

as: preclinical years, various subjects (Anatomy, Physiology, etc); Clinical years, Forensic Medicine and Community Health Medicine. Under Obstetrics and Gynaecology; for example, we have topics such as Ethical issues related to abortion, the Medical Termination of Pregnancy Act, sterilisation camps, assisted reproduction techniques, ethical issues with surrogacy, prenatal diagnostic tests and the PCPNDT Act. The section also offers suggestions on how students' comprehension of what has been conveyed can be assessed. The references at the end of this chapter include papers on teaching medical ethics by experts such as Dr Edmund Pellegrino.

I was sorry to see some eminences referred to in the text missing from the index. Sir William Osler (referred to in the text on p 21) has been excluded. He was an exemplar of ethical medical practice and taught it effectively. He is in good company, though, for Aristotle and Plato (referred to on p 20) also fail to find mention in the index.

Purchasers of the book are provided access to the online edition of the book. Once one has registered, access to the full text of the book and its various sections is easy. Notes can be added to any section and relevant text can be highlighted with one of five colours. Unfortunately, the search facility is primitive and not very helpful.

There is much in common with Dr Francis' book as regards contents in the two editions. In Dr Timms' book, I could not help wishing that the lists of references and of films had been brought up to date.

Note

See: Elson C M: Remembering Judge Elbert Tuttle. *Sr. Cornell Law Review* 1996;82: 15-18.

References

- Pandya SK. At last – a home grown ethics text! *Indian J Med Ethics*. 2016 Oct-Dec;1(4)NS: 256-7. DOI: <https://doi.org/10.20529/IJME.2016.072>.

Article 15: truth or fiction?

MEGHNA ARUNACHALAM

Article 15, Producer Anubhav Sinha, Zee Studios; Director Anubhav Sinha. Hindi, 130 minutes. 2019.

Article 15 of the Indian Constitution (1) states that, "The State shall not discriminate against any citizen on grounds only of religion, race, caste, sex, place of birth or any of them; No citizen shall, on grounds only of religion, race, caste, sex, place of birth or any of them, be subject to any disability, liability, restriction or condition with regard to (a) access to shops, public restaurants, hotels, and places of public entertainment or (b) the use of wells, tanks, bathing ghats, roads, and places of public resort maintained wholly or partly out of State funds or dedicated to the use of the general public".

It has been 69 years since our constitution came into force, and yet we require hard-hitting movies, like Article 15, to remind us of the glaring inequalities in our country. The movie is a story of the rape and murder of two minor Dalit girls and the hunt for a third missing girl, with the ensuing investigation. However, even more so, it is a story of casteism and power play. Everyday scenes in the movie bring home the realities of casteism that are so prevalent in India. The scenes where the police refuse to

buy water from a village shop because it is owned by a Dalit, or where the fathers of the murdered young girls drink water using their hands, because their caste does not permit them to drink water from a glass before people from a higher caste, or where some Dalits are lynched for daring to enter a temple, or where a man gets into a manhole naked to clear the night soil blocking it, bring to mind the live customs of a medieval India.

The movie is subtle, even in the hard-hitting scenes. All the actors, from Ayushmann Khurrana as the protagonist to Eza Sumbul Touqeer as the housekeeper/cook, delivered commendable performances. The movie is well-directed and without melodrama and hyperbole. The protagonist, a young police officer, ASP Ayan Ranjan, a Brahmin educated at St Stephen's, Delhi, is bewildered as he observes casteism at all levels, including in his police station in Lalgaoon, where the behaviour of all the police personnel is coloured by the observance of caste. Casteism is so deep-rooted in India that it is accepted as a necessity for social functioning and a justification for discrimination. A dialogue in the movie, "*Hum kabhi Harijan ho jaate hain, kabhi bahun ho jaate hain, bas jan nahi ban pa rahe hain ki jan gan man mein hamari bhi ginati ho jaaye*," which literally translates to, "We are so often referred to as Hari's people or people in the majority that we are forgotten as simply people and not counted among those referred to in the national anthem," is heart-wrenching because it is true. We claim to give people from the scheduled castes and tribes (SCs/STs) special status to elevate them, but had we not discriminated against them so far, this special status would not need to be accorded, and they would not need to feel

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To cite: Arunachalam M. Article 15: Truth or fiction? *Indian J Med Ethics*. 2020 Jan-Mar;5(1) NS: 79-80. DOI:10.20529/IJME.2020.023.

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stigmatised as belonging to SCs/STs. The movie revolves round the rape and murder of two Dalit girls. However, is this any worse than the rape and murder of a Brahmin or Kshatriya girl? The difference here lies in the mind-set of the perpetrator who belongs to the same society that we live in. If the girls were raped because they were Dalits, then yes, it makes a difference. Another disturbing aspect depicted in this movie, which we also experience in our daily lives, is how religion and politics are so easily mixed with crime. Rapes are often politicised in our country to gain votes, and our elected leaders have been known to repeatedly make insensitive remarks over such issues (2). Further, this movie shows how the fourth estate also fails this vulnerable, oppressed, and stigmatised people with its biased reporting. In the movie, the media shows an act of befriending of the Dalits by the opposition leader without revealing the complete details of an act of discrimination.

Even if the culprits are caught, which rarely happens, it is a long and arduous wait for justice as in the Unnao rape case (3). Often, as in the Badaun case (4) and the innumerable cases of lynching and murder or molestation, justice is denied. The cases often languish for want of meticulous and honest investigation and reporting. Although several positive legislative reforms, such as the Criminal Law (Amendment) Act, 2013 (5), and the "Guidelines and protocols: Medico-legal care for survivors/victims of sexual violence" (6) issued by the Ministry of Health and Family Welfare in March 2014, have come into being after the Nirbhaya case, the implementation gap still remains (7). This travesty of justice is fast becoming an everyday occurrence, and we, as a society, today need

to question whether we have become so immune to such incidents that they do not bother us anymore.

Acknowledgment: I wish to thank Dr. Sunita Sheel Bandewar for all her guidance and support during the course of my internship and during the drafting of this article.

References

1. Ministry of Law and Justice, Govt of India. The Constitution of India [As on 2019 April 01]. New Delhi: MoLJ; 1949 [cited 2019 Dec 20]. Available from: <http://legislative.gov.in/sites/default/files/COI-updated.pdf>
2. TNN. Now, Chhattisgarh home minister say rapes are not intentional. *The Times of India*. 2014 June 08 [cited 2019 Dec 18]. Available from: <https://timesofindia.indiatimes.com/city/raipur/Now-Chhattisgarh-home-minister-say-rapes-are-not-intentional-happen-by-mistake/articleshow/36224004.cms>
3. PTI. Unnao rape case: Sengar breaks down on conviction, family expresses displeasure over verdict. *India Today*. 2019 December 16 [cited 2020 Jan 22]. Available from: <https://www.indiatoday.in/india/story/unnao-rape-case-sengar-breaks-down-on-conviction-family-expresses-displeasure-over-verdict-1628790-2019-12-16>
4. PTI. Badaun Case: CBI files closure report, questions actions of girls' relatives. *The Indian Express*. 2014 December 11 [cited 2020 Jan 22]. Available from: <https://indianexpress.com/article/india/india-others/badaun-case-cbi-files-closure-report-questions-actions-of-girls-relatives/>
5. Criminal Law (Amendment) Act, 2018 [cited 2020 Jan 22]. Available from: https://mha.gov.in/sites/default/files/CSdivTheCriminalLawAct_14082018_0.pdf
6. Ministry of Health and Family Welfare, Govt of India. Guidelines and protocols: medico-legal care for survivors/victims of sexual violence [cited 2020 Jan 22]. Available from: <https://mohfw.gov.in/sites/default/files/953522324.pdf>
7. Bandewar SVS, Pitre A, Lingam L. Five years post Nirbhaya: Critical insights into the status of response to sexual assault. *Indian J Med Ethics*. Published online 2018 March 28 DOI: 10.20529/IJME.2018.025

The unethical doctor

AASHI GARG, ARCHIT GARG

Kabir Singh, Producers: Cine1 Studios; T-Series, Director: Sandeep Reddy Vanga, Hindi, 2 hrs.52 mins, 2019.

The Hindi film *Kabir Singh* glamourises misogyny, toxic masculinity, male chauvinism and glorifies an unethical doctor who has no restraint and no control over himself. Written and directed by Sandeep Vanga, and a remake of his Telugu film

Arjun Reddy, it portrays an incorrect image of doctors and creates a false perception amongst the general public. The central character is not just a flawed doctor, but a seriously flawed human being.

In recent times when there have been several attacks on junior doctors, soft targets for the frustration at the failings of the healthcare system, the media should try to improve this scenario and not aggravate it. Within the first few minutes of the film, Kabir Singh beats up the referee of his football match, his opponents; and when condemned for his behaviour, merely says "I am not a rebel without a cause, sir". Now what this cause is which could possibly be the excuse for his violent behaviour is never clear. This is exactly what doctors are fighting against at the moment — violent venting of anger on hapless individuals — and here comes Kabir Singh whose behaviour is exactly what doctors are objecting to. He acts on impulse without thinking it through, and gets away with it.

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To cite: Garg A, Garg A. The unethical doctor. *Indian J Med Ethics*. 2020 Jan-Mar; 5(1) NS:80-81. DOI: 10.20529/IJME.2020.024

Manuscript Editor: Sanjay A Pai

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