



THE MORALITY DEBATE

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DEBATE**

InfoChange Quick Reads 2009

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301, Kanchanjunga Building, Kanchan Lane

Off Law College Road, Pune 411 004

Tel: 91-20-26852845/25457371

Email: infochangeindia@dishnetdsl.net

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Why we're getting our pink knickers in a twist

by Sherna Gandhi

Usually, attempts by the 'moral police' to force their version of 'culture' (which usually involves control of women in one form or another) down everyone's throats are met with quiet contempt on the part of those who disagree. But by beating up women at a pub in Mangalore on January 24, 2009, the Ram Sene — until then a virtually unknown group of Hindu fundamentalists — may have gone too far. Moreover, encouraged by the lenient view taken of its outrageous act by the state government, the Sene and its defiant head Pramod Muthalik publicly declared that they would attack another practice that went against Indian 'culture' — Valentine's Day, which occurred a little more than two weeks after

the pub attack. Couples seen walking together on that day or indulging in any kind of romantic behaviour would be forcibly married off, the Sene declared.

Valentine's Day (February 14) has become a favourite target of a variety of Hindu fundamentalist groups — most notably the Shiv Sena in Maharashtra and the Bharatiya Janata Party-affiliated Bajrang Dal — that spend the day vandalising shops that sell red roses, or Valentine's Day cards and gifts, and harassing young couples on college campuses. Their sense of morality is apparently offended by women having a romantic relationship. In fact, most of the 'anti-Indian culture' diatribe centres around

women, whether it's drinking in public, or wearing clothes deemed 'inappropriate', or overstepping boundaries in more fundamental ways. Amrita Nandy Joshi, coordinator of the South Asian Women's Network, gives a reason: "From education to marriage and careers, women are increasingly defying oppressive patriarchal structures and controls and tasting independence. Conservative elements cannot tolerate such transgression of codes and thus the backlash."

The onslaught against women from the Hindu right makes common cause with the onslaught from the Muslim right. Asiya Andrabi, head of Dukhtar-e-Millat, or Daughters of the Nation, an extreme Muslim group in Jammu and Kashmir, said she supported the Ram Sene's campaign. "This will act as a deterrent and people will be scared," she said. "Sometimes there is no option but to use the stick out of sheer love." On a television programme she declared that couples moving around together were offensive to Islam, and she

was just defending her religion — a mirror image of the Hindutva argument.

Apart from angry remarks in the press there is usually little reaction to this aggressive religio-cultural chauvinism. But coming on top of the attack on the women in the pub, and maybe because of the growing assertiveness of women, the reaction in early-2009 was more robust.

On web communities, in print, and on television, people expressed their anger and disgust at the openly anti-women and anti-democratic style of functioning. On the social networking site, Facebook, a community sprang up calling itself The Consortium of Pubgoing, Loose and Forward Women. It spearheaded an imaginative campaign that urged women and men to send "a little love" to Ram Sene chief Pramod Muthalik on Valentine's Day in the form of pink *chaddies* (underwear). "Look in your closet or buy them cheap. Dirt-cheap. Make sure they are PINK. Send them off to the Sene," the site

exhorted the public.

The cheeky idea caught on and the Pink Chaddi Campaign got a good response. A week after it was launched, it had 24,035 members, many of whom were neither pub-goers nor celebrated Valentine's Day but all of whom were angry at the tactics used by the Sene against women, and concerned that such draconian actions, already fairly frequent among lawless self-styled 'defenders of Indian culture' belonging to a host of obscure organisations, would become the norm.

"I'm sure these people do not care for culture, nor do they understand it. I just know that they have no right to decide for anyone else. They cannot beat up people to prove their point," an engineering student was quoted as saying in a national newspaper.

A Pub Bharo campaign was also initiated which invited all, pub-goers or not, to step into the nearest pub and raise a toast to

Indian women on February 14. The campaign had the support of Tejaswini Chowdhury, daughter of Union Minister for Women and Child Development Renuka Chowdhury.

Facebook also spawned a 'send Pramod Muthalik a Valentine's Day card' community, and a 'Mr Muthalik deserves a Valentine Day's card' community.

With the Bajrang Dal vowing to disrupt V-Day in Madhya Pradesh, an organisation called the Women's Brigade took out a demonstration in support of the celebrations and shouted slogans like "Let us love" and "Long live Valentine's Day" and said they would protect anyone being harassed.

At Connaught Place in the heart of the capital New Delhi, a campaign called A Valentine for India, started by a student through a blog, attracted a number of protesters on February 14. "I came to know about this campaign...and decided that I

wanted to join in as well. What they are saying is that protesting on Valentine's Day is just symbolic of the country's angst against all the self-appointed moral police who have no better business than to poke their noses into others' affairs," Namita Jaiswal, a political science student told the Indo Asian News Service (IANS). "My friends and I are here, therefore, to help the group raise their voice against all such unconstitutional and violent behaviour by goons, in the name of Indian culture."

If the above efforts are a form of Gandhigiri, in Delhi an organisation called Save the Earth Foundation declared that its response would be a little more muscular. It would send out groups of volunteers trained in martial arts to patrol public spaces and protect anyone being attacked by the Sene and like-minded groups. The team would also blacken the faces of miscreants with shoe polish before handing them over to the police.

Whether due to the spirited public response

or something else, the Ram Sene toned down its rhetoric in the days immediately preceding V-Day and announced that it would just talk to couples who offended its sense of morality, not force any action upon them. The Maharashtra Navnirman Sena, a group that has got away with using tactics similar to the Sene's, said it had no interest in the issue. And the National Congress Party (NCP) declared that it would itself sell V-Day cards. The Karnataka government, too, sat up and took notice. On February 13, several members of the Ram Sene as well as its head Muthalik were taken into preventive custody by the police.

The action by the state government is heartening because it makes a crucial distinction between the ideas one may espouse, and the tactics one may employ to get the ideas across. While everyone has a right to express a view, however regressive, no one has the right to use coercion or violence to terrorise people into complying. The preventive arrests and a strong police presence on the streets ensured that there

was no harassment of people in Karnataka on Valentine's Day. In other states there were sporadic incidents and protests, notably by the Shiv Sena and the Bajrang Dal.

It is too soon to say whether the opposition to the moral policing will be sustained and even gather momentum, or whether the fundamentalist groups will be cowed down or further emboldened. Clearly, without muscle power such groups are powerless to further their agenda, and much depends on the attitude of state governments which can easily order a crackdown against any violence, as some of them have just done, or look the other way as many have chosen to do in the past.

(Sherna Gandhi is an independent journalist based in Pune)

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FUQs (Frequently Unasked Questions) about moral policing

by Anjali Monteiro and K P Jayasankar

The moral police are everywhere. Crawling out of the woodwork into our public spaces. In our legislative assemblies, in our boardrooms, in courtrooms, on the streets, in colleges, in cinemas and cybercafés, gardens and pubs, even in police stations. Alas, and perhaps in our heads too. The rabid Sri Ram Sene or the Shiv Sena or the Bajrang Dal foot-soldiers who demonstrate their love for 'Indian culture' by molesting girls wearing jeans and vandalising Valentine's Day celebrations are unfortunately only the tip of the iceberg. They are supported openly and tacitly by

many 'honourable' others, ranging from chief ministers and health ministers to members of the National Commission for Women.

So many people in our country are in a state of moral panic over 'western' culture, pub culture, cyber culture and the many other 'degenerate' cultures that are 'polluting' the sacred body of our Mother India and her pristine, fragile 'Indian culture', all of which call for more and more policing. Here are some Frequently Unasked Questions (FUQs, no pun intended) about moral policing in India.

Question 1: Who needs policing?

The list is long, maybe endless. At the top are impressionable young women and girls who need to be protected from the corrupting effects of the aforementioned 'evil' cultures. Women are progenitors and homemakers — their sexuality needs to be strictly monitored, controlled and harnessed. If they have lost moral values, how can they become part of the eugenic project for a healthy and a morally sound Generation Next? What would happen to the sacred institution of the family if women got out of hand? Remember the Shiv Sena violence against Deepa Mehta's film *Fire*? Love between two women leaves out the boys as arbitrators of women's sexuality. Boys after all will be boys, they will settle down after marriage; but girls must be neither seen nor heard. Their ability to withstand the effects of 'debauchery' is far inferior to the male of the species. They cannot even handle cigarettes and alcohol. In other words, the moral police have to zealously shield all 'less powerful others'

who are morally weak and can easily be perversely affected by stimuli of every kind: films, websites, beer, jeans, western music, birds and bees, in fact the list of provocative objects is infinite and ever-growing.

This invention of a less powerful 'other' is rampant and not confined to the moral police, but informs the way in which 'media impact' is commonly framed. Our chattering classes are constantly exercised about the impact of the media on children, women, illiterates, poor people, villagers, slum-dwellers — all subsumed under the category of the gullible and easily swayed 'masses' who have to be protected. This calls for a morally superior, intellectually more discerning 'filter' (in other words, people like 'us') who will decide what is fit for their impressionable eyes and ears. The censorship of the State is regarded as essential to uphold moral and aesthetic standards which popular cinema and television are prone to constantly violate.

This censorious mentality is widespread in

our society and is perhaps uncomfortably close to the fine art of street censorship practised by the Thackerays and Muthaliks.

Question 2: What needs policing?

Everything, but particularly all sites and signs of 'modern' 'western' culture, from greeting cards to cellphones, from pubs to cybercafés: moral panic always hovers over frontier technologies. Our parents thought that films, or even radio, corrupted us. We worry about our children on the Internet; television has already become passé.

When printing was invented, our forefathers would have worried about its corrupting effects on young impressionable minds. In fact, in medieval scriptoria in European monasteries, access to certain texts was denied to younger writers. Today, sadly, no one grieves over the corrupting influence of books.

We forget that each generation has its own relationship with the cultural products of its times. Personally, we have always thought

of television as a 'movie in a box'. When we took our daughter to her first movie, she asked us incredulously, when the first image appeared — “Is that a huge TV on the wall?” As someone who was born into a TV era, the relationship she has with the medium is qualitatively different from ours. Our collective inability to understand new technologies and our suspicion of what young people might be up to behind our backs makes us struggle to assert control — an essentially futile endeavour. Moral panic breeds behind the doors of the unknown.

Question 3: Why do we need policing?

The answer is simple: Because 'Indian culture' is fragile, because many Indians have delicate sentiments that are very easily hurt. And when these sentiments are hurt, maybe a few hundred people get massacred or raped, or maybe a shrine is pulled down, or several thousand bar girls lose their jobs.

The State is assiduous in protecting the hurt sentiments of these sentinels of virtue. It

usually turns a blind eye and sometimes even defends these actions — after all, how long can one hold back hurt sentiments? Our moral police know that they can strike with impunity; the chances are that the victims will get blamed for 'provoking' them.

Question 4: What is 'Indian culture'?

The moral police are blissfully unaware of the contested nature of both the terms. Many years ago, a second-generation 'Indian' child in London hesitantly admitted to us that she did not speak any 'Indian'. Indian culture is as elusive as Indian food. In fact, one strong marker of it is the chilly. How many among the moral police, who lament the fragility of 'Indian culture', know that the chilly first came to India with the Portuguese from South America not so long ago?

There are grids of exclusion at work, relations of power that begin to define the boundaries of Indian culture. A painting by M F Hussain done in the 1960s is suddenly a

threat to our pristine traditions. Many of our 330 million Hindu gods have spent the prime of their lives unclothed; the time has come to design moral robes for them. Khajuraho and Konarak now badly need saffron fashion designers.

Question 5: Why do the moral police indulge in policing?

Unfortunate tautology. How else would they grab the eyeballs of the nation? With very little work and no long-term investments, they can become famous overnight and reap rich political dividends. There are few risks involved, given the State's sensitivity to their hurt sentiments.

Valentine's Day provides rich opportunities. Dubbed as a threat to Indian culture, it throws up immense possibilities for great photo ops. The media has coined an endearing acronym to discuss certain goings-on between young adults — PDA. Roughly translated, it reads 'public display of affection'. These acts are firmly handled by

the moral police, who reiterate their faith in our great traditions by molesting the women publicly in front of television crews, who promptly arrive at the scene of the spectacle, forewarned and forearmed.

Question 6: Who gives the moral police the right to police?

Too many of us, through our sins of omission and commission. When the captains of industry cosy up to a champion of ethnic cleansing, when a leading television news channel gives an award to a staunch defender of the politics of hate, one begins to understand how deep and pervasive the rot is.

The normalisation of hate politics, the selective amnesia of the middle class — all these add up to strengthening the power of the moral police.

Question 7: What of love in the time of moral policing?

The moral police hate love and love hate.

While the militant ones are easy to spot, the 'soft' ones are insidious.

They begin to define the realm of the 'normal'. They censor our films, define dress codes, and make laws to control the Internet, all in the name of decency and order, of protecting the vulnerable and preventing social chaos.

While we must protest, firmly and loudly, against gross violations like Mangalore and Meerut, can we begin to speak fearlessly against the little everyday violations, the covert ways in which our spaces for love and freedom are encroached upon? And above all, we must never forget: Ayodhya and Mangalore are both manifestations of the same politics of hate and intolerance that we must resist till our last Valentine's Day.

(Anjali Monteiro and K P Jayasankar are professors at the Tata Institute of Social Sciences, Mumbai)

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Morality through the ages: Old strategies, new threats

by Manjima Bhattacharjya

The phenomenon of creating moral boundaries for women has taken on both new and familiar ways. The familiar ways continue — surveillance over where women go, what they wear, how they speak, who they speak to, and so on. Newer forms have also emerged: legislative force (such as the closure of dance bars in Mumbai) or coercive violence (like the Shiv Sena on a rampage separating men and women sitting together on Valentine's Day), or institutional alarm (dress codes for girls in colleges and universities in Delhi), or a nebulous and unwritten moral social force which condones harmful traditional and

cultural practices like sati and the marginalisation of widows, sometimes in the name of protecting our traditions against 'Westernisation' or in the name of 'culture', 'Indian tradition' or '*sabhyata*'.

As these new assertions of 'morality' rise and find new forms, so do the ways in which women's rights are being violated. Those who pose as the guardians of morality, Indian culture and tradition continue to maintain a deafening silence when such incidents come to light. Where are they when dowry murders are reported? Where are they when female foeticide

is revealed to be a shocking reality in most states in the country? Where are they when rising cases of domestic violence are being reported?

The moral police emerge year after year, every Valentine's Day, every few months to threaten women in jeans or, as we saw recently, to beat up and terrorise women who went pubbing in Mangalore. The upsurge over questions of morality has taken a new form today that threatens to roll back much of the gains made by people's movements all over the world and create an environment of threat and terror. This makes it all the more necessary for us to understand the roots of this anxiety and the way morality has historically become a powerful tool of social and political control. What is this many-headed monster, and why does it have a sustained presence and relevance in our lives?

A historical look

Men have rarely been targeted for visiting

pubs, smoking, interacting with the opposite sex, wearing western clothes — or even violence, rape, assault. The discourse on morality has been largely focused on and targeted at women, particularly related to their sexuality, and most often used against minorities or the 'other', as the dominant group may be. The basis of these declarations of 'morality' is often prejudice, used as an argument to justify the inferiority of one group or person vis-à-vis another.

Historically, moral declarations have served to mark and maintain the boundaries and limits within which women and communities can operate, and have been fundamental to preserving the sanctity and legitimacy of patriarchal institutions of religion, family, nation, race, caste and community. Any challenges to these institutions have been met with outraged moral affront.

Morality is not a static concept, and, with changing economies, polity and society,

morality too shifts or is manipulated to suit the times, by the powers-that-be. Morality is also constantly contested, resisted and re-framed. How strange it is that something which may have been considered deeply immoral at one point in history — whether it is dancing, acting, women wearing trousers, or riding bicycles — is today considered a normal thing! Or that the same thing can be considered immoral in one nation or by one community, and moral in another! This shows how fickle the boundaries of morality are, that they are socially constructed and subjective.

For example, in 1890s New York, there was an uproar when women from respectable homes started riding bicycles. The fear (documented in many editorials and cartoons and columns in daily papers at the time) was that, with women from good homes showing off their ankles as they rode around Central Park, there would be little difference between them and the prostitutes. Similarly, there was a moral

outcry, even by those who were propagators of women's right to education and widow remarriage, at the entry of women onto the stage in Bengali theatre. 'Public women' (most of them were from a background of prostitution) like Nati Binodini and other stage actresses were treated as immoral. Women in the 'performance tradition' (dancing, singing) have also been seen as 'public women' and have a history of stigma — courtesans, devadasis and so on. Bharatanatyam, which is today seen as a respectable classical dance form, once faced a possible ban as it was considered to be of ill repute, being performed by women of the devadasi tradition.

Portrayals of women in historical religious and ancient texts also carry a sub-text of morality — whether it is the Virgin Mary, or the monogamy of Sita, the polygamy of Draupadi, the devotion of Sati, and so on — which have resonance in continuing notions of ideal womanhood. Whenever these notions have been challenged, there has

been controversy. Even in literature, whenever women and men have written of oppression, female sexuality, or exposed certain aspects of religion, patriarchy or culture, there has been a violent backlash. Writers like Ismat Chughtai, Sadat Hasan Manto, Taslima Nasreen, Salman Rushdie, Amrita Pritam have faced severe ostracism and even court cases, arrest and religious indictments for challenging the status quo through their writing.

Moral pronouncements and fears have, over time, been institutionalised also in law, in popular discourse, in the real world around us. Often these create situations of tragic injustice. A judge who pronounces that the rapist may marry his victim is exercising his perceptions of morality, rather than the call for justice. The State also practises double standards of morality — it is willing to overlook the use of women's bodies in the marketing of almost anything, and yet will 'censor' a film that demonstrates the sexual violence against

women in a communal massacre.

The discourse on morality touches our lives in every sphere — whether it is in the home or in the choice or area of work, or through the law, the State, the police, the judiciary. Through politics, religion, the pronouncements of influential religious groups. It determines what we watch on television, in cinema and theatre, in art and culture, in newspapers or in literature.

The moral police: Why the resurgence?

Today we can see that a lot of things are changing around us: women across classes are much less afraid to occupy public spaces, more confident of their bodies, fearless about wearing clothes they want to wear, and exhibiting behaviour that an earlier dominant morality would classify as that of a 'bad woman'. The divide between the 'good' and 'bad' woman seems to be blurring. New expressions of moral anxieties are a response to these developments and arise out of a fear

that women are 'going out of control' and must be contained. (This leads us to believe that when a woman exercises agency, demands her rights and challenges oppression and injustice, or even speaks out, it is labelled as 'immoral'.)

The resurgence is also a response to a perceived threat to 'Indian culture' and the fear that the nation is undergoing a phase of 'Westernisation' due to the combined effects of an open economy, globalisation and satellite media, communication and technology. As always, women are seen as the bearers of culture and tradition, and it is their conduct and control which is sought to be reined in and tightened, the boundaries redrawn, reminders of the punishment of transgression announced... in reaction to this threat.

The result: loss of secular spaces, end of dialogue, a threat to rights, democracy, freedom. And the slow, dangerous rise of a new kind of fascism and fundamentalism that threatens to erode the many small

victories of progressive movements. What remains shocking is the hypocrisy of it all. The very men who cry themselves hoarse when women wear jeans in college or sportspersons wear regular sports attire in their field, are silent when female foeticide or dowry murders take place. The ministers who vociferously call for the ban on women dancing in bars themselves organise a fundraising event in which they invite an 'item girl' to dance on stage for the enjoyment of the police force and their cadres. The women who are up in arms against a comment by an actress that premarital sex is all right as long as safe sex is practised, look the other way when sexual assault occurs around them, or remain quiet when acid is thrown by a spurned 'lover' on the face of an unsuspecting young woman. This is evidence enough of the fickle nature of their notion of morality.

What is the feminist vision of a moral society? One in which men do not use sexual terror as a tool to control women; one in which women are not suspect for just being;

one in which morality is linked to an intrinsic sense of justice, equality and democracy — and not as a tool for surveillance, subjugation and oppression.

(Manjima Bhattacharjya has a PhD in sociology and has been active in the Indian women's movement for over 10 years. She has worked with Jagori, a feminist resource centre, and the International Secretariat of the Women's International League for Peace and Freedom in Geneva)

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Struggles against the discourse of morality

by Manjima Bhattacharjya

Various movements have waged their own struggle against the moral police, in the last few years, fighting for the right to freedom of expression, the right to work in safe conditions, the right to livelihood and many other fundamental constitutional rights that are being threatened. Here's a brief look at some of these struggles.

Campaigns for the right to freedom of expression: *Fire and Water*

In December 1998, right-wing Hindu fundamentalist groups staged violent protests against the screening of Deepa Mehta's film *Fire* (critiquing the Hindu undivided family and revolving around the

sexual and emotional relationship between two women protagonists). They claimed the film was: "...An explosion of obscenity, a denigration of womanhood and an attack on Bharatiya Sanskriti."

Various fundamentalist groups barged into cinema halls and smashed glass panes, burnt posters and shouted slogans. Similar attacks took place in other cities and towns. The film had been running peacefully for two weeks with acceptance by the masses, before this sudden disruption.

The shocking violence forced civil rights groups, women's groups, sexual minorities rights groups, artists, filmmakers, and

concerned citizens out onto the streets in protest across the country, drawing national and international attention. The incident led to the emergence of various new debates and issues in public fora, such as that on lesbian identities in India, the right to freedom of expression, the role of right-wing groups and violent cultural nationalism.

In 2000, similar violence erupted during the shooting of Deepa Mehta's film *Water*, on the condition of widows in Benaras. The director and the lead actors were besieged by obscene calls and threats, and the film set burnt and destroyed by right-wing groups. The Uttar Pradesh government did not prevent, condemn or punish the perpetrators of the violence. Despite counter-protests by civil society groups, the agitations and threats compelled the director to cease filming.

Voices Against 377

Section 377 of the Indian Penal Code is an ancient law set in the framework of

Victorian morality that criminalises all sexual acts "against the order of nature". In 1994, AIDS Bhedhav Virodh Andolan (ABVA), a human rights group, filed a public interest litigation in the Delhi High Court stating that Section 377 should be repealed because it violated the right to privacy and because it discriminated against people with a particular sexual orientation. Though this petition was not followed up, in 2001 Naz Foundation, an NGO involved in HIV/AIDS prevention, filed a more comprehensive writ petition asking that Section 377 be repealed in the Delhi High Court. It additionally stated that the law is a threat to the right to life and right to health of homosexuals in India because it perpetuates social stigma and police abuse. It also hinders HIV/AIDS prevention work among the homosexual community, making them more vulnerable to contracting the disease.

In September 2004, the high court dismissed the petition (and a subsequent review petition). Naz Foundation then filed a special leave petition (SLP) before the

Supreme Court. The court called for the central government to be represented before it, in the next hearing, recognising that this was a public interest issue that was being debated all over the world.

The government's position was that Section 377 should remain because it was a tool that could be used by the government to interfere in the private sphere in “the interest of public safety and the protection of health and morals”. The government claimed that Section 377 was used in cases of assault, and that deleting the section could “open the floodgates of delinquent behaviour”. And that it was needed to deal with cases of child sexual abuse.

The government's response drew angry protests from a number of organisations. Their views were well represented in a letter sent by the All-India Democratic Women's Association (AIDWA) to the minister for law and justice, objecting to the arguments advanced by the government. It maintained that the government could not interfere in the

private sexual activity of two consenting adults, regardless of its interpretation of what was 'natural' or 'unnatural' sexual behaviour. It pointed out that if one were to accept the government's standpoint, then many existing pieces of legislation concerning women's rights and dalit rights would not have been enacted since there are many sections of society that consider wife-beating or dowry-taking to be consistent with “tradition and culture”, just as they consider untouchability to be the “natural order” of society. Addressing the government's argument that Section 377 needs to be retained because it is also used to deal with cases of child sexual abuse, it said that there was nothing to prevent the government from enacting a comprehensive law against child sexual abuse, which should include a clause that criminalises non-consensual same-sex relations.

Activists are continuing with their lobbying efforts and raising awareness through a forum called Voices Against 377, which is a coalition of human rights, child rights, women's rights and sexual rights groups.

Immoral trafficking

Efforts have been on, for over a decade, to amend the Immoral Traffic in Persons Prevention Act (ITPA) 1986. The Act is aimed at curbing trafficking in women and children, but in practice it criminalises women in prostitution, and further victimises the victim. It also gives unprecedented and abusive powers to the police, without effectively criminalising pimps, traffickers and clients. Prostitution is not illegal as per this Act, although prostitution or soliciting in public places is illegal. The department of women and child development, along with the National Commission for Women, was given the responsibility of looking into the recommendations made by women's groups and preparing a draft for amending ITPA.

Since then, the HRD ministry has reportedly approved the ITPA Amendment Bill 2005. The amendment includes removal of a section that criminalises prostitutes for

soliciting, reduction of powers given to the police, and increase of punishment for traffickers, pimps and clients.

Not only ITPA, various other such Acts like the Public Offences Act or Public Health Act or statutes that are generally vague and address 'public moral order', 'law and order', and so on have been consistently misused by the police. Women across the country have reported being harassed by police or even arbitrarily arrested on suspicion of 'soliciting' and thereby being a threat to 'public order'. The reasons cited by the police could be anything — ranging from a woman being alone in a public place at night, to wearing certain kinds of clothes, to exhibiting a certain kind of behaviour which the police associate with 'bad women'. These alarming incidents highlight how moral prejudices operate in the hands of people who have power. These Acts are also used to legitimise and justify violence, especially sexual violence, by the police against women in general, more so against women in custody.

Other legal initiatives include the campaign to institute a new sexual assault Bill, a revision of the existing problematic rape law, such that it is framed and used within the framework of rights that sees a range of sexual assault as crimes against women, rather than in a framework of morality that focuses on the character of the victim and places the burden of proof on the victim.

Livelihood vs public morality: The ban on bar girls in Maharashtra

The issue came into the public eye when a ban was proposed by the Maharashtra government on women dancing in dance bars across the state, in March 2005, stating that this was “corrupting the young” and tainting the moral fabric of society.

Consequently, the Bar Girls Union and the Bar Owners Association organised a massive protest rally, coming out into the public to demand that their right to a livelihood not be snatched away. They raised placards and slogans highlighting the hypocrisy of the

situation — while Bollywood 'numbers' and actresses were admired and feted, they were being punished for merely copying what was on the screen. They had a series of meetings to negotiate with the government on this proposed ban, and approached women's groups to support their initiative to prevent the ban.

However, in July 2005, the Bill was passed unanimously in the Maharashtra state assembly. The few women's groups that were protesting outside were shocked at the way in which the dialogue on the Bill was conducted in the assembly by those who claimed to be the moral guardians of society. Comments such as, “It is more dignified to commit suicide than dance in bars” were met with applause; “These women who dance naked don't deserve any sympathy” was cheered; and there was a great deal of laughter when they sniggered, “Isha Koppikar... she is an atom bomb, atom bomb”. To the women's groups they said: “These women who are opposing the ban, we will make their mothers dance...”

The 'morality issue' had won, the 'livelihood issue' had lost.

In response, the Bar Girls Union petitioned the chief minister, the National and State Women's Commission and Human Rights Commission and even met Congress President Sonia Gandhi and sought her intervention. Many women's groups came together and issued a statement opposing the ban. The Research Centre for Women's Studies at SNDT University, and Forum Against Oppression of Women, Mumbai, conducted a study to reveal the real picture of the lives of bar dancers. The study threw up some shocking statistics about the low socio-economic status of the women and helped break many myths regarding bar dancers. Following the ban, several cases of suicide by bar dancers have been reported across Maharashtra.

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(Another version of this piece appeared in Hindi translation in the Jagori Notebook 2006 'Nazarband Auratein: Neytikta ki Chaukhatein', published by Jagori, New Delhi, 2006)

Whatever happened to women's hard-won freedom?

by Sumi Krishna

How should we in the women's movement understand and respond to the cluster of assaults by the Ram Sene, Bajrang Dal and other fundamentalists; the targeting of minorities and their places of worship; the harassment and molestation of women of all classes in the name of nation, culture and religion; the fear and anger spreading through villages and towns in southern coastal Karnataka?

As Sandhya Gokhale of the Forum Against Oppression of Women, Mumbai, says in *The Hindu*, on one level the horrific abuse of young women in a pub is "a morality issue", but it is also about the space and decision-

making power for which women have fought for years. Arvind Narrain of the Alternative Law Forum, Bangalore, writing in *The Indian Express*, sees the abuse of religious and sexual minorities as the "saffron" challenge to "the legacy of the women's movement in India", and "the thin end of the wedge" in re-establishing male dominance.

Indeed, enhancing the freedom and autonomy of individual women has been one of the cornerstones of the women's movement. In a gender-equitable democratic polity, matters of dress, behaviour, mobility and personal life choices

are not less important than people's rights to livelihood, dignity and an empowered citizenship. Not surprisingly, in protests all over the country, whether by students and teachers in Mangalore or at the Tata Institute of Social Sciences, Mumbai, by Vimochana, Hengasara Hakkinna Sangha and other women's groups in Karnataka, by activists like Nirantar, Saheli, Jagori and INSAF in Delhi, by organisations of dalits and slum-dwellers, or of young designers, IT professionals and academics in Bangalore, there is a common refrain: 'What happened to our freedom?', 'Where is democracy?'

For the Ram Sene the issue of 'morality' is subsumed into an attack on 'Westernisation' and so-called 'pub culture'. This has been helped along in no small measure by National Commission for Women member Nirmala Venkatesh (formerly a Congress MLA in Karnataka, elected unopposed in a by-election) who deviously attempted to shift the debate from the criminality of the assault to the legality and functioning of the pub. Commenting in the *Deccan Herald* on

a counter-protest in Mangalore by college girls shouting, 'Pub culture: Down! Down!', TV journalist Vasanthi Hariprakash says she asked their leader what 'pub culture' meant. "*Adhu American samskri*" (that's American culture), the girl said. When she persisted with the query, the girl replied: "I don't know what it is... but I have been told it is bad." Vasanthi writes: "I realised that anguished Indians, some of whom happen to be proud Hindus like me, have a long battle to fight — against mindsets, not just a fringe group of maniac men."

Is this then all about deeply embedded sexual politics, about using women's bodies as the repositories of an imagined homogeneous Indian culture? Journalist Ammu Joseph urges a debate on what Indian culture is, and who has the right to enforce it. Our cultures are, after all, dynamic, not set in stone and, as some litterateurs at the Kannada Sahitya Sammelan at Chitradurga asked: "Why should women alone be targeted as guardians of culture?" In a Joint Statement

on the Brutal Assault in Mangalore, a cross-section of over 600 citizens from India and beyond, have pointed out that there “can and should be dialogues on what constitutes 'Indian-ness', but regardless of the interpretations of Indian culture and traditions, beating and molesting women cannot be condoned”.

In many places on the west coast of India, emigration and large cash remittances from the Middle East have transformed the social fabric, creating pockets of great wealth, growing consumerism, new aspirations, and social fissures. In Mangalore, this has been exploited by the Bajrang Dal and the Hindu Jagran Vedike to incite violence against Muslims, as in Suratkal in 1998-99. Most Hindus and Christians remained silent observers at that time. A decade later, the Hindutva elements had grown powerful enough to control a subterranean economy of extortion from newly-rich hoteliers and pub-owners, even as different groups on the saffron fringe began to fight for the same terrain. In 2008, churches across

Mangalore were attacked and ransacked with impunity, ostensibly on the issue of religious 'conversion', while the Bharatiya Janata Party (BJP) government in Karnataka took its own time to restore law and order. But the Mangalore Catholics, an organised and educated community, did draw support from the rest of India.

The 'pub attack' has aroused widespread anger and debate, across class, age and social groups. Karnataka has earlier seen unspeakable atrocities against dalit women, horrendous 'acid attacks' and other kinds of violence against women of all communities. But never before have the media and the middle class empathised with such spontaneity and vehemence.

The women's movement needs to take advantage of the unprecedented coalition of civic groups to counter the attitudes and mindsets that tacitly or directly accept gender-based violence in the family, the community and society. This is not just about 'pub drinking' by urban, elite upper-

caste women, but about communalism and gendered violence at all levels. We need to foster rational dialogue between cultures and affirm our commitment to the human rights and civil liberties of all classes of women threatened by religious fundamentalists, be they Hindu, Muslim or Christian, in Karnataka, Tamil Nadu, Maharashtra or elsewhere. For these are rights that have been hard won by so many women across religion, caste and class through decades of struggle for gender justice.

(Sumi Krishna, an independent researcher and widely published author on environment, development and gender, was president of the Indian Association for Women's Studies)

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The 21st century politics of college clothing

by Shilpa Phadke and Sameera Khan

The French government insists that Muslim women do not wear headscarves, Sikh men do not wear turbans, and nobody wears their religion on their sleeve to school. The Iranian government insists that women wear not just the headscarf but the *chador*. The Vishwa Hindu Parishad (VHP) is convinced that jeans are a provocative and un-Indian form of dress. Some maulanas take offence with Sania Mirza wearing skirts on the tennis court, claiming it is un-Islamic attire. Universities all over India appear to be in a race to institute what they think is the appropriate form of attire for their students.

What exactly is it that prompts varied groups

of different political and religious persuasions, arguing often-opposing viewpoints, to legislate so stringently on clothing? Are the questions being debated so fiercely about clothing and accessories, or are they a smokescreen for something else? If so, what is this 'something else'?

We would like to argue that this 'something' constitutes not one thing but a variety of different anxieties: for the French it is the pluralism of a mixed society in the context of opening European borders; for the Iranians, the VHP and the maulanas worried about Sania Mirza's clothing it is the purity of narrowly defined religion marked on the

bodies of women; and for an apparently increasing number of Indian universities it is the contradictions wrought by tradition and modernity, the Indian and the global, the private and the public, the respectable and the sexual (if one were to use crass and ultimately often fallacious binaries).

On the face of it, it seems rather incredulous and contradictory that at a time when Indian fashion designers are successfully entering world fashion markets, we should simultaneously be discussing dress codes for college students. But if one digs even a little deeper, it's not at all surprising — in fact, it is perhaps the one that creates the other. The increasing visibility of global fashion (on Indian catwalks, advertising, restaurants and streets) and the perceived 'lack of morality' that goes with it creates no little anxiety in the minds of various self-appointed protectors of 'Indian culture'.

Women's clothing: its length, width, cut and even colour are all debated in the blame game

of national-sexual politics. In April 2005, in the wake of the rape of a college girl by a police constable on Mumbai's Marine Drive, in broad daylight, the newspaper *Saamna* saw fit to blame women's clothing for sexual harassment, admonishing women that these were bad times and that they needed to guard their virtue. By the end of 2005, the backlash had become relentless: there appeared to be no light at the end of this tunnel, as university after university, in apparent agreement with these views, set about instituting a dress code.

Tamil Nadu's Anna University imposed a dress code on 231 engineering colleges that fall under its purview, banning jeans, sleeveless tops, T-shirts and tight-fitting clothes. The move was supported by players across the political spectrum — from the Bharatiya Janata Party (BJP) to the Periyarist Dravidar Kazhagam, the Paattali Makkal Katchi (PMK) and the Dalit Panthers of India (DPI). Interestingly, at the same time, in the name of 'preserving Tamil culture', there are also moves to prevent women from consuming

alcohol and dancing in discos in Chennai.

Orissa became the first state in the country to introduce a 'uniform dress code' for college students. Not only were students banned from wearing sleeveless tops and tight jeans, they will now wear uniforms — which have been specified as salwar-kameez for girls and trousers and full-sleeved shirts for boys.

Even Mumbai, an ostensibly liberal city for women, is not too far behind in the dress code politics. The vice-chancellor of Mumbai University called a meeting of college principals, in July 2005, and a dress code for college students is in the offing.

As part of our research on the Gender & Space project, we asked students in Mumbai their opinion on a dress code. At first, our conversations left us bewildered. Students in figure-hugging T-shirts and sleeveless vests with messages that read: 'Eye-candy' or 'Single & Unavailable', were the most ardent votaries of a dress code, arguing the need for limits, boundaries and clothing appropriate to the space that is "the temple of

education". The unfashionable students, the ones in the oversized jeans and baggy T-shirts or salwar-kameez, and who by the most conservative standards were 'appropriately dressed', were the ones fuming about "patriarchal control of female sexuality".

What's so surprising about this? Nothing, those who have for years been pointing out women's liberation votaries' lack of fashion sense or femininity would argue. But, more seriously, feminism is not without its own prejudices and often demands a certain commitment to dressing austerely. Yet, it is also true that spaghetti straps and short skirts are often accompanied by the demand for a certain body shape. It is therefore not surprising that the ones espousing more conservative ideas are the ones also conforming to the new codes of feminine sexual desirability.

As liberals, it would be easy for us to react immediately by arguing for people's right to wear what they wish, to picket outside the

vice-chancellor's office to demand an instant abolition of the dress code, arguing that dress codes curtail our right to freedom to dress as we please. But this might confine our argument to the act of dressing, and ignore the more complex issues within which they are embedded.

So, before we do that, it is important to examine both the sub-text in what the students are saying and what they are wearing, and the context within which they do so.

"Spaghetti and noodle straps are fine in a disco but not in a college," said one student. "There is an appropriate time and place for all kinds of clothes," said another. "You wouldn't go to a disco in a nine-yard sari, would you? It would be stupid," argued a third. "Every place has a dress code; one lounge in Bandra refused two journalists entry because they were clad in salwar-kameez," pointed out a fourth.

What these voices have in common is that they all belong to a specific class — a class that

knows that they can wear those trendy, 'in' clothes in their wardrobe somewhere where they can see and be seen. They are also saying, in different ways, that collegewear is not important enough to stick their necks out for. "If we were told to wear only salwar-kameez to college, well, we wouldn't like it and we'd protest, but ultimately we'd have to comply," was the general collective sentiment.

While men's clothing is also included in the 'code', it's clear that the high levels of anxiety are directed at women's clothing. Like other markers of national, regional or community cultural identity, the strictures surrounding clothing place women under greater scrutiny than men.

Some of the concern with regard to women's dress arises out of fear. That by revealing a little bit more of her arms or her legs, a woman will invite unwarranted male attention and thus be more open to sexual harassment and violence, including rape. Even the judges in our courts feel that way. In a study conducted

by the Delhi-based NGO Sakshi, among 109 judges, 68% said they believed that “provocative” clothes were an invitation to sexual assault. But in our conversations with young women across Mumbai, it was clear that girls in salwar-kameez, even those in *burkhas*, are just as harassed as those in skirts. The difference is that a girl in a salwar-kameez will be able to garner more public support to thrash the perpetrator than the girl in the short skirt!

There's another opinion we encountered that contends that women in tight jeans are harassed *less* because they come across as more confident, and molesters prefer to focus on those they consider meek and less likely to retaliate.

The other reason why society concerns itself with women's clothing has to do with wanting to control a woman's body and her sexuality — an idea as old as Adam and Eve and the apple in the Garden of Eden (remember, Eve got them kicked out of paradise). Women's clothing,

actions and behaviour are reflective of the honour of the entire community. A violation of their bodies is considered a violation of the honour of the community as a whole. Community honour may also be besmirched by women's consensual actions, and steps are taken to ensure that women do not have the opportunity to meet the wrong kind of men. For instance, in Indore, the Bajrang Dal has demanded that no Muslim men be permitted to enter commercial garba celebrations as they believe Muslim men will mingle with Hindu girls and elope with them at the end of Navratri.

In Sri Lanka, some time ago, a school ruled that mothers coming to collect their sons must wear saris. The newspapers that took up this debate focused on the sari being a sign of “pure” Sinhala culture. Underlying the insistence on the sari was a deep chauvinism that attempted to project one community as superior and better than the others.

The dress code debate then is about much

more than clothing — it encompasses ideas of family and community honour, community and national identity, appropriate femininity and masculinity, rules of endogamy, and the drawing of a number of other boundaries. When we take on the dress code, these form the implicit sub-text of our arguments. As feminists, this places us at the locus of multiple contradictions. How do we assert that women have the right to wear what they desire without endorsing the mini-skirts-and-lipstick brand of market-modernity-led-liberation? How do we problematise the pressure on women to achieve gravity (and other natural law)-defying body shapes without suggesting that certain kinds of clothing are unilaterally bad? How do we articulate the need to promote the widest variety of choices, while articulating that all of these choices are located in contexts of class, caste, gender, race, community and sexual preference that influence our capacity to exercise them?

Yes, it *is* important to fight the dress code.

But it is equally important to fight it as only one manifestation of a larger malaise — where not just the way people dress is sought to be controlled but also the way they walk, behave, and exchange thoughts, ideas and affection. The largely unopposed move to impose a dress code — with the media expressing faint disapproval at the pre-modernity of it — is not pre-modern at all. It is a very modern response to the very modern anxieties that, today, women will wear spaghetti straps to college, tomorrow they will have careers, the day after refuse to be chaste Indian women, the next week make love to the wrong kind of men, the next month declare they prefer women to men, and from there who knows what else...

(Shilpa Phadke, a sociologist, and Sameera Khan, a journalist, research issues of gender, space, citizenship and respectability in Mumbai, as part of the PUKAR Gender & Space project. They are currently working on a book based on the project, along with Shilpa Ranade)

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301, Kanchanjunga Building, Kanchan Lane, Off Law College Road, Pune 411 004
Tel: 91-20-26852845/25457371. Email: infochangeindia@dishnetdsl.net
Websites: www.infochangeindia.org/www.ccds.in/www.openspace.org