence which brought about such high-pitched confrontations that there was fierce retaliation aimed not just at the activists but more ferociously at the group being mobilised. This tends to make people frightened and forever wary of political activity and usually sets the clock back rather than taking things forward.

This is true whether we are intervening in the lives of vulnerable groups, such as the landless poor struggling for better wages, or particular individuals who might come to our organisations for help. For

instance, in the early years of **Manushi**, we would often encourage a woman to break out of an abusive or oppressive marriage when she sought our intervention, and sounded desperately unhappy with her situation. Due to our inexperience we were often unable to tell how much of it was posturing and whether the woman herself was prepared to take decisive steps to effect change. Over the years, we realized that many of those who were influenced by our advice and encouragement could not sustain the break for long, and would quietly return to their husbands, often on even less favourable terms than before. They would then hesitate to tell us about it, due to their feelings that we expected a certain behaviour pattern from them which they could not sustain.

### Need To Be Open

Equally important, we should avoid hidden agendas in our politics. For instance, if we find that the group we are mobilising is interested in improving its economic situation and fighting for a wage increase, but we ourselves have other political goals, we should not try to impose our agenda on others through the back door. There should be as little gap as possible between what we say and

what we do. Politicians, and social workers, have come to be so mistrusted because people have come to realise that they do not mean what they say. Pious platitudes cannot be a substitute for honest words and honest actions. We should try to be as transparent as possible in our politics so that we are assisting people in achieving *their* ends rather than using them as a means to achieve our own ends.

Our politics and social reform strategies must attempt to be inclusivist rather than exclusivist, aiming towards the ultimate end of minimising social conflict rather than resulting in greater disharmony, which is unfortunately often promoted as a virtue in itself by those who consider themselves radicals. Sectional politics are inherently limited, especially if we are constantly pitching the interests of one group against those of others. We can move towards a just society only if the widely varied segments of that society are conscious to observe more humane norms in their mutual relations.

For instance, if a woman approaches an organisation to complain of marital abuse, it is not enough that she be encouraged to be more assertive of her rights. It is equally important that her husband and in-laws be brought to respect her rights. Merely heightening the level of confrontation in the family will not achieve that end. Raising the level of mutual understanding on both sides of the conflict should be our goal, and we can only do that if we remain genuinely non-partisan.

Naturally, there will be cases where it is neither expedient nor effective for activists to spend considerable energy on the reformation of individual criminal behaviour. In these instances, the immediate concern may be to rescue the victims and obtain just punishment for the offenders. None-

theless, even in these instances, we must observe a stringent code of non-partisanship, where the fight is not motivated or influenced by malice or hatred. We must remember that for change to occur and to last on a broad social level, beyond the rectification of individual cases, there must be tremendous effort made not simply to punish those who oppress others, but to change the social attitudes and institutions which permit such oppression.

Another problem activists face is that many of us begin our work with the naive assumption that the poor and vulnerable are more virtuous than the powerful and wealthy. When our actual political experiences do not bear this out, we tend to become demoralised and cynical. Consequently it becomes increasingly difficult for activists to sustain their faith in working for the disadvantaged. A woman who seeks aid because she is suffering marital abuse may be abusive to others herself, or there may be mitigating factors for the husband's violence. Personal virtue must be kept distinct from individual rights, and activists must keep themselves from expecting consistently moral behaviour in those whose cause they are espousing. If our commitment to women's equality and dignity begins to falter when we find that many women do not fit the stereotype of the "virtuous oppressed", it shows that we are more attracted to abstract causes rather than to fighting for the rights of real human beings regardless of their personal failings. At the same

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***We must observe a stringent code of non-partisanship where the fight is not motivated or influenced by malice or hatred.***

time, we must remain impartial enough to be able to openly acknowledge and distance ourselves from any harmful aspects in those whose causes we espouse. Our interventions can be effective only if our words are believed — if people credit us with the ability to be fair and truthful even if the truth weakens our own position temporarily.

### **Our Self-View**

At the heart of it all is the question — how does an activist see her or his role? Is an activist a person whose purpose is to raise other people's awareness level, someone who assumes people do not know their own interests and need to be guided into choosing the path the activist thinks best? Are people to be told what is good and bad for them, educated into being more aware in the way the activist sees awareness? Or is the job of an activist to try and learn how people define their problems? Find out what hurts them? Learn what improvements they want to make in their own lives?

There are certainly problems in attempting to follow this route. What if the group you are working with wants to destroy another group? Or what if parents see it in their family's interest to marry off a daughter when she is no more than a little girl? In such cases, it would be irresponsible not to try to intervene to stop such a practice, especially if it involves violence and coercion. Two things, however, must be remembered:

□ We must minimise the use of instruments such as police and instead resort to moral persuasion as much as possible.

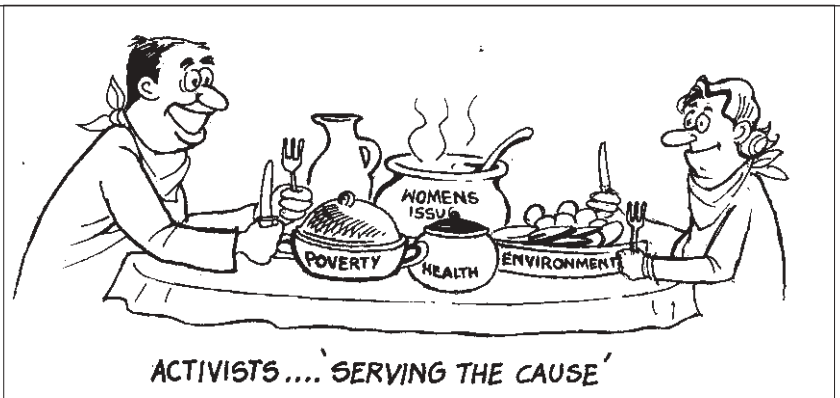
□ We must learn to distinguish between situations where a person or a family is choosing a harmful practice or a self-demeaning way of life due to cultural conditioning, or lack of options and those choices which are

made with evil motives.

People will not heed us if they do not have viable options to behave differently. For instance, if one sees someone drinking filthy gutter water which is potentially lethal, it would be foolish to merely stop at giving that person a sermon on hygiene or forcibly preventing the person from swallowing the water. You would need to find out if clean drinking water or other safe drinks are actually available at a price the person can afford. If they are not, you would first have to assure the easy accessibility of clean water before expecting that your advice will be heeded. That is to say, whenever someone is behaving in what seem to be self-destructive ways, start by exploring the availability of real options. Then your job need go no further than merely acquainting the person with the available options and information about their consequences.

Finally, it is important to avoid making social causes of our own personal grievances. Feminists in the West came up with a powerful slogan, "The personal is political". They encouraged women to speak out about their own experiences of oppression, and fight against the discrimination they personally encounter. However, those of us who wish to play a catalytic and organisational role in mobilising *others* to fight against injustice would do well to avoid turing our personal problems or injustices into social causes. We should have the capacity to resolve our personal problems without using our activist organisations as vehicles for our personal empowerment, or for settling scores with those who may have wronged us.

We are living in an age wherein we who speak on behalf of the poor and oppressed can build political careers out of it — become heroes and heroines in the eyes of the rest of the



world — fight and win elections, occupy positions of power on the strength of our activism, get a lot of media coverage, become celebrities and so on. In such a situation activists often tend to mistake their personal celebrity status with the success of the cause. We need to remember that the two are not synonymous. Instead, we need to develop self-evaluating procedures to help us stay finely tuned to the needs of those we set out to serve.

I am also old-fashioned enough to believe that one should not make one's social and political work a source of personal livelihood, but that this should be undertaken in the spirit of unconditional giving, in the same way that people do *seva* in a gurudwara.

The modern tendency to put a price tag on everything and to reduce social work to the status of merely another job spells the doom of social altruism, and is a symptom of an unhealthy society which only promotes greed and self-centredness. These days one frequently sees that those who talk on behalf of the poor have the potential to earn five figure salaries while the poor remain pretty much where they were. Even if one were to take a salary for this work, my role model would be organisations like Ahmedabad's SEWA, where the amount the activists pay themselves is modest enough so that the poor do not feel that the activists are making rich careers out of poverty mongering. We should try and serve the cause rather than make the cause serve us. □

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