

## Lectures by Visiting Professors

## THE BRUTAL EMBRACE

The three lectures of Professor Sudhir Chandra focused on a suit for restitution of conjugal rights to understand the status of women in colonial India. Filed in the Bombay High Court in early 1884 by a man married eleven years earlier to a girl of eleven, the case shot into a *cause celebre* when Justice Pinhey, delivering the first judgment in the case, declared it 'a barbarous, a cruel, a revolting thing' to 'compel a young lady' to cohabit with a man she disliked.

Despite the flamboyance of its moralism, the verdict was based in law and not in sentiment. Suits for restitution of conjugal rights, Pinhey showed, did not lie in Hindu law. They had begun to be entertained by the colonial courts following the 'unfortunate' introduction of an English legal practice which, even in England, had been discredited. Finding himself bound to this practice, as it was enshrined in section 260 of the Indian Civil Procedure Code, Pinhey found a legal way out of his moral dilemma in the fact that the spouses involved in this suit had never lived together. Distinguishing 'restitution' from 'institution', and relying on the fact that no English or Indian court of law had ever ordered the commencement, as against resumption, of conjugal rights, Pinhey dismissed the case and awarded the costs to the wife.

The verdict immediately aroused diametrically opposite reactions. The reformistically inclined celebrated it as a declaration of the Indian women's right to personal freedom and dignity. Organised reaction, on the contrary, feared in it an assault on the integrity of traditional marriage and family that threatened to turn upside down a society in which child marriage was the norm. The latter took up the plaintiff-husband's cause and prepared to have the verdict reversed. They were opposed by the former who looked upon Rukhmabai—the respondent-wife—as a martyr to the women's cause.

This occasioned what was then

seen as a 'war in discussing.' Not simply a civil war between antagonistic forces within the Hindu/Indian society, it was also a cultural war between the rulers and the ruled in which each sought to proclaim their own superiority by distinguishing their social institutions, ideals and values from those of the other. It soon developed, in the parlance of our own day, into a well-organised and widespread semiotic war.

Professor Sudhir Chandra focused on the details of this 'social drama' as it unfolded over a period of four years. Within the court room, he highlighted the making of their respective defence by the rival parties, the arguments of their counsel during the various hearings, the testimonies of the chief actors, the questions and remarks emanating from the four benches that tried the case, and their judgments. Outside the court room, he dwelt on the war of words the case provoked in India and England. He concluded with an account of the abortive attempts made during 1887-95 to tone down the rigours of the existing law relating to restitution of conjugal rights.

The understanding that this narrative offers of the competing conceptions of woman's status, especially her right over her person, is characterised by varying degree of divergence between their rhetoric and reality. Minimum in the case of the reformistically inclined, the divergence was most marked in the claims made, on the one hand, by Hindu reaction and, on the other hand, by the English who emphasised the liberationist potential for women of the colonial legal mediation. This generated a variety of ambivalences, even contradictions, and rationalisations that tended to thwart, even while seeming to be supportive of, efforts intended to improve the position of women.

Its human interest apart this social drama constitutes a revelatory discursive moment in the fluid interpenetration of forces that determined the status of women in society.

## RADHAKRISHNAN MEMORIAL LECTURE • 1995

This year's *Radhakrishnan Memorial Lecture* was delivered by Professor Simon Blackburn, an Oxford Philosopher, and former Editor of *Mind*. The theme of his lecture was "Social Coordination, Egoism, and Nature". It was a sustained, philosophically subtle argument for the possibility of a *deep*, if somewhat loose, sense of the moral universal within a broadly naturalist, non-communitarian framework. Coming from a philosopher of language and a logician, the accessibility of the lecture to all our scholars was a pleasant and exciting surprise. Professor Blackburn also graciously agreed to discuss the lecture formally with the Fellows and other scholars visiting the Institute at the time.

## OTHER ACTIVITIES

Ms. ARCHITA MEHTA, winner of 'Singar Mani', gave a Bharatnatyam dance recital on 2 June 1995.

SHRI BHIMSEN SHARMA gave a Hindustani Classical music recital on 5 September 1995.

SHRI BHISHAM SAHNI read one of his short stories to the Fellows and invited audience on 19 June 1995. This was followed by a discussion.

DR. SHEKHAR PATHAK presented a slide show entitled "In a Snowy Dream World" on 18 October 1995.

SHRI PRAFUL BIDWAI gave an informal talk on "Structural Adjustments" on 27 July 1995.

SHRI BHISHAM SAHNI read his new play *Imam-i-Adil* on 22 November 1995.

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