



Thin-skinned masters

Arbitrary arrest for a social media post reflects a disregard for law and liberty

The Supreme Court order granting immediate bail to journalist Prashant Kanojia, arrested by the Uttar Pradesh Police for sharing on Twitter a video pertaining to Chief Minister Yogi Adityanath, was not unexpected. It was obvious that the arrest was arbitrary, unwarranted and without any basis in law. The State government's attempt to justify its action smacked of perversity and malice. The vacation Bench, comprising Justices Indira Banerjee and Ajay Rastogi, made the right call in ignoring technical objections by counsel for the State government that the apex court should not intervene as only a regular bail petition could secure relief to someone remanded by the jurisdictional magistrate. The Bench did not consider the controversial tweets as sufficient grounds for abridging personal liberty. In observing that the order of release would not amount to an endorsement of Mr. Kanojia's tweets, the court was only making a minor concession to the police claim that he was making inflammatory comments on social media. It is difficult to believe that at a time when social media networks are full of rampant abuse and distasteful material, the police can be allowed to choose one or two that appear to target political functionaries and incarcerate those airing such views, disregarding well-established norms for arrest and remand. In Mr. Kanojia's case, defamation, a non-cognisable offence, and Section 66 of the Information Technology Act were cited initially. The latter relates to damaging computer systems, and is inapplicable to a social media post. It was quite clear that there was no case for remand.

There was a more flagrant illegality when Mr. Kanojia was taken out of Delhi without a transit remand from a local magistrate, mandatory when an accused is taken from one State to another. Faced with criticism, the U.P. Police added a section dealing with the offence of causing public mischief and disturbing public tranquillity, besides Section 67 of the IT Act, which relates to sharing of obscene or prurient material, with the motive of obtaining a remand order. A few other journalists have been arrested for discussing the content of the video clip, in which a woman is seen expressing her wish to marry the Chief Minister. What is disquieting, but unsurprising, is the perfunctory attitude of civil servants towards the personal liberty of citizens. It is one thing to pursue violations through legal action, but quite another to lock up people for posts they deem offensive to their political masters and conjure up justifications for their arrest. It is time magistrates who pass mechanical orders without application of mind and officers who carry out illegal instructions from the political leadership are made to face exemplary disciplinary action.

A welcome verdict

The Kathua case represents a triumph of justice over communal propaganda

The trial court verdict finding three men guilty of the horrific gang-rape and murder of an eight-year-old girl in Jammu and Kashmir's Kathua district last year must be seen as the victory of justice over communal propaganda. It is the answer that due process has given to sectarian interlopers who sought to derail the investigation and trial by projecting the heinous crime against a girl belonging to the nomadic Bakewell tribe as a plot to implicate Hindus. It is also a triumph for the justice system, as the Pathankot district and sessions court has lived up to the faith reposed in it by the Supreme Court last year, when the case was transferred from J&K to Punjab for a fair trial. The apex court had taken note of the hindrances to a fair trial in the jurisdictional court, especially the hostile atmosphere against the prosecution. The formation of a group called the Hindu Ekta Manch in support of those arrested and the role played by members of the Bharatiya Janata Party, including two Ministers in the then J&K government, had whipped up communal frenzy. It is commendable that the Crime Branch of the J&K Police and the prosecutors have brought home the guilt of Sanji Ram, Parvesh Kumar and Deepak Khajuria, who have been sentenced to life for murder and 25 years in prison for gang-rape. Further, the role of some police personnel in trying to destroy evidence has also been exposed. Sub Inspector Anand Dutta, Special Police Officer Surrender Verma and Head Constable Tilak Raj get a five-year term for washing some blood-stained clothes, concealing the victim's necklace and hair band, and misleading the investigating police team about the place of occurrence of the crime.

The investigation had been fairly quick, and the charge-sheet was prepared in two months. The trial lasted a year, and the verdict has been delivered within 17 months of the occurrence. Appeals by the convicts are only to be expected, and the Judge Tejwinder Singh's approach and the manner in which he appreciated the evidence would be determined by higher courts. Even the prosecution may appeal against the acquittal of one of the accused, whose alibi that he was appearing in an examination in Uttar Pradesh at the time of the incident has been accepted. Some may question the verdict for not imposing the death penalty in what was presented as a crime aimed at dislodging the Bakewell community from the territory. However, it is a needless cavil, as what matters is that criminal liability has been established and a life term, which ought to mean the remainder of the convicts' natural life, has been awarded. The larger takeaway is that efficient investigation, diligent prosecution and judicial sensitivity can ensure speedy justice in all cases, and more particularly in cases of ghastly crimes that cause widespread revulsion and outrage. It is indeed a judgment that will inspire confidence in the justice system.

Squandering the gender dividend

It is a national tragedy that women unable to find work are dropping out of the labour force



SONALDE DESAI

If labour force survey data are to be believed, rural India is in the midst of a gender revolution in which nearly half the women who were in the workforce in 2004-5 had dropped out in 2017-18. The 61st round of the National Sample Survey Office (NSSO) recorded 48.5% rural women above the age of 15 as being employed either as their major activity or as their subsidiary activity – but this number dropped to 23.7% in the recently released report of the Periodic Labour Force Survey (PLFS). Is this part of a massive transformation of rural lifestyles or are our surveys presenting a skewed picture? If this change is real, does it offer a cause for worry?

Incremental decline

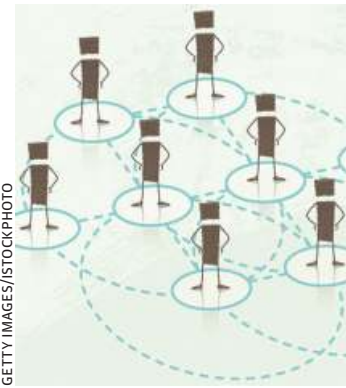
Before we turn to examining these changes, it is important to note that the drop in work participation by rural women is not sudden. The latest data from the PLFS simply continue a trend that was well in place by 2011-12. Worker to population ratio (WPR) for rural women aged 15 and above had dropped from 48.5% in 2004-5 to 35.2% in 2011-12, and then to 23.7% in 2017-18. In contrast, the WPR for urban women aged 15 and above declined only mildly, changing from 22.7% in 2004-5 to 19.5% in 2011-12, and to 18.2% in 2017-18.

One can view this drop in the rural female WPR both positively and negatively. If rising incomes lead households to decide that women's time is better spent caring for home and children, that is

their choice. However, if women are unable to find work in a crowded labour market, reflecting disguised unemployment, that is a national tragedy.

If the WPR is declining due to rising incomes, we would expect it to be located in richer households – households with higher monthly per capita expenditure and among women with higher education. A comparison of rural female WPRs between 2004-5 and 2017-18 does not suggest that the decline is located primarily among the privileged sections of the rural population. Between 2004-5 and 2017-18, women's WPR declined from 30.6% to 16.5% for the poorest expenditure decile, and from 31.8% to 19.7% for the richest expenditure decile. More importantly, most of the decline in the WPR has taken place among women with low levels of education. For illiterate women, the WPR fell from 55% to 29.1% while that for women with secondary education fell from 30.5% to 15.6%.

This broad-based decline with somewhat higher concentration among the least educated and the poorest is consistent with the industries and occupations in which it has occurred. Decomposing the 24.8 percentage point decline in women's WPR between 2004-5 and 2011-12, the decline in work on family farms and allied activities contributed the most (4.8 percentage points), followed by casual wage labour (8.9 percentage points) and in work on family enterprises in other industries (2.4 percentage points). These were counter-balanced by a 0.7 percentage point increase in regular salaried work and a 0.5 percentage point increase in engagement in public works programmes such as Mahatma Gandhi National Rural Employment Guarantee Act



(MGNREGA). Most of the decline – 23.1 percentage points out of 24.8 – came from reduced participation in agriculture and allied activities.

Men's participation in agriculture has also declined. Among men aged 15 and above, 56.1% participated in agriculture in 2004-5, while only 39.6% did so in 2017-18. However, men were able to pick up work in other industries whereas women reduced their participation in other industries as well as agriculture – resulting in a lower WPR. Therein lies the conundrum for rural women. Mechanisation and land fragmentation have reduced agricultural work opportunities for both men and women. Other work opportunities, except for work in public works programmes, are not easily open to women. This challenge is particularly severe for rural women with moderate levels of education. A man with class 10 education can be a postal carrier, a truck driver or a mechanic; these opportunities are not open to women. Hence, it is not surprising that education is associated with a lower WPR for women; in 2016-17, 29.1% illiterate women were employed, compared to only 16% women with at least secondary education.

Another clue to the decline in women's work opportunities rather than women's desire to work is reflected in the fact that women who are counted as being out of labour force are not simply content to be homemakers but often engage in whatever economic activities they find. Women's work and family responsibilities rarely fit in neat compartments but household responsibilities do not prevent women from working. Many rural women raise chickens as well as children; husk paddy for sale while daal simmers; and sell vegetables in a market while caring for babies.

The NSSO and PLFS survey design relies on two questions. First, interviewers assess the primary activity in which respondents spent a majority of their prior year. Then they note down the subsidiary activity in which individuals spent at least 30 days. If individuals are defined as working by either primary or subsidiary criteria, they are counted among workers.

This is a categorisation that serves well in cases where agriculture is the primary activity and various agriculture-related tasks can be grouped together to comprise the 30-day threshold. But as demand for agricultural work declines and women engage in diverse activities, their work tends to become fragmented. A woman who spends 15 days on her own field during the sowing period, 10 days as a construction labourer and 15 days in MGNREGA work should be counted as a worker using the subsidiary status criteria, but since none of the activities exceeded the 30 days threshold, it is quite possible that interviewers do not mark her as being employed. On-going experimental research at the National Council of Applied

Economic Research's National Data Innovation Centre (NCAER-NDIC) suggests a tremendous undercount of women's work using standard labour force questions, particularly in rural areas.

This is not to suggest that fixing the problem of undercount in surveys is the solution to declining WPRs. The undercount is a symptom of the unfulfilled demand for work. Although women try to find whatever work they can, they are unable to gain employment at an intensive level that rises above our labour force survey thresholds. This suggests an enormous untapped pool of female workers that should not be ignored.

Possible solutions

Establishment of the Cabinet Committee on Employment and Skill Development is a welcome move by the new government. It is to be hoped that this committee will take the issue of declining female employment as seriously as it does the issue of rising unemployment among the youth. Not all policies need to be gender focussed. One of the most powerful ways in which public policies affect rural women's participation in non-agricultural work is via development of transportation infrastructure that allows rural women to seek work as sales clerks, nurses and factory workers in nearby towns. If the cabinet committee were to focus on multi-sectoral reforms that have a positive impact on women's work opportunities, the potential gender dividend could be far greater than the much celebrated demographic dividend.

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The playwright against the Right

Girish Karnad's commitment to democratic values meant that he often took a vocal stand on issues



SUDHANVA DESHPANDE

It is both apt and reductive that two images dominate others as Girish Karnad is remembered on social media: one, with Gauri Lankesh, protesting the killing of Karnad's fellow Dharwadian, Prof. M.M. Kalburgi; the other, wearing the #MeTooUrbanNaxal placard, at the memorial to mark the first anniversary of Lankesh's own killing. Over the past few years, Karnad was seen as one of the most consistent, fearless and principled defenders of freedom of speech, cultural diversity and democracy. In the face of death threats, he remained unfazed, and even in his frail health, he made it a point to attend protest gatherings.

Even though Karnad, unlike his older contemporary and fellow-Jnanpith awardee U.R. Ananthamurthy, did not belong to a particular political tendency (Ananthamurthy was an avowed socialist, inspired by Lohia), his commitment to democratic values meant that he often took vocal stands on issues. While many tributes to Karnad have noted that he was Director of the Film and Television Institute of India in 1974-75, not

everyone noted that he resigned after the Emergency was imposed. And his taking vocal stands against the Hindu Right didn't start in the last few years; he spoke up at least from the early 1990s onwards.

Remarkable pre-eminence

Karnad was perhaps India's most pre-eminent playwright. He was certainly something of a prodigy. It is a truism that Mohan Rakesh, Badal Sircar, Vijay Tendulkar and Karnad form the quartet that shaped India's post-Independence theatrical canon. Karnad was the youngest by a decade. Rakesh's first great play, *Ashadh Ka Ek Din*, appeared in 1958, Sircar's *Ebong Indrajit* in 1962, and Tendulkar's *Shantata! Court Chalu Aahe* in 1967. Karnad's *Yayati* dates to 1961, when he was a mere lad of 22. Generally, playwrights take a little longer to mature as compared to other writers. Good dramatic writing is almost impossible to achieve without the experience of working in, or writing for, a real, active theatre. Having a director take your text apart and reassemble it, hearing actors speak your lines, observing scenographers imagine the setting, having a live audience respond to your text, all teach you as much, if not more, about playwrighting as watching or reading plays.

That he wrote *Yayati* without virtually any previous theatre experience is remarkable enough, but that he wrote it in Kannada



FILE PHOTO/SREENIVASA MURTHY

makes it doubly remarkable. As Karnad recalled, when he set sail on a Rhodes Scholarship to England, he had fancied himself a poet who had 'trained myself to write in English, in preparation for the conquest of the West'. Karnad knew at least five languages – Konkani, Kannada, Marathi, Hindi and English – but in a sense it did take some 'unlearning' for him to rediscover the language of his childhood. But clearly the ambition to conquer the West never quite left him – he not only translated his own plays into English, he also wrote original plays in English and translated them into Kannada.

And yet, for most of his playwrighting career, Kannada purists scoffed at Karnad's writing, considering it, and the author, too Anglicised. It was only when he wrote *Talé-Danda*, about the medieval poet revolutionary Basavanna, in a north Karnataka dialect, that finally the murmurs went down.

Karnad's playwrighting oeuvre is

so substantial and varied, both in form and content, that it is impossible to reduce it to neat generalisations. For instance, he is generally thought of as someone who worked with material drawn from mythology and folklore, as well as history, initially, and only turned to an entirely different style with contemporary urban settings in his late work. However, he wrote *Anju Mallige*, set in England and about an incestuous relationship between a brother and sister, in an entirely naturalistic style, early in his career.

Many of Karnad's plays are acknowledged as masterpieces. *Yayati* is the story of a king who pleads with his son to take on a curse given to him, the curse of old age. The son, then, for no fault of his, becomes an old man, older than his own father. *Tughlaq* is a study of a king so far ahead of his time that he is considered mad, and who ends his reign in bloodshed and chaos. In a sense, the play reflected the confusion that Karnad's generation felt a decade or so after Independence, and in some ways it also presaged the Emergency. *Hayavadana* is the tale of a woman with a jealous husband who beheads himself, his friend who also beheads himself fearing that he will be suspected of murder, and the woman preparing to behead herself when the goddess takes pity on her and grants her a boon. She can get both men

back to life if she only attaches the heads to the bodies. In her confusion, she mixes up the heads, attaching them to the wrong bodies. Which of the two is her husband, now? The man with the head, or the man with the body? *Nagamandala* is a story of a woman with an uncaring husband, who is visited by a cobra at night, who takes her husband's form. The woman is surprised to find her husband loving, tender and erotic at night, but brutish and apathetic in the day. She has to prove her fidelity to the husband, and the cobra again comes to her rescue.

Student of power play

Two overarching themes stand out in Girish Karnad's playwrighting career. One is power – how it opens possibilities but also corrupts, how men fail to use it for the greater good, how it leads to brutality. The other is female desire, women's aspirations, and the inability of men to come to terms with it. Both are political themes, and today more charged than ever.

Girish Karnad stood up and spoke out against the Hindu Right. It would only be fitting if his plays are now re-interpreted with contemporary sensibilities by younger theatre makers to fight the good fight.

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LETTERS TO THE EDITOR

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Girish Karnad

Jnanpith and Padma awardee Girish Karnad, who was also one of India's finest playwrights, was a multifaceted personality (Inside pages - "Girish Karnad - actor with a conscience", "Unapologetic critic of the rightwing" and Editorial page - "The script writer of culture", all June 11). He had a modern mind yet was rooted. Karnad was an intellectual giant who always had the courage to speak his mind and wear his heart on his sleeve. He was unconventionally conventional, classy and original. India will miss him deeply as he was a rarity.

C.G. KURIKOSE,
Kothamangalam, Kerala

India has lost a strong voice in support of social causes and the freedom of expression. He was known to many, being a versatile writer, actor and an

intellectual, and on account of the serial 'Malgudi Days' and the science magazine programme on Doordarshan, 'Turning Point'. He stood for his convictions, inspired by our rich cultural values and heritage.

As an artist with a conscience, he synthesised India and Bharat as a whole. The best way to keep his memory alive is to keep our institutions alive.

R.D. SINGH,
Ambala Cantt, Haryana

Karnad's passing has brought down the curtain on a glittering career and a life that was dedicated to art and literature. In a way, he was a rebel both in cinema and life. His was a prominent social voice, and there was rarely a social cause or a burning issue of the day that he had not commented on. It is a great loss for India.

J.S. ACHARYA,
Hyderabad

The country has lost an extraordinary playwright who never shied away from embracing progressive ideas besides speaking out boldly against the pernicious trend of stifling dissent and the climate of intolerance. He always took care to ensure that Indian theatre organically linked itself to its performative traditions. The void he has left will be difficult to fill.

M. JEYARAM,
Sholavandan, Tamil Nadu

Many of us feel his passing as a personal loss. He belongs to every one of us as he was connected to the pan-Indian audience through literature. An era of ethical and intellectual inspiration has ended, which is painful.

ANANTHI SANTHAIYAN,
Pune

Kathua verdict

The verdict in the Kathua case, of life imprisonment, is

grossly inadequate considering the gravity of the offence (Page 1, "Three get life sentence for rape, murder of 8-year-old in Kathua", June 11). A child was abducted, raped and killed. There was also attempt to destroy the evidence. All these ingredients speak about the *mens rea* of the perpetrators. The State government should appeal against the verdict. The punishment seems too lenient.

T. ANAND RAJ,
Chennai

Justice has finally been served. Yet it is a travesty of justice that those who should have been preventing it were themselves involved in the crime. Another point is that the images of rallies organised to shield the perpetrators will scar our conscience for a long time. Clearly, we are not an ideal civil society as yet. The case

held a mirror to us exposing the ugly truth of society.

MEGHANA A.,
Shell Cove, NSW, Australia

Great humorist

The passing, in Chennai, of 'Crazy' Mohan, prominent Tamil theatre artiste and playwright for Tamil films, is shocking (Page 1, "Crazy Mohan is no more", June 11). An excellent stage actor, prolific story writer, and a humorist par-excellence, he ensured without fail that his audience burst into peals of innocent laughter in every scene. His mastery over the art of communication in an astonishingly humorous way also had messages for society.

N. VISVESWARAN,
Chennai

His special bonding with actor Kamal Haasan resulted in absolute rib-ticklers. Mr. Haasan's comic timing and Mohan's impeccable word

play that produced a body of work that still has amazing recall value.

R. SIVAKUMAR,
Chennai

Kohli's gesture

Virat Kohli's special gesture ('Sport' page, "Don't boo, cheer Smith", June 10) – to be there for the underdog, more so one with a player he has clashed with and whose star is on the ascendant – is a special gesture, which perhaps represents the kind of Indian our founding fathers had in mind. Kohli has shown that his heart beats for the other India – the one where, in lore, gods, kings and the commoner arrayed themselves on the side of what is right. He has shown the sporting world an inspiring, transformative vision.

B.G. KRISHNAN,
Chennai

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