

## Responses To *Manushi*

### Rituals and Tradition

Frederique Apffel-Marglin's 'The Sacred Groves' in issue 82 made for interesting reading. However, the ritual of making the women sit, in what is popularly called in our region, 'outside', during their menses can be perceived as discriminative, retrogressive and repressive. And why not? The remnants of menses rituals in our region, as far I can tell, indicate clear notions of women as being polluted during menstruation. The practice of sitting outside without bathing or working is now confined only to some castes, particularly Brahmins. I come from a land-owning caste and my mother used to be in the house during her menses. But afterwards, she used to have a head bath and sprinkle the house with turmeric water, which I was led to believe would purify what she had polluted during her menses.

For the first menses, also, there are some rituals of which I am not aware in detail as this has already become a remote practise in our region. There is a feast for the relatives but, once again, my perception of it was that it was to announce the girl's entry into womanhood; that she is marriageable, and where marriages were done even before the onset of menarche, that she is ready for cohabitation.

The problem with tradition is that rituals remain even long after the meaning is lost. Are the women to rest only during menses, and be overburdened and overworked for the rest of the month? Are the women to be

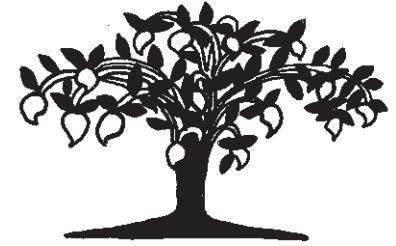
kept happy throughout their lives or only during the *Ritu Parba* and the onset of their first menses? For 'Where the women are worshipped and kept happy there the Gods reside', et cetera, are oft repeated by Hindu chauvinists, but what about practise? Can the 'sacred groves' help save and revive women's ecology?

Also, in 'Profile of a Tibetan Healer', Dr Dolkar gives an idyllic picture of Tibet. Again, I am not an expert on Tibet, China or their brand of communism, but the picture of the aristocratic families and their servants, not slaves, is idyllic like the make-believe *Rama Rajya*. No system where few enjoy the benefits of the majority's labour is without repression - overt or covert. Dr Dolkar talks about Tibetan culture being moulded by the Chinese. But what about our supposedly free India? Do we have any real people's culture left that is not dominated by the West and now by all pervasive television? And what is culture? Is it only of the past? Instead of participants we have become spectators. If we respond to the changing times by becoming consumers of all that is plastered on television, then that will be our doom.

**K. Suresh, Krishna Dt, AP**

### Impact of SDT Law

This letter is in response to Madhu Kishwar's article 'A Code For Self-Monitoring' in *Manushi* 85. I share some of her observations and concerns, viz., the limits of progressive



legislation in social reform, the need for activists to work *with* the people and not *for* them, and to follow a code for self-monitoring. However, her portrayal of the campaign against Sex Determination Techniques (SDTs) seems to be based on misinformation or ignorance or both.

First, about campaigners 'enthusiasm' for laws which are 'ineffective' and which result in 'criminalising large sections of the medical profession and increasing corruption in police'. As a part of the group which initiated and sustained the campaign on this issue, let me clarify that we never had illusions about solving this complex problem by merely enacting the law. We always maintained that sex-selective abortions of females is yet another manifestation of the atrocities against and oppression of women in a patriarchal society. The ultimate solution lies in changing society's values and attitudes towards women, by fundamentally restructuring the gender roles and relationships in our society. Nothing short of a social cultural revolution would serve this purpose, we believe. The only effective mechanism is to create and sustain awareness in different sections of society in different ways.

Yet, we fought for the enactment of a nationwide law on this issue for several reasons. First, effective curbing of the practice of sex selective abortions is impossible without the aid of law. Second, this law is necessary to create space within which activists, media, lawyers, and scientists opposed to SDTs can make an impact.

Third, we must distinguish between other progressive laws on issues like dowry, sati, prohibition of child marriage and SDTs; a medical professional is involved in sex determination tests followed by sex selective abortions. Doctors, we rightly argued, may not be intrinsically ethical; but they are more or less law abiding (if they are convinced that the law will be enforced). If they are caught after breaking the law the loss of professional reputation would be too heavy a price, one they could not afford to pay. A large number of doctors perform the test not because they approve of it morally, but because they don't want to lag behind in the mad rat-race among fellow professionals. 'Why not do it when everyone else is reaping the harvest?' is the common attitude. By taking away the legal sanction, one can neutralise/isolate this large section of the medical profession. Our stand was vindicated when a large majority of gynecologists in Maharashtra stopped performing the SDTs after the enactment of the law in the State. Some of them later restarted their business after getting convinced that the government did not intend to implement it. Experience in Karnataka and Goa also showed that public pressure, if properly channelised, could effectively curb this phenomenon.

Even now, in spite of the government machinery's total collusion with the pro-SDT lobby, the law in Maharashtra has succeeded in preventing the further proliferation of SDT clinics and narrowed down its clientele to the upper classes. Moreover, SDTs represent the proverbial tip of the iceberg; the entire gamut of New Reproductive Technologies (NRTs) of which SDTs are just a small part, from non-coital reproduction to gene splicing and cloning, would raise even more complex ethical,

legal, social and cultural issues. The law against SDTs represents the beginning of a much delayed process of regulating medical technology in India.

We believe that the very process of enactment and implementation of the Act can, and should, be used as a tool to create awareness on this issue. Unlike other issues where the struggle began after a socially detrimental law was enforced, we began by helping to draft just and effective legislation. We fought against anti-women provisions in the legislation at all levels - within government appointed expert committees, the Joint Parliamentary Committee, in legislative houses and on public platforms. All these efforts have contributed to raising consciousness on this issue.

We have been aware of the technological advances in this field and their effect on the law. Hence, the laws, both in Maharashtra and at the centre, cover all techniques of sex prediction, both present and future (sonography, in fact, cannot be used as an accurate tool for sex prediction - both due to late prediction and an extremely high occurrence of erroneous results).

The law has not resulted in criminalising the medical profession. The criminals within the medical profession have continued to perform SDTs; the law-fearing ones have stopped or would stop the moment they feel that the law will actually be implemented.

The police would hardly be in the picture if the law were actually enforced because the actual 'policing' of SDT clinics would be done by vigilance committees at various levels with representatives of doctors, government and social organisations, including women's groups. It is not necessary to keep a constant watch

over thousands of nursing homes/hospitals where amniocentesis or chorionic villi sampling is performed. Monitoring the small number of laboratories where sex prediction is actually done through chromosomal analyses would serve the purpose. In fact, launching a few test cases would send a signal among both doctors and people in general that the government is keen on implementing the law. Both the Maharashtra State law and the central law contain provisions to suspend/strike off the register names of physicians who disobey it.

Haven't we done anything other than asking for a law? We humbly submit that we have done everything that Madhu Kishwar has listed as what we should have done, and much more. We have 'organised protests, demonstration and even dharnas outside SDT clinics; tried to prevail upon various medical associations in the country to condemn such practices and to deny membership to such doctors; organised rigorous publicity campaigns.' In addition, we have carried out research on various dimensions of this problem; addressed hundreds of groups - community, student, doctor, women, lawyers, judges, bureaucrats, parliamentarians, etc. We have used posters, slideshows, yatras, films, songs, skits and parent-daughter marches to spread our message. We have inspired several artists to think about and express themselves on this issue - Mallika Sarabhai's *Sita's daughters*, Sanjay Pawar's award winning Marathi play '*Vansh*', several prize winning entries in the national contests for public awareness advertising, Dr Mohan Deshpande's posters and cartoons. The list is endless...

Yet, where do we stand today? The campaign, like many other social movements and protest actions, has stagnated. We could not sustain

the effort for a long enough period.

In the meantime, the practice increased. It reached newer geographical areas and became much more accepted, especially in the consumerist upper classes. Sex pre-selection is now a near reality. While the demographic slide of women continued through mortality differentials among infants and children, the growing number of sex-selective abortions further accelerated this process. More than half the rural districts of the Hindi heartland, along with parts of Gujarat and Maharashtra, are on the threshold of a major demographic catastrophe due to the dangerously low sex ratio.

The central law is full of loopholes and is yet to be implemented. In the absence of sustained nation-wide pressure, it might be reduced to yet another 'cosmetic law'.

We need to reinitiate and sustain a nation-wide campaign on this issue. We need to make conscious efforts to involve many others -- human rights groups, health activists, legal experts, conscientious doctors, and sensitive men. We need to use media judiciously to make and influence appropriate policy interventions. With eternal vigilance, we must ensure the implementation of the Act.

We need to reach out to people and strive to change their attitudes. We must explode myths about the indispensability of sons by showing them alternative forms of family life. We much do this and much more if we do not want to reach a point of no return due to a total disruption of the sex ratio. The question is who will do it and how?

I appeal to **Manushi** and its readers to contribute to the process of collective thinking and action against sex-selection technologies.

**Ravindra R.P., Bombay**

*In no way do I wish to downplay the enormous efforts made by devoted activists in lobbying for an Act to abolish sex determination tests. Nevertheless, as Ravindra R.P. himself notes, the use of SDTs is more prevalent today despite strong campaigns against it in some states like Maharashtra. Activists cannot be blamed for the ease with which laws meant to protect the unborn female foetus are flouted. My conclusion that a law will not work is based on an assessment of the actual consequences of passing this type of law given the corrupt and disorganised government administration we are presently saddled with. Such a law might work if and only if we succeed in the struggle for an accountable and responsible government.*

**- Madhu Kishwar**

### **Lopsided on Kashmir**

I am glad you have started 'Reader's Forum.' It will facilitate increased participation by readers. After having gone through your issue numbers 83, 84, and 85, I would like to point out the following:

Madhu Kishwar's "Voices from

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Kashmir" (Issue No. 83) is a lopsided presentation. She has not bothered to find out the point of view of the army and the paramilitary forces. She has, very conveniently, got away with omitting Kashmiri Pandits and people of other regions by saying that, "We have not dealt with the point of view of people in other regions of Jammu and Kashmir or of Kashmiri Pandits not because their point of view is any the less important, but because a peaceful solution to the problem can't be found unless we build bridges of communication with the people of the valley." Sometimes presenting a part truth conveys a very erroneous message.

What is happening to Mohajirs and Shias in Pakistan? I hope you won't say that that is Pakistan's internal affair and none of our business. It is very much our business because whatever happens there affects us and vice-versa. Two main reasons for hostility and enmity are

- (i) Clash of interests
- (ii) The eternal truth- whoever is in a position to exploit and yet do not do so.

Then why give things and events religious overtones?

**Lakshmi Bhargava, Bhopal, MP**

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