

**GLOBAL FEMINISMS:
COMPARATIVE CASE STUDIES OF
WOMEN'S ACTIVISM AND SCHOLARSHIP**

SITE: INDIA

**Transcript of Flavia Agnes
Interviewer: Madhushree Datta**

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SPARROW

Sound & Picture Archives for Research on Women

B-32, Jeet Nagar,

J.P. Road, Versova,

Mumbai-400061

Tel: 2824 5958, 2826 8575 & 2632 8143

E-mail: sparrow@bom3.vsnl.net.in

Website: www.sparrowonline.org

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Flavia Agnes is a women's rights lawyer and writer and has been actively involved in the women's movement for the last two decades. She has written extensively on issues of domestic violence, feminist jurisprudence and minority rights. Her books are widely acclaimed and are popular among advocates, paralegal workers, law students and women who have been victims of domestic violence. Currently she co-ordinates the legal centre of MAJLIS and is also engaged in her doctoral research on Property Rights of Married Women with the National Law School of India.

Madhushree Dutta (the interviewer) is a cultural activist who programs the cultural activities of Majlis, a legal action group in Mumbai. She is also a documentary film-maker who has made some notable films.

Flavia Agnes Transcript

Madhu: How many times you have given the interview? How do you feel? Have you ever thought that your life will become such a text?

Flavia: Well, not before but after I came into the Women's Movement, yes, I thought it would be quite dramatic.

Madhu: You knew that these had the potential.

Flavia: When I wrote my first autobiography, yes, that text would be dramatic.

Madhu: So now you are going to start one more of such session going through your life.

Flavia: Yeah. But I didn't think that it was that dramatic. I just thought it will be dramatic, the whole story of human interest. (...)

Madhu: Flavia, you often talk about some hills in Mangalore¹. Where are the hills in Mangalore? Can you talk about it? Now how do you look at it?

Flavia: Yeah. Actually they were not hills, they were rocks but I still imagine the rocks so huge, that you had to climb, on top of the rocks and the vast fields. And you have to cross the fields. And across the fields was my aunt's house. It was such a long journey from the house that I grew up which is my grandmother's house. There is a whole coconut grove. You cross the coconut grove, climb up the rocks and then climb down and cross these rice paddy fields and then climb, there was another slope to climb up and then reach my aunt's house. And according to me, it was such a long journey and it used to take me so long to reach there. And it was quite an exciting journey. Climbing up, climbing down. And there was a stream and across the stream there was a bridge. You can't call it a bridge. It was the coconut tree put there. Sort of balance through that. Sometimes in the rainy season, the stream would be a river actually. It would be over flowing. It was still a lot of exciting journey. (...)

Madhu: So much of out-migration is there, as you were saying in Mangalore. So in that sense, the very fact that you are brought up by your aunt and not in the family with parents and siblings, must have been quite a common thing?

Flavia: Yeah. It was not uncommon, let's say. There were a lot of other people were brought up by their aunts and grandparents. In fact, in my family, what was strange was we are a family of six children and only I was left there. So in a way I was different from my own family. So I grew up in seclusion so to say. Since not the whole family was left behind. And even that happens. You give one child to a sister, you give one child to your mother to raise. (...) But somewhere deep inside me, I didn't like the way, I was being raised. I hated, it in fact. Longed for my

¹ Mangalore: a district of Karnataka, a state in South India.

mother. Longed to be in a family. As and when my mother came, she didn't accept me as her daughter. She felt I was the outsider. And from every side, from my father, from my mother, from my aunt, I grew up hearing this statement that "Be careful. Girls brought up by aunts go astray." I kept asking them then why am I being raised by my aunt if I am destined to go astray? Then I should be in a proper family, where I won't go astray." So there is this, "Don't make this thing come true." So that has somewhere remained within me — a desire to prove against that statement. (...)

Madhu: So all these things created a kind of alienation from your parents and siblings?

Flavia: Yeah. It did. In every sense. In the culture, in the language. I consider myself totally the daughter of the soil of Karnataka², speaking Kannada³, speaking Tulu. (...) So I am very much part of the traditional culture. Whereas my siblings, except my elder sister, who grew up for a short period with me, are totally brought up in a western culture. They don't speak Konkani. They don't speak Kannada. They don't understand India per se. So I consider myself very, very different from them in every respect.

Madhu: Where were they?

Flavia: They were in Aden⁴, which is a sea-port. My father was working there since 1950 and my siblings, the one after me, went when they were very small. In fact, the youngest was born there. So they were so westernised. So, when they came, they came on a tragedy point in my life. Just before my SSC⁵ exam, my aunt died in her sleep. And my parents were scheduled to come, anyway. But when they landed in Bombay itself, my aunt died. And it became such a trauma for me. Because she is the only anchor in my life. I didn't know anybody. I didn't know anybody as a father, mother, siblings, nothing. But suddenly she was no more. She was not very old. She was about 56. And then my mother landed up and my siblings and I couldn't even talk to them. There was no language in which we could communicate. So I would — I remember this very clearly where I would rehearse a sentence for about five minutes and then I will speak to one of my sisters. And invariably the sentence would be wrong. (...) But then there was — one sister younger than me who took control of me. She took me under her wings. And then she will say, this is the way to light the gas. And then they were going to school. My mother was going to work. She said at least you have to make rice and keep. And I had never lit a *choola*⁶ in my life, in Mangalore. In Mangalore, I mean we had two, three maids in the home. Somebody to cook, somebody to water the garden, somebody to do something else. And I was brought up like a little princess. So suddenly I went into this situation, where it was really difficult in every sense. (...) Over a period, three years. I became westernised. I started speaking English. I didn't get sacked from my job.

Madhu: Wear stiletto shoes...stiletto.

² Karnataka: a state in South India.

³ Kannada: a language spoken throughout South India, also the state language of Karnataka.

⁴ Aden: a port city in Yemen.

⁵ SSC: Secondary School Certificate

⁶ *choola*: clay oven

Flavia: Stilettos — lipstick, kibstick, lace dresses with strapless bra and what have you. Matching bags and matching shoes and the whole lot — so much so again my mother started getting scared. “My daughters don’t do this. This one’s destined to go astray. (...) My mother used to wear a sari. My mother never used to wear lipstick. She used to smoke. She used to drink. But she was not western looking in her... she was more western in her approach. (...) But not really deeply I think rather superficially. (...) I also don’t have good memories of my father at all. Right from childhood, till now, till he died. He died soon after I went. (...) After my father died, I became very protective towards my mother, for one thing. I wanted to love her. I wanted her to care for me. And since my other two sisters had their boy friends, I would be at home, more with her, helping in the cooking, helping with whatever. And I wanted to build a relationship. Also I told you that, one sister had taken me under her wing, and had taught me the ways of living in Aden. And I was working by then. Within two months, I got a job as a typist and so I was working. And then it was fun. And it was fun, that five sisters and mother will go out shopping together, we will buy stuff. We will cook if we want. If we don’t want, we will not cook. If we just want to eat fruits for the whole day, we will eat fruits. And all that started when my father was ill. When my mother had gone, we were just five sisters. And my elder sister was just two years older than me. She was 18, I was 16. So some people used to send us food. Otherwise, we used to go and buy watermelon and say, ‘Today we will have watermelon. Today we will have some fruit. Today we will go to somebody’s house to eat.’” So we had developed a pattern which is not traditional house-keeping. (...) Then my elder sister used to sew. She used to stitch all our clothes. My mother used to bake cakes and my sisters used to ice them. And we had lot of fun together as a family. Go for outings. Meet friends. My sister used to drive. So we felt much more liberated than many other families around. (...) So we became a sort of a very early kind of feminism. If you would like to term it that way. Very — no dependence on men. Trying to live your life. Even electrical connections to fix up. Whatever had to be done, in the house we used to do. Repairing the car, changing the tyre. So there was no segregation that this is men’s job, this is women’s job. (...)

Madhu: So that is the period you spent in Aden, and, you started working. You became a working woman. How did you come to Bombay?

Flavia: Well, the trouble, political trouble kept on increasing, families started migrating. You had a choice, whether to stay on in Aden and take citizenship or go to England or come back to India. A lot of families were coming. Sometime in May, 1967, my mother brought my younger sisters, two of them, to Mangalore. Kept them with my aunt. Another aunt and sent them to school, for school admission and then she came back. (...) So, when she came back, we thought there is no point in staying here. But we still needed the money. First year we spent in clearing up the debt and we didn’t have enough money to come back actually. (...) And we came back in October. And when we came in October, in November, my elder sister’s wedding was fixed in Bombay. So suddenly, I was, again put in a very contradictory situation where the elder sister is married and the younger sister is married and the middle sister, who is not married, has asthma. And my mother started getting very panicky, saying, “What will people say?” For the first time she started saying this. “What will people say?” So I said, my mother was very modern, very progressive. Not at all traditional while she was in Aden. But when she came back to Bombay suddenly she went back to what she had left behind in the fifties. (...) And she said, there are proposals. I was really shocked. “What do you mean proposals?” By then I had read all the

English novels, Mills and Boon and everything. I said, “What do you mean proposals?” “No, things don’t happen this way in India. This is not Aden. This is India, marriages are arranged. You have to have trust in God and you have to say yes. See how I got married and lived happily.” (...) So, we were not really a traditional family. We were not at all a traditional family. So when actually my husband came to see me he came with a relative of his, who also happens to be a relative of mine — Uncle of mine. And there was nobody at home. I was in my home clothes. After sometime, he sat and he said, “Where is the bride?” Nobody is there. I am only giving them water. It was sort of very funny kind of tradition imposed on a very modern non-traditional family. So that uncle said, “She only is the bride.” Then after an hour, my mother came and (s)he said, “He is okay. He is fine, he is selected.” (...) Whole night my mother worried me: Say yes, say yes. And I don’t know, out of disgust, I said ‘Yes’. Then we went back to Mangalore. Came back a week before my marriage and I got married. (...)

Madhu: Flavia, when you look back to the beginning of your relationship with the Women’s Movement, from a domesticated person to straight in the public life of being an activist, how do you look back at it? Can you tell us something about the beginning of it?

Flavia: Well, the beginning was very dramatic and very dynamic I think. And I look back as one of the best phases in my life. Do you want me to tell you exactly how it happened?

Madhu: Yeah, if you can remember that event and remember it with today’s context and understanding.

Flavia: Well, it happened as I said, very, very dramatically. At that time, I was just a housewife with three children. And basically because of the domestic problems I wanted to do something, but I didn’t know what it would be. I wanted to do something outside. And like a typical Christian woman, I was going to church every day and whatever happened in the church, I used to be part of that. I mean I used to attend, not be part of it, but just be around. So there was this particular week, where there was a... sort of we call it a mission. So everyday, there was one outside speaker speaking. And that particular day, the theme was Christ the Radical. And Jean, who was a student, came to speak. And I liked. And she talked about the anti-rape movement and she talked about the Mathura case⁷ and how women are mobilising etc and I was really impressed. And I have never spoken to anybody who is a speaker or who addresses a congregation and I felt a very strong urge that I should ask her, “How does she do it? Where do they meet? What is the organisation? And is it possible to get in touch with them?” But throughout the whole mass and everything, I was thinking how will I go and how will I ask this question to her, “Will I have the guts?” Then after church, I waited and everybody was speaking to the speaker and all, and finally with lot of courage I said I have to ask this question. So I went and very hesitantly asked her — I said, “Can I ask you a question? What is it that you do? You

⁷ Mathura rape case: The story of Mathura, a 16-year-old tribal girl who was raped by two policemen, became the impetus for reform in India’s rape laws. A sessions court acquitted the accused, stating that Mathura had eloped with her lover and that as she was “habituated to sexual intercourse,” the policemen could not have raped her. It further ruled that Mathura was a liar and that intercourse had occurred with her consent. But a high court convicted the accused, saying that mere surrender did not mean consent. However, the Supreme Court set aside the high court judgment and acquitted the policemen. The court ruled that Mathura had raised no alarm, there were no visible injuries on her body and hence her allegations of rape were untrue. The judgment outraged women’s groups and triggered a major campaign for changes in rape laws.

said ‘You must do all this’ but you never said what is it that one can do.’ So she said, “We have a group, I will introduce you to somebody who goes to these group meetings. You come to my office.” So we fixed up that the next day that I would go to her office which was near VT. It was an organisation called BUILD. So she was working for BUILD. So there she called another activist. Her name was Wilma. It was all very, very Christian at this point. So they said Wilma goes to the meeting, so Wilma will take you and Wilma is an activist. So I got immediately fixed up. I think Forum meetings were held on Fridays in those days. (...)

Madhu: The same Forum Against Oppression of Women⁸?

Flavia: The same Forum Against Oppression of Women. It was called Forum Against Rape at that time. So I was so excited that I am going to go and meet a group. I was very nervous also, and very excited. Then I thought about Wilma and her two children and I said, “Oh poor thing, she is an activist who works so late, at least I should bake a cake and keep for her children.” Looking back, I find it so foolish today, but even Wilma remembers, even today, how when I met her, I brought her a cake for her daughters — she has two daughters. (...) I was very enthusiastic and I went for the meeting. I went and met her at the Dockyard Road station from where I was living, she waited for me there. Both of us took the train, we went to Mahim⁹. I have never travelled by the Dockyard Harbour line train anyway, before that. So we got down at Mahim station and we walked to this place where the meetings were held at the time at Mahim near Sitladevi. It was a big room and lot of women were there and very smart and very articulate women, very young and they were discussing this case of rape. And then, everybody had to do introduction. So everybody said what they are, some are journalists, some are PhD students, some are grass root activists belonging to X organisation or Y organisation and I was again very nervous and hesitant, “What will I say, what will I say when my turn comes.” So somebody before me said, “I am a housewife!” Looking back again, I know that person is not a housewife at all. She was an activist and initiated so many groups before that. Jairas’s wife I mean, I shouldn’t address her like that — Rohini. So, she said, ‘I am a housewife.’ And I said, ‘That’s really good, when my turn comes, I will also say ‘I am a housewife.’ So when my turn came, I said, ‘Like her, I am also a housewife.’ Looking back, again, I feel it’s so foolish to compare myself with Rohini who has been an activist for such a long time. But what I found in this group was all the women were so beautiful, so attractive, so self-confident and I had this urge, ‘I want to be like these women.’ So they were discussing this case of rape and they said Turbe¹⁰, Turbe is, like, near Vashi. You have to take a bus from Dadar¹¹ and it will take about an hour and a half etc. So they said we need people to go and talk to this girl who has been raped. So nobody was raising their hand, one person raised after long time, again, the chairperson asked, ‘Who will go? Who will go?’ Then, next to me was this person, Vibhuti. By then, Vibhuti had finished giving me very important telephone numbers. She said, “If you are coming to the meeting, you must, you know, know these people. So many telephone numbers. For the first time, I had telephone numbers whom I could ring up. We had a phone, which I had, didn’t have any numbers except a cousin of mine to call. So there were these numbers, she said, “See these are the important

⁸ Forum Against Oppression of Women: started as the Forum Against Rape in 1979, this campaign group takes up women’s rights issues like dowry, wife-beating and sexual harassment.

⁹ A suburb of Mumbai.

¹⁰ Turbe: a far-flung suburb of Karnataka.

¹¹ Dadar: An area in Mumbai city.

people, you should have, these are the lawyers, Indira Jaising and two, three other lawyers. (...) But what happened at the meeting was, Vibhuti was sitting next to me, and she said, “You raise your hand. Say you are going.” So I told her, “But I don’t know anything about investigation, I don’t know about anything, but I do have free time because it was summer holidays and tuitions had closed, final exams were over. So I told her, “I have time but I can’t go with these people.” So she said, “Okay, I will also come, we will both raise our hands”. So I raised up my hand. And by then, meeting was chaired by Gayatri. Gayatri was only 25, so was Vibhuti, only 25 at that time. And Gayatri was shouting at everybody, “Oh you people, you only come here and talk, Nobody can raise your hand, nobody can go for an investigation, what’s the point in coming for the meeting?” And I was like, very impressed, how this 25 year old girl was so confidently shouting at women much older than her, that you know, ‘You are not doing anything.’ So Vibhuti and me raised our hands. So Vibhuti, and me and I don’t remember the third person. So we were to go after two days. And before that, she said, “This is Indira Jaising — earlier batch, a few lawyers had gone so you go and meet Indira Jaising and see what has happened so far.” So next morning I called Indira Jaising. I said, ‘I would like to come.’ She said, “This is my place, stock exchange. You come there, 8th floor.” And again I asked a very foolish question. I said, “Whose office?” She said, “Whose office is it? My office.” (Laughter) So I said, “Okay.” So I was like, quite impressed. I also remember going to her office on that first day and she was like nice, cordial and I said, “See, I went to this meeting and people said you have gone last time with a group of lawyers this time so we are going next, so can you tell me what exactly did you find out.” So she said, “Actually we couldn’t find out much. Because, we couldn’t communicate with the people. They were speaking a different language. And I think the girl had... the rape had happened but nothing much had happened, the police had not investigated, so if you go, you find out further details and she gave me a few points. By then, earlier, once my husband had filed, threatened to file Restitution of Conjugal Rights¹², when I had left home. So while I was sitting there I thought let me get some free legal advice. So I asked her, ‘What is this Restitution of Conjugal Rights?’ She said, “Why?” I said, “I just want to know what is its validity? If somebody files, what will happen? So just explain to me a little bit.” But I was so impressed with myself that I knew the words ‘Restitution of Conjugal Rights’ that I could discuss it with a woman lawyer. So I just talked to her a little bit and I came back. Next we went and I told Vibhuti, “See, these are the points that we have to investigate.” So we met at Dadar and going to Turbe is a long journey, one and half years — one and half hours. So what you do? You ask, “What do you do? Which organisation you belong?” etc. (...)

Madhu: Which year?

Flavia: 1980. So I joined, like, around end of March. So Forum was only two months old. Nobody knew anybody much unless they belonged to a group earlier. So they were CPM,¹³ CPI,¹⁴ ML¹⁵, then journalists, various people, lawyers, doctors. So various people from various backgrounds. Some had political experience and some didn’t have political experience and that

¹² Restitution of Conjugal Rights: a provision of the Hindu Marriage Act stating that if, after solemnisation of marriage, one spouse abandons the other without a reasonable excuse, the aggrieved party has a legal right to file a petition in the matrimonial court for restitution of conjugal rights.

¹³ Communist Party of India (Marxist).

¹⁴ Communist Party of India.

¹⁵ Communist Party of India (Marxist-Leninist).

was the exciting thing. So it was natural to ask, what do you do? Which organisation do you come from? So in the process, I started speaking why it is important to me to join a Forum talked about my background a little bit and invariably the question was that, “If the situation is so bad, why don’t you leave?” And I thought these women are very foolish for asking this question. They claim they are activists and they understand women’s problems but somehow they didn’t understand women’s problems by the very fact that they were asking this question. I said, “How can I leave? Where will I go? My children are studying in school and they need a place, I can’t keep them at home. I need a place to stay. I need some stability. My mother doesn’t have the resources. I mean, all that I have finished trying. (...) When we reached Turbe, what happened was, suddenly I realised that this girl speaks Kannada. And her whole community speaks Kannada. So contrary to what I thought other people would be able to speak, nobody was able to speak, nor other people were asking the right questions. So when we realised — when I went — when they talked to me, I got a lot more information. For instance, the girl’s father had come and beaten her up. The girl had tried to commit suicide. She was trying to run away from there. It was very humiliating for her to stay in that situation. She was a big-made sixteen year old girl. Her mother was a construction worker so she was at home, she had to be kept at home but at home, it was not safe for her anymore. The *goondas*¹⁶ in the area were always threatening her. So she was under this tremendous pressure and she started crying. When I started speaking to her in Kannada, she started speaking and crying and said, “I don’t want to stay here. I am really scared. My father has beaten me. My mother thinks that they want to marry me off. These *goondas* are threatening and putting pressure on her mother to withdraw the case.” Even the father was very upset why the mother had lodged the case. Father was not around when the case was lodged. It was a police rape. There were three policemen and one *goonda* who had raped her. Police investigation had not moved far. So I was able to get a lot of information about the case. We came back. We came back, next day I went to Indira Jaising’s office because I had to type and give this report. And actually, long before my marriage, I had worked as a typist. So my typing skill was excellent. But I had not typed for 13 years. Not seen a typewriter. So somebody was typing with one finger here, one finger there. Two-three of us had gone. So then I said, “Can I type?” She said, ‘No, no, you know it is somebody’s typewriter.’ I said, “No, I can type, let me try.” And they were quite shocked. And first and foremost, I was shocked that I could, you know, not at that same speed, but at least speed much better than anybody else. So I sat, I typed the report and gave it in. They said, “Oh you can type.” So put all the points down. give the report and this report would be read out on Friday, next. From that time, I became the anchor person for Turbe investigation. Every week I would go and the person who comes with me would change. Because somebody had to communicate and there had to be a link. So every time I went with a new set of people, every time this question was asked ‘Why did you join the Forum?’ And every time I would give the same *bhashan*¹⁷ why I joined the Forum, why it is necessary for me. So my story was quite fixed in my mind by now. My background, my marriage, my children, the problem of leaving. (...) And every time, we came back, we would have theoretical arguments. Whether she is a virgin, whether she was a virgin or not. And somebody said, we could do this test etc. and I said, ‘Supposing she is not, then what?’ Are we implying that she was not raped or if supposing she is pregnant. We can have this information with us to help her. But can we make this information, supposing she is pregnant, even before the rape, so what, was she not raped? So every time I would defend it from her position because I used to speak to her. Not only speak to

¹⁶ *Goondas*: local strongmen, toughs.

¹⁷ *Bhasan*: speech.

her but somewhere connect, you know, the oppression of my individual life to what is happening to this girl. Then it came, that we would have a public demonstration. First demonstration of my life in the, giving speech, story starts there actually. So we had a demonstration and quite a successful demonstration.

Madhu: At Turbe?

Flavia: At Turbe. (...) Now, mind you, this was a time when Women's Movement itself was new. This culture of demonstration was new for Women's Movement. So when we said demonstration, there was a lot of excitement. How should we do it? You know the campaigns, posters, who will speak etc. So it came to be that since I was the person going, I was the anchor person over there, I could communicate to the women and also speak in English etc. So it was decided that in order to reach out the group on whose behalf we were making the statement, that I should do the public speech. So I was, I was not scared. I thought it was natural. But I was scared of speaking in Kannada, whether I could pull it off. But facts-wise I knew everything. (...) So we were meeting at Dadar. Now these Forum meetings used to be held at a place called ISRE — Institution for Social Research and Education. And one of the trustees, her name is Meera Savara who had sent off the first letters for the Forum, to constitute the Forum Against Rape, following the Mathura judgment. But when I joined in that one month, Meera Savara was not here. She had gone to the US for some meeting. So Meera Savara was there, she had just come back for the demonstration, in time for the demonstration. So she came, trousers and shirt and hat and etc. and somebody said this is Flavia. So she said, 'Oh! This is Flavia. This is the new phenomenon that has happened to the Forum in my absence for one month. I really wanted to meet you ya, who is this character who has just taken over?' I said, "Not taken over but just for this Turbe thing." (...) So I gave this speech and there were lot of men. All the male spouses and partners of all the feminists had come for the demonstration because it was happening in Turbe, there might be police trouble, etc but the enthusiasm and the excitement of a Women's Movement happening was very exciting to the male partners as well. So lot of men today I meet will say, 'Oh, I was there when you gave that speech (...) That speech has become, has really sort of stayed on I think with the Women's Movement and whoever was there. What happened was that at the end of it, people were arrested, various sections were hoisted on to the activists because we tried to enter the police station, we tried to, sort of — you know, not *gherao*¹⁸ actually but somewhat close to that. There were journalists, it came in the newspaper, and it was a big thing. Next day, people were scared that you know there will be police complaint, FIRs¹⁹ would be filed against them for unlawful entry into a public space etc. But the point had been made for Turbe. Now going on from there, from that public meeting, I really don't know what happened. Yeah, case got eventually withdrawn but FIR got filed. But it was getting very dangerous for the girl to stay there. So we got the girl out from there into Sneha Sadan²⁰ at Andheri²¹. A lot of things happened with this case. Finally the father of the girl came to us and said I want to take her out because we want to withdraw the case, she is getting marriage proposals and you must give money for the dowry because of you, the case has become public.

¹⁸ *Gherao*: protest.

¹⁹ FIR: First Information Report (official complaint filed with police).

²⁰ Sneha Sadan: an orphanage.

²¹ Andheri: a district in the city of Mumbai (Bombay).

So this is all over in one year. But somehow, this girl, her name was Kaushia Bi, a Muslim girl, she became our conscience. (...)

Madhu: How do you think this Turbe incident has influenced your life and work so to say?

Flavia: It was a great learning process for me personally and for the Forum collectively. I think every time we discussed that case, our own attitudes, values, positions, etc, were being expressed. And for me, it became my conscience. What are we doing to this girl? I mean, are we right in doing this? Displacing her, bringing her to our situation, etc. But what else happened was, after the demonstration, we felt we had made the community more vulnerable. The threats on the community increased. So there was a suggestion to start something called Mahila Atma Suraksha Sangh²². Because when we went there for investigation, we also found that there were more rapes than Kaushia-bi's. Rape was a common occurrence. Now I personally found the idea quite absurd. And I, that is the time I wrote this piece, 'Why I joined the Forum.' I said there is no Mahila Atma Suraksha Sangh in Bombay. There is nothing here in Bombay, which will prevent a woman from committing suicide. There is nothing against domestic violence that we experience in our midst. And we want to do something far out as if there are no problems in Bombay. And we will never be able to sustain it, people don't speak the language, it costs so much to go and come. In fact, every time I went I spent more than 50 rupees. Just on bus fare. So I said, how am I going to sustain this? Why start something there? Let us start something here. And it is in this context, to make that point that I first wrote my autobiography. So that thing was very powerful and so by then I didn't write it in my own name. (...) I was scared. I was still staying with the husband. So I used a pseudonym to write it. (...) But after I wrote this, as I mentioned, Meera Savara, she was very taken up by this. In fact, she helped, me with like editing, language etc. (...) But she offered me this project of studying wife beating in Bombay — domestic violence. And that became a turning point for me because I was earning, it gave me a source of livelihood away from my home. It was part-time. She was ready to make all kinds of adjustments to me. Basically it was — based, like interviews of 100 women — 50 from middle-class, and 50 from the working class and I did the study from, say, June to November. November was again a turning point, a major turning point, I should say. From June to November, we were also preparing for a national conference on rape. The first women's national conference of activists from various places. And again I want to emphasise, this was the beginning of the Women's Movement. Women's issues were not really discussed. Women's groups had just mushroomed post — Mathura in different cities. So Hyderabad — Stree Shakti Sanghatana or Bangalore — Vimochana and the group in Delhi — I forget the name — Radha and various other people. So all of us together decided. Vibhuti was the initiator; we said we will have a women's conference in November. Now for that conference, my paper would be presented. And for that to type that paper, I had borrowed Meera's typewriter. (...) This is the period from June to November where my domestic situation also became very volatile. An earlier period, I had no control over what happened to me. Why this happened to me? Here, some way, I was actively invoking the violence by doing whatever I wanted. (...)

So the 50 women came from a situation of some way related to women in the movement and it was then, I stopped being the isolated case of domestic violence and that was very important to me. So in the conference, I was presenting this study and that's the time my husband said, 'You

²² Mahila Atma Suraksha Sangh: Society for the Protection of Women.

will not go for the conference and I said, “I will.” So he says, “But I will take the daughters and I will send my son to my sister’s house, so you have no responsibility.” So I mean he didn’t give his consent but that didn’t matter. So I went for the conference. The conference was really exhilarating because we were like about 200 to 300 women who still continue to be very strong feminists, even today. And we were much younger between the ages 20 to 30. Chandralekha²³ was there, I mean you name it and the people were there. Everybody came at their own expense. Everybody had to pay for their own food. It was not a seminar, as we understand seminars today. Totally different situation. And tribal rape to army rape to various kinds of issues of rape, health issues, violence, domestic violence etc. I presented my paper. My study was almost complete but there was very less time, so I couldn’t really present it but Vibhuti did such a wonderful translation that in translation she said much more than I could actually present. And everybody was quite impressed, and changing the focus from dowry to domestic violence. (...) Vibhuti’s husband Amar was working on a community project and they wanted somebody else to come into that project, a social worker. So I got to do the interview. Without any experience of social work or any kind of study, I went for the interview and they were doing this community health work. (...) I met Dr. Athiya, very important figure in community health, even today. And he interviewed me and he said, ‘What makes you come for this interview?’ You don’t have the qualifications.” So, I said, “But I understand women. I have done this study and I am aware of what women go through. So I would be able to, so if it is communicating to women, I would be able to do this.” Then he explained to me his programme and he said, “We work with the youth.” So I told him. “Then your focus is all wrong. If you want to go to women and children and discuss their health issues, you can’t start with the youth of the community.” He said, “But the youth of the community are the main people there who will be able to bring in change.” And I said, “No.” I disagreed with him at the meeting. I said, “You must start working with the women and then only you will come to know about the health of the family, whether it is the woman, whether it is the children, whether it is the husband. So he was very impressed that hardly anybody challenges Dr. Athiya. Me, out of my ignorance, like I didn’t know who he was and I had the audacity to say, “No, your program is all wrong and you have to start all over again.” And just because I said that, I got the job. And I was to start after the conference. (...) Now at conference, what happened was, it was a changing point for many of us, our own understanding of sexuality, sexual relationships, our bodies, our control over our bodies, all these issues had been discussed. Marital rape etc, issues that, we had now taken for granted. There was this Chandralekha poster which was very controversial in the seminar itself where this woman, Kali, with ten heads stamping over the head of the man etc. I was very, taken up, taken over by the poster, I had got copies and I put that poster outside my bedroom. So next day, or rather that night, my husband approached me sexually and I declined I said, “I am too tired and you know stay away.” Next day I was leaving for work and that anger had accumulated in him that I had gone to the conference without his consent. I had come back. I was not being grateful. I was being really arrogant, which I was. And I am not blaming him for being arrogant because all of us came back with a renewed vigour, so to say, after this conference. So when he said “I will not let you go.” I said, “No” I will go because I have to be there at a particular time.” It was a slum in Chembur²⁴. He said, “I will not let you go, I will, whatever lock you,” etc. When he came to

²³ Chandralekha: a legendary Indian dancer known for reinterpreting classical traditions in Indian dance and for her activism in the women’s movement in India.

²⁴ Chembur: A district of Mumbai (Bombay).

beat me, I closed my door and there was this picture of Kali²⁵ with the ten heads stamping on the head of the man on the door. I closed the door and that was the picture you would be confronted with. I don't think, anybody's life, everybody's life must have changed but nobody's life changed as radically. You must understand I was very new for theory. I mean, like, for me theory was practice. Like, anything I heard, I would really incorporate it within my life. I couldn't understand how other people's lives were not changing. People would all grumble about their partners and spouses and all, but it was not making an impact as much as it was making on me. I was like a clean state or a virgin land where everything could be soaked up. So — I — it was a very violent scene. He even threw that typewriter that I had borrowed from Meera Savara at me. It fell down. It broke. I walked out. He said, "Take your children and go. Take your daughters. I said, "No I will not take my daughters. The daughters are yours, they will stay. I will work." He said, "Either you stay in the house and not work or you walk out and work." "The choice is to go out and work, I will not stay here." Then, he said, "You have to walk out with your children." And I said, "I cannot take the children, they are going to school," whatever, "You are the father, you look after them." And then he literally pushed the children, it was a very violent scene and the children got hurt on the door screaming and whatever, (...) I walked out with the children. There was a group of women who had said, "Okay, this is the situation you are in. It's really not fair that because of lack of resources that you stay in this situation. So, you take your time and if you take a decision, then, we are there for you." So I went to one of them, I kept the children there because I had to go to Turbe. There was no phone, no mobile, no nothing. And Vibhuti's husband Amar was waiting for me there.

Madhu: Not in Turbe (...)

Flavia: Not in Turbe, in Chembur, Lal Dangar. So I went to Lal Dangar and he said, "You are late." First day of my work and I am late. So I told Amar, "The situation has changed, something very drastic has happened and I have to make arrangements" etc. And the women in the community were so good, they said, "You stay here, we will build a hut for you, we will arrange water for you. You stay amongst us, we will look after your children. You don't worry about the house." It was so overwhelming for me that they had accepted me totally. This acceptance helped me to work there much better. I mean, okay they have problem, I have problem and within those problems we work. So, somewhat, that concept, you know the divide that we go there to work for them was broken on the first day itself.

Madhu: This period is the beginning of you reacting against the feminist agenda of working on middle class morality? What happens to others, what happens to others? — What needs to be addressed? Some laws need to be passed, the beginning of your crusade against such morality?

Flavia: Yeah. The beginning was much earlier. The beginning was — when I was going to Turbe. When I was going to Turbe, I want to tell you that every time I went, I spent my own money. Nobody asked me. Every time people said, Flavia will go. Nobody asked me how I was going. (...) Then it came that and before the meeting, they would say 'You knows, some of us think and some of us act.' And I challenged it, 'What do you mean? You mean when we go to Turbe and we act there, we don't think? So you all sit in your office. We can't go there so we

²⁵ Kali: Powerful Hindu goddess depicted as slayer of men.

will do the thinking and you do the acting and that is the reason I wrote, ‘Why I joined the Forum’ as well. (...) So in the meeting what happened was, my, ‘Why I joined the Forum’ that autobiographical piece was cyclostyled, and sold at the meeting for one rupee or two rupees. And my daughters were given the task of selling it, and my name was not there. So my daughters would go and say, ‘Will you please buy this? This is my Mummy’s story.’ (...)

Madhu: So when you left home, when you joined Forum, when your new life started, you were not educated. And I wanted to know why you thought of educating yourself further? To be an activist at that point, it was believed, you don’t need an institutional academic background. So, why you thought so?

Flavia: Well let me first tell you what happened when I left home. When I left home, there was a lot of euphoria, there was a lot of excitement. But to live the life on a day-to-day level was really very difficult. Suddenly I became very poor. I was not used to being so poor. No money. No money for basics, no shelter, you’re totally displaced. The children are poor and they are not used to being so poor. And they in fact started getting vitamin deficiency, you know the things that lack of food gives one. And they were placed in a hostel but it was in effect an orphanage. And that’s the place where domestic maids get trained. So one of my daughters gave up studies, she said, everybody else becomes a domestic maid, mummy. What’s the problem? Why to study? Also my daughter failed an exam. That was around the time of the first women’s conference in Bombay. That day I got the report in hand and she had failed. Somehow I felt that I was struggling so much because I was not educated. Had I been educated, I would have been able to get a job better. Also, in the Women’s Movement I felt I was reduced to the level of activist because I had not studied. Because all the people who were telling me education is not important were all doing their PhDs. So there was one friend with whom I had stayed for a short time who told me that, “You know Flavia, everybody tells you education is not important. It’s okay if your daughter has failed. Don’t take it seriously or okay if you have not studied.” She said, “Don’t trust them. Because they all come from a particular social class. They are all doing their PhDs and you will be at the level of SSC.” So, she, in fact, drove me to give my first entrance exam in SNDT²⁶ and also during my first-year BA, I was in fact staying with her. So she would take a lot of trouble, get the books, read them, summarise them for me and she said, “You have to do this exam, there is no looking back. You have to have graduation. Forever, you cannot just be a matriculate because you will really regret. And this age that you have left at the age of 33 is not so late to study.” (...) And as soon as I got my graduation, I enrolled for law. So it wouldn’t make any sense to me to just be a graduate. So my purpose was very clear that because of my own case which got messed up, even with the best of the feminist lawyers as well as other lawyers and I knew where things were going wrong. Somewhere within the movement, we’d evolved strategies at the pre-litigation stage. But the litigation was still going very conventionally as established forms. And we were not doing any innovative interventions. So for me, being a lawyer was a decision connected with my study. But practising law was another decision. Two different decisions. I wanted to be a lawyer in order to intervene in the legal strategies for women, with a lawyer. (...)

²⁶ SNDT: A Women’s University in Mumbai, established in 1916 by social reformer Maharshi Karve, who believed that education was the only instrument for enabling women to be economically independent and self confident.

Madhu: When did you think of starting Women's Centre? What was the motivation? And how it was different from Forum?

Flavia: Forum Against Oppression of Women was a campaign group. We would take up an issue, take up a demonstration, the issue would be in this newspapers etc. But the composition of the Forum would change constantly. That means there is no membership, no structure — anybody could come, anybody could not come. We were into the mode of structurelessness of the Women's Movement of that time. So we were against any kind of structure, creation of any structure, official positions etc. But because of the visibility that the Forum had, a number of women started approaching the Forum for help. And Forum was not in a position to respond. It's not that Forum was not responding but it would be an individual response. Somebody would take up the case, somebody would go, somebody would follow up — but Forum itself didn't have a place for meetings. Sometimes, we would meet in open garden, sometimes we would meet in somebody's office at the University, somebody's house. So all the time, the places kept shifting. So it was very difficult for women who wanted to find the group that would give them help, to actually locate the group. Because the group didn't exist, there was no office, there's nothing. And that continues till today. I think that is both the strength of the Forum and its weakness. That is — it is a moving, fluctuating, structureless group.

Madhu: Actually a Forum

Flavia: Actually a Forum. So, I felt that if you are going to respond, if you are posing, if you are claiming to respond to the women's needs then there should be fixed timings, there should be an office, there should be somebody responsible, some kind of accountability to the women who approach you — and all this needed structure, so what I had conceived of the Women's Centre was having a formal place, a formal institution which would respond to the women in a very formal sense rather than the structurelessness of the Forum. But for me it was not a contradiction. It was both complementary and I think both were necessary. So, when at the initial group it started the centre, it was very clear that we will not do demonstrations. We will not have public protests but we would concentrate on counselling to individual women, helping them to solve their cases, supporting them. It was not, the word was not 'counselling'. The whole approach was we will share our experience and learn from each other. (...) Actually before the centre started itself we used to have a series of meetings questioning ourselves, our positions, our relationships, our sexuality — so there was a whole period before the centre actually started and we came together as a cohesive group. At least that's what we thought then. When the Centre started, there was this fear, that we heard, whether women would actually come and if they did come, what we would be able to offer them? But slowly women started coming in, mainly women of our same strata. Because articles were written about the whole concept of Centre etc. in different magazines and newspapers, etc, so women started approaching us. At that time, we didn't have our own place so we were functioning from a room in a friend's house, Sonal, and that place was also part of the Centre. So, slowly women started coming and one woman was struggling with her case and she had a lawyer whom we would refer other women also to the same lawyer, because he had really managed to fight this case for a long period of time and did manage to get this woman some rights regarding custody, etc. But unfortunately, in this particular case the relationship between the mother and daughter went very sour. The daughter was in her teens. Finally, she left the mother and went back to the father. Father had remarried

and his second wife had twins. And the mother was a nurse and she was pretty comfortable, she had made a house for herself and there was, all the basic necessities were there. Despite that, the daughter left the mother and went back to the father. (...) Now these were like very non-legal kind of interventions. There was another woman who came, who was like slightly from the lower strata with a baby of three months old. It was a love marriage, she was a Maharashtrian²⁷ — married a Bengali²⁸ -- and she brought this very cute-looking baby and she said, I want to put this baby in an orphanage. And we all started discussing and we said okay, orphanage is here, there — and the baby was sleeping. And when the child opened her eyes, such bright eyes and gave us all such sweet smile and the woman left and said we will come back and we will see what we can do. And after that, we all felt really terrible, that you know can we have any other option for this woman? Till the child was sleeping and all, it was an object, And we said, “Ya, ya, give on adoption that’s the best choice and you can move on with your life.” But when she came back, even she had changed the decision and said, “Is there some way that I can live with my daughter” And then finally at that time, Centre had collected some money and we were going to buy our own place. We had a public screening of a film and collected some money and we thought we would need a person in the office constantly, so can we give her a job? And in the initial stages, she used to bring the baby to the office and we said A Women’s Centre should be such a place you know where we should understand the problems of women and that you know child-caring, single motherhood, all these kind of problems. So till she could find a crèche for the child, she used to bring the child to the office and all of us used to be part of the process of looking after her child. So in a way, it was unrealistic, but in a way it was very innovative kind of, I will say....

Madhu: Participatory

Flavia: No. It was an illusion, it was a dream, utopia, enchantment that okay you know, we are all struggling women and we can do this kind of support. (...) A lot of things happened here and it was voluntary and it was — We did have a small grant but it was miniscule. So, I was working as a full-timer — for five years, I was the full timer. Initially we didn’t register. Again, we went through the debate, whether we should have a formal registration. Then we decided, we will have a formal registration, but only in name. There will be a secretary, there will be a treasurer, there will be a registration. But we will function more as a non-registered organisation. The membership is only formal but functioning will be informal. In fact, the structure and functioning has been a major part of the debate for women’s groups all over India who started at that point of time. (...) But gradually, a more formal structure began to evolve. Where there was a line drawn between those who were doing the counselling and those counselled. Somewhere, class differences -- class, caste, community differences -- started coming in the process of counselling. Very gradually. (...) So differences started cropping out, ideological differences, the way we reach out to the women. I had so much power because I was the initiator. And maybe other people couldn’t deal with this kind of power. So at some point — And at that time I was still doing law and for me, my law degree made sense only if I was part of this, structure, where I could intervene on behalf of women.

²⁷ Maharashtrian: belonging to the state of Maharashtra.

²⁸ A person from the Indian state of Bengal; Bengali is their language.

Madhu: But Flavia this is problem of any service-oriented centres, no? How do you look at it now? (...)

Flavia: When you talk about feminist structurelessness that there is no structure, no authority, all of us are equal, we will not have hierarchy we will have more lateral kind of functioning this was a dream within the Women's Movement at that time. And though it was a service-giving organisation, it didn't really – we didn't think it would function in a traditional sense. We wanted to break that traditional mode. But unfortunately because we didn't conceptualise, we didn't theorise, we didn't actualise, we didn't give this new form a kind of a structure, it fell into the old mode, invariably. It fell over a period of time, not immediately. We started in '81 but by '85, '86, it was obvious that it was falling into this mode. We realised the problems that were happening. The concept of handling authority, concept of handling finance, the accountability to the women who come; none of it was specified and according to me, it didn't work. So when it didn't work, I think the trauma for me personally was more than the trauma of leaving home. There, I was leaving a traditional structure which all of us know that it is oppressive. That marriage can be oppressive, domestic violence would be there, then you move out. That is something acceptable and I could talk about it, I could theorise. But when you have a dream that you create something else, giving everything that you have, that this is going to work, this is alternate family. Even for my children, this was a family that we were trying to create, my children, other women's children, etc. A kind of an alternate structure, where you celebrate, where you have fun, when you are lonely you have someone you can reach out to, away from the Forum campaign, somewhere much more intimate, something very deep and when that collapsed, I think, somewhere, something died in me. The despair when I walked out of the Centre was really very, very, very traumatic because if that breaks, then there is nothing else. (...)

Madhu: So later on, much of your work was based on minority identity and gender and identity and relationship between gender and identity. At which point do you think this consciousness came in you?

Flavia: Well this has been with me for the whole decade, from '80 to '90. The slogan for the '80 to '90 was '*Hum sab ek hain*' we are all together, we are all women. But in the course of my work, I had mentioned earlier as well that all of us are not equal. We are equal within our unequal structures. So the fact that I was a minority was very conscious within me. It came up in many ways like till I became a feminist, I was a believer. I was very Christian because that was the only life I knew, that was the only exposure that I had. So when I became a feminist, it was essential that I give up that to embrace feminism. I became secular — I gave up religion, I gave up culture, I gave up belief, I gave up dress code. And I imbibed the mainstream — everything. Food habits to dress code to festivals, to everything. But somewhere, there was a discontent in me that the way I am made to give up or forced to give up or find the necessity to give up the other people don't have to give up, because theirs is the norm. You can have a Ganpati²⁹ in your office because it is a cultural symbol. You can organise national-level meetings on Christmas day or immediate next day after Christmas but you will not have anything during Diwali³⁰ because Diwali is festival time. (...)

²⁹ Ganpati: Hindu elephant god.

³⁰ Diwali: Hindu festival of lights.

Madhu: Do you think that other minority women were also thinking in the similar way?

Flavia: Ya, I remember during the 1985 conference, many women had protested -- Fatima Bernard, Ruth Manorama, Gabrielle Dietrich -- all feminists from the South had asked this questions, “Why is the meeting being organised around Christmas time because this is the time we spend with our family.” But it didn’t seem to matter and everybody went on and held this meeting. And small, small issues like food habits. (...) We always ask — what would you like to eat? Do you eat this? Do you not eat this? In fact it was my children who raised this issue. They said, “Mummy, nobody ever asks us when we go to their house. They make this *rasam*³¹ and *sambar*³². Nobody asks us whether we like to eat or not. We hate it. We can’t eat it. Why can’t they make some fish or meat, what we like to eat?” And that question had not even come into my mind or in another way, like say when I was working in the slum and people would always get you tea, coffee or cold drink. So when I say, “No, I will just have water” people used to be overwhelmed because the caste norms don’t permit you to drink water in their homes. And suddenly when you say this, the bond is created because you drink water. So how food was playing a role in this segregation, how dress was playing a role. Festivals were playing a role. So there was a discontent individually felt by some of us. And somehow it got articulated in the Jadhavpur³³ conference. The other incident that I can share that, there was a cross in my home, which earlier in my house, there were no religious symbols. And after my brother died a very sudden and a very painful death, one of my sisters gave me this cross as a remembrance of that. And my friends would come and stay, see the cross and say, “Flavia, are you a believer?” I would say not a believer, you know, I just have a cross. “Why do you have a cross in your house?” But it never struck me to ask anybody “Why do you have a Ganesh³⁴ in your house? Why do you have a Krishna³⁵ in your house?” Because if I ask that question, I would look like a fool because, ‘Oh this is culture, you know, this is an artwork’ whereas here, it would be religion. (...) But why I raised this issue was that this whole IAWS³⁶ conference was on religion, culture, ethnicity — gender, religion, culture, and ethnicity. There were about nine workshops there. And every single workshop was led by an upper-caste, mainstream Hindu woman. But there was a plenary session in which two of us were invited — Raziya Patel who is an activist and myself as plenary speakers. And the third one who would speak about Hindu culture or about Sati³⁷ incidents was an academician. So there were three of us. Before the conference, I went to Delhi because Vinadi³⁸ was chairing the conference and she said I would like to meet you before the conference. So I went and asked her, what would you like me to speak. She said, “Flavia, we have chosen you because I want you to speak from your heart.” So I said, ‘If I speak from my heart, you may not like it’ So she said, “No, it doesn’t matter.” (...) As I mentioned to you, Women’s Centre, structurelessness, domestic violence, support groups — I had been working on all these issues — ’80 to ’90 from ’90 there was a consciousness about identity, culture, religion etc. So according to me I could have been invited to head a session, put together

³¹ *Rasam*: spicy tomato broth.

³² *Sambar*: South Indian vegetable curry.

³³ Jadhavpur: a university in Calcutta.

³⁴ Ganesh: Hindu elephant god (also known as Ganpati).

³⁵ Krishna: One of the most important Hindu deities.

³⁶ IAWS: Indian Association of Women’s Studies.

³⁷ Sati: a traditional Hindu practice in which a widow is burnt to death on her dead husband’s funeral pyre. Also means “virtuous woman.”

³⁸ Vina Mazumdar, also interviewed by the Global Feminisms Project.

a session how minority women feel about these issues within the Women's Movement. Instead I was invited as a panel speaker there for others to see. (...) As a Christian minority woman, you speak at this panel. And there was Razia Patel who was a Muslim activist. And according to me, then, the movement had made a segregation. According to me, the movement had had in a way slotted me as against the norm. The norm was mainstream Hindu academician. And I was the other — the minority the Christian, activist woman. (...) I was, like, really upset and so I (?) Vinadi³⁹ told me you speak from your heart. So I spoke from my heart. But more important, I raised the issue that in this whole UCC⁴⁰ debate, how Hindu Law operates on Hindu women has not been questioned. The Hindu monogamy, bigamy, or polygamy is not an issue. It's only the Muslim that becomes a context. In that, are we being communal. Are we endorsing a right-wing political ideology? And more than that, what I did speak about, is within the Women's Movement, how the segregation actually takes place. (...) And I was speaking in the context of Shah Bano⁴¹ and Muslim Women's Act, which took Muslim Women out of Section 125, which is a secular provision, and into a special act! But I said in 1976, Hindu women marrying under Special Marriage Act⁴² have been taken out from the Hindu Law, from the secular provision and are placed in the Hindu Succession Act for the sake of succession, so that co-parsenary or Hindu male rights could be preserved. And I said, that is the time where there was the report, Towards Equality — in which Vinadi and others were part of. And based on their recommendations, this, 1976, this law became enacted. (...) But I was not supposed to speak in this manner. In fact, what Razia said didn't make history because Razia toed the line that is prescribed, saying, "My community is communal, my community is oppressive to women. I need your help, you secular people, please help me in my struggle against my religious leadership." That doesn't challenge anything in anyone. What I said, sort of a latent communalism in mainstream feminists, was not what I was supposed to speak. I was supposed to speak — the Catholic Church is oppressive, which it is. How I am denied the right of divorce because of own laws, which I had been. But I spoke beyond that, and that was not what was expected. I was not expected to challenge the feminist movement. The environment was not ready for that. Babri Masjid⁴³ had not happened at

³⁹ Vina Mazumdar, also interviewed by the Global Feminisms Project.

⁴⁰ UCC: Uniform Civil Code

⁴¹ Shah Bano: Shah Bano, a 62 year old Muslim woman and mother of five, was divorced by her husband in 1978. The Muslim personal law (marriage, gifts, inheritance, adoption and a few other civil laws are under the purview of personal laws in India - they are different for Christianity, Islam and Hinduism) allows the husband to do this without his wife's consent. Shah Bano, because she had no means to support herself and her children, approached the courts to secure maintenance from her husband. The Supreme Court invoked Article 125, which applies to everyone regardless of caste, creed, or religion. It ruled that Shah Bano be given maintenance money, similar to alimony. The orthodox Muslims in India felt threatened by what they perceived as an encroachment of the Muslim Personal Law, and protested loudly at the judgement. In response, the Congress party, which had an absolute majority in Parliament at the time, passed an act that nullified the Supreme Court's judgment in the Shah Bano case and upheld the Muslim Personal Law.

⁴² Special Marriage Act: Enacted in 1954 to provide a special form of marriage by any person in India and all Indian nationals in foreign countries irrespective of the religion either party to the marriage may profess.

⁴³ Babri Masjid: A mosque in Ayodhya in Uttar Pradesh. The mosque is believed to have been built on the foundations of a Hindu temple, razed by Muslim invaders. The temple was believed to have been the birth-place of Lord Rama (a mythological figure revered as a God by Hindus.) Who owns this spot? The Hindu majority or the Muslim minority? This controversial question has dominated Indian politics over the years. In 1992, rampaging Hindu activists egged on by the Bharatiya Janata Party (India's Hindu nationalist party) attacked the Babri mosque, with stones, sticks and even bare hands. There was unprecedented rioting across the country.

that time. And I was accused of breaking the movement, segregating the movement. The whole concept of ‘We are all one together’ was challenged when I said, You feminists, you Hindu mainstream feminist — I am speaking from a minority position, the position which I was invited to and I am addressing a congregation, a gathering of mainstream Hindu academicians. (...)

Madhu: Actually, Uniform Civil Code is a term, which has almost become a synonym. What all does it stand for?

Flavia: Uniform Civil Code, actually in different times meant different things. During the Constitutional Assembly debates in pre-Independence period, it meant majority-minority identity politics and that is why it was placed in Directive Principles⁴⁴ because they said ‘Time is not ripe for enforcing Uniform Civil Code’ because it became an issue of Muslim identity. And after the Partition, it became a very difficult question. Then, even, prior to that, if you see, in 1930s it surfaced as a women’s question by AIWC⁴⁵ who wanted to look at different personal laws and see what were the inequalities within that. In ’80s again, we see after the Shah Bano, there was a very strong demand by the Women’s Movement for a Uniform Civil Code. Now what, what this Uniform Civil Code actually meant was that laws should be equitable, they should give justice to women and different personal laws have different kinds of inequalities built into that. So, if there is one law, it will be just. By the time, the ’90s surfaced, a lot of women including myself started questioning this premise that -- on what basis are you saying that Uniform Civil Code will give justice to women? Because in different personal laws, different kinds of injustices are there, and whether they can be dealt with, within those personal laws rather than asking for a demand of the Uniform Civil Code. Now, the issue became very problematic for the Women’s Movement in the late ’80s because post-Shah Bano, it became an issue of right-wing... a political demand for the right-wing parties. (...) And the slogan was, ‘*Hum do hamare do unke char aur pachees bacche*⁴⁶’, you know something to that, that they’re four but their children will be twenty-five. So, there was a fervour, created that if Muslims are allowed polygamy, then Muslims will be a majority over a time — very illogical. But there’s (it’s a) a third element here, which, according to me is the most dangerous. (...) That’s the liberal, moderate people in society who have this western concept, western values that monogamy is the norm and monogamy should be the norm and uncivilized people have polygamy. So, in order to be modern, in order to be civilized, there should be a Uniform Civil Code. (...) So, according to me, there are three segments in the UCC (Uniform Civil Code) debate. The Women’s Movement for gender justice laws, the communal, communal element, the right-wing parties which has got anti-Muslim agenda, and the liberals who want a norm of monogamy because it is a Western ideal of an ideal

Today, the BJP is the ruling party and its goals include building a temple and erasing the remains of the mosque. The demolition of the mosque on December 6, 1992 and the ensuing violence has still not been addressed by the Indian courts.

⁴⁴ A feature of the Indian Constitution. Although the Directive Principles are asserted to be "fundamental in the governance of the country," they are not legally enforceable. Instead, they are guidelines for creating a social order characterized by social, economic, and political justice, liberty, equality, and fraternity as enunciated in the constitution's preamble. In some cases, the Directive Principles articulate goals that, however admirable, remain extremely vague.

⁴⁵ AIWC: All India Women’s Conference.

⁴⁶ *Hum do hamare do unke char aur pachees bacche*: A bigoted slogan that was targeted at large Muslim families. Literally translated, it means, “We two, ours two, they are four, and have twenty-five” The numbers refer to the number of children. The first part of the slogan, “We two-Our’s two” was promoted by the government to popularise family planning. However, the anti-Muslim suffix was added later.

family. And over a period, we began to question these premises. (...) The Movement split. After the Babri Masjid demolition where some of us changed our views and we said that we cannot have this UCC (Uniform Civil Code) demand, whether it is optional or compulsory. We need to look at it afresh, and we need to look at gender justice within different perspective. So, for me today gender justice doesn't lie in the Uniform Civil Code. Because we have such diverse communities, we have such diverse practices. (...) So, Hindu law means according to me, a Brahminical law⁴⁷ and a lot of communities do not fit those Brahminical codes of say, Saptapadi⁴⁸. So, when I went to take the legal literacy class among the lower-caste women in Rajkot⁴⁹ and I was talking about validity of marriage and you see, there is a marriage ceremony.' So, the person who is an urban facilitator, co-ordinator — so, she translated it into Gujarati saying you know, how we have Saptapadi; So the women started asking, what is Saptapadi? They said, "going round the fire"; they said, "what fire?" you know, "we take seven steps"; they said what? I mean... please explain.... She said... 'During marriage? How do you have a marriage ceremony? There's a fire, and the couple take seven steps. The women started laughing. She said, they said 'We are Dalits⁵⁰, we are not allowed to have fire as a witness. Only Brahmins can have fire. The most highest class, caste amongst us can only take four steps, not seven steps. And we have different ceremonies — For, if the bride is a virgin if the bride is not a virgin. If the bride is virgin, we have during daytime, sun as a witness; and if the bride is not a virgin, we have what they call a 'suryachupi' — hiding from the sun. We have it at night. And they got up and performed whatever are their wedding ceremonies just in Rajkot. And these people have never known what is Saptapadi. So, in a community like this, when the community decides when you get married, when you get divorced or who will have the children, etc. and they will never come in touch with courts at all, so what has the Hindu Code Bill been given to these people because they had everything before -- a customary norm or law of marriage, divorce and settlements. (...)

Now in this context, let us go back to Shah Bano. Shan Bano seems to be the worst thing that ever happened, the Muslim woman seem to be the worst thing that ever happened to the whole country. Now what is Shah Bano? What did it give? What did it take away for the Muslim woman? Shah Bano was entitled for a maintenance under 125 CRPC, which is a secular court. What she got was about Rs. 170. That got challenged. Supreme Court upheld it. Muslim community opposed it. And they said, for us marriage is a contract. When a contract ends, there cannot be recurring liability for life. So we will have a new act called Muslim Women's Act. What will Muslim Women's Act give? Muslim Women's Act provided for three months maintenance and a fair and reasonable settlement for life and a lot of courts started giving a fair and reasonable settlement. Sometimes, thirty thousand, sometimes eighty thousand, sometimes one lakh⁵¹, sometimes three lakhs, depending upon the position the husband and wife are. For me, a three lakh, two lakh or a one lakh settlement is better than a maintenance of 170 rupees. If the woman works, she is not entitled for maintenance. If the woman remarries, she is not entitled for maintenance. If the woman's character is not good, she is not entitled for maintenance. So

⁴⁷ Brahminical law: Law of the Brahmin, the uppermost caste in India's caste system.

⁴⁸ Saptapadi: Seven steps, a Hindu marriage ritual where the husband and wife walk seven circles around a sacred fire.

⁴⁹ Rajkot: a city in the Saurashtra region of the western Indian state of Gujarat.

⁵⁰ Dalit: the lowest, untouchable caste.

⁵¹ Lakh: a unit in a traditional number system, still widely used in India, equal to one hundred thousand.

this recurring maintenance liability helps the husband to control the sexuality of the wife. (...) But in 2001, when this act was heard by the Supreme Court, the challenges to the act came from the women's groups. The appeals from the high court came from the husbands. What does it indicate? It indicated that it was not working for the husbands, which means that it was working for the wives. So if the act was struck down, all these women who got rights under it, their rights would be wiped out. So what the Supreme Court upheld was the fair and reasonable settlement for life. And today, what the Muslim woman has is a fair and reasonable settlement for life. (...)

Madhu: What is the last word on Uniform Civil Code?

Flavia: Well when I spoke in 1991, I was making a new kind of statement. Unfortunately, the political events of the last decade or so have proved me right. First, the demolition of the Babri Masjid, the attacks on Christian community in Dang, the attacks on Christian missionaries in various places and lastly the Gujarat carnage⁵². Whoever, whichever feminist could hold onto the claim of Uniform Civil Code until now, after Gujarat, everybody had to change their stand. (...) Today, gradually, the whole edifice of so-called Uniform Civil Code has crumbled down as far as women's rights groups are concerned, as far as feminist groups are concerned. Where it remains is in the communal segments. So today, anybody supporting this demand has to be not a person from women's rights but invariably would be a communal person.

Madhu: Your last love is MAJLIS. How did you think of it?

Flavia: Well, I didn't think of it myself. Both of us thought about it together along with other people. In fact, MAJLIS is a name selected by you, which has more cultural connotations and implications than what I do in the legal center. But maybe for the time, it was really an apt name which sort of raises the questions of identity, plurality, multi-culturalism. (...)

Madhu: Looking back, do you think MAJLIS is a women's organisation?

Flavia: Well, it has a very strong component of women's rights. But it's a women's rights group with a much more complex form. Where do you build in gender along with minority identity, minority rights? So, gender doesn't become as opposed to minority identity. I think our struggle for the rights discourse within MAJLIS has been how to pose gender and minority rights within a same canvas? The other thing posing gender versus minority identity. And I think that's been the biggest struggle for the legal centre of MAJLIS.

Madhu: But you remember once you said while discussing Women's Centre that Women's Movement was exploring how to do away with or how to deal with authority. How to break formality. And in 90s all of us started, not only MAJLIS, many, many other organizations

⁵² Gujarat carnage: The Gujarat riots started after 59 Hindus were killed when a train carrying Hindu pilgrims in February 2002 was set on fire. That attack was blamed on a Muslim mob. In the ensuing reaction to these deaths, Hindu mobs killed nearly 1,000 people, mainly Muslims. Unofficial figures put the death toll at 2,000, but more than twice this number were displaced. Many Muslim women were gangraped. The worst riots since the Babri Masjid riots a decade ago, the Gujarat riots paralysed the city of Ahmedabad.

started like MAJLIS. Could it be that utopianism did not work so we left that agenda or could it be that we learned to deal with authority and formality?

Flavia: Well, I think it is an acceptance that we are not capable of evolving alternated and more egalitarian forms of structures. And if we can't evolve that, maybe it's premature, maybe it requires many more decades of work. And in the meantime, you accept what is there, what is given. So you accept the formal structures, you accept the hierarchy, and for me personally I see it in a way, as a come-down, an acceptance that okay the dream didn't work. It was an illusion and a certain kind of work to do. So you accept this structure and you work in an egalitarian way within a very formal and hierarchical structure. Sometimes it works, sometimes it doesn't. But that's the way I think we have tried to cope with it. (...)

Madhu: So what is your relationship with the cultural work that MAJLIS do? (...)

Flavia: When we talk about culture and the legal interventions there, I think we are addressing a much-larger audience. Of changing cultural ethos, of making an intervention about peoples beliefs, values. And I think that's where the change need to come.

Madhu: So how do you get your position now? I mean it has been quite a long journey. So are you still part of the Women's Movement? Or is there one single movement that one can be part of? How do you look at it?

Flavia: I don't think there is a Women's Movement in a sense that we understood in the 80s. There are certain campaigns for women's rights. We come together for certain issues. But I don't think there is a Women's Movement, which speaks in a single voice. And I think its very healthy, this kind of debate within the people who are active on campaigning for women's rights, is a very healthy trend. (...)

Majlis Production: "Do You Know"
[performance about gender and the family]

[song]

Removing the Mask – Rangli, Sangli
Revealing the Face – Rangli, Sangli
They laugh and sing, and teach us a thing
Appearing now, now vanishing!

[Zoom in on a wall of photographs – portraits of the family of Lalmohan Patel. Mr. Patel has recently died. He leaves behind a wife, a son, and three daughters. The portraits begin to speak.]

Brother: Vacate the house in 15 days.

Mother: Where will we go if you set up a factory?

[Elder Sister begins to cry]

Brother: Why weep elder sister? Your True home is your marital home.

Mother: And my home?

Brother: You can stay. I'll need your jewellery for my business.

[Little Sister begins to cry]

Middle Sister: But Chhutki's marriage?

Brother: Ask brother-in-law to help. All that was father's will be needed for my business.

First Magilis Woman [putting a bar across the portrait of Brother]: "I, me, mine!" Nice try, you poor deluded guy!

[A model of Mr. Lalmohan's house appears]

First and Second Magilis Women: This is Mr. Lalmohan's house.

Second Magilis Woman [beginning to divide up the house]: Mother – this is your share. And this is elder sister's. Here, young one, catch!

First Magilis Woman: And that's for middle sister.

Middle Sister: But I'm married!

First Magilis Woman: So? You have an equal share in your father's house.

Middle Sister: I see.[She reaches out from the photograph to grab her share]

Second Magilis Woman: Oh no, you can't sell unless the others agree.

First Magilis Woman: But if you do all sell, each gets an equal share.

Second Magilis Woman: Till then, you can come and stay in your mother's house anytime.

[The two Magilis Women approach the portrait of Brother and remove the bar from in front of it]

Second Magilis Woman: And will this fifth share suit you, brother dear?

Brother: I'll teach you a lesson! [He tries to strike the women, but First Magilis Woman blocks him with the bar]

First Magilis Woman: Sorry, Mister. By law, the others too have a right . . .

Second Magilis Woman: . . . to the property.

Brother: What law?

Mother and Sisters: *Our law!*

First and Second Magilis Women: *Did you know?*

Madhu: Well, Flavia, now the famous last words. What is the future of Women's Rights in the legal system?

Flavia: Well, it is such a broad question. Such a deep question. How I can answer it as a last sentence? There is no one-liner. But I think future of rights depends upon legal strategies. The whole question of rights doesn't depend upon legislation. Getting in new laws, more perfect laws, more feminist laws. I think the future lies in more women being aware of their rights. More

women articulating their rights. More women struggling for their rights in courts and better lawyers strategising for these women so that these rights get actualised. And I think my struggle has been in this direction of creating feminist lawyering in courts at a small level -- district, town, trial courts or even beyond it, local dalits, at panchayats⁵³ etc. that's where women's rights are located. They are not in Delhi, they are not in parliament, they are not in commissions which bring in new statutes.

Madhu: When you look back, Flavia how do you think your relationship with your children have got influenced by all those dramatic twists and turns in your life?

Flavia: How do you say, how it has affected them? Or how it has moulded my life?

Madhu: Or how it has become very specific, very special in your case than anybody else's?

Flavia: I don't know. It is a very complex relationship and it is very different for my son and for my daughters. My daughters have been much closer with me in the struggle. In fact between the daughters also, it is different. Between the elder one and the younger one. And I think at some level, there are certain scars they carry. At some level, I think there is an over involvement in me, or me in them, which may not have been in a very normal kind of upbringing.

Madhu: And the relationship with the son?

Flavia: The relationship with my son is much more complex. Because when I left, I took my daughters, I didn't take my son. And to a certain extent I carry a guilt into that. Though I knew oh! I was doing what was best for him at that period. Which he also thought it was best for him at that period. Nobody knew, nobody thought I would be a success story.

Excerpt from Flavia's poem:

*Having chosen the path,
Why look back?
Dreaming of freedom, again and again,
You've changed directions
Having matured now,
Why be afraid of taking one more step?
Having chosen the path,
Why look back?*

⁵³ Panchayat: village-level government.