

# Mangalore

Organ of the Catholic Association of South Kanara  
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*Jesus is the  
main reason  
for this  
wonderful  
season*

  
*The*  
MAGIC OF  
CHRISTMAS  
NEVER ENDS  
ITS GREATEST  
GIFT ARE  
*family & friends*

*The joy of brightening other lives  
bearing each others' burdens  
easing others' loads and supporting empty  
hearts and lives with generous gifts  
becomes for us the magic of*

**Christmas**

*The best Christmas gift is to realize how much you already have and share*



# CATHOLIC ASSOCIATION OF SOUTH KANARA

Founded in 1914

(Regn. No. MNG/130/2021-2023)

## CATHOLIC ASSOCIATION OF SOUTH KANARA

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## EDITORIAL

We have just celebrated the CASK Reunion 2021 after a gap of two years! We are grateful to all our members and guests who joined us in spite of the fears generated by the ‘Omicron’ variant of covid-19. It was certainly an evening of fun and entertainment. However, to me it was important that we remembered all those affected by covid deaths in our community in the past two years and all those who suffered emotionally and financially due to lockdowns and restrictions whose value seems questionable, considering the fact that covid continues to thrive, though in smaller numbers.

At CASK, we have continued to look for and support deserving causes. The latest support was given to **‘Veronica Vihar’** a Home for the care of ‘Differently-abled Adults’ situated at Mary Hill, run by the Apostolic Carmel Sisters with Rev Sr Maria Jyothi as the leader. CASK sponsored the installation of solar panels for the home through a donation of Rs. Sixty Five Thousand (**Rs. 65,000/-**) of which Rs.50,000/- came from a member who wishes the name to be withheld.

Our Prime Minister – Sri Narendra Modi finally met Pope Francis at the Vatican recently and invited the Pope to visit India. Fr Cedric Prakash has written an interesting article on the exchange of gifts between Mr Modi and the Pope, titled **“Gifts are parables”**. We have another interesting article by Devrupa Rakshit of The Swaddle Team on **“Strategic Incompetence”** practised by men! After a long break, Flavia Agnes is back on our pages with her article titled **“India’s Family Laws are Discriminatory”**. Eric D’Sa writes on **“Are you too busy to be Happy?”** and then we have three articles related to Christmas from Veronica Shearer, Joan Lobo and Olga Noronha providing three different perspectives. Happy Reading!

Finally, I wish to share with you the content of the Christmas Greetings 2021 we sent to all our near and dear ones : **“On any given day, the world we call modern, sees more starvation and want than**

prosperity and plenty. In the recent past and especially through the tumultuous months of Covid, much attention has been cast on the increasing net worth of billionaires and in stark comparison, rising catastrophic hunger statistics. Though the world produces enough food to feed all on the planet, **16.6%** of the world’s population is undernourished. Though there is 400 billion dollars’ worth of wealth on the earth today, 9 million people die from hunger every year; that’s **24,000 people dying of hunger every day**. A child dies from hunger every 10 seconds! What can we do within the constraints of our own simple lives to make a **“Difference”** to these statistics? **The answers we find to this question, may just be the light the “hungry” need this Christmas”**. Happy Christmas!!

May the example of the newborn Jesus guide us and lead us into a Shining New Year – **2022**.

**Until next time.....Patsy Lobo**

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**APPRECIATION**

Dear Editor - I am an avid reader of your *Mangalore* magazine. Every month I eagerly await the same, as the articles are really nice. This being the case, you have outdone yourself in the November 2021 issue. Each article is better than the other and really worth reading as well as a wealth of information and satires. You could not have put it better about Brian Fernandes - his articles are informative with subtle humour. “A win without loss - Is that possible” in ‘*Mangalore*’ is an example of the same. The articles on Claude Nazareth and Sr. Aloysia ( Sr. Josephette) are really worth reading as well as a collector’s delight. You really made us proud of our Golden girl Ruth Clare D’Silva, who is a shining example and role model for our youth. May we have many more such youth in our community. Hats off to the entire team for excellent work in personality development programmes as well as other programmes that CASK implements. Wishing the CASK team all the very best for the future

**Rotarian Vinod D’souza – Lalbagh, Mangalore.**





## THE PRESIDENT SPEAKS...

The month of December brings in Advent, which means Hope, Peace, Joy & Love God's great love for us when he became man & dwelt amongst us to redeem and save us. The thought of Christmas fills us with joy, excitement and exuberance. However, things have changed a lot since our childhood Christmas and the present day Christmas. We are now facing challenges like the climate change, the monsoon continuing through the months of November and December etc. Covid variant "Omicron" is threatening to spoil the Christmas spirit; we just have to cry out to Jesus Christ to have mercy on us. Whilst depending on the almighty, on our part let us continue taking the necessary precautions like wearing a mask, maintaining social distance, sanitising hands etc. Let these small tasks become a regular habit. Let us stay calm, prayerful and healthy.

We had an enjoyable CASK reunion on 4<sup>th</sup> December. "Recapturing the Magic of Christmas" was the theme of this year's celebration. At this event apart from entertainment, CASK tries to showcase the programs carried out during the year. Our organisation has been moving towards achieving greater heights. Lot more people around the world are becoming aware of the humanitarian work we do and the transparency in our accounts. Long live CASK, and may the next generation carry forward the good work done so far.

These days most of us buy our Christmas "Kuswar" from the vendors. Gone are the days when the cumbersome tasks of making the "Kuswar" at home was undertaken. With nucleus family structure of having just one or two kids, the effort is not worth it. The view is just buy what you want and what you consume and avoid unnecessary waste. For the younger generation Christmas means partying. In most of the European countries Christmas celebration is so commercialised that the streets and shops wear a festive look from the month of November itself. December also brings the year end and New Year. A time to make new resolutions.

I am sure all of us look forward to a pleasant New Year, a year better than the current year. Let us pay our respects to those of our members who are not with us anymore. May they intercede for us and protect us from heaven above. Let us bow our heads to the will of our Creator. He knows what is best for us and what's in store for us in the year ahead. We wish all our members, patrons & supporters a Blessed Christmas and a Happy New year. Do pray specially for CASK so that we may continue our mission of service and charity to the community. Our monthly Magazine "*Mangalore*" and our website "caskmangalore.org" highlights our activities and achievements.

**Capt. Vincent Pais**

## **PEACE ON EARTH AND GOODWILL TO ALL**

*Veronica Shearer*

*"Peace on Earth will come to stay, when we live Christmas every day." - Helen Steiner Rice*

Having lived through 69 Christmases in my life, I would like to share how the meaning of Christmas has changed for me over the years and I am sure you too would feel the same. As Helen Steiner Rice said, "there can be peace in our hearts, our homes and families if we live the SPIRIT of Christmas every day".

As a child, Christmas only meant presents under a beautifully decorated tree. Families would gather together but adults were too boring and the presents were far too enticing. "When are we going to open our presents??" was my constant cry. I wasn't happy till wrapping paper littered the floor and my booty was laid out in front of me. Then within moments the presents were discarded and forgotten about. Today I see my grandchildren doing the same..."Why do we have to go for Mass first, before opening our presents?" is their relentless refrain. Sadly, buying gifts, wrapping the gifts and silently placing them under the tree when the kids are asleep is every parent's nightmare!

Symbols of Christmas are the tree, the crib and the wreath fixed outside our front door. The heady aroma of Christmas cake baking, the *Kuswar*' being prepared and the home tidied up are my memories of Christmas. Not once did I think of the WHY of Christmas. I had no idea that the baby Jesus came into this world as a homeless child,

shivering in a stable. The only warmth being the cows and sheep that breathed on him.

When I was a teenager, Christmas meant dressing up to be seen by boys at Midnight Mass. Once again, no thought of the SPIRIT of Christmas entered my mind. How shallow and materialistic I was! Today it makes me shudder to think that parents don't instil in their children what Christmas really means. I wish I had understood this when I was a child. Christ was not born in a grand palace or to wealthy or learned parents. He was born in a simple lowly place, a corner of a stable, to humble and poor parents, who had nothing to boast about, except their own spotless character and holiness. Also, he was born in the darkness in the obscure hour of midnight, when no one even knew about it, except a few divinely blessed people. This is what we have to tell our children, because their minds are like sponges, absorbing everything in their subconscious. I hear my five-year-old grandson asking his mother WHY God sent His son to be born in a stable and then die on a cross! It seems so meaningless to a 5-year-old. He now realises that LOVE is the true meaning of Christmas. Since God sent his son as a gift to us, we too give gifts to family and friends to show our love. But that is not all. Loving is *giving*. Loving is *sacrificing*. Loving is *understanding* the plight of those less fortunate than us. Loving is *forgiving* those who have annoyed or hurt us. Gifts of *time* to the family is more important than all the presents that money can buy. If we have no time for our families because we're busy at work or at play, then a car load of presents is hollow and meaningless.

Today in the UK, there are logistical problems caused by the pandemic and Brexit. A shortage of HGV drivers means goods cannot be delivered to supermarkets. This has caused panic in the population because they can't buy Christmas presents for their children. "You're ruining our Christmas!" say the public to the Government. If only they realised that Christmas is NOT just about presents! I was astounded that my adult students who were white and British had no idea WHY we celebrate Christmas. **"Christmas doesn't come from a store. Maybe Christmas perhaps means a little bit more."** - Dr. Seuss

Bring Christ back into Christmas! I want to shout from the roof tops! In the UK homeless charities like CRISIS, produce a fabulous Christmas meal for the homeless but what is the use of that when the rest of the 364 days of the year, the homeless are truly homeless. **“He who has not Christmas in his heart will never find it under a tree.”** Roy L. Smith. A Christmas heart is a heart that cares, shares and loves all through the year and not just at Christmas. Christ was the light that came into our lives 2000 years ago. If we are Christians, we have to let our light shine through our actions not only at Christmas time but the whole year through. ‘Actions speak louder than words’ is a hackneyed phrase, so unless our actions portray our Christ-like spirit, words are all fluff. Spirituality overcomes materialism. You break free from your slavery to the senses. You begin to live a new life, a divine life of purity, love, renunciation, humility, non-attachment and selflessness. Attachment to worldly goods is the polar opposite of a Christmas spirit. In all this let us not forget to care for the environment. Our planet is ours to look after. After COP26, it is clear that if we don’t do our bit to preserve this planet, we may never have any more Christmases. As for our brothers and sisters living in the Marshall Islands and the Maldives and other tiny islands, they will surely be engulfed by the ocean that surrounds them, if we don’t do our bit. This Christmas let us make a concerted effort to think of the environment and those who are living in poverty as we make *Kuswar*, buy presents and send Christmas cards to our dear ones.

*“As with the individual, even so with the nations of the world, the fundamentals of true faith, true charity, genuine humility and a spiritual rebirth alone can usher in true bliss and brotherhood upon this earth. It is when such a transformation occurs in the nations of men and it is when they renounce their policies of hatred and greed that the modern world will truly enjoy the blessings of the real, universal Christmas.”* Swami Sivananda

Merry Christmas and A Happy New 2022 – May the true spirit of Christmas reign in your hearts all year through!

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## GIFTS ARE PARABLES!

*Fr Cedric Prakash SJ*

Pope Francis is an excellent communicator! Like Jesus, he also uses stories, real life examples, the burning context and even parables! Gifts are also parables. Jesus illustrates this so powerfully in the widow's mite! The generosity to give of one's all! Gifts, we know, speak volumes. We all experience this in our daily lives: the material cost of the gift is perhaps irrelevant; a pressed leaf, a shell from the beach, an unintelligible drawing by a child or even a flower that is spontaneously plucked, given with love and meaning all tell a story: not merely about the gift, but also of the giver and the receiver!

So, when Prime Minister Narendra Modi met Pope Francis in the Vatican on 30 October the exchange of gifts between the two was important. Vatican News reports, *"The Indian Prime Minister gifted the Pope a silver candlestick and a book on the commitment to the environment. The Pope reciprocated with a bronze plaque with the inscription **"The desert will become a garden"**, volumes of papal documents, his message for World Day of Peace and the document on Human Fraternity, signed on February 4 of 2019 in Abu Dhabi by the Pope and the Grand Imam of Al-Azhar"*.

After his meeting with the Pope, Mr Modi moved to the Vatican Secretariat where there was a 'brief conversation' about the 'cordial relations' between the Holy See and India. Very little has been made public about their conversations, which from a scheduled 20 minutes lasted for almost an hour!

The four gifts which Pope Francis gave PM Modi are extremely significant: they are parables! And the gifts do speak!

**The first**, the pièce de resistance, is a bronze casting, opencast in parts 19 cm in diameter, manually treated with a polychrome veneer, created by the celebrated Italian artist Daniela Fusco. The words inscribed on the plaque state, *"To the Honourable Narendra Modi Prime Minister of India 30 October 2021. The work is meant to represent the words of the Prophet Isaiah **"the wilderness will become a fruitful field"** (Is 32: 15) The dry, thorny branch that blossoms and*

*bears fruit symbolizes the passage from selfishness to sharing, from war to peace; it is a parable of the change that occurs when people open their hearts to the authentic values of growth and social harmony. The tondo is not perfect, but missing some parts, as a sign of the commitment demanded of everyone.”*

Just the words on the plaque, with an impartial reading, says it all! The missing parts of the tondo signify the heavy responsibility entrusted to all, particularly those in authority, if one has to move from self-interest to sharing, from war to peace!

The words from the Prophet Isaiah (32:15) are powerfully directional. The entire Chapter 32 needs to be read and reflected upon to understand the meaning of this one statement! These include “*a king will reign in righteousness and rulers will rule with justice (#2). Then the eyes of those who see will no longer be closed, and the ears of those who hear will listen. (#3) The fearful heart will know and understand, and the stammering tongue will be fluent and clear. (#4).* Familiar words indeed! Prophet Isaiah born in 765 BC took a stand against the powerful, unjust, fascist rulers of his time and on behalf of the poor and needy, the exploited and excluded.

In presenting the PM with this very meaningful gift – Pope Francis is hinting at what good governance is about!

**The Second gift** is Pope Francis’ Message for the 54<sup>th</sup> World Day of Peace (1st Jan 2021). Pope Francis is straight in his words in his annual peace messages. He strikes at what is endemic in society and demands that these issues are addressed. In his opening para he says, “*Sad to say, we have also seen a surge in various forms of nationalism, racism and xenophobia, and wars and conflicts that bring only death and destruction in their wake. These and other events that marked humanity’s path this past year have taught us how important it is to care for one another in our efforts to build a more fraternal society. That is why I have chosen as the title of this year’s Message, A Culture of Care as a Path to Peace.*

He defends human rights saying “*The very concept of the person, which originated and developed in Christianity, fosters the pursuit of a fully human development. it affirms inclusion, not exclusion, unique*

*and inviolable dignity, not exploitation”. Persons are created to live together in families, communities and societies, where all are equal in dignity. Human rights derive from this dignity, as do human duties, like the responsibility to assist the poor, the sick, the excluded.*

His message provides a roadmap, a compass pointing to a common path to those in authority, *“At a time dominated by a culture of waste, growing inequalities both within and between nations, I urge leaders of governments, corporates, international organizations, scientists, communicators and educators, to take up these principles as a “compass” capable of pointing out a common direction and ensuring “a more humane future” for all. This will enable us to act in solidarity for the common good, and to bring relief to those suffering from poverty, disease, slavery, armed conflicts, and discrimination. I ask everyone to take this compass in hand and to become a prophetic witness of the culture of care, and work for overcoming the existing social inequalities.*

**The third gift** is the Document on ‘Human Fraternity: for World Peace and Living Together’ which is a pathbreaking treatise jointly signed by Pope Francis and the Grand Imam of Al-Azhar on 4 February 2019. The document says three very clear things: we need world peace; in order to achieve it we must shed exclusiveness, hate and violence; we must begin now!

The Document states, *“We affirm that major political crises, situations of injustice and lack of equitable distribution of natural resources – which only a rich minority benefit from, to the detriment of the majority of the peoples of the earth – have generated, and continue to generate, vast numbers of poor, infirm and deceased persons. This leads to catastrophic crises that various countries have fallen victim to, despite their natural resources and the resourcefulness of young people which characterize these nations. In the face of such crises that result in the deaths of millions of children – wasted away from poverty and hunger – there is an unacceptable silence on the international level”.*



*“We resolutely declare that religions must never incite war, hate, hostility or extremism, nor must they incite violence or the shedding of blood. Such tragic realities are the consequence of a deviation from religious teachings. We thus call upon all concerned to stop using religions to incite hatred, violence, extremism and blind fanaticism, and to refrain from using the name of God to justify acts of murder, exile, terrorism and oppression. Denigrating an entire religion, and spewing hate is not Christian!*

Ultimately the document takes a stand for freedom of religion, pluralism, diversity and justice. This Document, Pope Francis says was inspirational for his Encyclical ‘Fratelli Tutti’. The other incisive Encyclical ‘Laudato Si’: on the care of our common home (where he takes an unequivocal stand for the environment and how greedy vested interests are destroying it), the Apostolic Exhortation ‘Querida Amazonia’ (where he is in solidarity with the rights and dignity of the indigenous people) and several other papal documents comprised the **fourth gift** of ‘volumes!’

Pope Francis is undoubtedly the most respected and admired leader in the world today. When he speaks, he touches the grim realities of today! His gifts to PM Modi provide a clear roadmap for governance based on justice, liberty, equality and fraternity. I hope Mr Mody will get at least the summary of them. It is therefore incumbent on the Church in India, particularly the hierarchy and the clergy, to first study these precious gifts and then let everyone know how concerned Pope Francis is about the people of India and their future!

In his celebrated work ‘The Prophet’, Khalil Gibran says it all *“And you receivers—and you are all receivers—assume no weight of gratitude, lest you lay a yoke upon yourself and upon him who gives. Rather rise together with the giver on his gifts as on wings; For to be overmindful of your debt, is to doubt his generosity who has the freehearted earth for mother, and God for father”.*

**Gifts are parables indeed!**

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# THE ART OF STRATEGIC INCOMPETENCE

## HOW SOME PEOPLE PRETEND TO BE UNSKILLED AT CERTAIN TASKS TO AVOID DOING THEM!

*By Devrupa Rakshit, Courtesy The Swaddle Team*

This Diwali, as with almost every other festival, did you happen to notice women doing the lion's share of festive preparations? Making gujiyas and laddoos on top of everyone's favorite food, cleaning and dusting the house, drawing rangolis, and preparing for the puja, while handing out endless cups of chai and coffee for the men of the household as they watch TV and comment on national politics? Sounds familiar, doesn't it? Here's something else that you'll probably recall witnessing: men saying they can't possibly lend the women a hand because, well, how could they possibly demonstrate basic skills like cooking and cleaning?

On the other hand, however, there does happen to be a skill many of them have mastered. It's called **"strategic incompetence."** **It's art really — the "art of avoiding undesirable tasks" by pretending they can't do it.** As an article in The Guardian states, the "concept is surely as old as humanity."

"To learn something... can be difficult. But to refrain from learning something requires years of practice and refinement... **Strategic incompetence isn't about having a strategy that fails, but a failure that succeeds,**" reads a 2007 article in The Wall Street Journal.

One of the most common applications of strategic incompetence is, of course, men employing it to get out of the equitable distribution of household labour. Some researchers even choose to call it "weaponized incompetence" because, at times, men don't just "pretend" to not be able to do something, they "deliberately mess up" the task - like "ruining the laundry, leaving grease on the dishes, or ignoring the children", so they're never asked to do it again. "I'll just do it," a female member of the family would say, sighing as she picks up the slack. In fact, a pre-lockdown survey from 2019 found only 26% of Indian men reported doing any kind of housework.

In fact, men have even admitted to resorting to this tactic. "As I discovered at an early age, there's one sure way to avoid being saddled with menial tasks: become notorious for being no good at them. And I strongly suspect I'm not the only man out there neatly avoiding

unpleasant tasks through the art of acting dumb,” Christian Koch wrote in Daily Mail in 2018.

Last year, #weaponizedincompetence began trending on TikTok highlighting how women often have to spoon-feed the minutest of instructions to get their male partners help with domestic labour. Millions of women could relate. But avoiding domestic chores isn’t the only goal of “strategic incompetence-enthusiasts.” They often feign incompetence of ancillary tasks at work-like organizing birthday parties for colleagues and sending out agendas to ensure they’re never in charge of performing them.

However, sometimes employees engage the tactic as a defence mechanism too-to ensure their desk doesn’t become “the dumping ground” for things no one else wanted to do. “The inability to grasp selective things can be very helpful in keeping your desk clear of unwanted clutter,” an HR executive said.

The behavior persists outside domestic settings and workplaces too. Do you have a friend who pretends they’re bad at picking up the phone and making a reservation for dinner? Or one who refuses to ever return the courtesy of hosting their friends because, surprise, surprise-they’re bad at it?

Experts note that people develop the strategy in their growing up years as they look to avoid performing chores. “Maybe it’s natural for human beings to only do the minimum required. Maybe it’s natural to take advantage of someone who appears willing to give. Maybe it starts when they’re young,” one article states. Its author describes noticing her 15-year-old son employing the tactic to get out of folding laundry.

As people go to college, their habit of using strategic incompetence gets reinforced by diligent note-taking classmates, whose work is subsequently circulated for everyone else’s benefit right before the exams. But before they know it, strategic incompetence becomes their go-to strategy to avoid doing things they dislike — making life for those around them busier.

However, during this festive season, learning about strategic incompetence makes me wonder exactly what Smita Singh, a journalist, asked in 2019: “When did women in the family get the time to enjoy festivals? Did they enjoy it in the first place?”

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# **INDIA'S FAMILY LAWS ARE DISCRIMINATORY.**

## **That's Why Judges Shouldn't Be 'Neutral' on Gender**

*Flavia Agnes, Majlis-Mumbai*

Can a woman-centric legal doctrine be termed 'biased' and lacking a 'neutral' perspective?

*This article is written in the context of the UN declared 16-day campaign to end gender-based violence which started on November 25 and ends on December 10, 2021 – Human Rights Day.*

Several feminist theorists have argued that the instrumental characterisation of law as a tool for the potential transformation of society is far too simplistic. They hold that law is a crude and limited device and is circumscribed by the dominant ideologies of the society in which it is produced. Existing beliefs and assumptions shape the context of a legal provision. Even when changes are successfully made on a doctrinal level, they can and will fail if judges or others charged with the application of new laws revert to interpretations that merely replicate old results.

The impact of dominant ideologies on the shape and content of law and the legal process makes the idea of 'progress' through legal reforms problematic. Since legal, moral and social codes are determined by hegemonic claims of patriarchy, an exploration into the notion of justice and fairness to women can be embarked upon only after piercing the veil of 'neutrality', 'impartiality' and 'formal equality'.

When we examine women's rights, it becomes imperative to address the doctrinal concern – whether a woman-centric legal doctrine can be termed 'biased' and lacking a 'neutral' perspective? Can the lens of feminism or concern for women's rights be labelled as 'biased'?

When we examine the development of law we realise that due to the demands raised by the women's movement, women were added into the 'Law' project, particularly after women started claiming their rights as citizens, within an overarching patriarchal system. The demand for equality - Right to vote, right to education, practice various professions etc. were hard won battles for Western women. Influenced by these struggles, the Indian Constitution guarantees equality under

Article 14 and non-discrimination under Article 15. Equality, along with liberty and freedom, form the pillars of our constitution to protect women. The right to vote, equality of opportunities for education and employment, equal pay for equal work etc. fall within this notion of formal equality.

But when we examine the domestic sphere under the matrimonial laws, this notion of equality becomes detrimental to women. Since men and women within the marriage are not equal, the same yardstick of equality cannot be applied. Equality can only be between equals. If the norm of equality is applied between un-equals it will lead to greater disparity. But this distinction has not been clearly made within matrimonial laws. This is most glaring when we examine the Hindu Marriage Act of 1955, enacted soon after the Constitution came into effect.

**An unequal marriage** - Women's status and role within marriage differ a great deal from that of men. The man is the breadwinner and his contribution can be measured in economic terms. The woman is the homemaker and assumes a subordinate status within marriage. She is the repository of cultural norms of the family and community. However, there is no recognition of this unequal status between the spouses within matrimonial laws. While seeking divorce, both men and women have to frame their petitions on the same stipulated grounds – adultery, desertion and cruelty.

But the incidents of cruelty which men plead while seeking divorce vary a great deal to the incidents of cruelty on which women base their plea for divorce. It is like comparing oranges and apples.

Let us examine some of the issues that come up before our courts in divorce litigation - Not preparing meals on time, not making tea when the husband returns from work (even though the wife too may be an earning member), refusal to have sex, terminating pregnancy, not covering her head in the presence of in-laws or in public, refusal to wear *sindoor* or a *mangal sutra*, demand for setting up a separate residence away from the joint family, filing a case under Section 498A of the Indian Penal Code (related to dowry) etc. are pleaded as instances of cruelty by husbands while seeking divorce.

The grounds on which women base their petitions for divorce are

vastly different. They are based on the issue of basic survival – throwing her out of the matrimonial residence, constant demands for dowry or insults to her parents for their incapacity to pay more dowry, refusal to provide maintenance, snatching away and refusing to give access to her ornaments and valuables which constitute her *stridhan*, preventing her from seeking gainful employment or taking away her salary, aspersions on her moral character, acute physical, sexual or emotional abuse, denying custody or access to the children, etc. are grounds on which the woman bases her petition for divorce.

Within the patriarchal social structure and patrilineal residence, in most cases, the woman leaves her natal family and comes to reside in her husband's home, where until recently her right to residence was not even recognised. When the wife is sent to her natal family for her child delivery, the husband could easily prevent her re-entry and then plead desertion. It took courts a long time to develop the theory of constructive desertion when the husband actively prevents his wife's re-entry. Hence we can see that even the ground of desertion plays out differently for men and women.

It was the husband's prerogative to decide the place of matrimonial residence and if the wife took employment at a far off place, the husband could file for restitution of conjugal rights, which courts would grant on the premise that the husband is the lord and master (*pati parmeshwar*), and it is the wife's sacred duty to obey him and reside at the place chosen by him as the matrimonial residence.

**The maintenance problem-** The most disturbing feature of the Hindu Marriage Act is the right given to the husband to claim maintenance from the wife, based on the notion of equality. This was in 1955, when Hindu daughters were not given the right as coparceners in their natal family, there was great disparity between men and women in literacy, higher education and gainful employment.

Monogamy for men was just being introduced and had not yet become the norm. Yet it was deemed necessary to bring in equality between the spouses based on a liberal notion of formal equality and make women liable for paying maintenance to their husbands.

Yet maintenance, which is her basic right to survival, is framed in the context of the husband's economic power which is pitted against

the woman's sexuality. It is like a sword of Damocles which hangs over her head even after her divorce while the man can contract a new marriage with absolute impunity. The recent trend in the courts is to impose on access to husbands even while they refuse to pay maintenance to their wife and children. Women view this attitude of the courts as a great injustice to them.

It has taken a long time for the courts to realise that the terms cruelty, desertion and adultery have different implications for the husband and the wife. It has taken more than 60 years for us to realise this anomaly and move away from the notion of equality and demand gender specific legal provisions to protect women from domestic violence. Finally, the Protection of Women from Domestic Violence Act of 2005 grants this recognition by providing a detailed list of all acts that constitute cruelty to women. There is no reciprocal list which men can rely on, nor a reciprocal remedy.

**The adultery law, or women's bodies as property** - This anomaly is even more stark when we examine the law on adultery under Section 497 of the IPC, which was finally struck down by a Constitution bench in *Joseph Shine vs Union Of India* on September 27, 2018.

Under Section 497 of the 158-year-old IPC, it was a crime against the husband if a man had sexual intercourse with his wife without his consent. A similar recourse was not given to women. Women could not be punished under this law. When this provision was challenged on the ground that it violated Article 14, the courts relied upon a paternalistic doctrine to save it from the premise of equality.

But examining it from a gender lens, it was obvious that it was premised on the notion that women are passive beings, incapable of making choices about their bodies or sexual desires. It presumed that after marriage, the woman's body belonged to her husband. Though the law criminalised only men, in essence it was anti-women as it treated women as chattels, and gave legal validity to the proprietorial rights of the husband over the wife.

While examining the constitutionality of this provision in *Joseph Shine*, the Centre had defended this provision using a deeply flawed argument that the section was essential to save the institution of marriage. "Diluting the adultery law will impact the sanctity of



marriage. Making adultery legal will hurt marriage bonds,” the Centre had pleaded in an affidavit filed before the court. It failed to see that the provision does not ensure marital fidelity. It merely protected male privileges.

In an extremely short-sighted manner, in 2003, the Justice V.S. Malimath Committee had recommended making the provision gender neutral premised on a flawed logic of equality. When marriage is constructed as a patriarchal institution, the woman does not have the corresponding control over her husband’s sexuality. Granting the husband additional powers to prosecute his wife for adultery would amount to adding salt to a festering wound. Justice Prabha Sridevan, former judge of the Madras high court, comments that that a law which is superficially equal kicks in injustice when it is put in action is something we have recognised too late.

On earlier occasions when this provision was challenged, the courts declined to strike down the section based on a paternalistic notion of protecting women based on a two-way discrimination – the woman’s right to prosecute her husband and his lover for adultery and the husband’s right to prosecute his own adulterous wife.

Finally on September 27, 2018, the five-judge Constitutional bench validated the feminist analysis of the section and struck it down. The bench observed that the parameters of fundamental rights should include the rights of women, and that individual dignity was important in a sanctified society. The court felt that the law was against women who had no opportunity to defend themselves in a situation where they were falsely linked to a man on mere suspicion, since a woman could not be made party to the case under Section 497 and had no *locus standi*. The then Chief Justice of India, Justice Dipak Misra, while reading out the judgment, said: “A husband is not the master of his wife. Legal subordination of one sex by another cannot be permitted.” Justice D. Y. Chandrachud held that a woman loses her voice and autonomy after entering marriage and autonomy is intrinsic to a dignified human existence. Justice Indu Malhotra held that Section 497 IPC is a clear violation of the fundamental rights granted in the Constitution, and there was no justification for continuing with this archaic provision.

## **CATHOLIC ASSOCIATION OF SOUTH KANARA CASK REUNION - 4th DECEMBER 2021**

The annual CASK Reunion of members is one of the much awaited and popular events of Mangalore. True to that reputation, CASK Annual Reunion held at Mangalore Club on 4th December 2021, was a spectacular event of fun and entertainment heralding the true Christmas spirit with Christmas carols sung melodiously by groups in both Konkani and English.

The programme commenced with a Prayer conducted by Patsy Lobo, Vice-President-CASK, thanking God for all the blessings bestowed on CASK and all its members. Specially remembered were the beneficiaries of the CASK Charitable projects - 34 students who lost one or both parents due to Covid, the 25 'Differently-abled children' at Asha Deepa-Chikmagalur and the 18 'Differently-abled adults' at Veronicas Vihar-Mangalore. The entrance had a 'Standee' that highlighted CASK projects - Scholarships for deserving students, Personality development for students. Teacher Enrichment Programme, Footwear for barefoot children, Safe Drinking water units in rural schools, Home for Homeless, Promotion of Blood, Organs & Whole Body Cadaveric donations etc. The prayer was followed by a rendition of the Silent Night and while the hymn was played, the members of the Governing Council of CASK placed offerings consisting of items of daily use, at the feet of Baby Jesus. These offerings will be donated to the inmates of Asha Deepa-Chikmagalur.

It was indeed an unique start for the evening's programme. The sisters-Marissa & Marjorie entertained the guests with a hilarious Konkani dialogue "Gajalyo" as they called it. This was followed by a Fashion Show titled "Christmas in Our Hearts". Then came half an hour of singing - old favorites and carols, in both Konkani and English, with the guests-young and old, joining in full gusto and many moving on to the dance floor, exercising to their heart's content. It was then time for dinner catered by JoJo caterers, even while the Dance Floor was filled to capacity.

Captain Vincent Pais, President-CASK warmly welcomed the guests. Mrs Gulobi Fernandes, Joint-Secretary-CASK proposed a Vote

of Thanks. She Specially thanked the sponsors - MCC Bank, Karnataka Agencies, Ideal Chicken, A. R. D'Souza & Sons, Waterjet Engineers, N Force Builders/Developers, Jananial Enterprises, Walter D'Souza, Vincy Andrade, Archie Menezes. Jake Texeira did a superb job as the MC; DJ-Cletus provided a mixture of delightful music; Young Dominic Saldanha, a talented photographer captured all the events. The oldest guest - 94 year-old Valerian Rego was duly recognized and honoured.

The entire show was the brainchild of Nayana Fernandes, Past President-CASK, with her flair for meticulous planning and execution. She was ably supported by Ramona Mathias, Ratna Pinto, Sonali Mathias, Beena Gonsalves, Sandra Mascarenhas and Paul Mascarenhas.

A great evening indeed! All the guests will remember it for a long time!! Well Done CASK

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## **CASK TEACHER ENRICHMENT PROGRAMME AT SDM SCHOOL-MANGALORE**

The Catholic Association of South Kanara (CASK) organized a Teacher Enrichment Programme for 15 teachers of SDM School, Dumbell, Ashoknagar-Mangalore on 4<sup>th</sup> November 2021.

The programme started with a Prayer and Lighting of the main “Mother candle” by the Principal – Mrs Joy Rai while the song – “Carry Your Candle was played in the background. All the participating teachers then lit a candle each from the main candle and raised the candles highlighting the joy of lighting and lifting their students to greater heights with the message “Take your candle go light the world.”

Capt Vincent Pais, President-CASK welcomed the teachers, wished them all a very happy Diwali and highlighted the charitable activities of CASK.

Patsy Lobo gave a brief introduction to “Collective Mindfulness” and the Japanese concept of “ICHIGO ITCHIE” - The Art of Making the Most of Every Moment, the Japanese Way. She highlighted the need to be an Optimistic Leader and asked the teachers to make a positive pledge, comment or choose not to contribute another negative one” on a hand out given to teachers.

Dr Geeta Pereira gave a talk on ‘Effective Communication’ and its importance for Success in life. She acquainted the teachers with the

importance of communication in the modern world and the various forms of communication. She gave the example of President Barak Obama who could keep his audience in rapt attention through short and apt sentences.

Dr Derek Lobo in his presentation on National Education Policy 2020, said that the Aim of Education is not Success in Examinations but to “Develop Personality Skills for Success and Happiness in Life” and mould the students to be concerned citizens of India, contributing to the nation’s development. Thus it is important that the teachers shift focus from success in Examinations to a holistic and comprehensive development of students with emphasis on Learning objectives and practical work. He emphasized the importance of Career Guidance to students from Grade-6 onwards.

In his presentation, Mr Archiebald Menezes gave advise on ‘Personal Financial Management’. He started by defining the Savings goal and proposed that we change from  $\text{Income} - \text{Expenditure} = \text{Savings}$  to  $\text{Income} - \text{Savings} = \text{Expenditure}$ . He gave a brief on the various instruments for savings and income generation through different investment portfolios.

Dr Anand Pereira, a walking nature encyclopedia on Bio-Diversity and an avid photographer gave the teachers the privilege of viewing some of his breathtaking wildlife and nature photographs. He took them on a virtual tour of the Western Ghats and pointed out the plight of the animals and birds due to urbanization and deforestation.

Dr Lavina Noronha spoke on ‘Student Mental Health - Teachers as Gatekeepers’ and provided data on the large number of students who are stressed and require medical help and counseling. The teachers have to be in the forefront of identifying such students and direct them for professional counseling. She also lamented about the large number of student suicides in India and informed the 24-hour Helpline for people planning to end their life.

After the highly informative and motivational presentations, Mrs Patsy Lobo conducted the closing session by thanking the principal and teachers for their participation. Each teacher was adorned with a sash with a special message written on it and a memento with the same message with a Certificate. Each teacher was also given a file produced by differently abled persons at the Rehabilitation Centre, Fr Muller Hospital. The programme ended with a vote of thanks by Mrs Asha Hegde, Coordinator of SDM and concluding remarks by the Principal – Joy Rai.

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## ARE YOU TOO BUSY TO BE HAPPY ???

*Eric D'Sa, Mumbai*

When I read the very interesting article in the October-2021 volume of “Mangalore”, by Joan Lobo, with the heading “Are you too busy for Me???” , I thought in support of that article, I should write one with a slightly tweaked heading as stated above. Why are people busy these days? Joan in her article gives many reasons for being so, but most will say, we are in a rat race these days, to earn more money, create wealth for ourselves and be happy.

So do people who are wealthy less busy and if not why? Are people chasing only a mirage of being wealthy and once reaching the goal set for themselves, are still not happy and hence continue to be busy creating more wealth? This reminds me of a very good friend of mine in Mumbai, who like me a professional engineer, opted to become a self-made entrepreneur & businessman. Within a decade, with hard work and a bit of luck, he became quite successful. As the business grew, his wealth grew and standard of living of his family vastly improved. However he found himself constantly on the move, flying all over the country from one city to another and even to some foreign countries on business. Most of the days he lived in hotels, eating different food at odd hours, with sleep deprivation and stress.

This continued until one day he had a massive heart attack, followed over the years with a few more. In between he was in a bad car accident, which almost took his life. Finally a day came, when his Cardiologist told him, unless he completely changed his life style, he would not live long enough, to enjoy even minuscule of his wealth he had created. Time had come for him he was advised, to totally hand over his business to his other family members and fully retire from his business. He was told the word “**Enough**” is what he should constantly keep in mind, if he wants to live a long healthy and happy life. Fortunately he took that advise seriously and since then has lived a relaxed life, enjoying doing things that he always wanted to do, at his leisure.

I am also reminded of another family friend, who grew up with my siblings and me from our carefree teenage years. He was born into

a wealthy family and could have without too much effort, gone on to expand his family business. However he opted to venture into unrelated businesses, worked very hard and kept growing in wealth and stature. He also travelled wide staying in five star hotels and holidaying with the family around the world. On one such occasion, I happened to meet him in an airport and asked him why he had entered again into one more totally different business, which from my experience I knew was risky. He told me that he wanted to go public with that Company and grow much faster than he had done earlier. To cut the story short, a decade or so later his business empire collapsed and he had to declare himself personally bankrupt. Through all his rise and fall in wealth, we kept being friends and once when we met, I asked him what went so badly wrong. And his answer was in one word **“Greed”**. A person who was literally born with a golden spoon in his mouth, did not know as he became increasingly wealthier, that there was another important word called **“Enough”**

People who are always busy chasing money, prosperity or wealth, whatever you may want to call it, are not aware of a fundamental truth, that the highest form of wealth is the ability to wake up every morning and say **“I can do, whatever I want to do today”**. People want to become wealthier to make themselves happier. Unfortunately happiness is a complicated subject, because every person is different. But psychologists who have studied happiness in some detail will tell you, that if there is a common denominator in happiness, a single universal mantra - is that people want to control their own lives.

The ability to do what you want, when you want, with who you want, for as long as you want, is priceless. It is the highest dividend wealth in your hand pays.

Angus Campbell was a Psychologist in United States, who studied for years what made people happy. He could not necessarily group them by income, geography, education, religion, culture etc. He finally concluded that the most powerful factor underlying happiness was as he summed it **“ Having a strong sense of controlling one’s life, is more dependable predictor of positive feeling of well-being, than any other objective condition of life we have considered”**

More than your income, more than the size of your house, more than the prestige of your job, more than the wealth you have, control over what you want, when you want, with the people you want to, is the broadest lifestyle that makes people happy.

The greatest intrinsic value of money in way of wealth in your hand, which can not be overstated, is its ability that it gives you control over your time. To obtain, bit by bit, the level of independence and autonomy that comes from saved assets in way of wealth, that gives you greater control over what you can do and when you can do it. Unfortunately real wealth is what others don't see in you. Using your wealth to buy time and options has a lifestyle benefit of happiness, that very few luxury goods can compete with, whether a big mansion, a super luxury limousine or private plane.

So next time you are tempted to say you are too "busy" - think again. Quality time to spend with others, unfettered of being "busy" is a mark of a happy and wealthy person, who has plenty of quality time at his disposal.

## **ALL I WANT FOR CHRISTMAS IS YOU**

*Joan Lobo*

"Some gifts are big; others are small. But the ones that come from the heart are the best gifts of all."

It's that time of the year again - the season of gifting, as the retail world wants us to believe! It is the biggest consumer spending season, with many people the world over being bled financially, through the use of emotion spiking advertising. People spend loads of money and put a lot of thought and effort about getting the perfect gifts. Make no mistake gift giving is in itself, a beautiful thing. At Christmas or any other time, it is an expression of love, respect, empathy, joy, and the acknowledgement of a person. Personally, gift-giving fills me with an armload of self-gratification, happiness and a rewarding experience. As exciting as it gets picking a gift, the effort that's put is immense even if it's just for a 2 year old who doesn't even realise what's going on and the little one would rather be interested and entertained tearing up the wrapping paper than the present inside. On a lighter vein, the key to a woman's heart they say is an unexpected gift at an unexpected



time.

Gifts often express the unsaid in the most beautiful manner. While unboxing a gift, a person unboxes happiness to both the giver and receiver. “You give but little when you give of your possessions. It is when you give of yourself that you truly give.” Says Kahlil Gibran. It is abounding happiness to give than receive is what we hear all the time particularly during this time of the year. We voice it on social media; we teach it to our children; we mutter it under our breath but in reality, the axiom is difficult to live out. Actually, the greatest gifts we can give during Christmas are the very things we most desire to receive. When everyone else is zigging, wouldn't it make sense for us to zag, than follow the herd and when everyone else is going for bigger, better and fancier, we simply go straight for the heart strings and these heartfelt gifts actually cost nothing but mean so much.

“One of the greatest gifts you can give someone is your time because when you are giving time, you are giving a portion of your life which you will never get back” - Joel Osteen

In a world where busy is the norm, giving others some of our valuable time can make a real difference. Disconnecting from the online world to spend undistracted time with a loved one is a heartwarming gift. Embrace the gift of time whether you are giving or receiving it.

**“Kindness is the language which the deaf can hear and the blind can see.”** - Mark Twain. A little well placed thoughtfulness and kindness can really go a long way. It doesn't have to mean grand, sweeping gestures as small acts of kindness without expecting anything in return is priceless. In today's world, its imperative we should love people and use things and not the other way around. We all look for that one gift that can bring ultimate joy providing a great time for our loved ones and guess what? We have the access to provide it each and every year, because that gift is YOU.

Another priceless gift we can offer is our attention. In an age where distraction is the default attraction, it's easy for us to lose sight of the gift that we give to others when we give them our full attention which means giving a patient listening, putting our smartphones down, looking someone in the eye. It is to be present in the moment and

focusing on the here and now, without our minds wandering into the future. It means making a real connection which is hard with our smartphones ruling our lives. I still remember the good old days when people kept in touch with each other by putting their thoughts, emotions, hopes and dreams down on paper. The anticipation of spotting the postman pull up to your driveway and watching him slip that precious envelope into your mailbox? Indescribable! I'm more convinced than ever of the magic, a feeling that digital messages just somehow fail to deliver. Want to brighten up a friend's day without going down the vanilla route of texting and dropping the occasional comment on social media? Write a heartfelt note on a Xmas card or beautiful piece of paper instead. Unlike texts, they'll more likely put your card or letter away with care and revisit it when they think of you.

Time is everlasting but people aren't...keeping in touch with people who need your love is an invaluable gift ...we never realise how much it means or how far it goes. Every morn I feel delighted to receive good morning messages from 3 of my special ones whom I taught for a brief time at the Cheshire Home, maybe 5 years ago-Lifts my spirits and brightens my day. If on a day a forward doesn't go their way, I receive a frowning emoji that is more they can say. Many may find a good morning message irrelevant but have you realized that for so many, it is uplifting to think that they are being remembered.

This time of the year should be focused on spending quality time with those that matter the most to us, building moments and memories that can last a lifetime. It's not all about presents, it's about being present for them, show up when they need you, be there to chat, eat and laugh together. This time of the year is the perfect opportunity to bring yourself back in to the here and now.

I'll finish this out with a quote from yet another seasonal tune, **All I really want for Christmas is YOU** and that's all they would want really instead of a fancily packed gift. Too often we underestimate the power of a touch, a smile, a kind word, a listening ear, an honest compliment, or the smallest act of caring, all of which have the potential to turn a life around. We often lose sight of the small steps we can personally take to improve the lives of those around us.

Have you ever stopped to think about kids in orphanages waiting

for someone to come along and adopt them? How do you think it feels not to have family? My several trips to senior Citizen homes have only made me realise that nothing impresses the inmates more than time spent with them, hearing them out. During the Xmas season, they crave for it so much more as left alone their memories drift to the old Xmas cards leaving them forlorn.

The core theme of the season is Joy, Peace, Hope, Love, Goodwill and Reconciliation. However, for a long time I had fallen prey to the notion that I needed to buy expensive gifts to show and validate my gratitude to others and of course this couldn't be further from the truth. They say that the best things in life are free, and when it comes to this amazing but massively underrated gift of a warm, radiating smile or a bare hug it couldn't be more true. It makes such a huge impact that lingers without requiring any sparkly wrapping paper and can be given away all year round.

Christmas is far more than pretty presents under a tree. Christmas is a celebration of love, joy and peace. These are the greatest gifts we can ever give. While these gifts of Christmas should be shared and enjoyed they can only be experienced when given away. Christmas is not as much as opening our presents as it is opening our hearts. Let's make the attempt to do it this Christmas. The magic of Christmas never ends and its greatest gifts are family and friends. Wishing each and everyone, a meaningful Christmas as you wrap your gifts not with paper, but with love.

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## **DONATIONS TO CASK CENTENARY TRUST**

### **For Charitable Projects**

1. Mrs. Joyce Saldanha - Rs. 10,000/-
2. Dr Gabriel Rodrigues - Rs. 5,000/- (ECG machine)
3. Dr Leslie Lewis - Rs. 5,000/- (ECG machine)
4. Dr Ronald G. Gomes - Rs. 5,000/- (ECG machine)

### **Names withheld on request**

5. Rs. 50,000/- (Solar Panels to Veronica Vihar)
6. Rs. 10,000/-
7. Rs. 5,000/-

# HUMAN RIGHTS DAY

## 10 DECEMBER

FREEDOM SAFETY DIGNITY  
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