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Editor-In-Chief

Dr. Vishwanath Bite



Managing Editor

Madhuri Bite

www.the-criterion.com

criterionejournal@gmail.com

Githa Hariharan – A Writer cum Activist with Commitment

Vemuri Rupa

Department of English & Humanities
Anil Neerukonda Institute of
Technology and Sciences
Visakhapatnam

&

C.L.L. Jayaprada

Department of English
Andhra University
Visakhapatnam

Does the law sanction a woman's right to be a parent? This may be a facetious question, particularly in Indian society, which eulogises motherhood with every breath it takes. But this ridiculous question had to be asked because of two irrational legal provisions all Hindus are subject to -- Section 6 of the Hindu Minority and Guardianship Act (1956) and Section 19 of the Guardian and Wards Act (1890). The first of these acts says that the Hindu father is the "natural guardian" of his legitimate minor son and his minor unmarried daughter. He is the guardian of the child's "person and property" to the exclusion of the mother. The mother's rights enter the legal picture only if the father dies; takes to vanaprastha; turns yati or sanyasi; or if a court deems him "unfit" for guardianship. Section 19 of the Guardian and Wards Act debars the court from appointing the guardian of a minor whose father is living, and is not, in the court's opinion, unfit to be guardian. As long as this lack of fitness is not proved, the child's welfare "rests" with the father. Taken together, legal provisions and the interpretation of various high courts have delivered the entire package of the minor's welfare and guardianship to the father. These provisions in effect strip the mother's right to be an equal partner in parenthood.

Is anybody listening? Yes, there is one. Githa Hariharan, a writer cum activist could not withstand this injustice and knocked the doors of the country's highest seat of justice. Her petition challenged the Reserve Bank of India's refusal to let Hariharan make an investment in the name of her minor son. She visited a local branch of the state-run Reserve Bank of India to buy bonds on behalf of her 11-year-old son. To her shock, bank officials refused to accept her signature on the application, saying that her husband is the child's only legal guardian. Even a letter from the couple stating that they had agreed that Githa should represent their son failed to change the bankers' minds. With the help of the Women's Rights Initiative programme of the Lawyers Collective, she filed a writ petition along with her husband in the Supreme Court challenging the constitutional validity of the Hindu Minority and Guardianship Act (1956). The crux of their writ petition was the question, what disqualifies a mother from making decisions about her child's welfare? There is no social, economic, scientific or biological basis to the assumption that a woman is not capable of guardianship. And if there is no rational basis to this law, what is the sole criterion at work? The mother's gender! Did this not violate the equality promised by Articles 14 and 15 of the Constitution?

In response to her lawsuit, on February 17th 1999, a Supreme Court bench including the Chief Justice of India gave a judgment about mothers and children. The apex court ruled that "It

is an axiomatic truth that both the mother and father of a minor child are duty bound to take due care of the person and property of their child.” In a concurrent judgment, one of the members of the same bench noted that “The father by reason of a dominant personality cannot be ascribed to have a preferential right over the mother in the matter of guardianship since both fall within the same category.” This was supposed to be a landmark judgment; a milestone in the struggle for women’s rights. The judgment will enable women, for centuries effectively marginalized in the family unit by customary laws, to come out of the closet and be legally rehabilitated. What does all this mean in reality, shorn of legalese and rhetoric? It means that a woman, trapped in an unhappy marriage or a violent domestic situation, need not compromise her well being and that of her child’s simply out of fear of losing access to the child. It means that a mother’s signature will count on application forms for school and college admissions for her child, on medical permission forms and on passport application forms. It means the mother can invest in her child’s name or at least participate in decision-making about her child’s financial welfare. When asked if this case was a natural extension of her concern for women’s voices and their desires, she answered:

“It’s difficult to separate the woman and the writer and the citizen in you. Personally, it was very important for me to challenge this: imagine being told you are not the “natural” guardian of the children you have borne - and that too in a society that places such a high premium on motherhood! But the important thing to remember is that all the personal laws in India are anti-women, anti-lower castes, anti anyone who was marginal to the scheme of things when these traditional laws were formulated.” (Hariharan, Interview with Preeti Verma Lal)

Githa Hariharan is the winner of the Commonwealth Writers’ Prize for Best First Book for her first novel, *The Thousand Faces of Night* (1992). Her other novels include *The Ghosts of Vasu Master* (1994), *When Dreams Travel* (1999) *In Times of Siege* (2003), and *Fugitive Histories* (2009). A collection stories, *The Art of Dying*, was published in 1993 and a book of stories for children, *The Winning Team* in 2004. She has also edited a volume of stories in English translated from four major South Indian languages, *A Southern Harvest* (1993) and co-edited a collection stories for Indian children, *Sorry, Best Friend!* (1997). She writes a regular column for the major Indian newspaper *The Telegraph*.

Githa Hariharan is one of the Indian English women writers who have been producing a body of Indian literature that is committed to feminist and social issues. Though she doesn’t like to be branded as a woman writer because she believes that is pigeonholing a writer, yet she calls herself a feminist, along with several other things.

“Am I a writer particularly concerned with "women's issues"? And am I a feminist? The answer to both questions is yes. I want to make it quite clear that in my life my choices have been dictated by what I perceive as the feminist choice. ...And anyway, however you define yourself, all our work is informed in some way or the other by feminism, along with the ideas of Freud and Marx. And this goes for both men and women, of course. So ...I am a writer (as opposed to a woman writer) who is a feminist, along with several other things!” (Hariharan, Interview with Arnab Chakladar)

She belongs to the second generation of postcolonial women writers like Shashi Deshpande, Arundhati Roy, Manju Kapur, Mridula Garg, Anita Nair and Shobha De who together created the image of the suffering but stoic woman eventually breaking traditional boundaries has had a significant impact. These writers have invigorated the English language to suit representations and narration of what they felt about their own women and their lives in postmodern and postcolonial India. Apart from sharing the common theme of exploring female subjectivity in order to establish an identity that is not allowed by a patriarchal society along with her fellow Indian women writers, Githa Hariharan has also created a separate identity for herself by attempting to write about non-feminist subjects like the question of writers' freedom and the true meaning of education and teaching in the Indian milieu. Among the contemporary Indian writers she is considered to be one of the harder ones to pin down in terms of theme and setting and protagonist and so on. All her novels are varied but for a few common strands. One such thing is that all the titles of her novels are plural including the latest novel released in 2009 titled Fugitive Histories. Secondly the central theme of all her novels is the re-writing of given narratives be it myths, history or fables which is essentially a postmodern technique called 'revisionism'. In the words of Adrienne Rich, Re-vision "the act of looking back, of seeing with fresh eyes, of entering an old text from a new critical direction – is for us (women) more than a chapter in critical history: it is an act of survival." (Rich,18) In fact Revisionism became an important tool in the hands of the women writers of the post 80s that all the institutions – social, political, cultural, economical and religious have come in for a critical appraisal in women's writing. Even the process of cognition and thinking were included in the revisionist project and feminism has come to mean 're-thinking of thinking itself'. This 'revision' program graduated to remaking of the past and re-invention of a new tradition. Many old stories were retold in different ways from gynocentric perspectives; many traditional figures of patriarchal mythology have been re-invented demolishing the cultural stereotypes propagated by the male dominated society.

This revisionism is seen in all of the Hariharan's novels, whether it is a revision of myths or history. She has used this technique very effectively to deconstruct the misogynous and colonial stereotypes which projected women having no independent life to live but to serve her husband in all faith, which would lead her to heaven. By deconstructing stereotypical characters and plots in storytelling, Hariharan has undone the unspoken moralities and prejudices of traditional texts. Through her writings she has tried to prove, what women would do if they had ever been allowed to have their own way in terms of power and social re-organization. She has answered certain questions like – "How will liberated women be?" "How can they be different from the domestic version created by Patriarchy?"

She is well aware of the multiple identities that are attributed to a writer in India as the English writer, the regional writer, the woman writer and even as the children's writer. As a writer she has been an astute observer of cultural issues. She believes that "Well-being does not come piecemeal, for rights co-exist, and repression in one area will not leave other areas unaffected." (Hariharan, Interview with Kala Krishnana Ramesh) It was thus imperative for her to legally challenge the infringement of her rights as a mother. She has been involved in some way or the other in the activities of women's groups, secular cultural groups, and anti-nuclear

groups and all her works represent her role as a writer cum social activist with commitment. She sees herself as an “engaged citizen” (Hariharan, Interview with P.Anima)

Githa Hariharan has started her career as a writer by attempting to write on a subject that was close to heart to many women writers, that is, the female subjectivity. She portrays the changing image of woman in the modern and the post modern era through her not so conventional women characters. Tradition, transition and modernity are the three stages, which the women in Hariharan’s novels pass through. Women in her novels seem to be the personifications of ‘new’ women who have been trying to throw off the burden of inhibitions they have carried for ages. Hariharan’s female characters’ resolutions conform to a re-definition of the lives of women, fulfilling the implicit political aim of the author, as she is not merely concerned in documenting reality, but she has used her novels as a medium for the exploration of the new reality and a subtle projection of values, by posing questions, by suggesting re-assessment and re-definition. Antonia Navarro-Tejero, a Spanish writer and academician, while comparing Arundhati Roy and Githa Hariharan says-

“Roy and Hariharan are engaged – in different degrees – with social reforms, and this is what makes them writer-activists, as they are sensitive to gender and caste experiences. They are not demagogic or prescriptive, but offer alternatives instead of victimizing the oppressed.” (Tejaro)

Hariharan finds her pregnancy not an obstacle to her career as a writer; rather she found that period more relaxing and could produce her first awarding winning novel during the same time. May be it was an inspiration she drew from one of her characters Shaharзад, who would not take break from her nightly duty of telling a story to the king. Not only during her advanced months when she finds it unbearably sticky, but even on the night of the child birth, she did not shrink from her duty. Her sister Dunyazad, offers her services in her place. But sharzad has a point to prove and a job to do and a country to save and a race to emancipate.

Like any other Indian who is raised on oral narratives and the epics, learnt at the grandmother’s knees, Hariharan too grew up on tales and myths. She has used these myths to help examine contemporary women’s lives in her first novel. She states that there is so much happening in their lives that most of the times they are not even aware of their own Self. They need to pause and look for answers, or at least ask questions. It is difficult to belong to any group that has been oppressed or marginalized for a long period of time. She is aware of those women who belong to more than one group and face ‘double colonization’ not exactly in the sense Kirsten Holst Petersen and Anna Rutherford have used the phrase to refer to the ways in which women have simultaneously experienced the oppression of colonialism and patriarchy. But according to Hariharan even in free India women still suffer from colonial oppression if they belong to more than one marginalized group.

“And when you belong to two or three of these groups simultaneously – as in the case of a poor dalit woman in India or a poor African-American woman in the US – things can get doubly difficult” (McLeod, 175)

Her portrayal of modern Indian women characters is quite different from her coeval Manju Kapur who is also a recipient Commonwealth Writers' Award for First Best Book. Manju Kapur's women are the women of ultra modern era who want their individual worth realized. The women characters of her three novels Difficult Daughters, A Married Woman and Home express their aspirations as men do and rebel against the age old traditions. Rebellion demands determination and a will to stand by the causes of rebellion at any cost, whereas unfortunately the heroines of Manju Kapur have often come up to paying the price of their rebellion. There comes a transitional phase in their life and they tend to become different from a traditional woman and want to break out into new paths. However, the change is more of theoretical in nature. When it comes to reality after bold initial gestures, they lack courage and submit themselves to patriarchal hegemony.

In contrast, Githa Hariharan's women characters stand as an epitome of the changing image of Indian women moving away from traditional portrayals of enduring, self-sacrificing women to self-assured, assertive and ambitious women forcing the society aware of their demands. Githa Hariharan's women not only question the system, but they are bent upon paving new paths and breaking new grounds and finally they create a world for themselves where they seek the companionship of another female. This female bond replacing the man and woman bond is ubiquitous in almost all her novels. The slow but gradual change that has been witnessed in the psyche of 21st century Indian women reflects in the portrayal of Hariharan's mother-daughter relationship. In her first novel, *Sita*, the mother of the protagonist understands her married daughter's decision to return to parental home.

Githa Hariharan knows how to mould her writing through which she is all set to cause a silent revolution or change in the attitude of modern Indian women. Since she writes in English, her readership may have been limited to the upper and upper middle class educated women. But her involvement in different groups, her conscious attempt to question the gender bias prove that she is a woman of substance and is a socially committed writer and a true citizen with awareness of her rights.

“As both author and citizen, I can say that despite fears like my character Shiv, I would not be able to live with myself if I didn't speak up about prejudice and injustice. I think the best way to begin doing this is the tried and tested method – to be part of concerned groups. Later, you develop the toughness to disagree with them if you must!”

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