

| | |
|---|----|
| The resilience of patriarchy <i>by Pamela Philipose</i> | 2 |
| Voices and silences in history <i>by Tanika Sarkar and Sumit Sarkar</i> | 5 |
| Barriers to the classroom, barriers in the classroom <i>by Anita Rampal</i> | 9 |
| The gender gap | 13 |
| Good girls are submissive and subsidiary <i>by Deepti Priya Mehrotra</i> | 15 |
| Renaming Nakusa <i>by Freya Manecksha</i> | 19 |
| Sex-selective abortion and India's declining female sex ratio | 21 |
| Why do boys get all the milk? <i>by Anumeha Yadav</i> | 25 |
| Lost to science <i>by Vineeta Bal</i> | 27 |
| Silences in academia <i>by Mary E John</i> | 31 |
| Marriage as oppression <i>by Ravinder Kaur</i> | 34 |
| Multi-layered deprivations of Muslim women <i>by Syeda Hameed</i> | 38 |
| 'Do we suffer because we are Muslim?' <i>by Syeda Hameed</i> | 40 |
| The violence of caste and the violence in homes <i>by V Geetha</i> | 42 |
| A home of her own <i>by Bina Agrawal</i> | 45 |
| Health and the other half <i>by Imrana Qadeer</i> | 48 |
| The lost mothers of Rajasthan <i>by Neena Bhandari</i> | 51 |
| Women as bodies, not persons <i>by B Subha Sri</i> | 54 |
| Twice undermined <i>by Anita Ghai</i> | 57 |
| Gendered violence and biases in the criminal justice system <i>by Vrinda Grover</i> | 60 |
| The workplace is still gender-unequal <i>by Padmini Swaminathan</i> | 63 |
| How equal are women as citizens? <i>by Neera Chandhoke</i> | 68 |
| Women in retreat after Independence <i>by Zoya Hasan</i> | 70 |

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The resilience of patriarchy

Despite an active women’s movement and social and political recognition of the problem, discrimination continues to mark every stage in a woman’s life, and patriarchy is becoming further entrenched. The sex ratio at the start of the 20th century was far more equal than it is today, violence against women is manifesting itself in newer forms, and the oppression of socially excluded women is taking on brutal contours

PAMELA
PHILIPOSE

WHAT IS DISCRIMINATION against women? It is a socially constructed privileging of men over women. It has strong economic and political dimensions and deep shades of antipathy, ranging from prejudice to hatred. Unfair treatment is inherent to it, and injustice marks its practise. There is nothing new about the discrimination that women in India have experienced and continue to experience. There is nothing particularly unfamiliar, too, about the multi-layered, multi-sectoral nature of this discrimination and how it has come to mark every stage in a woman’s life and every aspect of it.

What, however, is startling — and educative — to note is the persistence of such biases, which indicate in turn the resilience of patriarchy. Six decades after the Constitution of India guaranteed that “the State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India”, the patriarchal underpinnings of the Indian state and society are as apparent as ever. The power of patriarchy lies not just in the way it marks the views, norms, laws and ways of functioning of state and society, but in the manner in which it gets women themselves to internalise its values so that the inequalities and discriminations they face are ‘normalised’.

At the outset we need to state unequivocally that women are by no account a homogeneous category. So, while they face discriminations as women qua women, their discriminatory experiences could also include those emerging from their social, economic and geographical locations, along lines of caste, class, ethnicity and gender. Transgenders, for example, face very specific and serious discriminations.

We also need to register the fact that despite an active women’s movement and a fair degree of social and political recognition of the discrimination women in India face, the country has witnessed disquieting reversals or persistent negatives. The sex ratio in India at the start of the 20th century was far more equal than it is today. Violence against women, a key attribute of patriarchy, is today manifesting itself in newer and newer forms. An incident like Khairlanji demonstrates how age-old oppression meted out to dalit women can take on brutal, contemporary contours; the triple *talaq* that once had to be pronounced in the presence of the woman from whom the divorce was being sought,

now gets delivered through SMS and email. The disabled, especially disabled women, continue to be denied a support base or social recognition, and the political space for women at the level of Parliament and state assemblies remains a constricted one — never have women constituted more than 10% of Parliament.

Where there has been progress — and there is no denying that positive change has also come about — it has been uneven and limited in its emancipatory potential. Take the number of progressive laws that have been enacted in contemporary India. The Protection of Women from Domestic Violence Act, 2005 (PWDVA 2005), for instance, has been hailed internationally and has proved something of a template for legislation of its kind. Within the country, it has expanded the vocabulary of justice and broadened the definition of domestic violence in a way that went beyond physical abuse, to encapsulate the sexual, verbal, economic and psychological. It has the potential to provide substantial relief to a woman subjected to such torture. In actual fact, though, a combination of lack of institutional reform and administrative failure has resulted in disappointing outcomes, including the usual pile-up of pending cases. Similarly, while there has been substantial progress in universalising school education at the primary level, the system is still not geared to reach out to those falling behind, who are more likely than not to be girls.

It is with this background in mind that Women’s Feature Service (WFS), an agency mandated to bring gender issues into the mainstream media, of which I am director, invited leading commentators, public intellectuals and experts from various fields to present their points of view and experiences in order to map the wide and disparate terrain of women’s discrimination. Most of the pieces in this dossier have been based on extensive interviews given to WFS, some of them are research and reports from the field highlighting current realities, while two were written contributions: V Geetha’s ‘The Violence of Caste and the Violence in Homes’ and Padmini Swaminathan’s ‘The Workplace is Still Gender Unequal’.

Piecing together the many jigsaw pieces of this theme reveals insights, some of them even forgotten ones.

Discrimination against women in India has been with us for centuries as historians Tanika and Sumit Sarkar remind us in 'Voices and Silences in History'. Mobility for women was not just frowned upon but absolutely proscribed, and even something as innocuous as the schooling of girls in the 19th century invited the deepest condemnation. But it is not as if schooling for girls in modern India has had a smooth run. Educationist Anita Rampal, in 'Barriers to the Classroom, Barriers in the Classroom', casts an eye on the innumerable hurdles in the progress of the schoolgirl, starting with the basic one of sibling care. This, she says, indicates an area of weakness in our school system. If early learning systems were in place, then older siblings would not have been left with the responsibility of caring for the toddlers in the family, which has the effect of taking the young caregivers completely away from schooling.

An education in science could be a useful prism through which to view gender discrimination at the level of higher education. In her intervention, senior immunologist Vineeta Bal reveals that drop-outs don't just happen at the school level ('Lost to Science'). Bal points out how half the country's qualified women scientists drop out of the system after getting their doctoral degrees, and this could be a pointer

to the woman-unfriendly nature of science education and research in the country.

With the growing presence of the women's movement in the 1970s, the generation of feminist knowledge came to be seen as a non-negotiable. But responding to that imperative was a challenge, one that remains to the present day as academic Mary E John delineates in 'Silences in Academia'.

Going by the experiences of ordinary women, the institution of marriage has generally proved to be a quagmire for them in terms of their identity, realisation of personal potential and general wellbeing. Social scientist Ravinder Kaur, in 'Marriage as Oppression', considers the many discriminatory dimensions of an institution that has proved remarkably impervious to change. In fact, Kaur observes while considering the relatively recent phenomenon of 'Internet marriages', that the emergence of new communications technology has only expedited the perpetuation of traditional barriers of class, caste and ethnicity within marriage.

All communities have their respective markers of discrimination against women. Syeda Hameed, Member,



Sudharak Olive

Planning Commission, examines some that characterise the Muslim community in India. She finds the lack of progressive personal laws disquieting and compares the situation in India with that prevailing in Muslim countries in the near neighbourhood, like Pakistan and Bangladesh, which have seen much greater levels of personal law reform. The most unfortunate aspect of this, according to her, is that practices like ‘triple *talaq*’ or multiple marriages are based on a wrong interpretation of religion.

When it comes to dalit families, discrimination takes on a different meaning altogether. V Geetha, in ‘The Violence of Caste and the Violence in Homes’, talks of the social ostracism, state bullying and political ennuï that is part of life for the dalit woman. She adds that they, sadly, experience a fair amount of hurt and pain within their homes as well — notably when they marry men from higher castes and have to put up with taunts, threats and abuse from their husbands’ kin.

Clearly then the family as a social unit in India is an inherently unequal one, and perhaps nothing reflects this more than the fact that, historically, Indian women lacked independent rights over immovable property, apart from a few pockets where matrilineal systems existed. Economist Bina Agrawal, in ‘A Home of Her Own’, reflects on why the right to land and property for women is a central condition for women’s autonomy, even as she traces the evolution of reform on this score in the country.

Right to health is another neglected right for Indian women, and this also has a lot to do with the manner in which health is envisaged and addressed by the state. In ‘Health and the Other Half’, medical academic and activist Imrana Qadeer points out how everywhere women continue to carry the double burden which gets reflected in the healthcare that comes their way. Qadeer also dwells on some new forms of discrimination against women in terms of health, including the rising sector of surrogacy where surrogate mothers, usually poor women looking to add to the family income, are left with little information and less rights.

One of the silences in the discrimination discourse concerns the disabled woman. Academic and disability activist Anita Ghai, a polio survivor herself, peels away the layers of hypocrisy that mark social attitudes towards disabled women in ‘Twice Undermined’. She points out that the metaphor of disability that is used by feminists to explain their own situation can only be taken seriously if it also encapsulates the situation of disabled women. Only then, she argues, will the metaphor have the potential for emancipation.

Supreme Court lawyer and women’s activist Vrinda Grover turns the light on the gender biases that mark the criminal justice system in India. The system, she observes, not only lacks a coherent way of addressing a crime deemed ‘serious’,

like rape, it doesn’t know how to respond to assaults that are a part of the same continuum of crime, like molestation or sexual harassment. Women’s rights to their bodily integrity is just not part of our understanding, and this in turn gets reflected in the innumerable ways the country responds to crimes against women, including in the framing of laws to fight them.

The last section in this collection looks at women in the public space in terms of employment, citizenship and political participation. Coming to employment, Padmini Swaminathan considers the way women’s access to gainful employment is mired in various unstated and implicit discriminations within employment. She concludes therefore that the mere enactment of more gender-equal laws is insufficient to correct these structured anomalies and that the ‘rules of operation’ need to be amended to make labour legislation more effective.

The right to a productive life, which gainful employment ensures, is part of the compact between the Indian nation and its citizens. Political scientist Neera Chandhoke revisits this compact in her survey of how women as citizens have fared in post-independence India. Taking the police and politicians to task for arguing that women invite crimes on themselves by dressing inappropriately or being in public places at night, Chandhoke reiterates that as equal citizens, women have the right to go wherever they wish and dress the way they want, and that it is the state’s job to ensure that their lives are secure. To prevent women from participating equally in the public space is, in fact, to deny them opportunities and life chances.

Women’s political participation is of great importance in this scenario of social inequality. Zoya Hasan, in ‘Women in Retreat After Independence’ believes that since Indian democracy is a party-based democracy, one of the major hurdles to the equality of gender representation in politics is the nature of party functioning. Despite five major political parties in India being headed by women today, there continues to be only a minuscule number of women in decision-making positions within them. This seems to indicate that the system, marked by political patronage as well as the unregulated deployment of power and money, is actually working against gender equality in political participation.

In the early-’70s, the authors of ‘Towards Equality: The Report of the Committee on the Status of Women’ noted that the poor situation of women in India is so “vast, complex and dynamic that it would need continuous examination and assessment by persons interested in social change”. Today, 40 years later, such a continuous examination and assessment remains as relevant as ever.

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Voices and silences in history

Though the social reformers of the 18th and 19th centuries looked at women through the conservative lens of family, chastity and purity, they did make gender and the condition of women a dominant public issue, and set into motion the process of change

TANIKA SARKAR
SUMIT SARKAR

MOST STUDIES of the 19th and pre-19th century make two general assumptions about Indian women. One, while looking at the limitations of social reforms of those times, the language of women having lost their rights is invariably used. It is presumed that women had definite rights which they lost because of the reformist interventions. Two, there is a complete underestimation of the power of orthodoxy in society. So when we talk about reformers we take them to be conservatives because they were not thinking of women in the way that we feminists now perceive them.



They were in favour of the family, in favour of chastity, monogamy and so on, and we take that to be a mark of their conservatism, forgetting that the society of that era — whether Hindu, Muslim or any other — was ruled by the orthodoxy. The orthodoxy had remained hegemonic and still is. So if we bring orthodoxy back into the picture, then what the reformers were trying to do and say makes a lot more sense.

Let us start with Raja Rammohan Roy. There are different critiques of Roy, including one that maintains that he infantilised the way of the 'willing satis'. Another saw him as a westernised, deracinated person who stigmatised Indian tradition, scripture and religion as something anti-modern and that this was western reason speaking through a pseudo-Indian.

But we have to remember that throughout the colonial period, the colonial government had promised — and by and large kept the pledge — to give complete autonomy to religion for all communities. So the whole change in gender relations had to be spoken about in the language of scripture and, therefore, if Roy had wanted an abolition of sati, he had to prove somehow that sati was non-scriptural.

If we look at the orthodox discourse, whether it was to do with the education of women, sati, widow remarriage or the age of consent, we come across a whole host of scriptural sanctions and prohibitions, especially for upper-caste and *sharif* (high-born) women. Here one could note that poor, lower-caste women had some mobility and a certain amount of economic independence which their upper-caste and high-born counterparts did not, primarily because they had to go out of the home to earn a living. It may not have been a very pleasant independence because of the hard work entailed, but at least these women did not come under the control of Shastric or Koranic injunctions that women of the more privileged classes came under.

The scriptural argument for sati, for instance, was that the woman wanted to commit sati because then she would gain heaven for her husband for 3 million years; and seven generations of ancestors — maternal, paternal and matrimonial — would immediately be freed from all sins, and



Eighteenth-century etching of sati by Baltazard Solvyns

they too would reach heaven. This was believed in very firmly, and the ritual promise created an incentive for sati. Actually, when the testimonies of the satis began to get collected by the colonial state, they all claimed they were going to heaven and that they could not live without their husbands.

Interestingly, all of these arguments are also arguments against widow remarriage. The Hindu scriptural argument was that a woman of lower caste was less bound by such practices, and that itself constituted a stigma. They were less pure and therefore they were not entitled to such a state, and if they wanted to gain upward social mobility they would have to follow the brahminical model.

The view of marriage, therefore, is that it is a sacrament, and once it is performed it is indissoluble. The death of the husband does not dissolve it. Now this immediately means that no woman can have more than one husband, and even if the husband dies, even if the marriage is not consummated, even if the husband abandons a woman from the beginning of the marriage, the woman is still attached to him and cannot enter any other relationship even after his death because that would constitute adultery. Also, marriage is monogamous for women but not for men. By the early-19th century, men could, and did, have innumerable wives — and innumerable women were burnt as satis in the process. The traditional argument for child

marriage was that the best kind of marriage is the pre-pubertal union, preferably before the girl is eight years of age. However, there is no limit to the bridegroom's age. A man of 90 could, and very often did, marry a child of a few years. The emphasis was on 'purity' and 'integration'.

We need to remember that scriptures don't give reasons; they just lay down the law. This made for a regime of extremely severe injunctions for women. Mobility was not just frowned upon, it was absolutely proscribed. Sometimes education — a kind of oral education — was imparted. But as historian Uma Chakravarti points out in 'Whatever Happened to the Vedic Dasi?', if women became too involved in the quest for knowledge, they would invite a backlash. Maitreyi was killed because of her curiosity as a thinking, questioning woman. The woman had to follow her husband and look after his domestic life, and the 'good woman' was to be worshipped. This perspective remained more or less intact throughout the 19th and well into the 20th centuries.

The first questioning of this treatment of women began from the early-19th century, largely because of the new technologies of communication. Literature, newspapers, the spread of education, the spread of vernacular education, translations of the scriptures, resulted in the unleashing of questions about what was the more authentic perspective, especially with regard to women.

What we find striking about the reformers was their great sense of guilt and shame. There is Rammohan Roy saying: "When did you test the intelligence of women that you call them foolish?" or that wonderful passage of his where he describes the woman's life from morning to night and shows that her life is actually structured by deprivation, exploitation and humiliation. Then we have Ishwar Chandra Vidyasagar questioning why women are born at all in this land. Whether it is Mahadev Govind Ranade in western India or Kandukuri Virasalingam Pantulu of southern India, these reformers were talking about the problems women faced if they wanted to be 'good women'. In the process, they had to face severe lampooning, ostracism and social boycott. They were in a minority. Although it is true that sati was legally abolished, Rammohan had to find some scriptural arguments, or material that he — even dishonestly — presented as scriptural arguments. Vidyasagar also managed to present some material extracted from the *Parashara Smriti* and interpreted it as a "must for Kali Yuga".

In the process, because they had to speak the language of the scriptures, they often ended up tying themselves up in knots. Rammohan states, for example, that since sati is not mentioned by the *Manu Smriti*, this meant that the *Manu Smriti* does not approve of sati, and therefore sati is not valid. But when Vidyasagar wants to legalise widow remarriage, he is in a quandary because the *Manu Smriti* is absolutely against widow remarriage. So Vidyasagar has to very strenuously argue that in Kali Yuga, Parashara is the great authority. But that undermines the argument for the age of consent issue, since Parashara certainly recommended infant marriage for women.

First you invent tradition and, when you cannot do this, you defend tradition. For instance, in the years of nationalism there was a kind of glorification of tradition, with early nationalists like Bal Gangadhar Tilak stoutly maintaining that Indian social conditions were wonderful in an earlier era.

But the reformers did set into motion the process of change because they at least problematised the condition of women and made it a dominant public issue. So if we are saying that for the first time these issues were not restricted to pandits and mullahs but became a general topic of discussion, then it is also true that gender — beginning with sati — is the theme of the first public discussions, and those discussions never really stop but carry on to the present day, albeit in a different language.

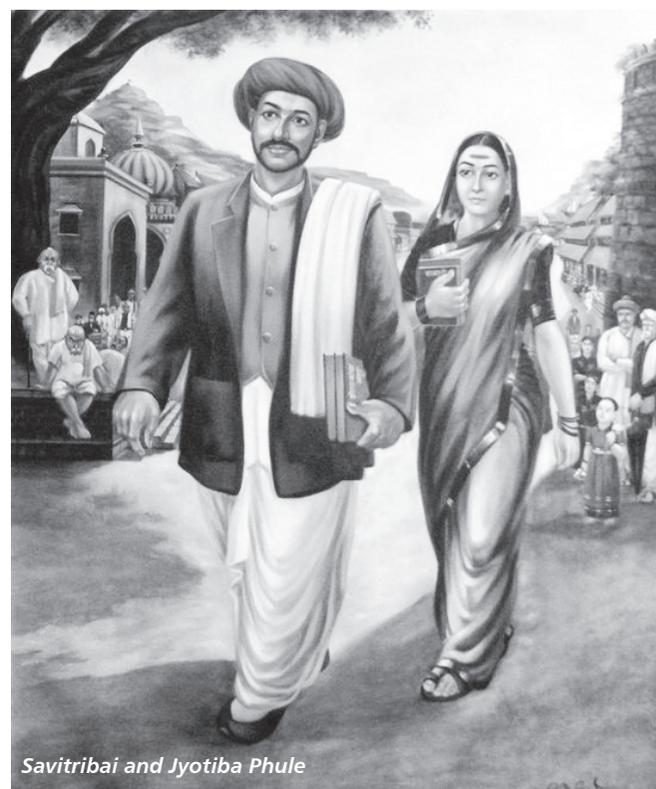
There were also effective changes. Sati, for instance, was outlawed and there have been very, very few instances of women committing sati *en masse*, as was the case in an earlier period. It is no use pointing to the 1987 incident at Deorala. After all, when Deorala happened it was seen to be against the law and there was a public outcry, with the women's movement responding strongly against it.

The campaign for widow remarriage, however, was on

the whole a failure. In a sense, it continues to be a failure. Child marriage, amazingly, is a failure among the poor, but not among those for whom it was once mandatory — the educated, the privileged, the brahmin, and so on. It is a strange inversion that seems to have happened here. While it shows the power of sanskritisation, there is also the argument that because the lower castes were made vulnerable by the circumstances of their lives, parents preferred to marry their children early for purposes of security.

Dowry came into practice possibly in the late-19th century, but the new element was cash dowry. Some scholars equate its emergence with the new educational degrees of eligible men and that 'suitable' grooms with education were attracted through the disbursal of cash and goods. Initially it was not seen as a concern, although we have a case in Bengal where a young girl, Snehalata, committed suicide in 1914 because she was afraid that her middle class parents would not be able to afford dowry. You could say that the anti-dowry movement began from that point onward, at least in Bengal, because the case created quite an outrage, with people like Rabindranath Tagore writing strongly against the practice. It is always difficult to trace the beginning of new social practices because they are not reported until they provoke protests. The Snehalata suicide was one such moment.

Interestingly, in Maharashtra, women began to actually seize control of the social reform agenda much earlier than



Savitribai and Jyotiba Phule

was the case in Bengal or the south. Jyotiba Phule, his wife Savitri, as well as Pandita Ramabai are some of the great representatives of this trend. It is really amazing to see how someone like Jyotiba could bring the gender dimension into his assessment of the problems of the lower castes. He saw caste and gender as analogous and as legacies of an unequal brahminical society. That tradition was continued by B R Ambedkar, and E V Ramasamy in the south. All of them combined gender reform with caste reform, and this made them different from the 19th century reformers.

Social scientists like Partha Chatterjee argue that the home returned to women because the public world was reserved for men. This just does not apply because men also wanted to exercise control within the home — over education, over creating the ideal companionate housewife. The home becomes a sphere of male interest, with social reform. For instance, with the Brahmo movement we find that since the Brahmo community found itself socially ostracised, they clubbed together and had nothing but their families on which to exercise influence.

Earlier, there was a kind of social taboo against women being educated, and educated women were stereotyped as necessarily licentious. The customary threat in fact was that she would be widowed if she was educated. Apart from that, when Vidyasagar founded his school for instance, there was an enormous disinclination to have women go through public spaces to school and spend their days within it. Going to school meant unleashing a new dynamic that could not be controlled by the family with the woman now acquiring her own identity.

This was something that held good for all categories, including Muslims, although *sharif* Muslim women were allowed to read the Koran by rote, without really comprehending very much. Some of the women from that era actually tried to teach themselves in secret. Husbands would teach their wives in the bedroom after everyone in the household had gone to sleep.

These are interesting stories about change, and what looks to us as very moderate change created great scandals in those times. By the late-19th century, women in Maharashtra were doing devastating things like conversion. Not only did Pandita Ramabai convert, several women from the Ramabai ashram also converted and there was fear of a backlash against them. By the 1910s, you find women forming themselves into associations, asking for maternity benefits, adult franchise and the right to work.

There are also interesting departures. For instance, Begum Rokeya, from a very aristocratic background, visited women in slums — something that was absolutely taboo in that period. Among the early trade unionists in Bengal, we see a lot of women from very upper-class and upper-caste backgrounds. The national movement created a sympathy wave for the poor, because they were perceived

to be the worst victims of colonial rule. Also, women joined the Gandhian movement because they wanted to be part of the national movement. They took part in large numbers in public action like *satyagrahas*, and M K Gandhi accepted their involvement. The Gandhian movement was such that anything was possible. Women went to jail, they went on demonstrations, they committed acts of civil disobedience and took to spinning *khadi* on *charkhas*. This was also because the national movement was seen as ‘religious activity’. This both legitimised and sanctified such activity.

The question is, did Gandhi go beyond what the social reformers were doing? Scholars like Sujata Patel argue that he did not — because what the social reformers were doing was far more scandalous and by the time Gandhi arrived on the scene, middle class women had become educated and mobile, so asking them to join a non-violent movement was not such a great departure. And perhaps Bose, Nehru, Ambedkar and Periyar did more in making women a part of their political vision.

But at the same time, just being involved in the national movement had its own impact on women. I personally interviewed a very old and very poor child widow who had joined the Gandhian movement and then went back to domesticity. I asked her what she got from the movement since nothing seemed to have really changed for her. She looked at me with complete contempt and said: “Was it the same woman who went, who came back home?” She went on: “Look, you are an educated and more prosperous person than I am and yet you ask me these questions. Why? Because you were not making history, I was.” The very act of making history was extremely empowering.

What was the connection between the social reformers and the making of the Indian Constitution? The connection was that the social reformers, for the first time in Indian history, actually stated that women in Indian society were in a disgraceful situation and that the men were guilty of creating this situation, and that it needed to be corrected.

The Constituent Assembly debates took place under very fraught circumstances, under the shadow of the holocaust of Partition. Partition actually re-imposed a lot of control over women, yet women got the right to vote painlessly in this country, unlike many of their counterparts elsewhere, through the mediation of the Constituent Assembly. This may not have come about if there was no awareness that women’s lives had to change.

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Barriers to the classroom, barriers in the classroom

Yes, the odds are stacked against the girl who wants to stay in school — because she is more malnourished and hungry, because she also does the housework and looks after siblings. But insufficient attention is paid to one important factor that pushes her out of school — the quality of education. Parents who find their daughters are not learning much in school think she would be better-off grazing cattle

ANITA RAMPAL

GIRLS' PARTICIPATION in school education has long been an area of concern. We know that the existing social structure plays an important role in girls going to school, in terms of the expectations people have of girls' education. If there is a social value placed on the learner's educational experience, then the learner feels motivated even in a system that is otherwise inadequate or extremely selective.

Interestingly, a lot of current research across the world has shifted from the earlier notion of competence to motivation. We have not sufficiently registered what motivates a girl or boy to study; we have not asked whether the existing system motivates these students sufficiently.

If girls go through elementary schooling and manage to stay in the system they often show more consistency than boys. The board examinations may be hollow measures for assessing authentic learning, but even going by that measure we find that girls do well if they manage to stay on in the school system after they have crossed into the higher secondary level.

It is the early years that are, in fact, most crucial. Of course, over the last few decades India has made considerable progress in terms of the enrollment of girls. There are more schools now, and we know that in order to have more girls in the classroom it matters if the school is close to the home; it matters if there are enough teachers; it matters if there are women teachers. But what is also obvious is that, even today, the quality of education is not something we can really be happy about. This matters, because if you have a meaningless chalk-and-talk routine and textbooks that don't encourage you to think, then the child can very easily end up feeling stupid.

What, after all, is the purpose of learning? In a lot of areas, and in a lot of communities, the aim is still not to get girls educated for a larger purpose — not just for a job, but for an individual's development. The presumption, unfortunately, continues to be that girls are not going to do anything much with their schooling and nothing can be expected from them. This, in turn, impacts negatively on their own capacities and abilities to push through the system and its barriers.

Segregation between private schooling and government schooling also impacts girls from disadvantaged homes disproportionately. These children often tend to get relegated to government schools that are resource-starved and poorly staffed. Often, within the same family, the girl will get sent to a government school while her brother attends a private institution. This is happening a lot, even in families that are better-off.

So the odds are always much greater for the girl. It becomes a challenge for her to pursue schooling with tenacity, even if things are not making sense, even if she doesn't have support at home, even if she is more hungry, even if she is more tired because she also has to do the household work.

Our early learning system is very weak. Since we don't have good systems to ensure that younger siblings are better looked after, the responsibility of caring for them falls on the older sibling, and this may even take her completely away from her schooling.



Sudharak Olive



Rejesh Vora

The first Public Report on Basic Education for India (Probe Report) in the late-1990s by development economist Jean Dreze and some of us found that where parents were keeping their daughters away from school in order to use their labour at home or elsewhere, it was often because they found their daughters were not learning very much at school. Typically, the girl would fail and the parents would conclude that she was better-off grazing cattle or doing household chores. We need to be aware of these ‘push out’ factors that come into play.

The reason why Himachal Pradesh emerged at the top of the table in the Probe Report was because girls here were expected to be in school, at least up to the elementary school level, and government schools were expected to function. That was the social norm. Himachal Pradesh really stood out on this score, and it was largely because of the kind of public provisioning for schooling that had been made over the previous 10-15 years. It was notable that even in very difficult terrain, where there was only one hamlet of 10 families, there was a functioning school with teachers who were present. In comparison, the situation in the other northern states was dismal — almost 60% of schools in many other states had only one teacher, two at the most. It would have classrooms of 100 children. School education was just notional in such circumstances and that was the reason why half the children were found to drop-out before completing school — with girls clearly the worst-off. It was found that many states had adopted the para-teaching model — hiring very low-paid contractual teachers, an approach that does not bring either quality or equity into the classroom. Children from marginalised communities

were particularly impacted, which was why the right to education legislation came in.

Lags and gaps in early childhood education

There are other factors that come into play, including the alarming levels of malnutrition among children, particularly girls. With such high levels of malnutrition, just entering a challenging arena like school, and continuing in it, becomes much more difficult.

The lags and gaps manifest themselves very early in the Indian school education system. Early childhood, for instance, is a neglected area. The Integrated Child Development Services (ICDS) scheme is one of the world’s largest welfare interventions. It has been somewhat useful in terms of addressing poor nutrition but has proved totally ineffective in terms of education. We need to focus much more on children under six. The poor start is compounded by indifferent early schooling in the formal system. Interestingly, the highest drop-out levels we have had in the last few years are actually in Class 2 or 3. Children, especially girls, come to school and then leave within a couple of years. This is because their school just doesn’t seem relevant.

The situation is complicated and nuanced. If no learning is taking place because of lack of a proper system, then parents, the family and the community will not be motivated enough to persist with sending girls to school. So we have the case of girls being placed in an indifferent educational environment to start with, and when the results don’t show it becomes an argument for withdrawing them from the

system altogether. And, while there has been progress in terms of girls' enrollment, no one really knows about their levels of participation.

There is, in fact, a mismatch between actual enrollment and regular attendance, again especially for girls. Their attendance is often not regular because any development within the family — an illness at home, a ceremony, someone coming down for a visit — means girls can't attend school. Once there is a break in education, even a 10-day break, they could find it extremely difficult to catch up. So, ensuring regular attendance is a challenge. It is not just the quality of learning but regularity of learning that is crucial.

Middle school replicates the biases

Middle school more or less replicates the situation at the primary level. Few teachers have high expectations of their girl students. This demands better curricula and different kinds of pedagogies. It is known that activity- and conversation-based pedagogies everywhere in the world make for greater participation. In India, however, this is often lacking. Even though we are trying, through vehicles like the Sarva Shiksha Abhiyan, we know that classrooms haven't changed much, that curricula haven't changed much, that it is still very much the old model of teachers talking down to the class. This is not an approach that builds a sense of agency, particularly in girls.

Having worked at the Hoshangabad Science Teaching Programme for Rural Schools in Madhya Pradesh, I found that wherever teachers gave students a chance, whenever teachers encouraged group activity, hands-on work, experiments and discussion, real learning did take place. Unfortunately, our system doesn't seem to understand the importance of group activity. Current theories maintain that learning is a social process; one doesn't learn alone, one really learns in a group from each other.

When our teachers realise this, when our textbooks are written in a way that encourages such an approach, then students learn by brainstorming with each other and not just by rote. This kind of pedagogy also helps bridge the gender gap. If you don't allow group work, it is very easy for girls to fall behind. If you allow a lot of talking between children, if you allow them to figure things out for themselves, if you allow examples from their home experiences, and you build your approach to learning on that, then you nurture and enhance a sense of self-esteem in the child and she/he ends up performing much better.

We have seen this in Hoshangabad. Children who may have come from the most difficult of home situations, from faraway villages, felt they were contributing to what was happening in the classroom because they were engaged in something. Take science or maths: we know these are subjects where teachers do not encourage girls. Even if they do something well, it goes unrecognised. Teachers invariably

encourage boys, or those who speak more confidently — girls tend to be quieter or choose not to speak up. Teachers can easily overlook their presence.

I once wrote a piece on a girl called Soni, which appeared in the *Economic & Political Weekly*. Soni is one in a few million girls who was actually able to overcome the various educational barriers that were strewn in her path. I first noticed her as a 12-year-old when I visited her school in Dhar, a small town in Madhya Pradesh. I had gone to address some science classes as part of my involvement with the Hoshangabad Science Teaching Programme.

Two years later, I met her again. She was in Class 8. It was soon after the 1991 monsoon and Soni and her classmates had performed a 'quiet miracle'. At that time, the local community had just been through a state of near-panic because the story had spread that some curious white lines that had emerged on local vegetables represented a curse by the serpent-god. So great was the fear that people had actually stopped eating vegetables that bore these markings.

It was in a milieu where truck-loads of vegetables were being dumped into the Narmada river that Soni and her friends, all studying in an ordinary government school, were encouraged by a teacher to inspect the affected vegetables. After dissecting a large number of leaves with a pin, they finally succeeded in identifying the cause of the white lines — a tiny insect less than a millimetre in size that was embedded in the leaf. Soni and her friends identified it by using a simple plastic microscope. The lines were later found to have been caused by the 'leaf miner'. The larvae of the insect buried in the leaf fed on its chlorophyll leaving the telltale white lines. As the larvae grew, they ate more of the chlorophyll, causing the line to take on the contours of a snake, which is what had caused the furore. The girls went a step further and cooked the vegetables to prove that nothing adverse would happen if the affected vegetables were eaten.

Soni came from a scheduled caste background; her father worked as a daily wage labourer. Her parents, I later learnt, had actually married her off at the age of 11, along with her elder sister, to save on wedding expenses. She had not yet been sent to her husband's home. We interviewed her mother for a film we made on Soni. Dressed in a weathered *lehanga choli*, the woman was a bit overwhelmed by the attention her daughter was getting. As she put it to us: "Agar yeh ladka hota to main usko aur padhati thi," (if she had been a boy, I would have educated her further). Soni went on to pass the Class 10 examination without failing even once. At that point, she wrote a postcard to me saying: "Pehli baar mere pitaji ne kaha hai ki tum kuch bano," (my father told me for the first time that I should go ahead and do something with my life).

The fact is that girls are not generally expected "to do something with their lives". Soni was the only girl in her

family who was able to pursue a school education without tripping over the obstacles in her path. Her elder sister, who was married off early, was thrown out of her marital home and returned with her baby. Soni later told me that she wanted to study hard and become a policewoman — policewomen were attractive to her because they seemed to project power. I encouraged her instead to take up a career related to science, given her interest in it. She applied for a nursing course and got a seat in one of the best medical colleges in the state. Finally she did become a nurse.

We can see from this story that it was the little things that made a difference to Soni’s education — a supportive teacher, for instance, and the fact that her parents felt something special was happening to their daughter because of her school education. In fact, they annulled her marriage quietly by not sending Soni to her husband’s home. This wouldn’t have happened had her education not given her parents the confidence to take this step.

But there are not too many Sonis around. In her village I met many women, some with three and four children, who would come and pour their hearts out saying they felt cheated because they were not allowed to study.

This is why quality of education becomes so crucial. Because, as we have seen, if a girl can demonstrate that she is able to perform well, she can overcome a lot of opposition to her continuing in the educational system. If you give her a supportive environment to learn in, she will be able to participate. Otherwise, it is very easy for her to fall through the cracks. She could trip up at any point, whether through irregular attendance, not being able to go to school, lack of toilets at school, or even the many intangibles like methods of assessment and teaching.

Menstruation is an important issue — mothers of Delhi schoolgirls who are now given free sanitary napkins say they could not have afforded them if they were not distributed free of cost. In urban areas there is at least a conversation about such issues; in rural areas the many taboos against speaking out ensure that very little gets done. Transportation too is a huge problem, especially when high schools are some distance from the village.

If there are discussions around these issues, if a need is felt, communities will come up with their own solutions. In Himachal Pradesh, for instance, we found that because there were a large number of children going to school they could travel together and so experience security in numbers. In many other areas, especially in northern India, the critical mass of girls seeking higher education away from their homes is missing; parents are therefore reluctant to send their daughters to high school.

meant dealing with it at a superficial level, like having more illustrations of girls in textbooks, etc. Such measures take us only so far. What is needed is a major restructuring of power equations. Gender bias in school education is really a cluster of a number of issues including pedagogy, methods of teaching, family aspirations and, of course, the textbooks used. So while it may be true that we must have greater representation of girls in textbooks, we should also have various kinds of representation.

While designing the new National Council of Educational Research and Training (NCERT) textbooks, we found that the artists would come up with the same kind of pictures — girls doing something very notional, or just watching, whilst it was the boys who were shown conducting the experiments. We had to keep reminding the illustrators about this, in today’s world when there is so much discussion about gender stereotyping!

Addressing gender stereotyping is a complex process. You find that even among very young children there are fixed notions of what a woman should be doing. Boys as young as eight will say: “This is not what ma has to do; this is not what papa should be doing.” How do we address this? We could always write a paragraph about social stereotypes and leave it at that. But it won’t change anything. Teachers need to know how to address these issues through conversations, through the active participation of children in their classes. Only then will we see real change.

The new primary school textbooks being developed by NCERT will have true stories where the protagonists are young girls. In the maths textbook there is a chapter called ‘Kiran, the Junk-seller’. It’s based on a woman in Patna who runs a junk shop. We actually hunted out these true narratives and ensured that they were written up in an engaging way, because we believed they could make a difference.

The idea is to end the old top-down approach to teaching. Children, instead of being passive consumers of information, need to construct their own knowledge. Only then will the various biases within the system — whether of caste, class or gender — be addressed.

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Addressing gender stereotyping

For a long time, addressing gender bias in school education

The numbers prove the disadvantage

The gender gap in the infant mortality rate

The infant mortality rate (IMR) is the number of infants who die in a particular year before attaining age 1, for every 1,000 live births in that year. In India, currently, the gender gap — the gap between infant mortality rates for girls and boys — is 3. It has been about that number for the past five years. It shows that even though the overall IMR is declining, the gender gap prevails.

Infant mortality by sex, 2005-10, India

| Years | Total | Male | Female |
|-------|-------|------|--------|
| 2005 | 58 | 56 | 61 |
| 2006 | 57 | 56 | 59 |
| 2007 | 55 | 55 | 56 |
| 2008 | 53 | 52 | 55 |
| 2009 | 50 | 49 | 52 |
| 2010 | 47 | 46 | 49 |

Source: www.censusindia.gov.in/vital_statistics/srs/SRS-statistical_reports_tables_2010.xls

The IMR should actually be higher in boys — when boys and girls get equal treatment. More boys are born than girls, but because more boys die than girls, by the age of 1 the number of boys and girls should be equal. However, in India, more girls out of 100 die than boys — whether because girls get less nutrition and therefore fall ill more, or they get less healthcare when they get sick.

The gender gap worsens with age

The under-5 mortality rate is the proportion of children who die before their fifth birthday to the total number of children below 5 years of age in any particular year. It is expressed in terms of deaths per 1,000 live births.

Infant mortality rate and under-5 mortality rate by sex and residence, India, 2010

| | | Total | Rural | Urban |
|--------|-------|-------|-------|-------|
| Total | IMR | 47 | 51 | 31 |
| | U-5MR | 59 | 66 | 38 |
| Male | IMR | 46 | 50 | 30 |
| | U-5MR | 55 | 61 | 36 |
| Female | IMR | 49 | 53 | 33 |
| | U-5MR | 64 | 71 | 40 |

Source: www.censusindia.gov.in/vital_statistics/srs/SRS_statistical_reports_tables_2010.xls

The gender gap in infant mortality is 3. However, the gap between IMR and U-5MR (all-India) for boys is 9 and for girls is 15. In rural areas, the IMR-U-5MR gap is 11 for boys and 18 for girls; in urban areas it is 6 for boys and 7 for girls.

What this means is that girls are already disadvantaged by age 1 and this disadvantage is exacerbated as they get older.

Literacy and education

The literacy rate is the proportion of individuals aged 7 and above who can read and write any Indian language.

Literacy rates in India by sex, 1951-2011

| Year | | | | Gender gap |
|------|--------|-------|--------|------------|
| | Person | Male | Female | |
| 1951 | 18.33 | 27.16 | 8.86 | 18.3 |
| 1961 | 28.3 | 40.4 | 15.35 | 25.05 |
| 1971 | 34.43 | 45.96 | 21.97 | 23.98 |
| 1981 | 43.57 | 56.38 | 29.76 | 26.62 |
| 1991 | 52.21 | 64.13 | 39.29 | 24.84 |
| 2001 | 64.83 | 75.26 | 53.67 | 21.59 |
| 2011 | 74.04 | 82.14 | 65.46 | 16.68 |

Source: Population Census of India, 1951, 1961, 1971, 1981, 1991, 2001 and 2011. Computed using www.censusindia.gov.in/2011_prov_results/paper2/Prov_results_paper_india.html

Though literacy rates have increased in India and the gap in male and female literacy levels is also reducing, females are still disadvantaged as their share among literates falls short of their number in the population.

Enrollment

While the gender differential is not so sharp in primary education, at the secondary level the gender differential is stark and has worsened over the years.

The number of girls per 100 boys enrolled in schools and colleges is *increasing* over the years. In enrollment in higher education by discipline, the number of girls per 100 boys in 1991-92 was highest in education, followed by arts, medicine, science, commerce and engineering, respectively. In 2006-07, the order was medicine, education, arts, science, commerce and engineering. The share of girls in technical education is rising. In medicine it is near parity and in engineering the ratio is 3 girls to 10 boys.

Number of girls per 100 boys enrolled in schools and colleges in India

| Year | Primary (I-V) | Middle (VI-VIII) | Secondary (IX-X) | Colleges and universities for general education |
|---------|---------------|------------------|------------------|---|
| 1991-92 | 72 | 62 | 52 | 48 (a) |
| 2001-02 | 79 | 72 | 65 | 67 |
| 2006-07 | 88 | 82 | 74 | 62* (P) |
| 2007-08 | 91 | 84 | 77 | NA |

Source: Department of Education, Ministry of Human Resource Development

Notes: Secondary includes IX-X classes only

(a): Excludes professional, technical and special courses

NA: Not available

P: Provisional

* Total enrollment in higher education

Drop-out rates between boys and girls across primary, middle and secondary levels of education do not seem

to be very different: the ability of girls to join school is handicapped but once they enroll, their ability to continue or discontinue is on a par with that of boys (www.censusindia.gov.in).

Maternal mortality

The maternal mortality ratio is the number of women who die from maternal causes for every 100,000 live births. In India, for the period 2007-09, the maternal mortality ratio was 212 deaths for every 100,000 live births (81/100,000 in Kerala and 390/100,000 in Assam). The lifetime risk of maternal mortality expresses the risk of the woman dying of a maternal cause. For India, for the period 2007-09, this risk was 0.6%. What this means is one in about 166 women in the reproductive age will have died due to maternal causes (one in 1,000 in Kerala and one in 71 in Uttar Pradesh/ Uttarakhand).

Maternal Mortality Ratio (MMR), Maternal Mortality Rate & Life Time Risk 2007-09 (SRS Bulletin - June, 2011)

| No. | India & Major States | Sample Female Population | Live Births | Maternal Deaths | Maternal Mortality Ratio (MMR) | 95% Confidence Intervals (CI) | Maternal Mortality Rate | Lifetime Risk |
|-----|----------------------|--------------------------|-------------|-----------------|--------------------------------|-------------------------------|-------------------------|---------------|
| 1 | Andhra Pradesh | 340,520 | 23,003 | 31 | 134 | (87-182) | 9.1 | 0.3% |
| 2 | Assam | 174,250 | 12,303 | 48 | 390 | (280-500) | 27.5 | 1.0% |
| 3 | Bihar | 331,294 | 38,096 | 100 | 261 | (210-313) | 30.1 | 1.0% |
| 4 | Chhattisgarh | 323,937 | 33,041 | 89 | 269 | (213-325) | 27.4 | 1.0% |
| 5 | Gujarat | 280,969 | 24,435 | 36 | 148 | (100-196) | 12.8 | 0.4% |
| 6 | Haryana | 165,619 | 14,594 | 22 | 153 | (90-217) | 13.5 | 0.5% |
| 7 | Jharkhand | 331,294 | 38,096 | 100 | 261 | (210-313) | 30.1 | 1.0% |
| 8 | Karnataka | 376,272 | 22,889 | 41 | 178 | (124-233) | 10.8 | 0.4% |
| 9 | Kerala | 287,854 | 14,624 | 12 | 81 | (35-127) | 4.1 | 0.1% |
| 10 | Maharashtra | 323,812 | 21,715 | 23 | 104 | (61-146) | 6.9 | 0.2% |
| 11 | Madhya Pradesh | 323,937 | 33,041 | 89 | 269 | (213-325) | 27.4 | 1.0% |
| 12 | Orissa | 272,797 | 20,616 | 53 | 258 | (189-327) | 19.5 | 0.7% |
| 13 | Punjab | 193,705 | 12,691 | 22 | 172 | (100-244) | 11.3 | 0.4% |
| 14 | Rajasthan | 241,249 | 27,277 | 87 | 318 | (251-384) | 35.9 | 1.2% |
| 15 | Tamil Nadu | 388,462 | 22,262 | 22 | 97 | (56-138) | 5.6 | 0.2% |
| 16 | Uttar Pradesh | 484,847 | 54,039 | 194 | 359 | (308-409) | 40.0 | 1.4% |
| 17 | Uttarakhand | 484,847 | 54,039 | 194 | 359 | (308-409) | 40.0 | 1.4% |
| 18 | West Bengal | 476,579 | 30,291 | 44 | 145 | (102-188) | 9.2 | 0.3% |
| 19 | Others | 101,625 | 64,535 | 104 | 160 | (130-191) | 10.2 | 0.4% |
| | India | 5,678,691 | 436,411 | 926 | 212 | (198-226) | 16.3 | 0.6% |

Source: Special Bulletin on MMR, June 2011- Registrar General of India. Special Bulletin on Maternal Mortality in India
 Life Time Risk = 1 - (1 - (Maternal Mortality Rate / 100000))^35. It is the probability that at least one woman of reproductive age (15-49) will die due to child birth or puerperium.
 MMR = Maternal Death * 100,000 / Live Births

Selected Socio Economic Statistics, India 2011, accessed from http://mospi.nic.in/mospi_new/upload/sel_socio_eco_stats_ind_2001_28oct11.pdf, accessed on October 4, 2011

Compiled by Mala Ramanathan, AMCHSS, and Udaya S Mishra, CDS, Thiruvananthapuram

Trend in enrollment of females (per 100 males) by university education in major disciplines of education, India

| Year | Arts | Science | Commerce | Education | Engineering /Tech | Medicine (1) |
|-------------|------|---------|----------|-----------|-------------------|--------------|
| 1991-92 | 65.3 | 45.7 | 33.8 | 83. | 9.5 | 53.3 |
| 2001-02 | 78.0 | 64.2 | 63.1 | 76.9 | 33.1 | 68.4 |
| 2006-07 (P) | 76.9 | 71.2 | 60.9 | 81.5 | 35.8 | 89.5* |

Source: Department of Education, Ministry of Human Resource Development
 Notes: Arts and science figures as combined for the years 1955-56, 1960-61 and 1965-66

(1): Excludes dentistry, public health, nursing, midwifery and pharmacy

* Includes dentistry, nursing, pharmacy, ayurvedic and unani

P: Provisional

Gross drop-out rate at different stages of school education by sex, India (percentage)

| Year | Male | | | Female | | |
|---------|---------|------------|-----------|---------|------------|-----------|
| | Primary | Elementary | Secondary | Primary | Elementary | Secondary |
| 2001-02 | 38.3 | 52.9 | 64.2 | 39.8 | 56.9 | 68.6 |
| 2007-08 | 25.7 | 43.7 | 56.6 | 24.4 | 41.3 | 57.3 |

Source: Ministry of Human Resource Development

Note: Total drop-out during a course stage has been taken as percentage of intake in the first year of the course stage. Primary, elementary and secondary school stages consist of classes I-V, I-VIII, and I-X

Low Body Mass Index (BMI) and Anaemia in Women (%)

| S.No. | States/UTs | Women with BMI below normal | | Anaemia in ever married women (15-49) | |
|-------|-------------------|-----------------------------|--------------------|---------------------------------------|--------------------|
| | | NFHS-2 (1998-99) | NFHS-3 (2005-2006) | NFHS-2 (1998-99) | NFHS-3 (2005-2006) |
| 1 | Andhra Pradesh | 37.4 | 33.5 | 49.8 | 62.9 |
| 2 | Arunachal Pradesh | 10.7 | 16.4 | 62.5 | 50.6 |
| 3 | Assam | 27.1 | 36.5 | 69.7 | 69.5 |
| 4 | Bihar | 39.3 | 45.1 | 63.4 | 67.4 |
| 5 | Chhattisgarh | 48.1 | 43.4 | 68.7 | 57.5 |
| 6 | Delhi | 12.0 | 14.8 | 40.5 | 44.3 |
| 7 | Goa | 27.1 | 27.9 | 36.4 | 38.0 |
| 8 | Gujarat | 37.0 | 36.3 | 46.3 | 55.3 |
| 9 | Haryana | 25.9 | 31.3 | 47.0 | 56.1 |
| 10 | Himachal Pradesh | 29.7 | 29.9 | 40.5 | 43.3 |
| 11 | Jammu & Kashmir | 26.4 | 24.6 | 58.7 | 52.1 |
| 12 | Jharkhand | 41.1 | 43.0 | 72.9 | 69.5 |
| 13 | Karnataka | 38.8 | 35.5 | 42.4 | 51.5 |
| 14 | Kerala | 18.7 | 18.0 | 22.7 | 32.8 |
| 15 | Maharashtra | 39.7 | 36.2 | 48.5 | 48.4 |
| 16 | Manipur | 18.8 | 14.8 | 28.9 | 35.7 |
| 17 | Meghalaya | 25.8 | 14.6 | 63.3 | 47.2 |
| 18 | Mizoram | 22.6 | 14.4 | 48.0 | 38.6 |
| 19 | Madhya Pradesh | 38.2 | 41.7 | 54.3 | 56.0 |
| 20 | Nagaland | 18.4 | 17.4 | 38.4 | na |
| 21 | Orissa | 48.0 | 41.4 | 63.0 | 61.2 |
| 22 | Punjab | 16.9 | 18.9 | 41.4 | 38.0 |
| 23 | Rajasthan | 36.1 | 36.7 | 48.5 | 53.1 |
| 24 | Sikkim | 11.2 | 11.2 | 61.1 | 60.0 |
| 25 | Tamil Nadu | 29.0 | 28.4 | 56.5 | 53.2 |
| 26 | Tripura | 35.2 | 36.9 | 59.0 | 65.1 |
| 27 | Uttar Pradesh | 35.8 | 36.0 | 48.7 | 49.9 |
| 28 | Uttaranchal | 32.4 | 30.0 | 45.6 | 55.2 |
| 29 | West Bengal | 43.7 | 39.1 | 62.7 | 63.2 |
| | India | 35.8 | 35.6 | 51.8 | 55.3 |

Source: NFHS-2 and NFHS-3

Selected Socio Economic Statistics, India 2011, accessed from http://mospi.nic.in/mospi_new/upload/sel_socio_eco_stats_ind_2001_28oct11.pdf, accessed on October 4, 2011

Good girls are submissive and subsidiary

School textbooks continue to portray a predominantly male and patriarchal world. Women are depicted as demure, stay-at-home accessories for the male. They seem to exist only to preserve the status quo

DEEPTI PRIYA
MEHROTRA

THIS ARTICLE EXAMINES gender concerns in Hindi language textbooks for Classes 3, 4 and 5, produced by the Rajasthan State Textbook Board as well as NCERT (1). A qualitative approach is combined with quantitative content-analysis methods, to examine gender stereotyping, presence and visibility of female and male characters, women's agency, and notions of ideal family and societal structures.

School language and social science textbooks, including those brought out by West Bengal, Tamil Nadu, Madhya Pradesh, Uttar Pradesh, Gujarat and most other state boards, as well as by commercial private publishers, tend to reinforce gender prejudices, stereotypes and discrimination (2). Scholars have noted that Hindi language textbooks of states like Rajasthan and Uttar Pradesh project an India that is upper-class, upper-caste, Hindu, masculine and militarised (3). Several scholars have pointed out that the NCERT-2001 textbooks promoted values contradictory to constitutional norms, with negative presentation of gender, as well as of deprived caste, ethnic and religious groups (4). In contrast, the NCERT-2005 textbooks are framed within a progressive educational, social and political understanding (5).

When we examine gender roles, identities and attitudes, NCERT (2005) textbooks emerge superior to the Rajasthan state texts, as well as those published by the private publisher Savio, which some private schools in New Delhi prescribe. In Rajasthan textbooks, an archaic, feudal or monarchical ethos is frequently evoked, with women relegated to subsidiary positions. They remain responsible for household chores, particularly cooking and serving; even the story of an activist woman, Imarti Bai, begins with the sentence: "Imarti Bai was working in her house," (Rajasthan, Class 3). Queens too are projected primarily as wives and mothers, rather than rulers: their horizons are limited to the (royal) household. Not one text or illustration depicts a male engaged in household work.

Men are traders, businessmen, kings and princes, soldiers, teachers and religious heads. There is a fleeting reference to a woman scientist, Kalpana Chawla, but an entire lesson about a male scientist, D S Kothari, who is presented as a 'vigyanik sant', saint-scientist. Representations of farmers too are all-male: only in one place is a woman shown in the



Sukh ka Dwar, Rajasthan, Class 5

agricultural fields, and that because she has brought food for the men to eat! Rajasthan texts and illustrations have an overwhelming presence of soldiers, and groups of boys marching in uniform — soldiers-in-the-making. A number of statesmen are depicted, including Gandhi, Chandrashekhar Azad and Rajendra Prasad, but there is no corresponding depiction of a female political figure. In biographies, women are mentioned only in mother or wife roles; in the lesson on Gandhi, Kasturba is not even named, she is just referred to as 'Ba'. There is only one female teacher throughout the three textbooks, compared to 10 male teachers. Many 'gurus' are depicted — a term used interchangeably with 'teacher' — but there are no female characters to match the stature of any of these. Visual depictions emphasise these distinctions.

Rajasthan and Savio textbooks make hardly any attempt to stimulate thinking on girls' and women's status in society; the NCERT textbooks do make scattered attempts to address social stereotypes, with stories and illustrations of girls and women engaged in a wide array of activities. Although NCERT textbooks also frequently show women as responsible for housework and childcare, at least there are some attempts to formulate a challenge. In the story *Thapp Roti Thapp Daal* (NCERT, Class 4), boys play-act a scene in which they try to cook a meal. By the end of it, however, they are disheartened, and the illustrations indicate their inability to cook. Girls take over: a brave



Thapp Roti Thapp Dal, NCERT, Class 4

yet sad commentary on the slow pace of change in gender roles!

Gender-typed from childhood

NCERT textbooks depict changing images, with several stories and illustrations of girls and women in energetic, active postures, wearing different kinds of clothing, their faces and bodies expressive. In Rajasthan textbooks, by contrast, there are visual depictions of girls in traditional feminine garb, lighting *diyas* at Diwali, receiving presents at Christmas, etc. Textbooks by private publishers such as Savio also portray girls and women as passive, basically within a set mould, although overlaid with a veneer of elitism and consumerism.

Rajasthan textbooks project a number of boys with extraordinary personal qualities, for which they are usually amply rewarded. Luv and Kush are presented as child prodigies, Aaruni as the ideal obedient child, Shruvan Kumar the quintessential son serving his parents, while Dhruv is fearless and virtuous. These boys are framed in historical and mythological narratives, a context in which no brave girls are depicted. The stray instances of brave girls dwell on one exemplary action; for instance, Kalibai, a tribal schoolgirl, sacrifices her life to release her school teacher (in *Gurubhakt Kalibai*). Roshni, in the story *Roshni*, runs out of the house to rescue her baby goat, facing firing from across the border. *Buddhimatta* portrays an ordinary working-class child, Sohni, a rag-picker who aspires to attend school, and plays a key role in the arrest of terrorists. None of these girls matches the stature of the brave boy heroes.

Role models

The lack of diverse female personalities and adult women in different occupations means that there is a paucity of role models for girls, especially in the Rajasthan textbooks. While girls are sometimes shown as hardworking students, women are shown as working primarily within the household. Girls reading these books are likely to be caught in a dilemma:

although they are exhorted to study, no long-term goals and role models are made visible to them. As they grow up, they are supposed to adopt preordained roles of womanhood: wives, mothers and household drudges, devoted primarily to their families. In Savio Publishers' Hindi textbooks too, there is a lack of positive role models for girls although at least a female teacher is shown. When a male teacher is depicted, it is interesting to see him communicating directly only with the boys in class, while the girls either stare straight ahead into space, or look somewhere in the direction of the boys!

Women in Rajasthan textbooks are invariably shown wearing traditional clothes, their heads demurely covered, faces expressionless — which is not the case in NCERT textbooks. In Savio texts, girls are usually shown as sweet, pink-cheeked, and wearing cute frocks. In NCERT books the images are more realistic, and diverse. Rajasthan and Savio illustrations have girls with homogenous faces and figures, expressionless. Society, whether the home, classroom or a public function, is shown as segregated on the basis of gender. The age-group to which these textbooks cater often has girls beginning to grow taller than boys — a reality



Hamein Jalashaya Lagte Pyare, Rajasthan, Class 3

nowhere reflected in the illustrations, which uniformly show girls smaller than boys.

Presence and visibility of girls, boys, women and men

To examine the presence and visibility of girls and women vis-à-vis boys and men, a count of characters in the textbooks was carried out. The count indicates a clear imbalance in the texts as well as in the illustrations, in both Rajasthan state as well as NCERT-2005 textbooks.

Counting all characters in all the lessons in Rajasthan Hindi textbooks for Classes 3, 4 and 5, we find the ratio of male-to-female characters in the written content is 3:1. Surprisingly enough, the ratio is exactly the same for NCERT textbooks (Hindi, classes 3, 4 and 5): 75% of the total characters are male, and 25%, that is a mere quarter, are female. There is a similar acute imbalance in the visual representation of females vis-à-vis males in both Rajasthan and NCERT textbooks: approximately three-quarters (76% or 74%) in illustrations are male, while only one-fourth (24% or 26%) are female. Thus, the male-female ratios are extremely low across the textbooks studied.

Table 1: Number of female and male characters in textbooks

| Textbooks: Text/ Illustration | Total characters | Male characters | Female characters |
|---|---------------------|--------------------|----------------------|
| Rajasthan, Cl 3, 4, 5: text | 187 | 141 (75%) | 46 (25%) |
| Rajasthan, Cl 3, 4, 5: illustrations | 589 | 450 (76%) | 139 (24%) |
| NCERT, Cl 3, 4,5: text | 162 | 121 (75%) | 41 (25%) |
| NCERT, Cl 4: illustrations | 381 | 280 (74%) | 101 (26%) |

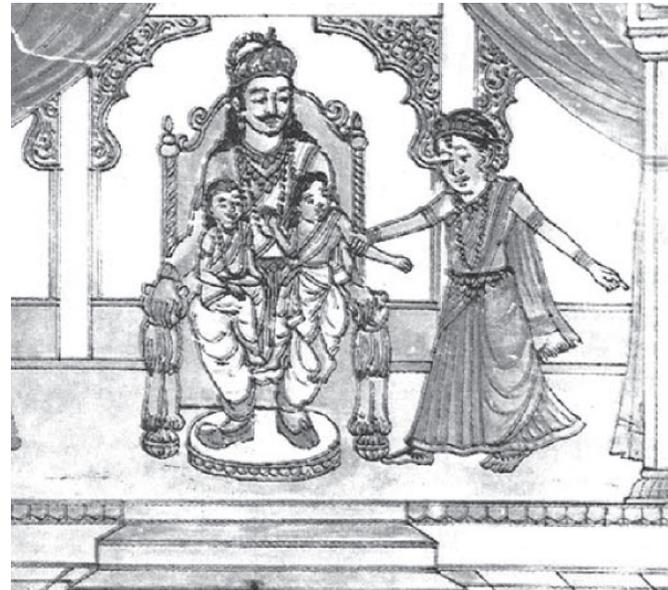
Examining illustrations in Rajasthan textbooks further, we find just three illustrations with only-female characters. In contrast, 65% of illustrations are all-male, while 33% have male and female characters.

The ratio of male-to-female characters is skewed in Hindi language textbooks brought out by private publishers as well. In the Class 4 Savio textbook, the male-to-female ratio in the text is 2:1.

Such skewed gender composition is indicative of deeper qualitative issues. This evocation of a predominantly male world provides children with a gender-skewed vision of society.

Patriarchal social structure: No questions asked!

In Rajasthan textbooks, the stories are all set within patriarchal family and society/state structures. There is no questioning of patriarchy, no depiction of alternatives.



Atal Dhruv, Rajasthan, Class 3

NCERT textbooks are better, with a relatively more democratic ethos, and some characters who question patriarchal norms.

In *Atal Dhruv* (Rajasthan, Class 3), the king's two wives are key characters. Polygamy is casually projected as a natural way of life, with no historical framing or information about its present status as illegal. Reading this story, we step back into a feudal, monarchical, patriarchal world: a world in which God comes and stands before a boy-child, resolving all his family problems, simply because the boy is virtuous. The story plays out the tension between 'good' mother-and-son, and 'bad' mother-and-son. The 'good' woman is shown as submissive, silent, innocent and homely, while the 'bad' woman is cruel, wicked, manipulative and worldly-wise.

Women and girl-children, and to an extent boy-children too, are framed within the patriarchal family, community or nation — to which they are totally loyal and committed, and for which they continually perform various services. Even the few stories with lead female characters are framed within a patriarchal ethos. Thus, *Ganga ki Chaturai*, Rajasthan, Class 4) is intelligent and quick-witted, but uses these attributes solely in the service of her husband and sons. In *Buddhimatta*, Sohni receives an award for bravery, but the visual depiction is dominated by the males on stage, and an overwhelmingly male audience. The audience seating arrangement is sex-segregated, with the men prominently placed, and female audience tucked away in a corner. While women in these textbooks wear traditional clothing and jewellery, men wear a range of clothes — from *dhoti-kurta* and turbans to more contemporary clothes like shirts, pants, suits with ties, etc. Their appearance and body language indicate that they are assertive and sure of themselves, while the women are submissive and subsidiary.



Imarti Bai, *Rajasthan, Class 3*

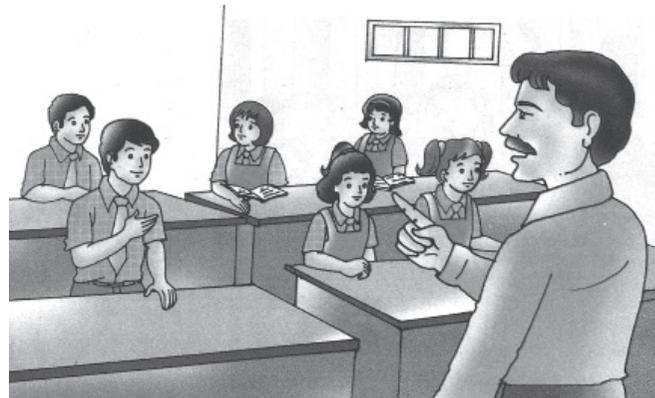
Women as agents of change

Rajasthan textbooks show Imarti Bai, who prevented deforestation by sacrificing her life, and Kalibai (*Guru Bhakt Kalibai*) who sacrificed her life to save her teacher: these characters are harshly punished by the state for their courageous actions.

Sohni, in the story *Buddhimatta*, comes across as a hard-working, sweet, ‘good’ girl who catches two terrorists in a totally unrealistic sequence of events. Nowhere in the three sets of textbooks is there any indication of women’s collective action for social transformation.

Girls and women hardly ever emerge as a group, especially in a progressive ethos. They are shown as a group only within traditional contexts: celebrating festivals, heads covered and eyes demurely lowered, quintessential ‘feminine’ images. Female protest, when presented, is interpreted in ways that suit the interests of maintaining gender hierarchies. Women never raise a voice against patriarchy within the family or society; at times, a heroine-type figure engages in spontaneous action (to save trees/a baby goat/a revered teacher), for which she is instantaneously punished, usually by death. After Imarti Bai’s head is cut off because she protests tree-cutting, the story glorifies the king who corrected his action due to Imarti Bai’s martyrdom. She is shown as mere fodder for the monarchical state, whose legitimacy is never questioned.

Apart from the three women or girls who take some action in the public sphere — Imarti Bai, Kalibai and Sohnii — there is no female political agency. There is no hint of women’s participation in politics, whether in panchayats or in higher echelons of governance. Women’s movements are blanked out and there is no sense of women’s collectivity, whether in everyday or public life. They are not part of the workforce. India is depicted as a seamless whole in which patriarchy co-exists



Svasth Kaise Rahein, *Satrangi, Class 5, Savio Publications Pvt Ltd, New Delhi*

with a jumble of monarchy, feudalism and capitalism, ruled uncontested by wealthy men, male politicians and teachers; women and girls exist with the sole purpose of perpetuating the status quo.

In NCERT textbooks too, girls and women are rarely depicted in groups, while boys and men (in Rajasthan and Savio textbooks as well) are frequently shown in groups — playing ball together; students with their teacher/guru; boys and men in the marketplace or walking on the street; kings and courtiers in palaces, etc. They are also predominant when it comes to questioning or protest, as in *Daan ka Hisaab* (NCERT), where the dissenting citizenry is shown as largely male, with one or two women included. The ethos is predominantly masculine. The typical or ideal putative reader, it seems, is a boy, not a girl — in *all* the textbooks reviewed — including the NCERT textbooks.

Endnotes

1 *Hindi Kaksha 3, Hindi Kaksha 4, Hindi Kaksha 5*, produced by Rajasthan Rajya Patthya Pustak Mandal, Jaipur, 2009; and *Rimjhim 3, Rimjhim 4, Rimjhim 5*, produced by National Council for Educational Research and Training, New Delhi, 2007

2 C.A.B.E. Sub-Committee on Regulatory Mechanisms for Textbooks and Parallel Textbooks Taught in Schools Outside the Government System Report, 2005; also Nirantar, *Textbook Regimes: A Feminist Critique of Nation and Identity*, 2009

3 Apoorvanand, *Kaunsi Pustakein Patthya Hain*, Shiksha Vimarsh, January-February 2007 issue. pp 7-20. In the present article on ‘Gender Concerns’, we examine the ‘masculine’ nature in detail, whereas other articles in this series look closely at caste, class, religion and militarisation

4 Ritubala, *Patthya Pustakon ki Rajniti*, Shiksha Vimarsh, March-April 2001, p 19-25; and Bhadu, Rajaram, *Patthya Pustakon ke Antarpath*, Shiksha Vimarsh, January-February 2007, p 60-63

5 Ritubala, *ibid*, and Joshi, Kamlesh Chandra, *Patthya Pustakon ke Naye Swar*, Shaikshani Sandarbh, Volume 5, Issue 62, November 2008-February 2009, p 29-42

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Renaming Nakusa

What's in a name? Plenty, if you happen to be one of 222 girls in five blocks of Satara district of Maharashtra called Nakusa, which means 'unwanted'. These are also blocks which have registered a sharp decline in sex ratio over the last decade

FRENY
MANECKSHA

NARAYAN WAGHALE welcomes us inside the dim central room of his mud and stone house where family members nestle in companionable ease with clucking hens, as the rain lashes down. He calls out loudly for 'Naku' and then smiles awkwardly. Old habits die hard. For he has forgotten that the seven-year-old daughter he has just addressed was re-christened Aishwarya a week ago.

But what's in a name? Plenty, if you happen to carry the indignity of being labelled Nakusa from your cradle, as this little girl and her elder cousin found. Meaning 'unwanted', the names of these two girls of Shankarwada, Narabdev

village in Saygaon taluka, Satara district, Maharashtra, are a reflection of the lowly status of the girl-child in many parts of India.

A survey in Satara district carried out through anganwadi and health workers revealed that there were at least 222 girls under the age of 16 with the same name, in the blocks of Jwali, Mann, Patan, Khandala and Phaltan — many of which have low literacy rates and are situated in hilly, rather remote terrain. Not surprisingly, Patan, which has the maximum number of Nakusas, also has the lowest sex ratio.

Zilla parishad campaigns show successful Indian women, to try and address son-preference



Photographs by Dilnaz Boga



Now, an attempt is being made to bestow some dignity and status on these girls with a re-christening and official change of name.

District Health Officer Bhagwan A Pawar says: “We have been concerned about the declining sex ratio in Satara district over the past few years. From 2001 to 2011, the figure of 995 (that is, 995 girls born in ratio to 1,000 boys) declined to 886. When we launched a vigorous campaign in favour of the girl-child around two years ago in Mann block, we came across a health worker called Nakusa. Some probing revealed that it was customary for many young daughters to be named thus.

“We made a list to try and persuade families to change the names officially so that when school and college certificates are distributed or when the girl gets married she does not have to carry this indignity forward.” The two girls were re-named in August 2011 — Aishwarya’s 13-year-old cousin chose the name Sunita for herself.

The re-naming is just one of a slew of measures being taken by the zilla parishad. As health workers and officials of the primary health centre in Saygaon point out, the re-naming should spur a change in mindset and attitude too. “It is not as if education alone counts. After all, it is educated doctors who are running illegal sex determination centres and conducting illegal female foeticide,” they point out.

The desire for a male child can go to desperate lengths: those who can afford it will undergo sex determination tests; those who cannot, go through multiple births. Aishwarya was the seventh successive daughter in her family, and clearly unwanted.

On Raksha Bandhan 300,000 students of the district organised rallies and took an oath to prevent female foeticide. Posters in health centres portray successful Indian women — from Sunita Williams to Sania Mirza and Lata Mangeshkar.



In this two-pronged approach, hard-hitting measures are also employed to boost the sex ratio. All pregnant women are monitored and there is tighter implementation of the Pre-Conception and Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) (PCPNDT) Act. Anganwadi workers, ASHAs (accredited social health activists) and others keep tabs on all pregnant women under their care. If a woman does not turn up for her check-up, someone is dispatched to her home. This monitoring ensures that she does not attempt to go to an illegal sex determination centre and abort a female child.

“The problem is that even if there is a complete shutdown of such centres in Maharashtra there have been instances of women going across to Karnataka. Word about unscrupulous doctors willing to carry out sex determination tests and foeticide spreads very quickly,” say the workers.

The civil surgeon of Satara, Dr S P Jagdale, and 17 medical superintendents have been keeping a vigilant eye on the 136 MTP (medical termination of pregnancy) centres and the 134 sonography centres that are located in various urban centres like Satara town, Karad, Wai and Phaltan. Over four years, 11 illegal centres were shut down. In 2003, the first case of misuse was lodged, and in 2005 a doctor from Karad was convicted and handed the maximum sentence of imprisonment and a fine.

For the Nakusas of Maharashtra, however, the new name and bid for enhanced status will assume significance only if during their lifetime they stand witness to a considerably improved sex ratio.

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Sex-selective abortion and India's declining female sex ratio

The decline in child sex ratios in India cannot be addressed only by preventing misuse of preconception and prenatal diagnostic techniques. Factors other than sex-selective abortion — including higher under-5 mortality for females in every state — are also responsible. It is important to address the root causes of sex determination — gender discrimination manifested through son-preference and daughter-neglect

T K SUNDARI
RAVINDRAN

THE DECLINE IN INDIA'S sex ratio during the 20th century has been the subject of much discussion in recent years. Sex-selective abortion of the female foetus following a prenatal diagnostic test is widely believed to be the major contributor to this phenomenon. This factsheet explores factors that are known to influence the sex ratio of a population. It argues that the way forward would be through addressing the root causes of sex determination, namely gender discrimination manifested through son-preference and daughter-neglect.

Understanding sex ratios

- According to the conventional definition, sex ratio = (number of males/number of females) per 100 population. However, in India, we usually define sex ratio as (number of females/number of males) per 1,000 population, at a specific point in time.
- Population sex ratio is the ratio of females per 1,000 males in the entire population.
- The child sex ratio is the ratio of females per 1,000 males in the 0-6 age-group.
- Sex ratio at birth is the ratio of female live births per 1,000 male live births. The fact that more boys are born than girls has been known at least since the 17th century (1). A sex ratio at birth that lies between 934 and 952 females per 1,000 male births is considered to be within the normal range, based on observation over several decades for many countries (2). The sex ratio at birth is the most relevant indicator for examining the magnitude of sex-selective abortions.

1 How do we interpret the further decline in India's child sex ratio between 2001 and 2011?

The census of 2011 has brought much disquiet because the child sex ratio (0-6 years) declined yet again, from 927 girls per 1,000 boys in 2001 to 914 girls per 1,000 boys in 2011. This decline has been interpreted as the direct result of more sex-selective abortions of female fetuses taking place. However, it is important to note that in India, unlike most countries of the world, more girls than boys have been dying during childhood (Figure 1 and Table 1), and this contributes to a decline in the child sex ratio.

Figure 1. Under-5 mortality rate by sex. Selected Asian countries, 2009

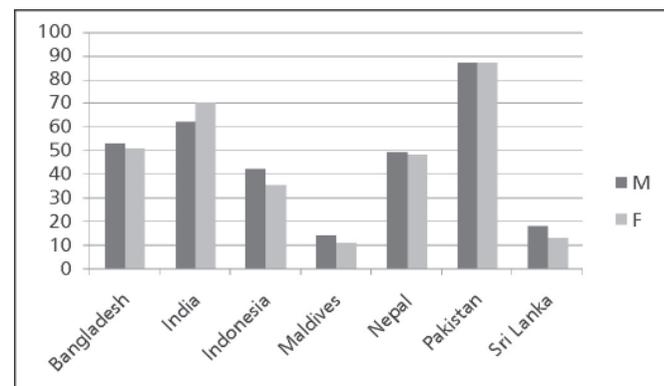


Table 1: Under-5 mortality rate by sex. Indian states, 2009

| | Total | | | Rural | | | Urban | | |
|------------------|-------|----|----|-------|----|----|-------|----|----|
| | T | M | F | T | M | F | T | M | F |
| India | 64 | 60 | 69 | 71 | 66 | 76 | 41 | 39 | 44 |
| Andhra Pradesh | 52 | 51 | 54 | 58 | 56 | 59 | 39 | 36 | 41 |
| Assam | 87 | 83 | 91 | 92 | 87 | 97 | 43 | 44 | 42 |
| Bihar | 70 | 66 | 74 | 71 | 67 | 76 | 49 | 48 | 50 |
| Chhattisgarh | 67 | 59 | 74 | 69 | 61 | 76 | 54 | 48 | 61 |
| Delhi | 37 | 36 | 38 | 42 | 45 | 39 | 36 | 34 | 38 |
| Gujarat | 61 | 59 | 64 | 71 | 71 | 72 | 42 | 37 | 48 |
| Haryana | 60 | 55 | 65 | 64 | 58 | 70 | 50 | 46 | 55 |
| Himachal Pradesh | 51 | 48 | 55 | 52 | 48 | 57 | 36 | 39 | 34 |
| Jammu & Kashmir | 50 | 46 | 54 | 52 | 49 | 55 | 39 | 34 | 45 |
| Jharkhand | 62 | 55 | 70 | 66 | 59 | 74 | 38 | 34 | 43 |
| Karnataka | 50 | 48 | 51 | 55 | 53 | 56 | 39 | 37 | 42 |
| Kerala | 14 | 12 | 16 | 14 | 12 | 17 | 13 | 12 | 13 |
| Madhya Pradesh | 89 | 86 | 92 | 95 | 92 | 99 | 58 | 58 | 58 |
| Maharashtra | 36 | 32 | 40 | 43 | 40 | 46 | 26 | 20 | 31 |
| Orissa | 84 | 83 | 85 | 88 | 88 | 89 | 52 | 49 | 55 |
| Punjab | 46 | 42 | 50 | 53 | 47 | 60 | 33 | 34 | 33 |
| Rajasthan | 74 | 66 | 84 | 82 | 73 | 91 | 46 | 37 | 55 |
| Tamil Nadu | 33 | 31 | 34 | 35 | 33 | 38 | 28 | 27 | 30 |
| Uttar Pradesh | 85 | 78 | 93 | 89 | 81 | 98 | 63 | 63 | 63 |
| West Bengal | 40 | 39 | 41 | 42 | 42 | 43 | 30 | 28 | 32 |

Source: Registrar General of India, Sample Registration System

As Table 1 shows, under-5 mortality is higher for girls than for boys in every state of India including states such as Kerala. Also, the gender gap in mortality is found not only in rural but also in urban areas in a majority of the states. The higher the gender gap in under-5 mortality, the more adverse the sex ratio will become for girls.

2 India’s sex ratio at birth (SRB) has been increasing since 2001

Following 2001, India’s Sample Registration System has been publishing the sex ratio at birth in some of the more populous Indian states. Between 2001-03 and 2006-08, there have been substantial improvements in the sex ratio at birth in a large number of states, especially states such as Punjab, Haryana and Rajasthan which have had very low sex ratios at birth for several decades. On the other hand, the southern states of Andhra Pradesh, Karnataka and Tamil Nadu have registered declines in the sex ratio at birth (Table 2).

Table 2: Sex ratio at birth in India and larger states

| | Sex ratio at birth (SRB) | |
|------------------|--------------------------|---------|
| | 2006-08 | 2001-03 |
| India | 904 | 883 |
| Andhra Pradesh | 917 | 932 |
| Assam | 933 | 904 |
| Bihar@ | 914 | 861 |
| Chhattisgarh | 975 | 964x |
| Delhi | 877 | 835x |
| Gujarat | 898 | 862 |
| Haryana | 847 | 807 |
| Himachal Pradesh | 938 | 803 |
| Jammu & Kashmir | 862 | 816 |
| Jharkhand | 922 | 865x |
| Karnataka | 935 | 943 |
| Kerala | 964 | 892 |
| Madhya Pradesh | 919 | 922# |
| Maharashtra | 884 | 887 |
| Orissa | 937 | 934 |
| Punjab | 836 | 776 |
| Rajasthan | 870 | 855 |
| Tamil Nadu | 936 | 953 |
| Uttar Pradesh | 877 | 853* |
| West Bengal | 941 | 937 |

Source: Registrar General of India, Sample Registration System, as quoted in (3)
 @ Bihar and Jharkhand combined
 x period is 2002-04
 # Madhya Pradesh and Chhattisgarh combined
 * Uttar Pradesh and Uttarakhand combined

The increasing trend of SRB in the majority of Indian states suggests that excess female mortality in childhood may have contributed significantly to the declining child sex ratio witnessed in the 2011 census.

3 A ‘lower than normal’ female sex ratio at birth is not always the result of sex-selective abortion of the female foetus

Although SRB has been increasing in most Indian states, they remain well below the ‘normal’ SRB. Is not the gap between the ‘normal’ and current SRB the direct result of sex-selective abortion of the female foetus?

The answer is ‘no’. There are many factors that can cause a decline in sex ratio at birth, of which sex-selective abortion of the female foetus is only one.

SRB is not a universal constant and may change without deliberate human intervention

Studies indicate that it would be incorrect to assume that SRB is a universal constant, and to then interpret all deviations from this as the result of deliberate human intervention. For example, sex ratios fluctuate widely when the sample size is small.

Many countries in the West — Canada, Denmark, England and Wales, Finland, Germany, Greece, Japan, the Netherlands, Sweden, Norway, Hungary, Poland, Romania, Portugal — have registered significant increases in the proportion of female-to-male births since the mid-half of the 20th century. On the other hand, slight decreases in the number of female births per 1,000 male births since the 1960s were observed for Australia, France, Italy, Ireland, Spain and New Zealand, while in the USA, for births during 1969-1995, the proportion of male-to-female births increased in the black population but declined for the white population (4). None of these changes were the result of sex-selective abortions of either the male or the female foetus.

Several other hypotheses have been put forward and examined to explain the reasons for a decline in the male sex ratio at birth. These include psychological stress in the mother, especially in the first trimester of pregnancy (5-7); exposure to occupational and reproductive hazards by men (8); economic collapse (9); and conflicts or war (10).

In India, under-enumeration of female births has been an important factor

In India, the female-to-male ratio at birth had shown a decrease much before the advent of modern technologies of sex determination. SRB decreased from 934.6 females per 1,000 males during 1901-10, to 909 females per 1,000 males in 1940-46 in all the major provinces of British India except Bombay and Assam (11). This was because of deterioration in the completeness of vital registration data in British India.

Increase in male births is an important factor contributing to the decrease in female sex ratio at birth

India’s demographic transition has given rise to a number

of changes all of which have the effect of increasing the number of male births.

Declining stillbirth and miscarriage rates

Biologically more male foetal losses are likely through miscarriage or stillbirth. Advances in healthcare which bring about a decline in these rates will contribute to a slight increase in the proportion of male births. This is corroborated by data from NFHS-1 and NFHS-2. These show that the sex ratio at birth has a higher proportion of males for women who have had trained attendance at delivery (12).

Limiting family size

Evidence from many studies based on large data sets shows that, biologically, there are more males than females among first births. The proportion of male births declines with each subsequent birth (13-14). This means that when couples limit their family size, and therefore fewer children of higher order are born, the proportion of male births will increase.

Family formation strategies

In societies with a high preference for sons, the adoption of a small family norm often leads to couples stopping childbearing as soon as they beget one or two male children. Because there are relatively more male first and second births, the proportion of male births in the population may increase to some extent as a result of this.

Shorter birth intervals

Biologically, shorter birth intervals are associated with a higher proportion of male births (15). When couples decide to start childbearing soon after marriage, and have children in quick succession and then adopt a permanent method of contraception, this is likely to have an influence on the proportion of male births in the population.

Timing of conception

Many studies report that males are more frequently conceived at the beginning and at the end of the menstrual cycle (16-17). In other words, if couples practise 'natural' family planning and avoid intercourse during the most fertile period of the menstrual cycle — the middle of the menstrual cycle — the probability of a male child being conceived increases. Although this is refuted by some studies (18), further analysis using pooled data from several studies showed that conceptions on the most fertile days had an overall SRB of 1,020 females to 1,000 males as compared to an SRB of 934.6 for conception on other days (19).

4 Sex-selective abortion of the female foetus — magnitude of the problem

How big is the problem of sex-selective abortion of the

female foetus after ascertaining the sex of the foetus using an ultrasound scan?

Ultrasound scanning does not directly influence sex-selective abortion

To begin with, it is important to acknowledge that mere use of an ultrasound scan during pregnancy may bear no relationship to the desire for sex determination or abortion. Pregnant women in many urban centres go through ultrasound scans to ascertain the normal progress of pregnancy, as part of routine antenatal care.

A study that analysed data from the National Family Health Survey-2 (NFHS-2) confirms that those who used ultrasound scanning during pregnancy did not generally misuse it for sex determination and abortion if the foetus was female (12).

Adjusting for under-reporting, an estimated 14% of births were subjected to ultrasound scanning. Comparing the sex ratio at birth of those who reported ultrasound scanning with those who said that they did not have a scan during pregnancy, it was estimated that no more than 17% of all female foetuses may have been aborted among those who had ultrasound scanning (12). Overall, this means that no more than 3% of all pregnancies end in a sex-selective abortion of the female foetus.

NFHS-3 data for 2004-05 also shows that the proportion of women terminating a pregnancy bears no relation to the number of previous sons. In other words, women who already have two or more children seem to be terminating their next pregnancy for reasons of not wanting another child, irrespective of sex (20).

The magnitude of sex-selective abortion is lower than currently perceived

One study covering 133,738 births that occurred in 1997 (21) found 899 females to 1,000 males. Five lakh female births per year, or 10 million girls in all, were estimated to be 'missing' during the 15-year period 1986-2001. Accordingly, 10 million sex-selective abortions were estimated to have taken place during the same period.

There were many problems with the data used for this study, as was subsequently pointed out (22).

More robust estimates show that the true incidence of sex-selective abortions during 1986-2001 was less than half of what the 1997 study claimed, at about 2.5 lakh per year on average (22, 23). Even this was stated to be a maximum possible figure, given the numerous other factors affecting the proportion of male births.

5 Sex determination needs to be prevented, but not through restricting access to safe abortion

While the numbers for sex-selective abortions are much fewer than currently perceived, as recently as 2001 the numbers may have been as high as 2.5 lakh per year. Sex-selective abortion of the female foetus is a manifestation of extreme gender discrimination and needs to be prevented. But restricting access to abortion services may not be the answer.

The focus on identifying every potential sex-selective abortion-seeker has led to a situation of mistrust of abortion-seekers. Healthcare providers and facilities are often reluctant to provide abortion services on the suspicion that the abortion may be for sex-selection. Restricting access to abortion services, no matter how justified the underlying intention, amounts to gender discrimination. It denies women access to a service that only women need. History tells us that when access to abortion services is restricted, the proportion of unsafe abortions increases. This results in considerable avoidable mortality and morbidity. Women from low-income groups and socially marginalised sections are the most affected.

6 The way forward is to address gender discrimination and prevent sex-determination

This factsheet examined the extent to which sex-selective abortion may be contributing to the declining sex ratio in the 0-6 age-group in India. More girls than boys die under age 5. This is a major contributor to the lower-than-normal female sex ratio in the 0-6 age-group. If we consider the sex ratio at birth, under-enumeration of female births, increase in proportion of male births, and sex-selective abortion are all reasons why a much lower proportion of female than male children are born in India. Only a small proportion of pregnancies — less than 3% — may be ending in a sex-selective abortion of the female foetus.

Gender discrimination is at the root of female-excess mortality in childhood as well as sex-selective abortions. However, restricting access to abortion services to stop the decline of female sex ratio denies women an essential service and jeopardises their health. Further, rather than challenge gender discrimination manifested in son-preference and daughter-neglect and in many other discriminatory practices, it penalises women yet again.

The way forward is to take a two-pronged approach — work towards preventing sex determination through the misuse of preconception and prenatal diagnostic techniques; and challenge all forms of gender discrimination, especially son-preference and daughter-neglect.

Prepared by T K Sundari Ravindran for Common Health in partnership with Rural Women's Social Education Centre (RUWSEC) and Sahaj Society for Health Alternatives, April 2012

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Why do boys get all the milk?

As in so many families, the Kumhars who live in a Jaipur slum take their two daughters to the construction site where they work every day. But their son goes to a private school, and is assured a glass of milk a day. The disparities and biases that creep into the distribution of food within the family have long-term impacts on the health and wellbeing of women and girls. But the Food Security Act does not address them

ANUMEHA YADAV

COMMENTING IN A PROMINENT NATIONAL DAILY on the results of a recent survey on child under-nutrition done in 100 districts, and the difference that parity between the genders in nutrition could make, academics S V Subramanian and Malavika Subramanian write: "Stunting is particularly reflective of nutritional circumstances in the first three years of life."

However, the debates around the National Food Security Bill have revolved around who will be in the general or priority category; the quantity of entitlements; or whether it should be in the form of cash or foodgrain. The question that gets lost in the debate is this: Who gets to eat what within the household? The disparities and biases that creep into the distribution of food within the family cannot be wished away given their long-term impacts on the health and wellbeing of society in general, and women and girls in particular.

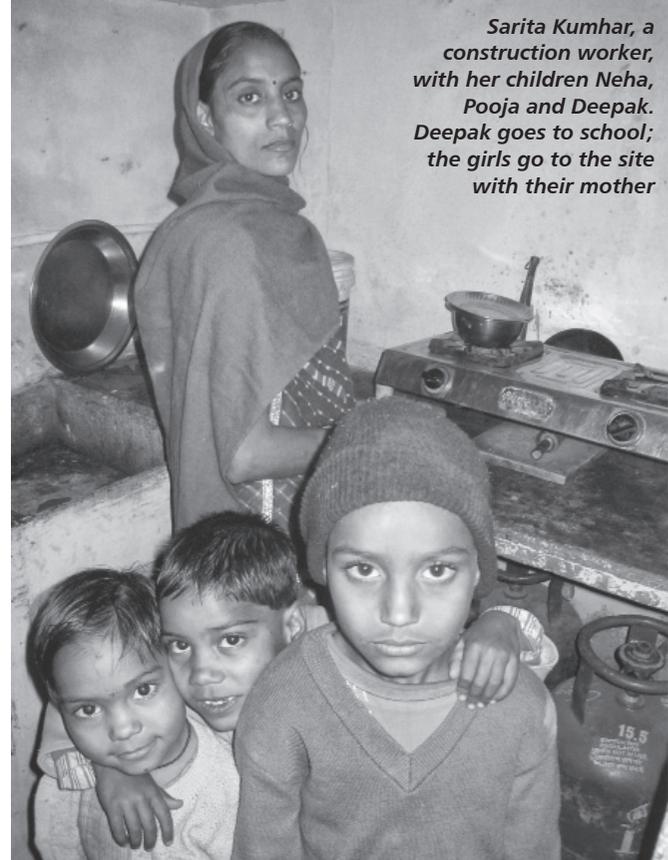
To understand this phenomenon a little better, let us visit the Kumhar household in Parvati Nagar Kachchi Basti, a Jaipur slum. The young mother of the household, Sarita Kumhar, 26, is a construction worker as is her husband. Kumhar earns Rs 200 a day — much less than her husband's wage of Rs 250. More than the quantum of wages, she says the problem is the temporary nature of their work. She takes her two little daughters, aged seven and five, with her to the site where she works. Sarita explains: "My husband and I come back only at 6 pm. The anganwadi closes in the afternoon. Whom can I leave them here with," she asks. Her nine-year-old son meanwhile goes to a private school and is looked after by his maternal grandmother.

But what about her daughters? They just have to make do with what they get. To make matters worse, the elder of the two, Pooja, suffered an attack of polio four years ago, and Sarita says she and her husband have tried everything to treat it, even borrowing Rs 50,000 to meet the endless medical bills over the last four years. But today they have little hope that their daughter will be able to walk properly. Debt and minimum wages have meant that food for the family remains basic. Kumhar leaves for work by 8 am with her husband and daughters. From 8.30 am until 5 pm — which sometimes stretches to six in the evening — she and her husband mix cement and carry sand without stopping, apart from an hour's break in the afternoon. For lunch, the family shares a few *rotis*

and a seasonal vegetable that Kumhar has cooked and packed before leaving for work. The mother's one consolation is this: "At least one of my children — my son — gets properly taken care of. My mother makes sure he gets milk every day."

Biases in food distribution over the years have a direct impact on physical development. Sapna Berva is 14, but could easily pass off for someone half her age. The oldest among five siblings — four sisters and a brother — Berva is less than five feet tall and is clearly underweight. Her father works as a helper in a small restaurant in the southern edge of Jaipur, Rajasthan's capital. Her mother is a peon at a private school.

Their economic means are limited and that is how Berva



Sarita Kumhar, a construction worker, with her children Neha, Pooja and Deepak. Deepak goes to school; the girls go to the site with their mother

Anumeha Yadav/WFS

Anumeha Yadav/WFS

Arti Devi, a domestic worker, sends all her children to the same school and makes sure they eat the same food



explains family decisions. “There is not enough milk for everyone so only Chetan gets it — twice a day,” she says, referring to her younger brother who is also the only one to attend private school. But going to a more affordable government school in the neighbourhood — although one with poor infrastructure — has brought some benefits to Berva and her three sisters. She is, in fact, quite enthusiastic about the midday meal she gets in her school. “We have a *parantha* and tea before leaving home in the morning, but in school they serve a full meal — *roti, sabzi, dal*, sometimes even fruit.”

Dapu Mehra, 32, a domestic worker who earns Rs 130 a day, has made similar compromises when it comes to distributing food within their seven-member household. Of her three daughters and two sons, only her 14-year-old son, the oldest, gets to attend private school. He and his younger brother who is five are also the ones to drink milk every day; there is none for their sisters who are 12 and 10 years old. “I breastfeed two-year-old Urmila so she gets some milk, but there is not enough money to buy other nutritious food,” says Mehra, referring to her youngest child who has been diagnosed with a vision defect in one eye.

Women in families that are even slightly better-off financially say they try to treat their children equally. Take Arti Devi, a domestic worker. “My children go to the same school and eat the same fruit, vegetable, milk and whatever else we can buy,” she says proudly. She and her husband, a mason, manage to earn Rs 10,000 a month and live in a concrete house they built with a loan last year. They hold an above-the-poverty-line (APL) ration card.

Intra-household disparities in food distribution are hard to

track and document. The prevailing disparity makes universal access with special emphasis on nutrition for women and for the girl-child even more essential. Dipa Sinha, a member of the Right to Food Campaign, puts it this way: “There are no recent studies done on what exactly is going on within the home, but these disparities reflect in the results of the National Family Health Survey (NFHS). The NFHS shows that cereal consumption between men and women is usually at par but there are significant differences in the consumption of things like milk.”

The current National Food Security Bill provides benefits for pregnant and lactating women. It tries to ensure women’s access to food through features such as mandating that ration cards be issued in the name of women who are above 18 years of age in the family. But there is mounting concern that the Bill fails to address the nutrition crisis in its entirety.

Ashok Khandelwal, a labour activist working with the Right to Food Campaign in Rajasthan, says: “The Bill is silent on nutrition for adolescent girls. Yes, the ICDS (Integrated Child Development Services) provides for midday meals, and so on. But what about girls who have dropped out of school? The government launched the Sabla scheme for adolescent girls in 200 districts last year, but why only a scheme? Why not provide it as a right by making this part of the Act?”

These are important questions that will not go away. If the idea of nutrition for all has to have meaning, then it’s time to also bring intra-family biases in food distribution on to the policy table.

Anumeha Yadav is presently the Jharkhand correspondent of The Hindu

Lost to science

About half of our qualified women scientists are dropping out of the system. This is a loss not just in terms of gender representation but in terms of the investment that has gone into training them. Scientific establishments are beginning to wonder why this happens, and why women scientists appear to be at a disadvantage

VINEETA BAL

SCIENCE IN INDIA remains a relatively less publicly recognised sphere. Not just Indian women scientists, male scientists too remain unacknowledged. This is partly because the achievements of Indian scientists — apart from those who have won the occasional Nobel Prize — are minor, thanks to the insignificant investment in science and science education in this country. In a sense, therefore, this is an endemic problem cutting across gender lines.

However, it is also true that women have suffered a specific lag in science education and scientific research. Frequent references are made to Leelavati from the mythical age, and there is occasional mention of Gargi or Maitreyee (the last two were considered 'learned women'). I don't know how much of a contribution they made to science. All we seem to know is that Leelavati was Bhaskaracharya's daughter, and he would put mathematical questions to his young child and she would respond with great alacrity. She certainly appeared to be a bright young girl, but we need a different yardstick to measure the contribution of mathematicians to this field. Historically speaking, of course, Leelavati is a great icon.

It is only in the late-19th and early-20th centuries that Indian women scientists first start appearing on the scene. They have contributed as much to scientific knowledge as many men have, but again there is nothing spectacular to report. Only a few contributions from India in the field of the natural sciences and mathematics would be considered top-ranking in international terms, and those are invariably contributions from men, because men are in a majority in our labs and continue to be in a majority as researchers, not teachers. Almost all women scientists get little recognition. I find it hard to complain about this because women as a minority in the research endeavour in India have contributed proportionately less to science research and it is therefore that much harder to find outstanding contributions from them!

To begin with, in India, there are fewer people — both girls and boys — who opt for the science stream at the school level. If you look at this stream more closely, you find that about 35-40% are girls. This of course is not a bad proportion at all, and because of it there is a fairly healthy

percentage of women making it into science at the college level. However, of these, a disproportionate number go in for medicine; about 50% of medical students may be girls. The proportion falls to 35-40% when it comes to the study of the natural sciences, and only around 15% of the total stream go for engineering. The fact that many more women go into medicine than engineering seems to underline the cultural perception that women are not supposed to be doing mechanical jobs or building bridges.

While these cultural factors exist, the quality of science education and textbooks also contributes to the lag. Sugra Chunawala, associate professor with the Homi Bhabha Centre for Science Education, analysed NCERT science textbooks, around 2006-07, from Class III to Class X. In that study, she was simply looking at the images — not the content — to find out how many human figures there were in those images. Obviously, the illustrations for the textbooks of the lower classes had more human figures than those for the higher classes. Within these human figures, she looked at the distribution of men and women and found that the number was extremely skewed. The majority of representations were of men. Women were also shown, but largely as onlookers or playing a passive role, while the men were invariably shown as the doers.

Women were also shown in traditional roles like nursing and mothering, while men were shown as pilots, doctors, and so on. Sugra concluded, justifiably, that the suggestion to girl students was that some professions were not meant for them. Teachers contribute to this stereotyping in the messages they convey in the classroom — even though in most urban areas of India the proportion of women schoolteachers is considerably higher, even for science and mathematics.

At home and within the family there is an almost complete sway of patriarchy. In the rare situation where there is more equality between the parents, peer pressure is so strong that what happens within the home is nullified because of the messages coming from outside.

As children grow up they observe that certain roles are performed by their fathers and others by their mothers.

That conditioning is very strong. Often, even among couples where the husband and wife are equally well-qualified, the man is a scientist while his wife is a schoolteacher. That clear division indicates domestic priorities that often work against the career prospects of women. For instance, the timings of a schoolteacher's work are considered more conducive to maternal childrearing. This kind of upbringing also imprints the perceptions of children in the emerging generation on what the 'right' roles for men and women are. This, in turn, influences the kind of choices children make when they become adults.

If there are no financial constraints in a family, then parents will probably spend equally on the education of their sons and daughters. If there is a minor financial constraint, the first to be affected will be the daughter, unless of course she is the older of the two and already on her way to becoming a professional. I have heard women say that their brothers went to medical college because there was a donation to be given; this meant that their parents could not afford to send them to medical college too, so they settled for "only science".

Even if dowry is legally prohibited, it continues to be an issue. We often see the expenditure that would be incurred in a daughter's wedding becoming a factor in calculations behind educational investment in children. Often the dowry a family gets for a son may go towards financing his further education. When women sometimes tell me that they have personally suffered no discrimination within their homes, I wonder whether it is also because they have been rendered insensitive to such issues, having been socialised not to notice the biases that have marked their lives.

These are the initial hurdles, but there will be hurdles even if women do take the plunge and make careers as scientists. Male and female students sometimes enter into self-selected unions — so-called 'love marriages' — and find partners within their own cohorts. They do their doctoral studies and go abroad for post-doctoral work. During this phase there may have been some equality in terms of sharing household chores and the like, but the concept of equality completely disappears among most of these couples after they return to India and settle into domestic life. This is very disturbing.

There may be genuine constraints, of course. Usually the man is older, so he finishes his research studies first and starts looking for a job. His wife will invariably have to live in the same city where he gets the job. By this time the woman may be in her late-20s or early-30s and the couple may decide to have a family. Once that happens, invariably any expectation the woman may have of keeping up with her research priorities is compromised.

The respective career paths of the man and woman are thus marked out. If the woman continues to work despite phenomenal hurdles and obstructions, with the help of the family, or with a full-time domestic worker, she still

has to face the double burden of work and family. Women are also socialised to get more affected by domestic crises, even if they have supportive spouses. This again is a cultural imprinting that cannot be changed easily. It could be a reason why qualified women scientists are compelled to go wherever their husbands settle.

Many scientific agencies, unfortunately, also have an unwritten clause that prohibits the employment of both husband and wife in the same institution. I understand why this is the case. There is always a greater possibility of their personal lives affecting their professional lives when they are working together. But this rule needs to be broken and we need to actively encourage husband and wife to be given jobs, especially in organisations with multiple institutions.

So what is the status of women scientists? As we saw, they are in a minority; they are possibly not as productive because of family responsibilities; and they often do not want to take on administrative positions like directorships. This is for basically two reasons. One, they think it is too much of a responsibility; two, the existing social reality still makes it difficult for men to take orders from a woman. If a woman, as the director of an institution, wants her organisation to run efficiently, she has to adopt a more demanding attitude which often backfires on her. That's a situation women are not comfortable with, and the diffidence is because of the big question that remains in her mind: Should I do it, and if I am in that position will I be listened to? These are some of the factors that keep women from occupying the highest rung in the scientific establishment — and there can be no denying the major gender gap at the highest administrative and policymaking levels in scientific organisations today.

Speaking for myself, I am certain that if I had married and had children, it would have affected my scientific output considerably. In a sense, I am what I am because of the choices I made. I did not want to get married and was never keen on bringing up a child, for whatever reason. Even as an adolescent I was never fascinated by babies, and I told myself then that I could do without them in my life. If I can do without children, that automatically gives me the flexibility to opt out of marriage. I actually felt I could do a lot more with my life if I gave up these two options. Even my ability to think about women scientists and my wanting to do something for them — or my other social commitments — are possible mainly because I am single.

If I had had a child, I would probably have had it in my late-20s, and for the next 10-15 years, while my child went through adolescence and grew up, my professional work would have been adversely affected. Research pressures mean that a scientist like me would have to work in the lab on Saturdays, on Sundays, even late into the evenings. I can do this because I don't have any domestic encumbrances. For most women scientists with family responsibilities, even if they do have someone to cook for them, this is difficult to achieve.

Where have all the women scientists gone?

A study by the Indian Academy of Sciences and National Institute of Advanced Studies looked at the question of why so many women scientists are not doing scientific research. Researchers interviewed 568 women with a PhD in science, engineering or medicine. Of these, 312 were currently engaged in scientific research and teaching (WIR), 182 were in jobs other than scientific research and teaching (WNR), and 74 were currently not employed (WNN). Some of the findings:

A majority of all three groups were married, but the highest percentage of WIR were 'never married' (14.1%). A majority of all groups reported having children over 15 years but more WNN had children under 5 (requiring more parental attention). More WNN reported having no help for childcare. WIR and WNR worked an average of 40-60 hours per week. A higher percentage of WIR reported working 60 hours or more per week; a higher percentage of WNR worked 20-40 hours a week.

Why they took up a particular job: Professional advantages (WIR); lack of suitable options, or freedom and autonomy in work, or permanency of position (WNR).

Most important reason for leaving a job: Better professional prospects (WIR and WNR); temporary nature of the job, or family reasons (WNN).

Why they took a break in career: All three groups mentioned childcare and eldercare. In addition, more WIR reported other family factors such as marriage, husband's or father's transfer as significant reasons; WNR reported further studies, health reasons or non-availability of fellowship due to age limits; WNN reported difficulties in finding jobs and institutions as significant factors.

The most important provision to retain women in science: All three groups mentioned flexibility in timings. For WIR, who continue to juggle scientific research and teaching careers on the one hand, and family responsibilities on the other, provisions for transportation and accommodation are important. WNR mentioned better HR policies. WNN mentioned childcare facilities at the workplace.

In a significant departure from earlier studies, the responses of WIR were compared to those of 226 men with a PhD

in science, engineering or medicine, currently engaged in scientific research and teaching (MIR).

Fourteen per cent of WIR were 'never married'. Only 2.5% of MIR report being 'never married'. Eighty-six per cent of men scientists compared to 74% of women scientists reported having children. A significantly higher proportion of WIR (46.8%) compared to MIR (33.5%) reported working between 40-60 hours per week.

Most important reason for leaving their previous job:

Family is an important reason for both, but more men mentioned better prospects and more women mentioned organisational issues like flexible timings, daycare, transport and accommodation.

Primary reason for taking breaks in career: A significantly lower proportion of men reported breaks in career compared to women. For men, personal factors such as health, further studies and voluntary retirement; for women, domestic responsibilities of childcare and care for elders were the primary reasons.

Primary reason for women dropping out of science: More men indicated family and socio-cultural factors. More women mentioned organisational factors such as lack of flexibility in timings, lack of role models and mentors, discouraging and uncongenial atmosphere.

What needs to be done to retain women in science?

A majority of both groups mentioned flexible timings. A larger percentage of MIR mentioned the need for refresher courses, fellowships, awareness and sensitisation campaigns. Women mentioned provisions such as accommodation and transportation that would help them balance their career and family.

What policy recommendations do researchers suggest?

Recognising the inherent biases in the system, they suggested the setting up of mechanisms for transparency in the system especially in selection and evaluation procedures and on a time-bound target recruiting system that would help all those marginalised from and by the recruitment system.

Anitha Kurup, Maithreyi R, Kantharaju B, Rohini Godbole. Trained Scientific Woman Power: How Much Are We Losing and Why? Bangalore: Indian Academy of Sciences, National Institute of Advanced Studies, April 2010

Most women scientists I know are very, very efficient during the formal working hours of 9 to 5. But they do not normally want to commit to attending meetings or anything else that needs to be done beyond working hours. Many times, as scientists, we prefer to hold our scientific meetings on weekends so that everybody can attend them. This, again, is a problem for the woman scientist

because she is working non-stop for five days and has only the weekend to catch up with domestic responsibilities. If attending that scientific meeting is important for her career advancement, it becomes a problem. Travelling for conferences also becomes a problem for the same reason. During a working day there are so many interruptions that it is difficult to put one's thoughts together, write a paper,

University enrollment-UGC report

| Faculty | 1995-96 | | 2000-01 | | 2005-06 | |
|-----------------|---------|---------|---------|---------|---------|---------|
| | % Total | % Women | % Total | % Women | % Total | % Women |
| Arts | 48.1 | 40.6 | 45.1 | 44.2 | 45.1 | 45.7 |
| Science | 18.6 | 37.0 | 19.8 | 39.4 | 20.4 | 40.0 |
| Med | 2.9 | 39.8 | 2.9 | 44.0 | 3.2 | 46.6 |
| Agric | 0.6 | 14.3 | 0.6 | 17.4 | 0.6 | 16.8 |
| Vet. Sci | 0.2 | 18.0 | 0.2 | 20.9 | 0.2 | 21.6 |
| Eng/ Technology | 5.9 | 16.0 | 6.9 | 21.5 | 7.2 | 23.4 |
| Commerce /Mgt | 17.1 | 32.5 | 17.8 | 36.5 | 18.0 | 37.0 |

Source: Report of the National Task Force for Women in Science

Indian Council of Agriculture Research Awards Best Thesis Awards (ICAR)

| Year | Total recipients | Percentage of women | Total recipients | Percentage of women |
|------|------------------|---------------------|------------------|---------------------|
| 2003 | 104 | 10 | | |
| 2004 | 55 | 15 | 17 | 31.6 |
| 2005 | 106 | 12 | 17 | 29.4 |
| 2006 | 60 | 26 | 18 | 23.5 |

Source: Report of the National Task Force for Women in Science

or make a presentation, all of which needs some kind of concentrated time. A person like me gets that time, but if I were a married woman with kids I am sure things would have been much harder.

I admire married women who have reached an impressive stage in their careers. They must have had much more drive and commitment than I have. But there's a flip side. They have to be extremely focused on their family and their career. The mental space to engage with anything beyond these two areas is just not there for them. This may be one of the reasons why we don't have many women scientists getting involved in social issues. They just don't have the space for such an engagement. There is an all-India organisation of women scientists called the Indian Women Scientific Association (IWSA). It has a large membership. I attended a conference IWSA held in January 2011 on the theme of scientific ethics. It struck me then that these bright women were discussing this foundational issue perhaps for the first time in their lives. I heard many women telling each other that there really are so many complex issues that one needed to think about. It was obvious they had never even ventured into anything beyond their narrow terrain of work.

Change is happening, but slowly. Of late, the Indian science establishment has suddenly been taking note of the smaller proportion of women practitioners. It is also noticing that

while women may comprise about 50% of students who do their PhDs in biology — their presence is of course much lower in mathematics and physics — post-PhD, when the time comes for them to join institutions, not more than 20-25% emerge. About half of qualified women scientists are therefore simply dropping out of the system. This is a loss not just in terms of gender representation but in terms of the investment that has gone into training them. Now, scientific establishments are beginning to wonder why this happens, why women scientists appear to be at a disadvantage or face severe challenges either because of recruitment procedures or family responsibilities.

In 2005, a task force for 'women in science', under the Department of Science and Technology, was set up at the direction of the prime minister. I was a member of that committee and we came up with a number of recommendations. We suggested ways to foster and encourage women scientists — including a time-bound recruitment target system for increasing the proportion of women scientists recruited at institutions all over the country. We also put forward measures that would attract schoolgirls into the science stream, including holding science camps and role model counselling through personal and media interactions with successful women scientists.

Unfortunately, we also discovered that we were only an advisory body to the government and had no powers of implementation or funds to even conduct a survey. We recommended that a steering committee be formed to implement our recommendations and that a gender audit of every scientific institute in the country be undertaken to find out how many women scientists there were in the country, how many of them had got employment, whether there had been an increase in such recruitment, and so on. It has been two or three years since then but nothing has emerged from the efforts of that committee. Today we are at a dead-end.

But the questions we raised are extremely important for India. We need to ensure that the government is pressurised into doing something about the structured barriers that come in the way of women science professionals achieving their potential. We need to influence the functioning of institutions and universities so that the recruitment and involvement of women scientists is encouraged. We need more gender equality in that space called the science laboratory.

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Silences in academia

We have seen 150 women's studies centres set up since 1974. But the idea was not so much to introduce women's studies as an add-on discipline as to bring the gender dimension into all higher education, introducing a perspective that would change existing ways of creating knowledge and work as a catalyst to make change happen

MARY E JOHN

GENDER BIAS IN ACADEME began to be understood better only after the women's movement took off in the years after the Emergency — the late-1970s and early-'80s. The 'Toward Equality' report, which came out in December 1974, came as a shock because it revealed a range of previously unacknowledged biases in society. One of the impacts of that report was the need to create a better knowledge base about women's lives. This realisation that we did not know enough about women's status came also as a call to academia to study the condition of women better, whether in the discipline of sociology, economics, demographics or any other.

One of the first visible effects of this process was the setting up in 1974 of a women's studies centre at the Shreemati Nathibai Damodar Thackersey Women's University (SNDT University). It was precisely this sense of a 'lack of knowledge' that made a special centre imperative. Interestingly, the position taken at the first national women's studies' meeting in 1981, in Bombay, was rather different. What the scholars there had wanted was not more women's studies centres but the more ambitious idea of transforming higher education itself by bringing in the gender dimension. The rallying cry was that women's studies was not a discipline, it was a perspective that should help change existing ways of creating knowledge. However, rigidities in the existing system resulted in a greater push for women's studies.

There can be no doubt that gender biases did come to be addressed within the existing educational system, but in very uneven ways and sometimes in ways that we have yet to fully understand. Take the issue of development. Much work was done in the area of development, but what impact did it have on, say, the teaching of economics? How did violence — a major plank of the women's movement — find an echo within the academic setting? People didn't know quite where to study violence. There are other examples: English literature was a discipline in which many feminists were active in the 1980s. They created, as a by-product of their own feminism and activism, something of a revolution in the teaching of English literature. So the picture was mixed.

That is when the pressure that women like Dr Vina Mazumdar put on the University Grants Commission resulted in the setting up of six very small centres of women's studies

in 1987 within mainstream universities — Delhi, Punjab, Varanasi, Thiruvananthapuram, Kolkata and Mumbai. The idea was not so much to acknowledge women's studies as a discipline as to get it to work as a catalyst to make change happen. But not much investment was made in these centres. Each had one director, but hardly any faculty and only tiny bits of money. Some of them did an incredible job despite these constraints, bringing together a lot of energy. Others muddled along in the face of various hurdles.

There were other challenges too. For instance, when the BJP-led NDA government came to power in the late-1990s, there was a move to turn women's studies centres into family studies centres. The proposal created a furore, and the idea had to be dropped. Today, we have 150 women's studies centres of which 86 are in universities and the remaining in colleges. As a result of the ongoing pressure to give them more institutional weight, there was a move in the Eleventh Five-Year Plan to create full-fledged women's studies departments — in a few places MPhil courses are being offered, in others, MAs, and so on.

My own response to the question of whether we should have separate departments for women's studies, or whether we should transform existing disciplines, is that this is a false either/or. We should have both. The idea is to consolidate, create synergy, in order to produce more gender-based knowledge. The Indian experience was rather different from the US model, where hand-in-hand with the big movements of the 1960s, you had women's studies programmes being set up — apart of course from the work of those academics in mainstream departments who ushered in a tremendous amount of change in their individual capacities.

We can therefore say that in India, at present, we are in a situation where institutionally there has been an expansion of women's studies, and interestingly, the student community has responded to the idea of women's studies. We are now beginning to see a generation of students who have opted for women's studies as a discipline.

Feminist knowledge outside universities

But a lot of the actual generation of feminist knowledge has happened outside universities. Look at the work that

has been done on Partition by activists who were not in any formal educational institution. Or take the volume brought out by the feminist publishing house Kali for Women, *We Were Making History*. It was done by an organisation, Shree Shakti, some of whose members happened to be academics. At the same time, new work began to emerge from mainstream departments, and the work of scholars like Kumkum Sangari testifies to that. The volume, *Recasting Women*, edited by Sangari and Sudesh Vaid, questioned the notion of culture in the colonial period. That book came out of an undergraduate English department and its relationship to the women’s movement. Similarly there are centres like the Centre for Women’s Development Studies (CWDS), which produced new knowledge on poor, rural women, and dealt with issues such as livelihood, even as it reflected on what all this means for women’s capacities to organise or create assets. Several studies on globalisation also came out of the CWDS. At the moment, it is doing a range of work on topics that were deliberately selected because they would not have otherwise found space within academe. For instance, there is a major project on internal migration, a theme that does not figure outside of some very anthropologically oriented work. There is also work on gender and disability and on conflict — subjects that are generally not reflected upon.

While there has been a growth in women’s studies centres, a lot of the small centres have had very inadequate institutional support to carry out their research. The question therefore arises whether, in the coming years, these centres — even if they become full-fledged departments — will have the capacity to generate knowledge. Where is the new generation of feminists from whom we might be seeing a new generation of knowledge? These are questions that many in the movement as well as elsewhere are asking. What is already quite visible is knowledge-generation from professionals who are part of non-governmental organisations, and spaces of that kind which probably did not exist 30 years ago. Then there are students who take on full-fledged topics dealing with women and gender, which might otherwise not have found a place. The earlier generation did not have women’s studies; the new generation will have the benefit of the institutionalisation of women’s studies. We will have to see what difference this might make.

The synergy between women’s studies and the women’s movement is one of the special aspects that marked the evolution of women’s studies. It has been a tremendous, if sometimes tense relationship. For instance, it took a long time to get studies on subjects like violence, which played such a central role in the organising strategies of the women’s movement. There were some notable exceptions to this as well. Take studies on sati. For whatever reason, women academics took up the study of sati in the 1980s, both its historical version and how it plays out in its contemporary manifestations. This work was available as a resource to understand better what happened in Deorala in 1987. So here you can say there was synergy between the women’s

movement and women’s studies, but there are also instances of the two being on parallel tracks, with the questions raised within academia not finding a resonance among activists.

There have been complaints that academics live in ivory towers, that they are not part of the real world, or that they couch their work in jargon. From the other side, there have been accusations that not much trouble has been taken to question some of the given assumptions about women and men. Ascribing these tensions to the activist-academic divide does not capture the scenario fully. There is, for instance, the feeling that activists are associated with non-governmental organisations, which influences the nature of their activism and research. The implicit accusation is that their framework is being dictated by the project, by the donor, and not by the movement, and this compromises their work.

The relationship between caste and the women’s movement has been one of the biggest challenges. Think of Mathura. She was an adivasi girl, yet her tribal identity was somehow strangely forgotten when the women’s movement raised her case in its struggle against rape. There was a presumption here that since women were taking up her case, there could be no problem. The specificities of her situation did not require elaboration — she was an emblem, a symbol for the women’s movement; they did not explore further the relationship of the mainstream to the tribe

To understand this better we would need to study the empirical evidence of the kinds of studies that emerged out of another movement which was, clearly, in retrospect, the product of more direct struggles. The work on Partition, for example, was largely unfunded. The concerned researchers had sources of income from elsewhere and were therefore free to carry out this kind of work. There were also a lot of fact-finding groups which produced outstanding reports. And so you tend to feel that in the face of these kinds of efforts and concerns, funded knowledge-generation, where you have to take on board the funders' terms of reference, is going to be a problem.

That of course is one part of the story. But just to play devil's advocate, let me say that it may be the case that such work does not address all aspects of a certain problem. Take the declining sex ratio. With all the focus of the movement being on the Pre-Conception and Pre-Natal Diagnostic Techniques (PCPNDT) Act, we didn't have the pulse of what was happening within the family. What were the strategies that families today were adopting, especially in the so-called relatively prosperous areas, in their struggle to match their resources with the number of children they had, and their gender? We keep saying we need to look at this or that, but we find we don't have the ability to muster the time and the means to do it.

As for mainstream academia, it often looks at the general realm of women's studies with indifference: okay there are women, there are social issues; it's your problem, carry on. There is also an undermining of it. We have not been able to negotiate the original question of forcing the mainstream to rethink its basic character. It is not a parallel question; it is a social problem out there. Women's studies have therefore more or less remained an 'add-on'. Perhaps the outright hostility to it that one may have once experienced has diminished. There is a certain commonsense view that women in India have problems — the declining sex ratio, the stripping and parading, and so on. But I don't think it has led mainstream academics to question the existing development model or the nature of the state, or the structure of the family.

The failures of women's studies

The other factor is, of course, the failures of those who are working on women's studies. It is one thing to say that the wider world has not been willing to question beyond a point, but to what extent have we been open to being questioned in turn? There have been attacks on mainstream women's studies for more or less taking on a false universal and claiming to speak for all women, when actually it is actively excluding groups, although perhaps not intentionally.

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here that since women were taking up her case, there could be no problem. The specificities of her situation did not require elaboration — she was an emblem, a symbol for the women's movement; they did not explore further the relationship of the mainstream to the tribe.

This approach led to a serious crisis. The upper-caste nature of women's studies in India had dalit women asking: "Where are we in your studies?" The fact that we thought we were 'casteless' within the women's movement came in for severe criticism. We take on rural women's issues, we take on the informal sector, we take on issues of the landless, we take on labour issues, and we think caste is somewhere out there. But unless and until you actually name it, interrogate it, and capture the voices of dalit women saying what they think are the issues, there is something lacking in our activism and scholarship.

This has been an ongoing challenge and I think the best thing that can be said about it is that we are hearing many more dalit voices today. Are we better at dialoguing? To a degree, yes. I think new knowledge has emerged after the 1990s — you had histories of the Dravidian movement, the role that Phule and Ambedkar played, all of which was almost invisible earlier. We have also been alerted to the fact — thanks to the Mandal struggle of the '90s — that there was a widespread non-implementation of the reservation policy. This means that there are simply not enough dalit and OBC intellectuals, men and women, in our midst. Men have always been around, and women have emerged — encountering, no doubt, sexism and all kinds of issues but coming into academia in significant numbers. The same cannot be said of dalit and OBC scholars. So one of the absolute, on-the-ground tasks would be to rectify this in a proactive way. This, I think, will make a huge difference because then you will have representatives in your midst to make change happen.

Disability is another very obvious exclusion; sexuality another. Some of these gaps are now being addressed by new work, but there is not enough of it by any stretch of the imagination if we are talking about genuinely inclusive scholarship.

Still, one has to be optimistic — both in terms of transforming knowledge and transforming the institutions of knowledge. I am among those who think that it is actually very important to focus on institutions because a lot of the activists have tended to be anti-institution. They believe institutions are part of the problem. I think many institutions — such as universities — played a central role even in the day of the 'autonomous' women's movement. In fact, many activists emerged from the university. Today's world cannot follow the standards set by yesterday's politics. We need a politics that is adequate to today's world, and a politics that is adequate to today's world must take along its institutions.

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Marriage as oppression

The weight of a female-unfriendly political economy and society ensures that even for women empowered by education, marriage remains an oppressive and unequal institution. Marriage is still seen as an exchange of women and goods, a form of social mobility for the family, which will exercise patriarchal control through honour killings of inter-caste and inter-gotra unions

RAVINDER KAUR

IN INDIA, MARRIAGE IS DESTINY — for the woman and the man — although it does not have the same serious implications for both equally. Marriage in India is also compulsory and universal, as demographers put it, with very few people in the population remaining unmarried.

Marriage is the primary way for people to attain ‘social adulthood’, largely because physical relations outside of marriage do not have social legitimacy and recognition. It is therefore one way to enter a phase of life; a rite of passage. While it may be normal to enter this phase without marriage in many other societies, that is not generally the case in India.

So marriage becomes a very important milestone, especially in the life of the Indian woman. In many ways it is the basis for society’s reproduction.

Of course there are different patterns of marriage depending on geographical location, and often there is a stark contrast between north and south. In the north, marriage is mostly patrilocal, where the woman has to leave her own home and move into that of her husband’s family. The burden of adjustment falls on her, and the inequality sets in right there. This means she lacks support structures that were once within her reach, and this affects her autonomy and decision-making abilities. One could say therefore that marriage has been more oppressive and difficult for women in the north — with the associated issues of virginity, chastity, protection of girls, all of which are tied up with the behaviour and body of the woman.

Marriage as exchange of women — and goods

Inequalities and biases are starkly visible in child marriages which still account for a substantial percentage of marriages in India — Census 2001 records 1.5 million girls married under 15, and there are some pockets where marriages of children aged 4-7 still take place. It is a tradition that has been extremely resistant to change. Communities will advance various reasons for child marriage: the belief that the chastity of the woman is kept and her family honour preserved by early marriage; that once a woman is married she becomes the responsibility of the marital family; that less dowry is needed if the girl is younger; that a younger woman is more

malleable and fits into her marital family better.

Change may be visible in some parts of the country, especially in urban India, but the girl-child is still socialised to regard marriage as necessary, even if she gets educated and finds a job. Girls and women remain dependent on men and husbands to achieve various goals. My fieldwork in rural India reveals that marriage is tied up with perceptions of moving into the next stage of life, with future mobility, and having a home of one’s own. For boys, it is quite different as they define their mobility in terms of a job outside the home. In any case, it is easier for them to gain status as they grow older and get opportunities to actualise their potential and achieve something on their own in the world outside. For girls, the future is about getting married and bearing children, all of which also means acceptance of the drudgery of housework, which is not even recognised as productive work.

Ultimately marriage is an exchange of women, with a lot of the mobility strategies of families tied up with this exchange. Anthropologist Levi-Strauss talked about the exchange of services, of goods and of women as a feature of all human societies. The exchange of women tied families together. Hypergamy, a very common feature of Indian marriage, is a strategy through which a woman’s parents raise their own family status. They marry daughters ‘up’ — and often this was one of the justifications for dowry. There is an implicit assumption that if you want to marry ‘up’ you must pay for the higher status, and since women are considered not productive, economically speaking, dowry was seen as compensation. Hindu scriptures have always considered marriage with dowry the honourable form of marriage. So the flow of wealth was supposed to be in one direction — women go with wealth and goods, and wealth and goods would keep following her in the post-marital period.

This exchange at marriage of women and goods has been used as an important mode of building relationships between families. Hypergamy also meant that women in the top echelons of the higher castes were killed at birth because the inability to marry the daughter into a higher social status could spell a family’s death, socially. Hypergamy, by its very nature, implies an unequal relationship between what we call wife-givers and

wife-takers, with the wife-givers — the girl's family — always, both ritually and socially, occupying a lower social status.

Inequality is built into that situation. Control is in the hands of the wife-takers. The young woman who comes into a family as a bride — particularly in the north — would literally be at the beck and call of every single member of her husband's family. She would have to get up early in the morning, and go to bed after everybody else. Traditionally, there was not much in terms of the companionate aspect of marriage in such a relationship. Apart from reproductive purposes, families tried to prevent any independent relationship building up between the couple. The women would all sleep in one place and the men in another. Covert cohabitation would take place and children would be conceived, but families were authority structures exercising complete control.

Of course this aspect of conjugality is changing now, even in conservative pockets of states like Haryana and Punjab. There are increasing instances of couples breaking away from the larger family and forming new units. But traditionally, family control was very real and made for a situation of great inequality for young brides. Marriage, therefore, could not be an egalitarian institution by definition.

The spread of dowry

Between north and south India there are many similarities and many differences. In the south, consanguineous marriages were the norm within some communities. This is also changing now, partly because dowry has emerged as a factor. It may not have been so important in an older order because when people married within families, the rationale for dowry did not come into play. Today, many people are saying no to consanguineous marriages, I believe, partly because they can then claim dowry.

This trend of marrying people outside the family is also giving impetus to the horoscope industry which again goes against the interests of the woman in some ways. In Kerala, for instance, there have been cases of horoscopes not matching and the potential bride being put through a process where proposals keep coming in and don't work out because the horoscopes don't match. Also, if a sufficient amount of gold is not given, the proposal may not fructify. All this goes against the woman who ends up not being able to make the 'right match'. If she gets older in the process, that too goes against her eligibility as a bride. It is quite a tyrannical situation for her. She is caught in the trap of waiting to get married, instead of leading her own life.

My studies indicate that these are the women who are entering long-distance marriages with men in Haryana. You wonder why educated, self-reliant women from Kerala are opting for such marriages, but the fact is that their

own families and societies are pushing them out. Even if a woman is educated and earning an independent income, she has no way of fighting the system and the humiliation that it sometimes brings. I have met parents in Punjab who have told me that one of their biggest concerns is that their daughter remain happy after marriage — they give her a car, a dowry, in order to ensure she gets respect in her marital home. But ultimately, she is always dependent on how her husband's family is going to treat her. She can be treated badly even if she has brought in a good dowry. Many parents therefore claim that they prefer not to have daughters as they cannot bear her suffering at the hands of her in-laws.

In Bengal too we find parents sending their daughters all over the country in marriage, partly because they are pressurised by society to ensure that a grown-up daughter is not left sitting at home. In fact, this still seems to be the general expectation almost all over the country. In my own research I have come across Bengali parents who marry their daughters to complete strangers from a different cultural region assuming that they are going to prosperous areas — and that they will no longer be a burden on them.

Marriage, therefore, has its economics. Certainly, marriage expenses have grown on both sides, even on the male side, because these are status-building exercises. The more ostentatious the marriage, the better. Social competitiveness comes into play and the more social competition grows, the greater the pressure on others to spend outside their means. Debt because of marriage is very much part of Indian reality. In fact, the cash component of dowry has increased over the years. Families want several lakhs in cash, branded goods, grand celebrations in expensive hotels. In rural areas you will see very ostentatious 'marriage palaces'. These expenses are draining and explain why daughters came to be regarded as a burden over a period of time.

Sex ratios and honour killings

In certain sections of society, there is a loosening of some of the earlier norms. For instance, the age of marriage is certainly going up. Even in conservative states like Punjab you will find women not marrying before the age of 25, which is very high by Indian standards. But even this trend can have unexpected negative consequences for women. We found in our research that this factor is also becoming a reason for perceiving the daughter as a burden because she is kept at home for a longer period before her marriage. For example, in Fatehgarh Sahib, in Punjab, I saw very bright, educated girls not being sent for higher education or employment. Their families insisted that they remain at home in order to protect their chastity, marriage prospects and family honour. Of course, this also means that they are seen as a burden, having to be fed, clothed and looked after not until they were 15, as in an earlier era, but for a whole 25 years!

The rising age of marriage should have been an important development in terms of increasing women’s choices, but this has not happened because they have not been given the leeway to carve out their own futures, choose their life partners, make their own lives. So in that sense, marriages continue to reproduce pre-set patterns which keep inequalities in place.

Arranged marriages are a way in which parents keep control over their children, and this control has always been very important in agrarian societies where there is no other source of old age social security. Parents look to their children, especially sons, to support them in their old age, and want to select their children’s spouses themselves. In an interesting study by academic Divya Mathur, entitled, ‘What’s Love Got To Do With It?’, a large number of families in Mumbai — largely urban, upper middle class and middle

Two decades ago, no one heard very much about honour killings. Today, two kinds of marriages are being targeted. The first is inter-caste unions. Self-choice is involved here, because you have chosen a partner who is not of the appropriate caste, and endogamy is the last bastion of caste exclusivity. So retaliations and reactions follow. Second, unions within caste that violate gotra or village exogamy norms. These could be either self-choice marriages or those arranged by parents, but which invite violent social reaction

class — were studied. Mathur concluded that where parents were the matchmakers, they made sure that the daughter-in-law had characteristics that suited their needs more than the needs of the sons for whom they were fixing these matches. When people make self-choice marriages, parents lose this control, and this could give rise to feelings of insecurity and hostility on their part.

While in urban India things may have loosened up to the extent that the daughter can get to interact with a potential marriage partner and even reject that person, in rural areas women continue to know next to nothing about the person they will be marrying. This lack of information about her future spouse is a way of controlling the woman, in that she can be socialised into the ways of the marital home; she becomes a body that can be written upon.

It is through this prism that honour killings can be viewed. These have been occurring largely in Haryana, western Uttar Pradesh, some parts of Punjab, and occasionally in the rest of the country. Two decades ago, no one heard very much about honour killings. Today, two kinds of marriages are being targeted. The first is inter-caste unions. Self-choice is involved here, because you have chosen a partner who is not of the appropriate caste, and endogamy is the last bastion of caste exclusivity. So retaliations and reactions follow. Second, unions within caste that violate gotra or village exogamy norms. These could be either self-choice marriages or those arranged by parents, but which invite violent social reaction. An important factor comes into play here: the ‘marriage squeeze’ created by a skewed sex ratio that has led to a shortage of girls in certain parts of the country. If you look at various marriage rules, there are pools of girls over whom certain categories of men will customarily have rights for marriage. What generally happens in honour killings involving gotra norms is that someone else is poaching on that pool. It is those who feel that their girls are being ‘taken away’ by people who are not eligible who then bring up the question of such marriages being ‘inappropriate’ even if they have been arranged by the parents.

Changes in the political economy have helped bring about such reactions. Earlier, land was the stable basis for social relations, and within castes, gotras had different rankings. Those rankings have today been upset because land is no longer the only measure of wealth and social ranking. A boy from a low-ranked gotra who has a good job may claim a girl from a high-ranked gotra, causing discomfiture to others in a scenario where there is an absolute shortage of girls. It is in such situations that khap sanctions come into play. So we see a link between skewed sex ratios and the emergence of honour killings. Who, after all, are the people who comprise the khaps? (Scholars like Prem Chowdhury have written about this.) They are older men or younger men who see themselves as ‘protectors’ of local customs and values of society. They may personally believe that their own respect and honour are being undermined; younger

men who participate in honour killings wish to side with the traditional system, as defending tradition brings them honour and allows them not to face their own insecurities.

Economics of marriage

There are other changes in the institution of marriage as well. For example, in Tamil Nadu, research shows that among the working classes, families are not unhappy if daughters elope or enter love marriages partly because it saves the parents the expenses of ostentatious marriages and high dowries. But in other places, kin marriages continue to be resilient because women can be drawn into the productive activities of the family, such as farming which needs a lot of labour. A strong, young, obedient woman then becomes sought after. This is so among the cotton farming communities of Andhra Pradesh.

Thus, various aspects have come to mark this institution which has also been given the high gloss of religious sanction. Marriage is supposed to be a sacred bond, yet hard economic realities play an important part in it, given that women are actually unpaid workers within families. If we are to use a Marxist framework, we could say that the surplus within the family is created by the labour of the wife. Today we see reproductive labour also entering the market in many ways, with wives becoming the source of income, as in surrogacy, where not only her physical labour but her reproductive labour is being used for the family. Scholars have questioned the wife/worker separation, arguing that wives are also workers. Somehow the identity of 'worker' is subsumed within the category of 'wife'. Since the work a woman does as wife is not paid, its economic value does not translate into status and decision-making power within the family. Paid labour would have visibilised this value because it would have clearly shown how a woman is adding to the wealth of the family by her own labour.

Here, women's economic self-reliance becomes very important and it would allow her to choose to marry or not marry. Women who are not economically self-reliant continue to fear divorce and are reluctant to leave even a violent relationship, especially if they have children, because they are worried about how to support themselves and their children. Many of them have, in fact, been socialised into expecting a protective kind of environment where they are looked after — Deniz Kandiyoti calls this a 'patriarchal bargain'. And so they don't develop self-confidence even if they are educated. As we have seen, although women in Kerala have been empowered by education and the potential to earn a salary, they settle for marriages with illiterate men in Haryana because they perceive marriage as extremely important for their social identity.

Technology perpetuates traditional barriers

The inequalities persist even in so-called 'modern marriages'. Look how the Internet has come to play matchmaker. Earlier

you had the traditional go-betweens who brought suitable families together; then there were newspaper classifieds; now there is the Internet. The question is: Does modern technology result in modern marriages?

First, what do we mean by a modern marriage? Surely it would imply a more democratic relationship between the partners in the marriage, with a companionate aspect to it, with people wanting to first get to know each other before committing themselves to a relationship?

In fact, modern technology seems to be contributing towards strengthening traditional marriage in some ways. On the Net, profiles are posted of grooms and brides. People can self-post, parents can post for you, friends can post for you, and so on. The scope of what you say about yourself, or about a potential bride or groom, is much wider than in a cryptic newspaper advertisement. So the display of self can include family connections, accomplishments, achievements, in fact all kinds of criteria — religion, region, language, caste, sub-caste, gotra. Technology makes it very easy to match 'perfectly' because the websites operate with proprietary algorithms which allow them to match people within seconds and send them a list of 'probables'. Worries about the 'unsuitability' of who you are going to marry, whether in terms of caste, community, religious persuasion, are taken care of by technology. Technology ends up perpetuating traditional barriers of class, caste, ethnicity. Of course, there may be a few marriages occurring of people who look beyond class- and caste-based matches, but what the Internet is enabling is a close match of social characteristics.

Is there a gender disadvantage built into the system? From my study I found first that far fewer women posted on the Net. Secondly, far fewer posted the information themselves. Therefore again, the agency was with the parents or the older sibling or the brother, who would then vet the responses. Interestingly, when I did some case studies of women in professions such as medicine and business management who wanted their choice of spouse to be broadened, I found they were not happy with the people their parents were suggesting as potential partners; they wanted to pick 'better' grooms. You could call it a self-propelled mode of upward mobility.

Looking at all these trends together, it would seem that not many Indian women are rejecting the idea of marriage. There are some who marry on their own terms. But clearly the great majority of women in this country are still caught in the old, familiar scenario, with the weight of a female-unfriendly political economy and society making marriage an oppressive institution.

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Multi-layered deprivations of Muslim women

Patriarchy in the Muslim community is that much stronger because it is seen — erroneously — as enjoined by religion. Women from within the Muslim community must speak out if the stranglehold of patriarchy is to be broken. They must reject triple *talaq*, reject the *burkha*, lead *namaaz*, perform the *nikaah* and insert gender-just clauses into the legal contract that is their *nikaahnama*

SYEDA HAMEED

MUSLIM WOMEN SUFFER double oppression. The first is, of course, the experience of all Indian women across religions, classes, castes and communities. The second is the undermining of their status by Muslim Personal Law which to me — as a person who knows the religion, has read the Koran and knows the Shariat — is not in accordance with what the religion enjoins. Muslim Personal Law is a customary law. Muslim women find themselves between these two difficult realities.

Patriarchy in the Muslim community is not unlike patriarchy in other communities, but it is given the additional weight of authority because it is seen as being enjoined by religion. Nobody tries to understand what the Koran stands for, what the Prophet stood for, or that Islam was revealed in the Arabian peninsula. So, whatever anyone who proclaims to be the interpreter says is taken as the word of Allah.

As a result of such interpretations, we see multiple marriages and triple *talaq* — two issues that are peculiar to the Muslim community. In 2000, as part of the National Commission of Women, we published a document called the ‘Voice of the Voiceless’. The report was a compendium of views of Muslim women from the ground, captured through public hearings held across the country. The voices we heard were from remote districts in Assam, West Bengal, Uttar Pradesh and Bihar, and accurately reflect local realities. One of the major traumas that emerged was the propensity of men to pronounce triple *talaq* and throw women out of the home. Or, for men to remarry and completely abandon their earlier wife and often children as well.

Three years after those hearings, I did a follow-up study and realised that nothing had changed in the intervening years. The same concerns emerged once again — even though the locations the second time around were different. The suffering of the women and their deprivation were due to the fact that they had no means of survival. The poorest of the poor were now reduced to an almost sub-human existence, because having been abandoned they had to eke out a living for the children and themselves. They were ragpickers, beedi-rollers, zardosi workers, all women who laboured with their hands as piece-rate workers. That was the story right across the country. I have not had occasion to revisit those places since 2003, but I have tried to work more at a macro level to devise policies and programmes for Muslim women. Things have marginally

improved thanks to an awakening among some in the Muslim community in terms of educating the girl-child.

Divorce by triple *talaq* is pronounced by word, sent in a letter, and now by SMS message on a mobile phone or by email. The man then simply walks out. This, incidentally, is specific to India. There is an injunction against such a practice in Pakistan, where a fair deal of reform took place after the Family Reform Code was introduced in the 1960s. Today, it is difficult for Pakistani men to take recourse to triple *talaq* although it is not as if they don’t do it by violating the law. In Bangladesh too there is an injunction against the practice.

India has not been able to address the issue despite a lot of effort. Every time the issue is broached, the ‘community’ lets out a howl of protest and the matter is dropped, despite the practice being based on a wrong interpretation of religion. I’ve been saying this for the last 20 years, ever since I plucked up the courage to speak out on the subject (earlier I was daunted by the fact that such criticism would invite *fatwas*). Now it really needs to be said that triple *talaq* is a contravention of the religion.

Some years ago, I had presided over the marriage of a friend who told me that if I didn’t perform her *nikaah* she would not get married! So Naish and Imran got married. I tried to find out if there was anything inimical to a woman performing the *nikaah* and a lot of scholars were consulted. There was nothing in the texts that forbade such a practice. I then asked what the procedure was, and was told that there are three very important things in a *nikaah*. The first is to have at least two witnesses, because marriage is regarded as a legal contract and not a sacrament. Secondly, there must be a *meher*, a dower (not dowry) for the woman, for the ceremony to be legally binding. I also asked what I should recite to conduct such a ceremony, and was told it could be anything — about leading a good life, the rights of women, etc. The third important thing is a *nikaahnama* which should register the witnesses and the *meher*. That was all there was to it. Interestingly, a woman is permitted to write anything in her *nikaahnama* and a man too permitted to write what he wants, since it is a contract. The woman could put down the injunction that the man will not remarry in her lifetime. Not that anybody does it, but the possibility does exist. So the *nikaahnama* that was used in the marriage I presided over had whatever conditions either party wanted written down. I had

two women witnesses, and the *meher* was declared.

There are two kinds of *meher*, one is a *meher* given at the time of the *nikaah*, and one is a deferred *meher*. Giving the *meher* immediately on marriage is preferred. It is not something that you give on divorce. That is the wrong notion. The *meher* is a woman's right to a certain sum of money when she gets married, a dower. What is given at the time of divorce is maintenance — known in Arabic as *naam naka* — which is quite different. The woman can also write in the *nikaahnama* that she should have the right to *khullah* — that is the right to divorce. She has this right in any case, but in order to make it more concrete she could include it in her *nikaahnama*.

This great difference between the principles of Islamic marriage and the realities of marriages that take place in the Muslim community underlines the lack of equality between men and women in the community today. At the time of the *nikaah*, a woman can name any amount for her *meher*, and can make any kind of conditionality. But there is so much pressure brought to bear on the bride and her family that they settle for a blank *nikaahnama*. So the amount of *meher* given can be as little as Rs 51 — on the basis of what is known as *meher-e-zakme*, which was the *meher* the Prophet stipulated for his daughter, and equivalent to what existed 1,500 years ago! The girl's side is so disempowered they can't protest or contest it. Similarly, the man's side can ensure that only their witnesses are called. The fact that the bridegroom's family can exercise so much disproportionate power is a comment on the biased nature of such marriages.

Education

Educational reform for women in the Muslim community began more than 100 years ago. Unfortunately that legacy is all but forgotten, and the common notion among most Muslim families is that there is no need to educate the girl-child. Since she is only required to look after a family and home, all she really needs is some household training. What lent weight to this justification was the infrastructural geography of the city and the general vulnerability of the community. Usually, schools closest to minority areas are the poorest; good schools would be located a distance away and commuting was not safe; flashpoints like Gujarat 2002 can always happen. There are still pockets in states like Uttar Pradesh and Gujarat, where parents don't send their daughters to school once they have reached puberty because they are afraid for their safety.

As for traditional institutions of learning like madrasas, they are generally closed segregated spaces. I remember visiting a madrasa for girls in the Mewat area of Haryana. It was like a garrisoned space. A government initiative — the provision of quality education in madrasas — is trying to introduce subjects like science, computer learning and so on in madrasa education, but there are many like the one in Mewat that are inured to any change. We have just not been able to reach these institutions.

Dress is definitely an impediment to the progress of Muslim

women. Among privileged sections, both in India and abroad, you see a lot of girls from the younger generation choosing to go back to the *hijab*. This has to do with the whole resurgence of identity, especially in countries where you are identified as 'different'. Many women I have known have adopted the *burkha*, saying they feel safe wearing it. This seems to suggest that somewhere these women have a perception of insecurity which makes them retreat into a kind of protective shield.

The fact of the matter is that the *hijab* or *burkha* is a marker; the minute you wear one, you are regarded as someone who needs to be treated differently. I remember in my mother's generation, 50 years ago, women actually gave up the *burkha* after Independence. It was a big step that was accepted by the men of the family. Immediately, because they became like everyone else, you perceived how much more easily they could participate in public life.

In the initial period after Islam came to India it was the Sufis who took Islam to the mohallas of the country. The Sufis encouraged the people to remain true to their own customs and ways of life, which is what made Islam so palatable to the local population. Some of the Sufis wore *dhotis*. This diktat about how women should dress is a recent phenomenon and I find it disturbing that wherever one goes in the country, you see Muslim women adopting the *hijab* or *burkha*. In earlier days, if you went to Kerala, you could never make out the Keralite Muslim from other women because she dressed more or less like her counterparts from other communities. Now you will find that even when women wear saris, they always don a *hijab*.

My religion enjoins me to dress modestly, but modest does not mean donning garb that proclaims you are a Muslim woman. Modesty, according to the Koran, means that you protect your private parts. That's all it says. That doesn't mean you have to cover your head or your hair. I definitely feel this ethos of dress is dictated by patriarchal values, and is creating a lot of polarisation.

For a more equal future, patriarchy has to go. Women are speaking out across the world, but there is such a stranglehold of patriarchy on Islam. Today, Islam has been stigmatised and has been identified as anti-gender, anti-development, anti-progress. Because anything that is done from the outside will invite a backlash, which will only make things worse, I feel that change must come from within the Muslim community. There must be more enlightenment and much better addressing of gender concerns.

While there may not be many obvious signs of change, there are stirrings. For instance, when I performed the *nikaah* I expected a *fatwa*, but it did not come. I hope more and more women within Islam push the boundaries — lead the *namaaz* for instance, do *kullah* openly, or speak up against triple *talaq* — and thereby carve out a new destiny for themselves and their community.

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‘Do we suffer because we are Muslim?’

250 girls study at the Azmatul Quran madrasa in Dehradun district, learning the Koran and Hadith, Arabic and Urdu, Hindi and English, maths and science, even computers. But they are in tattered clothes, sitting on the floor in a bare classroom. Why can't the state give them the same uniforms, midday meal and scholarships as other government schools?

SYEDA HAMEED

THE TWO LITTLE GIRLS looked very serious. They were 10 and 12 years old respectively, with white *dupattas* wrapped tightly over their heads. Their eyes were fixed on an unseen spot on the far wall. Their voices were very soft in the beginning, but grew louder as they sang lines from a long poem which they had memorised. I listened carefully to the words. The poem was a lament about the deprivation of the Muslim community in a secular and democratic country. It was a powerful poem, sung mellifluously.

A small team from the Planning Commission, including me, was in Sahaspur block of Dehradun district in Uttarakhand, standing in a classroom of a madrasa (religious school) called Azmatul Quran. The little girls finished the song on a couplet, which posed the question: ‘Do we suffer so much because we happen to be Muslims?’

Madrasa Azmatul Quran, like thousands of madrasas in the state, is run on door-to-door charity collections. It is located

on the main highway on a good-sized plot. The classrooms are built around a large, but badly maintained quadrangle. The madrasa’s administrator, Maulana Muhammad Ali, told us that there was a total enrollment of 600 students in his institution, of which 250 were girls.

We saw girls and boys seated in rows, but mostly in separate classes. In a few classrooms they were together, but seated separately. In one room we saw two computers, which had been given by the government. A listless young man said he was the teacher. We asked for a computer student and an 11-year-old girl was summoned to demonstrate her computer literacy. She sat down hesitantly at the edge of the chair and wrote ‘Ayesha’. She explained: “This is me.” Then she wrote ‘Bilal’ and ‘Zainab’. “My sister and brother,” revealed little Ayesha.

In the veranda we saw boys and girls standing in columns, being taught to memorise the Koran. They were repeating



Aditi Bhaduri/WFS

the verses after their respective monitors. "Do you teach the meaning of the words, or is this just parroting," I asked. "I always explain the meaning," responded one young team leader.

"Do you get any assistance from the government," we asked the *mohtamim maulana* (administrator). "Only if the children study Hindi, otherwise not," we were told.

"What about meals," we asked. "They don't get any. The students go home for lunch. After lunch, the next school session begins," was the reply.

By this time, the organisers had begun to smile; they appeared more relaxed, less suspicious of us. In the classroom, I placed my hand on one of two little *dupatta*-covered heads. The girls had just finished the poem. "What is your name," I asked. "Shakira," she replied, eyes cast down. "And yours?" "Shazia," replied the other girl, looking away. "Who taught you this poem?" They looked at their teacher, a stocky, barefooted young man in a *kurta-pyjama*, with a short beard and the distinctive mark of *sajda* (prayer prostration) on his forehead. "Athar Hussain is my name," he said. I asked him who had written this poem. "Dr Iqbal," he said matter-of-factly. "Can't be Dr Iqbal because the poem makes reference to the demolition of the Babri Masjid, and Dr Iqbal had died long before that," I said. The young teacher replied: "I mean most of it is by Dr Iqbal, but then a poet added a few verses to reflect contemporary reality."

I sized up the teacher. He had been teaching in this madrasa for a year and had a degree from a seminary at Fatehpur, Delhi. He was probably drawing a salary of not more than Rs 2,000-3,000 a month. "This poem, it is very well-written, but isn't it despondent? Aren't you teaching them that the

country discriminates against them because they are Muslims," I asked. "But isn't that right, madam?" the teacher shot back. He went on: "Look at them; they have no dress (uniforms), no midday meal, and no scholarships. Why can't they be treated like other children? Why can't madrasas get help from the government?"

I looked across the room; it was filled with girls and boys with torn clothes, hungry faces, facing bare walls, sitting on cold floors or tattered durries. Suddenly I felt a touch on my arm. A very small boy was standing near me. He handed me his exercise book. I opened the first page. In beautiful handwriting he had written in Urdu: 'Allah loves all his children.' I turned another page. It had an essay in Hindi, again in flawless handwriting. The next page was in English with the handwriting having been faithfully copied from the teacher's lesson — both teacher and student had a fine flowing hand. The teacher explained: "His name is Arshad. He is my best student."

"Look, let us make a deal," I told the teacher. "You teach them to hope, you make them recite poems of optimism, and I will try to see what I can do to remove some of the inequities they face. Is that a promise?"

Six hundred children are studying in this humble madrasa. It has received government recognition until Class 5 and has applied for recognition until Class 8. For once, the girls and boys are studying together in the same class. Along with the Koran and Hadith, Arabic and Urdu, they are learning Hindi and English, maths and science. Ayesha knows the computer, Shazia and Shakira have amazing memories, and Arshad is as bright as the brightest child in the education hubs of Dehradun. Why can't the state give them the same midday meals that are available to children in government schools? Why can't the state give them the same uniforms that they allow at the government schools? And the same textbooks? These children are not a drain on government resources; they are funded by ordinary people, parents and others who are desperate to educate the next generation. I turned to the state welfare officers who had accompanied us. "Can you help," I asked. They were quick to reply. "We will try our level best," they responded in unison.

"Madam, I have only one urgent request." The administrator stopped us as we were walking out of the madrasa. He pointed to the busy highway. "Please let them sanction a speedbreaker. This is a very dangerous crossing for the children." "Yes, of course," I said, recalling a similar situation in Sarai in Palwal district of Haryana where parents had stopped sending children to school because of fatal accidents.

As we were getting into waiting cars, two small pairs of hands tugged at my sari. Shazia and Shakira were going home during the lunch break. "We want to say *khuda hafiz* and please madam come again," they said.

Beneath the *dupattas*, I saw two pairs of bright eyes and two big smiles of hope.

Aditi Bhaduri/WFS



The violence of caste and the violence in homes

A dalit woman can be humiliated for daring to cross a dominant caste woman on the road, for refusing the sexual advances of a dominant caste male, or for protesting her subordinate status. In these instances, the very fact of being dalit seems enough to invite violence — it is as if dalits are made to suffer an ‘ontological’ wounding

V GEETHA

THIS LAST DECADE and more have seen a burgeoning of literature on rights issues, especially to do with gender and caste. A substantial portion of this literature has drawn from studies conducted across India on dalit lives, livelihood concerns and the myriad forms of social oppression that continue to dominate their every day.

The violence that dalit women endure and resist constitutes a major feature of these studies. Reports from the ground on this subject make for very painful and often shameful reading — indicting as they do all of us, non-dalits, for our silent complicity in a cruel and unjust social order. It is not that civil society has not protested the more horrific instances of humiliation and violence that dalits, particularly dalit women, are subject to, but such efforts do not in any substantial measure challenge social and birth privilege and the attendant class and political hegemony that go with either. Those of us who protest do not risk losing our positions of privilege, whereas dalits who resist the indignity

and violence heaped on them often have to suffer social ostracism, state bullying and political ennui.

Given this context within which our efforts at mending, reforming and overthrowing this social order unfold, it becomes important to understand in all its detail and nuance the nature of the violence which dalits experience. In what follows, I shall draw on a recent study (2006) undertaken in select regions of India, titled ‘Dalit Women Speak Out’. The results of this study make for thoughtful, sober and, in the end, extremely sad reading. (The study is now available as a book that bears the same title and is published by Zubaan Books.)

The violations enumerated in this study defy all norms of decency and are occasioned by any or all of the following circumstances:

- When women are used as ‘pawns’ in a battle that dominant caste men (and, sadly, women) wage with dalit men who are recalcitrant in carrying out their so-called caste duties, or when they insist on their right to be treated with equality and dignity. Politically conscious dalits, economically and socially mobile families, those in government service: all of them are viewed with resentment and hatred, and dominant castes are ever ready to ‘avenge’ the ‘upstart’ claims made by dalit men. In the event, dalit women are attacked, assaulted and subject to vicious sexual hurt.

- When dalit women are subject to violence simply because they are expected to be sexually available and their ‘non-cooperation’ becomes a cause for retaliation. Dalit women who challenge dominant caste men who make sexual advances, and who resist being prostituted, women who hold dominant caste men who fall in love with dalit women accountable for their actions, and women who are held to be morally fallen and therefore wrong are all targeted and attacked, both sexually and otherwise.

- When dalit women protest their subordinate status, the conditions they labour in, and when they speak up for their families and communities, and when they lay claim to common resources such as wasteland, forests and grazing grounds. Protesting women are the most disliked, and their daring and acts of transgression provoke anger and social disquiet.

Violence is often gratuitous too; a dalit woman can be humiliated for daring to cross a dominant caste woman on



Rajesh Vora

the road, for letting her cattle stray into a dominant caste landlord's field and so on. In these instances, the very fact of being dalit seems enough to invite violence — it is as if dalits are made to suffer an 'ontological' wounding, to borrow a concept from the thought world of African-American philosopher Cornel West.

Sadly, dalit women endure a fair amount of hurt and pain in their homes as well. 'Dalit Women Speak Out' lists a formidable catalogue of contexts and reasons for the domestic abuse inflicted on dalit women. This listing is depressingly familiar — or at least ought to be to women's groups that have worked on family and spousal violence these last three decades — and includes dowry, conjugal mistrust, sexual jealousy, suspicion, inability to bear male children, male drunkenness. The only startlingly different reasons for the violence that dalit women suffer at home have to do with their social status — when they marry men from other castes, they stand to be taunted, abused and are often threatened by their marital kin.

In this context, it is important that we understand the power

and authority wielded by dalit men in their homes. Some of it, the authors of the study note, is on account of 'internalised' and 'imposed' patriarchal norms, while in other instances dalit male authority is contingent, having to do with particular contexts and circumstances. Dalit male intellectuals, commenting on patriarchal dalit men, have noted that while such men do exist, dalit women do not take kindly to them, and resist more than women from the dominant castes do. They have also pointed to instances of dalit men sharing household tasks with dalit women, and argued that dalit households are less marked and defined by a sexual division of labour and that gender roles in the dalit family are far more flexible than one is likely to grant. Dalit women writers have been less reluctant to admit to and condemn dalit patriarchy, but they also insist on the importance of a shared life-world that both dalit men and women inhabit and have made their own.

Here we need to take on board the fact that dalit men are as subject to distinctive and gendered abuse as women. Only, in their case, their 'masculinity' is called into question and they are berated for not being 'men' enough, or for being



Sudharak Olive

men of a ‘certain’ kind. A Tamil Nadu study on the 1989 Act to Prevent Atrocities Against Scheduled Castes and Tribes has gathered a list of verbal offences against dalits, both men and women. (The study, which came out in 2007, was carried out by a dalit research and culture group, the Dr Ambedkar Cultural Centre, Madurai.) Words used to damn, humiliate and hurt dalit men call into question the sexual propriety of their mothers, accuse them of being ‘faggots’, thus breathing homophobic hatred, and insist that they have designs on dominant caste women. The actual words are crude, violent and very damning to a person’s sense of self, directed as they are against one’s most intimate sensibility, one’s inviolate privacy of being.

The violence that underpins the social identity granted to dalits then constitutes dalit men as scarred victims, and therefore to assert one’s sense of self, inescapably gravitates towards particular forms of assertive masculine self-expression. In the context of the dalit family and household, such expressions are consequentially gendered: while men seek to be ‘men’, and end up as familiar patriarchs, women rally around the family to keep it cohesive and protected. In the public realm though women break with what is expected of them, and resist. It seems important therefore that dalit men complement their efforts and address the violence that is constitutive of their existence as an important political issue, and examine its implications for their own familial and kin roles.

We need to think through carefully and meticulously the inexorably gendered nature of the systemic violence directed against dalits. I shall restrict my comments here to verbal insults, always already sexualised, and argue that these provide a clue to the complicated issues at stake. Sexual insults hurled at dalit women have to do with their sexual and reproductive lives and functions — dalit women’s genitalia is evoked with derision, contempt and hatred. By thus sexualising insults and abuse, the dominant caste man achieves several things: for one, he reiterates the fact of birth-based ‘lowness’ not merely through stating an idea, but by embodying it in terms which make the birth process, and the birth-giver polluting and damned. Secondly, there is a barely concealed vicarious pleasure evident in the constant references to a dalit woman’s sexuality — as something that may be easily bartered, appropriated, and constant references to the woman’s ‘availability’ end up rendering her a passive object that can be easily acted upon. That this is not true and it is the dalit woman’s resistance to her fate and her defiance that bring about violence is completely fudged in this violent description of her bodily being.

The mocking anger directed at dalit men fulfils a different purpose: as I have noted earlier, it seeks to ‘emasculate’ them. Reiterative references to dalit men as homosexuals stigmatise them as beings who are fit only to service upper-caste men, since they ‘can’t get it up’ for a woman.

This brings us to the question of those who cause hurt: the dominant caste Hindu, who hurls these insults, appears beset by a deeply flawed sense of human worth. This is most evident in the hatred and violence the dominant caste

Hindu man reserves for dalit women whom he both covets, because he has the authority to do so, but whom he cannot respect. His attitude towards her is thus as much a function of his own alienated sense of self, which needs to indulge in that bit of gratuitous violence, in excess of what the system requires to preserve his hegemony — for ultimately abuse and attack are largely punitive, they are meant to sustain dominant caste dominance, and increasingly produce it, in the face of dalit mobility and resistance. Such attempts to underscore one’s authority, which clearly lacks customary credibility, seem therefore an expression of a felt worthlessness. More so, because this authority at best is akin to bullying, as is clear from the imprecations directed at not only dalit women but dalit men as well — it is as if they had to be made to feel ‘emasculated’, to feel they are less than men for the caste Hindu to relish his own virility.

Dominant caste women, complicit as they are in the violence that their social order invests in to keep dalits down, have a stake in preserving their sense of self — inviolate, defined by notions of honour and marked by social distance between the castes. Thus, they too participate in the ontological wounding I have referred to earlier — perhaps not as equals, but as part of the community that benefits from having a permanent birth-based underclass.

The fact that dalit women are seeking out secular resources to underscore their needs and demands has proved irksome to the dominant castes. Secular options, guaranteed by law, are a given, and it takes all the force that local caste authority can summon to render the law inoperative — the fact that dalit women are actively utilising secular options available to them, either through the law or through support groups, indicates that the dominant caste male is up against an anger that has found a guarantee for its expression, whatever the outcome of the latter. Such assertion therefore calls forth an embattled masculine opposition into existence.

The manner in which dominant caste Hindu sensibility stands delineated by the 1989 Act and by the indictment that dalit testimonies have read out against it is something that we need to understand better. Caste privilege, we need to acknowledge, is gathered around a hollow and degraded sense of self, and one which refuses mutuality, reciprocity and respect. In this sense, the violence that this society inflicts on dalit women bears witness to a deeply flawed and dissembling ruling order and consciousness.

The oppressor is thus not only an ethically shrunken and politically crude creature, but also one that refuses to recognise or acknowledge that his acts place him beyond the pale of what it is to be part of the commonweal. That it is not in his immediate interest to allow such recognition is a truism, and perhaps for this reason alone, it bears reiterating.

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A home of her own

Women's rights in property, when effectively implemented, can give them a stronger sense of identity and social protection. "We had tongues but could not speak. We had feet but could not walk. Now that we have land we have the strength to speak and walk," said women in Bihar

BINA AGRAWAL

FOR WOMEN, effective rights in property are critical, not just for their economic wellbeing but also for their political and social empowerment. Effective rights mean rights not just in law but also in practice, and rights which enable women to exercise control over property. We also need to bring into our discussion property which could be owned or managed by a group of women, rather than only individually owned or managed assets.

The importance of land rights for women

In India's predominantly agrarian economy, where nearly 58% of the population is still dependent on agriculture, land remains the single most important form of immovable property. In urban India, the equivalent would be, say, a house. Let us examine why women's command over such property is so important.

For the vast numbers still living in villages, land remains the mainstay of livelihoods. It is the primary factor of production and the main source of income and welfare for millions of families. There is also a strong correlation between landlessness and rural poverty. Even a small plot can protect a family from destitution by providing supplementary income. Secure land access reduces the risk of poverty and enhances food security. Also, those owning some land can negotiate a higher wage in the labour market, since they have something to fall back on and hence greater bargaining power than the landless.

These benefits of possessing land are compounded for women, who are even more dependent on agriculture than men since men have been increasingly migrating to non-farm jobs, leaving their families behind. Land in women's hands not only enhances their own livelihood options, but also the welfare of their families. Many studies from across the developing world find that women tend to spend a larger proportion of their income from employment or assets on family needs, especially children's needs, than men. Productive assets such as land in women's hands are found to significantly enhance prospects for child survival, education and health. Access to land can also increase household food security in indirect ways such as by providing domestic fuel.

An additional and striking finding from research I did with

a colleague a few years ago is the security against domestic violence that owning an immovable asset such as land or house can provide. We studied 502 ever-married women in the 15-49 age-group in rural and urban areas of Thiruvananthapuram district in Kerala, and found that the incidence of spousal physical violence was 49% among those who owned neither land nor house, but only 7% among those who owned both; and 10% and 18% respectively for those who owned only a house or only land. In other words, owning immovable property deterred violence. The centrality of such protection held strong even when we controlled many other factors which could affect women's risk of spousal violence, such as her and her husband's educational and employment status, the household's economic position, the husband's alcohol abuse, both spouses' childhood exposure to violence, and so on.

However, being employed (except in the formal sector) did not protect women against violence. In fact, where the woman was employed and the man was not, or she was better employed than him, she faced a higher risk of physical violence. There was no such perverse effect with property: a propertied woman married to a propertyless man faced less and not more violence. Spousal differences in employment status tend to have a perverse effect because husbands often get irked at their wives outperforming them. Moreover, employment does not automatically give a woman a credible exit option, if violence does occur. She may not earn enough to leave a violent spouse, or may not easily find another place to live. With land or a house of her own she has somewhere to go, or she can ask him to leave if they are living in her house.

Apart from welfare benefits, given the feminisation of agriculture, secure land rights for women are necessary for increasing farm output. About 40% of agricultural workers in India are women but their productivity is seriously constrained by their lack of access to land, credit (for which land can serve as collateral), inputs, technical information, and so on. Without land titles, women are not even seen as farmers and seldom benefit from the many government schemes meant for small and marginal farmers. With land they can better access such schemes as well as essential productive inputs such as improved seeds and fertilisers, crop-related information, and markets. According to the FAO's 2011 State of Agriculture Report, reducing the

constraints faced by women farmers in developing countries could raise their farm yields by 20-30% and raise country-level total agricultural output by 2.5-4%, thus making a significant impact on food security.

Often the arguments for women's rights are made only in terms of gender equality. Indisputably, gender equality is central to creating a just and fair society. But in order to convince policymakers that women need to have land in their own right, we need to draw on multiple arguments, including the potential benefits of gender equality in access to land on agricultural productivity and economic development.

Inheritance rights

Women can gain access to land in many ways: via inheritance, through the state, or through the market. Of these, inheritance is especially important since almost 86% of arable land in India is privately owned. It is sometimes argued that granting daughters equal inheritance rights will fragment landholdings and so reduce farm productivity. There are two problems with this argument. First, fragmentation can occur even when several sons inherit. Hence this cannot justify privileging one sex over another. Second, the unit of ownership (however fragmented) need not be the unit of cultivation. Families often continue to farm together, even when they individually own only a part of the land. And land can be consolidated in many other ways, including by groups of women pooling their plots and cultivating them jointly, as has been happening for many years now in parts of Andhra Pradesh and Kerala.

Another argument that is sometimes made against giving daughters land is that women leave their parental home after marriage and cannot take their land with them. But sons also leave the village for urban jobs. Yet they retain their rights to parental land, which their relatives cultivate for them. Women can make similar arrangements if they inherit land: they can lease it out to their brothers or to someone else, or sell the land and use the receipts to buy a plot in their marital village. Several women from Andhra Pradesh and Kerala recently told me that those were precisely the options they had exercised with the land they had inherited from their parents.

In both Kerala and Sri Lanka, women have customarily had strong rights in landed property. It is no coincidence that these regions also have the best human development indicators in South Asia, although my research on domestic violence strongly suggests the need to probe below the averages as well. Women's rights in property, when effectively implemented, along with cultural norms that favour post-marital residence within or near the parental village, can jointly serve as important sources of social protection for women. Land also gives a person a stronger sense of identity and citizenship.

Indeed, even simply getting a title to land can be greatly empowering for women in a context where they have none. This is wonderfully encapsulated in the words of women who received land titles for the first time, after a long struggle, through the Bodh Gaya movement in Bihar in the late-1970s. As cited by the movement's activists, they said: "We had tongues, but could not speak/We had feet, but could not walk. Now that we have land we have the strength to speak and walk."

The historical context

Historically, in India, we get a mixed picture of women's rights in property, as I have elaborated at length in my book, *A Field of One's Own*. At the outset, it is important to emphasise that Indian women have always had some rights in property, but these rights were mediated by two important factors: one was the distinction made between movable and immovable property, the other was women's regional location.

The distinction between movable and immovable property has been (and continues to be) of great importance, and is ancient. It was central to the debates on women's rights in property as laid out in the *Dharmashastras*. Women in patrilineal communities (which covered most of India) had important rights in movable property, such as jewellery, clothes, household effects, etc, given to them as *stridhan* at the time of marriage. But they rarely received land or the ancestral home. Movable property, however, does not bring the same benefits as immovable property. It can be taken away by in-laws, or sold by the husband in a crisis (for example, famine literature indicates that women's jewellery is often sold off first, while the husband retains his plot of land, leaving a woman vulnerable to being abandoned).

Within the overall limitations on women to rights in immovable property, however, there were historically important geographic and community variations. To begin with, notwithstanding scriptural prescriptions, women in south and west India did occasionally own land in practice. There is evidence dating from the 10th to the 17th centuries, for instance, of women (especially widows) donating land to temples in south India. But they did not have full control over the property to use as they wished. The donations were for the spiritual benefit of the deceased, such as husbands. The idea that a woman should have independent rights over immovable property, which she can bequeath, sell, mortgage, or use as she wishes is a relatively modern one.

Another major geographic variation stemmed from the presence of matrilineal communities in parts of India, notably in the south (especially Kerala) and the northeast (in present-day Meghalaya). Here, women inherited immovable property although their control over it was often mediated through male relatives. Also, such matrilineal communities typically practised cross-cousin and within-village marriages so that the land remained within the extended family and

could be supervised by it.

Even these traditions, however, began to erode during the colonial period, especially with changes in the law brought about by the British in the early-20th century. Among Kerala's Nayars, for instance, a range of enactments which changed marriage and estate laws circumvented women's rights in property and their social freedoms. Importantly, the legal changes were neither discussed with the women in these communities, nor were the petitions they submitted seeking protection of their rights given due attention.

At the same time, the early-20th century also saw the emergence of a number of women's organisations demanding stronger inheritance rights for women in a predominantly patrilineal context. This was one of the central issues taken up by organisations such as the All-India Women's Conference and the Women's Indian Association. In *A Field of One's Own* I trace the history of that period in detail, and will not repeat it here. But an important part of that history was the setting up by the government of the Rau Committee in the 1940s. The committee's recommendations were quite radical for its time. It recommended enactment of a Hindu Code with provisions for stronger inheritance rights for women, more liberal divorce laws, etc. Encapsulated in the Hindu Code Bill of 1947, the provisions were widely debated in the Legislative Assembly. Both Dr B R Ambedkar and Jawaharlal Nehru were committed to the bill but it was deferred till after the first general election of independent India of 1951, because of resistance from conservative elements within the Congress.

As finally passed, the original elements of the Hindu Code Bill were unpacked and enacted in four separate Acts, including the Hindu Succession Act (HSA) of 1956 which dealt with inheritance. In retrospect, I think it was actually very helpful that there were four separate Acts, since this made it easier to subsequently reform the HSA in women's favour. For instance in 2005, when I worked for the amendment of the HSA to make it gender-equal, the chances of success would have been greatly diminished if issues of succession had got enmeshed with issues of marriage and divorce.

The situation today

The Hindu Succession (Amendment) Act 2005 (HSAA 2005) was, in fact, a landmark. It brought all agricultural land on a par with other forms of property, and made Hindu women's inheritance rights in land legally equal to men's across states. The amended Act also made all daughters (married and unmarried) coparceners along with sons in joint family property, with the same rights to shares, to claim partition, and (by presumption) to become *kartas* (managers) of that property. It also gave daughters the same rights as sons to reside in and seek partition of the family dwelling house.

The amended Act is thus a significant legal step forward and has the potential for substantially empowering women. In

particular, the removal of legal hurdles to women inheriting agricultural land has the potential of benefiting millions of women. But we still have to examine the impact of the Act on the ground. So far we have little information on this count. In fact, we still do not have systematic data across the country on women's actual ownership of immovable property.

A 1991 survey in seven states by development sociologist Marty Chen, although on a small sample, is indicative. It showed that only 13% of women whose fathers owned land had inherited any as daughters, although Kerala did much better with a figure of 43%. We also know from the Agricultural Census of 1995-96 (when gender-disaggregated data was collected) that women held only 9.5% of all operational (that is cultivated) landholdings. We need more up-to-date information, however. And there is a strong case for strengthening the statistical database by disaggregating land owned and operated by gender in the agricultural censuses and NSS surveys.

Moreover, although we now have a gender-equal inheritance law for Hindu women, there have been few efforts by women's organisations to use the amended law innovatively or raise awareness about it. In contrast, the Protection of Women from Domestic Violence Act, which was also passed in 2005, has received substantial attention from women's groups. The neglect of the HSAA 2005 by women's groups is surprising, since the Act can go a long way in protecting women even from domestic violence. The HSAA, as noted, allows women to reside in their parental home, as a right and not on sufferance. It also gives women substantial rights by birth in coparcenary parental property — rights which cannot be negated through wills. These rights could go a long way in providing women the economic security they need to leave violent marriages and carve out more independent lives. It is time the enormous potential of the HSAA 2005 in empowering women and improving their economic and social wellbeing is given due cognisance, both by civil society groups and the government. This can be done by spreading awareness about its provisions among women and communities in general; providing legal aid to women who wish to exercise their rights legally; and strengthening social support for those who need it to deal with any negative fallout from families.

In the long term, of course, it is not desirable that families be torn apart by litigation over property. What we would want is a voluntary recognition by society that daughters are equal to sons in terms of their rights over property, especially immovable property. This will need substantial attitudinal change, which is happening to some extent. Demographically too, as families become smaller, this could become more of a reality.

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Health and the other half

Women's health is much more than their reproductive health, but this is the only aspect public health policy focuses on. Unless the social determinants of a woman's health, including her secondary status in the family, are addressed there will be little change in the falling sex ratio, malnutrition and maternal mortality

IMRANA QADEER

HEALTH HAS TO BE SEEN within the various structural components of society, which includes gender of course, but also categories like caste and class. The tragedy is that the health data that we have always addresses differentials and single variables. Looking at only male-female differentials and wrongly terming them 'gender differentials' will give you an inaccurate reading. If, however, you bring in the other categories of caste, class and location, you get a better idea of the differentials.

To me, that is the crux of the issue. Because if you look at just mortality, even reproductive mortalities, and compare them with those related to communicable diseases you will find that communicable diseases have a much higher load for general mortality among women when compared to reproductive diseases. In fact, reproductive mortality among women accounts for about 2% of deaths. So the personal circumstances of women and their social backgrounds account for a big chunk of mortality.

I am not undermining the specific issue of reproductive health by any means; what I am underlining is that women's health is much more than their reproductive health.

Health has been simplified so much into a bio-medical model that access to it is immediately seen in terms of morbidities, and if women are not accessing services the argument made is that they are ignorant. So it is important to ask: How does one understand health? There are two ways to do so: one is the technical bio-medical view wherein you have standards against which you measure, and you say, okay, these are the diseases that are prevalent. The other is a more social definition, wherein you bring in the subject as somebody who understands her own health and you also bring in the collective perception of health.

Here we come to the tragedy of the WHO definition of health which is so broad and general that it becomes impractical. Health is seen as the 'absence of disease'. In fact, there can never be absences, and not only can there never be absences, the presence of diseases can be very different among different classes. If we are to understand health as a collective phenomenon within the public health perspective, I would insist that we bring in the other social



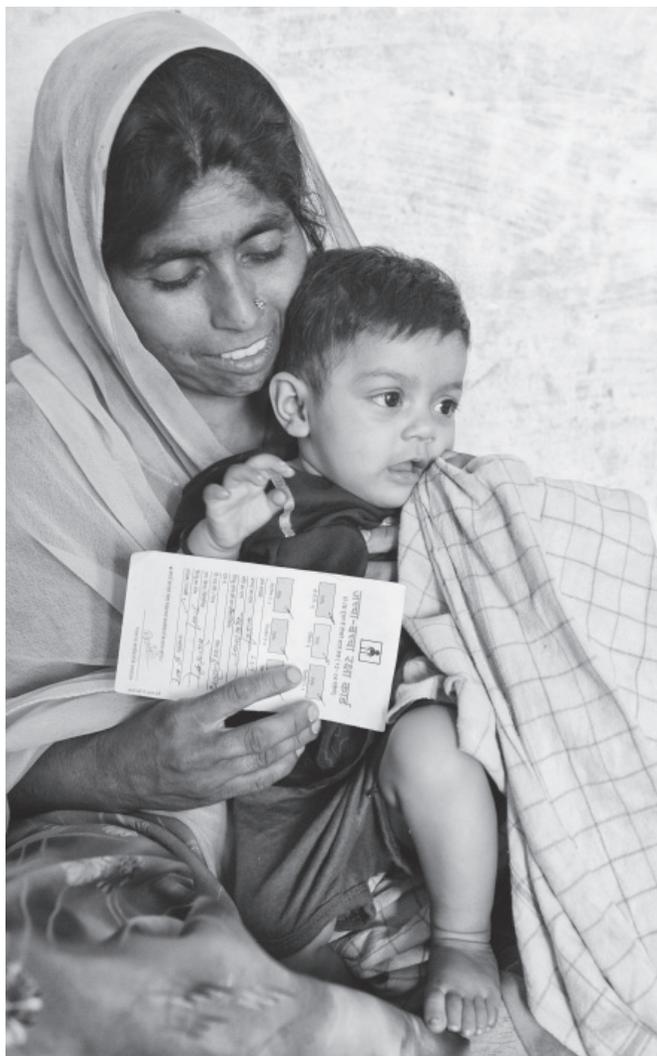
determinants. Are we talking of individual health? Are we talking of collective health? Are we talking of the health of the poor? How do different sections perceive their own health? How do doctors perceive their health? How do policymakers perceive their health? The definition of health has to be dynamic and multi-layered.

Today, in India, fertility control still is the most critical aspect of health delivery services despite policy claims to the contrary. From maternal and child health, we have moved to reproductive health, and reproductive health has taken over the National Rural Health Mission, which is supposed to approach health in its totality. The views of doctors and experts are divided on this. While the health movement people are talking about broader perspectives, health personnel, especially gynaecologists and obstetricians are still predominantly looking at women from a very narrow perspective — her reproductive role.

The interesting issue is how women, especially poor women, look at themselves and analyse their experiences. Within the international health movement, much has been made of the 'silence' of women. But some of us are saying that the fact that women are 'silent' needs to be looked at more carefully. You have to see what they are doing, not saying. After all, not all of us have the option of speaking out. Silences are interpreted as suffering about which women do not talk. But if we look at political movements

in third world countries, women are talking all the time. They are talking, not just about their reproductive health; they are talking about work; they are talking about wages; they are talking about the education of their children; they are talking about food. There are so many things that women are talking about. Unfortunately, the notion of health for those who have the privilege of having all these aspects of life looked after, is 'not having to go to the doctor'. But the idea of health for poor women is very different. It is about whether they have shelter, whether they have the next day's meal. That is why it is so crucial for us to understand that all this is health.

Of course, this is not to undermine the importance of health services. But we have to see the constraints under which people live, the way they perceive issues, and what they want in terms of facilities. They know what their priorities are — ensure the basics of life and then talk services. There is no doubt that women also want services, but look closer at the system and see how much primary



healthcare has really been provided. It is almost non-existent. Even the National Rural Health Mission, which is supposed to have done all right, is not delivering on what it had promised. It too is focusing on reproductive health through accredited social health activists (ASHAs). Here again, hierarchies are being created: corporate hospitals for the middle and upper middle classes, and ASHAs for the poor. Is this part of a short-term plan so that, over a few years, everybody gets into the same service system? Or is it going to be a permanent divide? I see it as a permanent divide. I don't see a long-term planning process wherein India builds an integrated health service. If you look at the draft Twelfth Plan, everything is going to be privatised. I am afraid that even primary healthcare as conceptualised at Alma Ata by the WHO is going to be privatised. So the taxpayer's money will be used to fund the private sector.

How do you expect the poor to have access to such facilities? Already we know that 40% of personal debt is because of health issues, and things are only going to worsen. In terms of access, I believe there are two issues: one is the kind of services and mindset of the providers who do not see women's general health issues as a key area, whether it be tuberculosis or malnutrition. Two is the family itself, where gender inequality is very visible. The sick man will go to the best centre locally available to avail of services; if not, he will go to the city in search of a better doctor. The woman will depend on a local provider.

Everywhere, women carry a double burden and this is reflected in healthcare as well. Because the existence of the household depends on her, she will not say that she is unwell until it becomes physically impossible for her to carry on. So, partly it is her socialisation that does not permit her to speak, but when she does speak the family has other things to do and their responses are delayed. Then she is taken to a place that is badly run. We see therefore the multiplier effect of her secondary status.

This impacts girls as well. In Haryana, I once saw a two-month-old baby crying and I asked why. Her grandmother laughed and said: "Let her get used to it. In any case, how does it matter?" This is a social issue, not a health issue. Take violence against women as an example. I am talking here not just about domestic violence but general violence, the violence caused by conflict, the destruction of one's home, the destruction of one's confidence. We all know that violence against women is an instrument of war and it has huge implications on health. Then there is the abuse of young girls within the family. There is no recognition of this happening. In fact, society denies that such things can happen. Instead of looking at the social determinants of such developments, we push them into the arena of health and services. You are actually expanding the responsibility of the medical community, but you are not thinking about preventive measures.

It is similar when it comes to malnutrition. We are socially producing malnutrition by adopting certain agricultural policies, undermining the public distribution system, paying poor wages, and when women or children suffer from malnutrition we put tubes into them and say that the family is not eating right. The same holds true for environmental pollution. Take the Bhopal gas disaster. It had such adverse repercussions on women’s reproductive health, but they were not adequately addressed. Only a few researchers like Dr C Sathyamala paid attention to this aspect.

At this point, I believe, many hundreds of thousands of women in the country are dissatisfied with the services they are getting. We have been told that because of the Janani Suraksha Yojana there is data to prove that more and more institutional deliveries are taking place. Has anyone analysed these figures to find out whether maternal mortality and infant mortality have come down as a consequence? That data never emerges. At the same time, there are case studies to show that the very poor treatment women are getting when they access services discourages them from going back to those institutions. What then is the point of access to such services? If the services are good, they will come. If not, they will choose a local dai to assist them in the delivery. They get cash for accessing these services, but that cash comes after the baby is delivered so it doesn’t go towards the nutrition of the mother or into antenatal care; it goes into transportation, it goes into the bribes they sometimes have to pay. Cash transfers do not resolve the problem of women’s health.

We also need to look at the skewed sex ratio against this background. It reflects the status of the girl within the family. By and large, she is still seen as a burden, with the transfer of wealth done mainly through the male gender. Unless this changes, as long as old burdens like disproportionate marriage expenses remain, falling sex ratios will be a part of India’s reality. Medical personnel are exploiting these social constructs for profit and then privately justifying their behaviour by saying that they at least did the procedure correctly and gave the woman a safe option. But they are clearly not ready to fight the trend. So we see professionals, social structures and patriarchal attitudes contributing to declining sex ratios.

Our medical establishment has shifted from being a service within welfare planning to an instrument of revenue-creation. This is what corporatisation of the medical services has meant. It is against this background that surrogacy has emerged as a big, money-spinning project — not because it necessarily meets an epidemiological need but because the upper middle class and the international community desire such a service. The international dimension is very critical in this. If you surf the Net you will be amazed to see how clinics in India are being advertised. There is information about how the service-seeker can get ‘fair’ surrogates,

‘educated’ surrogates. For national users, caste is a factor that is highlighted. In fact, every obscurantist, gender-biased requirement is being catered to. I am not against surrogacy, *per se*. Anyone who wants a baby has the right to use the available technology; it is the commercialisation of surrogacy and the exploitation of surrogate mothers that is the problem. Also, when we ask ourselves what kind of health services the country needs on the basis of epidemiological priorities, surrogacy services do not figure high up on that list, except among a tiny elite. Most infertility is secondary and therefore preventable if women get access to good primary healthcare.

Surrogacy services impact women in different ways. The majority of women who sign up for being surrogate mothers are those who are economically wanting and need money to cope with various problems. Sending children to school, repairing a leaking roof, getting the husband a scooter so that he can earn better — these are the kinds of needs for which women agree to sign up for surrogacy. It is very interesting therefore that the state seems to regard surrogacy as employment for women. The minister for social welfare argued this when the law was being framed for the first time. We responded at that point saying that we were not against surrogacy, but introducing it as a strategy because you cannot give work and wages to people is clearly unacceptable.

There are different issues that the practice of surrogacy in India raises, including ethical ones. Surrogate mothers are not told about the risks. In fact they are reassured that it is a very safe procedure and that it is “just like a normal experience of having a baby”. They are not told about the reactions that could happen; that sometimes women can hyper-ovulate; they don’t know that they can go into shock and that it is sometimes life-threatening. And, although these women are extremely vulnerable, they do not receive legal assistance. Ultimately, it is a transaction between the doctor, the bank, and the couple seeking the service. It is a bit like saying that life in India is cheap. The state could ensure that the doctor makes less out of such cases and surrogate mothers make more, but that of course does not happen.

Surrogacy reflects the new direction of health delivery in India. Health services no longer respond to what we, in public health, call ‘epidemiological needs’ — the objective requirements of the community, whatever they may be, whether it is diarrhoea, communicable and non-communicable diseases, or malnutrition.

Today, planning for health means asking which service will bring in the most revenue.

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The lost mothers of Rajasthan

More than half of all married women in India are anaemic and one-third are malnourished. No wonder India contributes a quarter of global maternal deaths. Maternal mortality has a direct impact on infant survival, but only 46.6% of mothers receive iron and folic acid for at least 100 days during pregnancy. Rajasthan women are no exception, but in Jhakaron ki Dhani village there are signs of change

NEENA BHANDARI

INDIA CONTRIBUTES about a quarter of all global maternal deaths, and maternal mortality has a direct impact on infant mortality. What role do nutrition and social practices, like early marriage, play in this grim tableau?

For some answers, I visit Jhakaron ki Dhani village, which lies 25 km from Jodhpur in western Rajasthan. There I meet Shamu Meghwal, who epitomises the health problems that many young women in her community experience. Married at 13, she had her first baby when she was 15. Now 25, she is the mother of four and has just lost her husband. She is visibly anaemic and complains of chronic weakness including back and abdominal pain. In Jhakaron ki Dhani, early marriage and motherhood is the norm.

Dr Kanta Tiwari, a renowned gynaecologist, who has been working in Jodhpur and its surrounding areas for the past four decades, is familiar with the situation in Jhakaron ki Dhani. "The women here are already at a lower level of health when they get pregnant. They don't receive proper nutrition throughout their lives. This makes them even more anaemic, resulting in long-term consequences for their health and that of their newborn," she says.

According to Unicef data, it is estimated that more than half of all married women in India are anaemic and one-third of them are malnourished, with a body mass index (BMI) below normal. Moreover, only 46.6% of mothers receive iron and folic acid for at least 100 days during pregnancy; Rajasthan women are no exception. "In village women, the protein intake could be even lower because women here seldom have pulses. In this region, there are local fruits like *ber* or the Indian jujube (*Ziziphus mauritiana*), which grow in abundance and provide some much-needed nutrition," elaborates Dr Tiwari. *Ber*, incidentally, is a hardy minor fruit crop that is rich in Vitamin C.

Agriculture and animal husbandry are the chief sources of income in Jhakaron ki Dhani, and because of its close proximity to Jodhpur it has a middle school and access to electricity, tap water, telephones and roads. Some of the villagers have gained employment in nearby sandstone mines and in the local government as well. The main crops that grow in this village, which spreads across 852 hectares in the Narva panchayat, are millet, wheat, sorghum, moong, moth beans, cumin and seasonal vegetables, all of which figure in the local diet.

Today, Meghwal and her sister-in-law Santosh are sharing a *thali* of *raab* (ground bajra cooked in buttermilk), moth beans vegetable and *bajre ki roti* (millet flatbread). Depending on income levels, seasonal vegetables such as cauliflower and cabbage, or sweets like *halwa* made of wheat flour, ghee and jaggery, or *churma*, made by crushing wheat *chappatis*, ghee and sugar, are also included. These are certainly wholesome foods but, sadly, women and girls usually eat last in the family and this could mean that they end up eating the least too.

Despite the legal age of marriage for women in India being 18, the average age of marriage in Rajasthan is 17 years, and the village of Jhakaron ki Dhani reflects this trend. Santosh, for instance, was married at 17 and now has three children. Her second pregnancy resulted in a stillborn. Meghwal's younger sister-in-law, Bhagwati, 22, who was married at 13, has two small kids. She confesses to suffering from some gynaecological problems and frequent spells of dizziness. As experts point out, too many children and too frequent pregnancies result in women not being able to recover from one pregnancy to the next in terms of nutritional status and iron stores.

Given that only about half the number of new mothers get antenatal care from a health professional, and only about one in three receives postnatal care within the first two weeks of giving birth, it is no surprise that women in this village get hardly any medical attention. Most of them give birth at home with the help of a midwife, and resume their household chores, including strenuous ones like sweeping and washing, within a week of childbirth. Some even toil in the fields in the harsh desert conditions of the Thar desert.

Chuki Devi, 45, who married at 17, can consider herself a little luckier. She is amongst a handful of women in Jhakaron ki Dhani who has had all her four kids in a hospital. Mohani Devi, 30, also had her caesarean section in a Jodhpur hospital. The only reason she says family members decided to take her to hospital was because she had suffered an abortion earlier and they didn't want to take any chances. This was also why Mohani's mother-in-law spared her laborious household duties for two months after the delivery. Unfortunately, in contrast, her sister-in-law, Chanani Devi, 35, who gave birth to her four kids at home, had to resume doing the household chores a week after her delivery each time. This could be contributing to the constant back pain she now endures.

Neena Bhandari/WFS



Mohani Devi, 30, is amongst a handful of women in Jhakaron ki Dhani who had her delivery in a Jodhpur hospital

Their mother-in-law, Sua Devi, 72, is the one who supervised their diet during pregnancy and after delivery. Generally, for the first seven to 10 days after giving birth, women in Jhakaron ki Dhani are not allowed milk. In most homes, new mothers are fed a fairly large-sized *laddoo* made with wheat flour, ghee, almonds and other dry fruits, jaggery, *sonth* (dried ginger powder), *ajwain* (*Trachyspermum ammi*) and *gond* (edible gum) twice a day for about a month-and-a-half after delivery.

According to Dr Tiwari, the *laddoo*, which can weigh about 200 grams, is a rich source of calcium, iron, vitamins and proteins. “The new mother is also fed turmeric, which has antiseptic properties, and given *bajre ki roti* with vegetables. Sometimes pulses and lentils or porridge made of wheat or millet is eaten for lunch.”

While there is some attempt to provide an expectant mother with nutritious food during her pregnancy, women generally eat poorly. Take Munni Devi, 35, who was married at 10 and had the first of her four children at 15. Today, she can only afford two meals a day, just enough milk for tea, and pulses/lentils once a week.

A lifetime of poor eating is responsible for the malnutrition endemic in this area, and this in turn impacts levels of maternal and infant mortality. “We have low birth weight babies and premature babies here, all of which indicate the poor nutritional profiles of their mothers,” observes Dr Tiwari.

Dr Pratibha Sharma, who has been a practising gynaecologist in Jodhpur for nearly 16 years and runs a 12-bed nursing home, also reports cases where the woman is anaemic, physically poorly built or has had an early miscarriage and tends to go into post-partum haemorrhage requiring a blood transfusion.

But change is in the air, even in a village like Jhakaron ki Dhani, and education is proving to be the real game-changer. According to Dr Tiwari, with more girls getting educated, women are becoming mothers much later than they did a generation ago. “First-time mothers are now between 20 and 22 years of age; earlier they used to be between 16 and 18 years old,” she says.

This augurs well for young girls like Chuki Jhakhar, 17, who is appearing for her Class 12 exams, bucking the traditional early marriage trend. More and more girls like her are now studying and even educating their mothers and aunts.

Empowering rural women in villages like Jhakaron ki Dhani, through education, employment, easy access to healthcare, and sensitising them to the importance of institutional deliveries could go a long way in preventing infant and maternal deaths and putting India on the path to meeting the United Nations Millennium Development Goal targets for maternal mortality rate, infant mortality rate and total fertility rate.

Neena Bhandari is a Sydney-based foreign correspondent writing for international news agencies. She did this piece for WFS during a visit to India

Maternal deaths in Barwani

80,000 women die of pregnancy-related causes in India every year, two-thirds in Assam, Bihar, Chhattisgarh, Jharkhand, Madhya Pradesh, Orissa, Rajasthan, Uttaranchal and Uttar Pradesh, states with the poorest health and development indicators.

The majority of maternal deaths can be traced to conditions which need emergency treatment in a health centre or hospital. The government's Janani Suraksha Yojana in these nine states provides women below the poverty line Rs 1,400 if they deliver in an institution. However, the government seems to be pushing women to deliver in institutions without ensuring that they will receive adequate care.

From April to November 2010, there were reports of 27 maternal deaths from the district hospital in Barwani, a predominantly tribal district in Madhya Pradesh. An investigation team interviewed the families, health workers, medical staff and government officials, and examined medical records. Some of their findings:

No prenatal care: Only one of the six women on whom 'verbal autopsies' were conducted had received *any* antenatal care. The case records had no information on the other 21 women. Auxiliary nurse midwives did not visit the villages to provide antenatal care. Accredited social health activists were unaware of the basic obstetric complications for which they needed to refer women for emergency care. And though anaemia is a known contributor to pregnancy-related complications (22 of the 27 women who died had severe anaemia) and is a common problem in the district, government programmes to reduce anaemia were not implemented.

Shunted from one hospital to another: All 27 women had sought care in an institution once complications developed. However, in the six cases for which verbal autopsies were done, three were shunted to two or three institutions before finally arriving at the district hospital, which has the necessary facilities. The primary and community health centres are expected to provide initial emergency obstetric care and stabilise the women before referring them onwards if necessary. However, they were not equipped to do this.

Forced to pay for free treatment: Even when the women were certified to be below the official poverty line and thus eligible for free drugs and services, many families had to pay out of pocket for drugs, diagnostics and other services.

Transport unaffordable: Of the six deceased women whose families the team met, only three managed to use state-run ambulance services. Several families reported having to spend considerable sums of money on hiring private vehicles for transport of the women, resulting in long delays, when there

were referrals from one facility to another. Thirteen of the 26 women treated at the district hospital were referred to a government medical college four hours away but could not afford to make the journey and died in the district hospital.

Negligence in treatment: At least 10 of the 27 women were given delayed treatment in the district hospital: starting treatment for eclampsia, controlling haemorrhage, operating for obstructed labour and managing shock. None of the 27 women who died in the district hospital had had any emergency operative intervention, despite this being clearly indicated in at least seven cases. In some cases, the quality of care was so poor that it may be considered negligent.

Severe shortage of skilled staff: The entire women's section of 60 beds, including the labour room in the district hospital, was staffed with five nurses, two on morning shift, two on evening shift and one on night shift.

The district hospital was fully equipped to do obstetric and gynaecological surgery, but no emergency operations were being performed at night because the hospital did not have the staff to handle the increased patient load.

Deliveries in primary and community health centres were conducted by nurses or nurse-midwives who had not received any training or certification in skilled birth attendance. In the district hospital, most deliveries were managed by traditional birth attendants as there was a severe shortage of nurses.

Poorly equipped facilities: One community health centre, which is supposed to provide comprehensive emergency obstetric care, did not even have facilities to provide basic emergency obstetric care. Post-partum care is often not given and women are discharged from facilities soon after delivery instead of 48 hours later, as mandated by the programme, because of lack of space.

Unethical behaviour: Women patients reported instances of verbal and physical abuse by staff during delivery, and tribal women felt they were discriminated against by healthcare providers. Twenty-one of the 27 women who died belonged to scheduled tribes, the poorest and most vulnerable sections of society.

Lack of accountability was demonstrated by the poor quality of care and apathy among health professionals at the institutions and the frequent flouting of ethical principles in the provision of care. There was also a lack of any kind of grievance procedure or mechanism for redress. Instead, there were threats of punitive action against families that filed complaints.

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Women as bodies, not persons

Textbooks, teachers and teaching methods prompt medical students to see the human body as impersonal, female sexuality as little more than childbearing, and rape victims as so much evidence in a medico-legal case. In the family welfare departments and maternity wards of hospitals, they learn to treat women like cattle

B SUBHA SRI

I JOINED MEDICINE at a government-run medical college in Chennai. My first impression was of the anatomy dissection hall. Groups of us were allotted a cadaver each to dissect. We would compare what we saw with our textbooks to learn the minute details of human anatomy. In hindsight, this was the most impersonal way to start studying medicine — from the beginning, the human body was transformed into something that could be explored at will in the name of science, something that was as dead as a log, something that was not seen as having once been a person with life, experiences and emotions.

Health problems begin in the community as much as in the body. This is one of the most important lessons health workers (and their instructors) have to learn. From this point of view, to start with anatomy is the kiss of death (Werner and Bower 1982).

On the other hand, faced with a situation of total lack of emotional support from the system when dealing with this sudden exposure to cadavers, such impersonalisation definitely helped us students cope. The cadavers sometimes were even given names — this may seem irreverent but was probably a coping mechanism.

Each body part was studied separately, a few in each semester. The upper limb, the lower limb, head and neck, chest, abdomen — each was dealt with separately. Our group was assigned a male cadaver. However, the sex of the cadaver did not really matter for the dissection till we reached the reproductive organs. The difference between ‘male’ and ‘female’ was reduced to the reproductive organs; everything else was essentially the ‘same’.

To understand the female anatomy we were assigned to a group that was working on a female cadaver. I found understanding the anatomy of the female external genital organs, especially the perineal musculature, very difficult. Although there were anatomical diagrams in dissection manuals to refer to, these seemed too complex. There was no guidance, one felt shy to ask, and no one talked about it openly. One never even thought of looking at oneself as a means of understanding women’s anatomy. It was always ‘the female anatomy’, something impersonal.

Handling the cadavers had its own connotations. The person assigned to the upkeep of the cadavers to be used for dissection was a dalit. None (except one) of the faculty of the department would touch the cadavers to help us with the dissection. It was up to the attendant to move the cadavers around, turn them during the course of our anatomy lessons. Thus the notion of the body as being impure was probably strengthened subconsciously.

The first year also included physiology lessons. The physiology of sex was a part of the curriculum. While this described the sexual act and the physiological process of erection, ejaculation and orgasm in detail, it did not in any way connect it with pleasure or with either men or women’s sexuality. The following excerpt from a physiology textbook highlights the totally impersonal way in which the physiology of the human body was presented and taught. It also highlights the patriarchal notion of equating female sexuality with childbearing.

The female orgasm. When local sexual stimulation reaches maximum intensity, and especially when the local sensations are supported by appropriate psychic conditioning signals from the cerebrum, reflexes are initiated that cause the female orgasm, also called the female climax. The female orgasm is analogous to emission and ejaculation in the male, and it perhaps helps promote fertilisation of the ovum. Indeed, the human female is known to be somewhat more fertile when inseminated by normal sexual intercourse rather than by artificial methods, thus indicating an important function of the female orgasm (Guyton 1991).

Forensic medicine

Another subject in which women’s bodies were dealt with in some detail and probably had a formative role in medical college students’ conceptualisation of the human body (and especially the woman’s body) was forensic medicine. I am referring here particularly to sections on the medico-legal aspects of rape and sexual assault. While the need for medical examination of a rape victim was part of the curriculum, the discussion about how to handle such a situation sensitively was never referred to. The practicalities of how one took the various samples required in a court of law were also never demonstrated. The textbooks, while

mentioning some of these perfunctorily, very often spelt out only what the law said. The chapters on the law regarding rape and sexual assault are particularly revealing in their misogynistic approach. In her review of a few textbooks on forensic medicine, Flavia Agnes brings these out thus:

An examination of the presumptions and comments made under the guise of neutrality reveals that, blatantly or subtly, what is being advocated in the name of caution and prudence is an anti-women bias. The message to the doctors that they should be wary of the woman who approaches them with an allegation of rape is loud and clear... While at one level there is an over-emphasis that a medical jurist has great responsibility, for very often he will find that he is the only reliable evidence on which depends the liberty or life of a fellow being (Cox p 55), at the other, the concern for a victim of sexual assault is singularly lacking. It is little wonder that young doctors, who pass out from medical colleges fed on this doctrine, make unwarranted comments about the conduct and character of a rape victim, based on the level of elasticity of her vagina. The woman's chastity, morality and virginity is put in the dock (Agnes 2005).

The classes on rape and sexual assault were taught separately for men and women students — it was felt by the faculty that details of sexual assault that had to be delved into during the classes would be titillating for the men and could result in both sexes feeling uncomfortable and the men 'misbehaving' with the women. Thus, even teaching modalities subtly reinforced gender stereotypes and construed sexual assault from a voyeuristic perspective rather than reinforce its criminal nature.

Forensic medicine also involved witnessing post-mortems done for medico-legal purposes. Here again, the bodies were handled and cut by dalit attendants with the medical officer in charge taking copious notes during the procedure, standing a fair distance from the table. These attendants used to be perennially under the influence of alcohol, presumably to cope with the stench and stigma of their work.

The out-patient area in the gynaecology department was arranged in assembly-line fashion. All the women who came to this clinic with any complaint had to go through a set of procedures. After someone took the person's medical history and measured the blood pressure (BP), all patients, whatever their complaint, were shunted off to the 'pelvic exam area'. This was an inner room covered by curtains from the rest of the clinic, with curtains again separating two different examination tables. A senior gynaecologist did pelvic exams on each of the patients, one after the other, alternating between one table and the other so there was no time lost waiting for patients to undress and dress. This pelvic exam was watched by a group of medical students and postgraduates standing around the examination table — these students also read out the history of the patient for everyone, while watching the exam. The woman's consent was never asked. If the woman raised a feeble protest, very often she was scolded and sent off without

a pelvic exam. There was no attempt to understand the context that she came from and her concerns, or to help her undergo something as traumatic as a pelvic exam.

The other area that was significant in shaping the way we saw women and their bodies was the labour room. In the college that I studied at, there were about 10 labour cots arranged in a long hall. The medical team used to sit at one end of the hall. This position provided a vantage point to survey all the cots easily, without having to go close to the woman or touch her. On admission, the women, called 'patients' or 'cases', were subjected to a pelvic exam by a senior resident — this pelvic exam would decide whether she was in labour or not, whatever her complaints, and thus would decide whether she would or would not be admitted to the labour room. This was followed by giving the 'patient' an enema and half-undressing her 'to prepare her' admission. Following this, she was made to lie on a cold hard metal labour cot with no family or friends around. There was no process of explaining to her what was happening, or when she was expected to deliver. The duty obstetrician, who was usually of an assistant professor rank,

The classes on rape and sexual assault were taught separately for men and women students — it was felt by the faculty that details of sexual assault that had to be delved into during the classes would be titillating for the men and could result in both sexes feeling uncomfortable and the men 'misbehaving' with the women. Thus, even teaching modalities subtly reinforced gender stereotypes and construed sexual assault from a voyeuristic perspective rather than reinforce its criminal nature

came in once every four to six hours and did a ‘PV round’ — a pelvic exam was done on each of the women one after the other, whether indicated or not. After each of these rounds, she would decide whether any of them needed a caesarean section. Some obstetricians preferred to do all the caesareans waiting late at night while some preferred to do the surgeries early in the morning — depending on the whims of the obstetrician, the woman laboured on for whatever duration it took.

Since there was no system of routine monitoring, there were many instances when, in this tertiary referral facility, the woman delivered the baby on her own on the labour cot while the doctors sat at their desks. There was almost routine episiotomy given to all women who came for their first delivery. When the woman delivered, very often postgraduate students put in an intra-uterine contraceptive device immediately after the delivery. A lot of times consent was never asked — the woman was only informed of what had been done. This was based on the fact that immediately after delivery, and the pains she had gone through, the woman was ‘most receptive’ to contraceptive advice. Whether the woman in her totally fatigued state post-delivery even understood what had been said was never looked into.

Another area that comes to my mind is the family welfare department where women were treated like cattle. Hordes of women were posted for sterilisation with no counselling on its appropriateness, permanent nature, or its effects. Women who reached the hospital requesting an abortion were coerced into undergoing family planning surgeries; if they refused, the abortion service was refused to them. Unwed women who requested an abortion were abused verbally — very often their sexuality was denigrated in terms of morality. A total lack of privacy and confidentiality faced them in the institution.

Another thing that I observed during the five-and-a-half years in government medical college was the frequent sexual harassment of women staff by some male doctors, especially senior members of the faculty. As women medical students, we were vulnerable, but paramedical staff like nurses were most vulnerable. This took on various forms, from verbal harassment using lewd language and sexual innuendo to physical abuse. This form of harassment within health facilities has been documented in a study of medical institutions in Kolkata (Chaudhuri 2006).

Thus, the whole period of undergraduate training in medical college reinforced certain notions regarding the human body and specifically women’s bodies:

- The human body was just that — a ‘body’ — something that could and even should be studied piecemeal for the betterment of science and humanity. Objectivity was paramount, and thus subjective issues like emotions, contexts were not important.

- The human body was impersonal, not something each of us lived and experienced with.
- The human body was also ‘dirty’ — social norms that assigned ‘dirty’ jobs to dalits were adhered to.
- The difference between men and women was only to do with the anatomy and functioning of the reproductive organs.
- Emotions, pleasure, sexuality were essentialised into mere physiological processes.
- The woman’s body was titillating; it could induce men to be aggressive. Men in power could use this hierarchy to abuse women. The woman’s body was also something to be careful about.
- Women accessing healthcare were a set of diseases, abnormalities and physiological processes.
- The physiological process of labour was seen to be pathological and women undergoing labour became ‘patients’.

These notions were reiterated again and again, through textbooks, teachers, teaching methods and through the way teachers behaved and the system functioned. Thus, medical college taught us to view humans, and especially women, as bodies and not as persons who embodied that body. Women were the same as men, except with female reproductive organs. In retrospect, this also affected the way we socialised with our patients — looking at and referring to them as ‘cases’, as separate body parts and diseases rather than living humans, taking care not to get too involved emotionally with them.

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Twice undermined

A personal article on the multiple biases facing disabled women who are infantilised even by the empathetic, medicalised by doctors, denied their sexuality and constantly pressurised by society to be 'normal'

ANITA GHAI

TO BEGIN WITH, the term 'physically challenged' troubles me because I believe everyone is challenged in some way or the other. I would personally use the word 'disability'. A woman with disability is considered twice undermined — not only is she a woman, she is also disabled. So we have a situation of double oppression.

At the age of 2, I suffered an attack of polio. Fortunately, my family brought me up in a different way. It was only later that I realised how problematic the construction of 'womanhood' and 'disability' is.

In the '70s, when I was a student, it used to be said that all women are disabled, and I went along with the idea. It was only later, when I couldn't get an IAS form because I was disabled, that I realised that one's mind was not as important as one's body. At that point I started understanding things more clearly.

I became interested in various issues quite early in life — whether it was dowry, terrorism, fundamentalism, nuclear issues, etc. There was a lot of work going on at that time on the whole notion of 'eve-teasing'. I was prepared, at one level, to cry blue murder at men who whistled at women, because it was tantamount to them objectifying women's bodies. But when I thought about it a little more, it struck me that nobody even whistled at me. That was my reality: the fact that nobody chose to whistle at me meant that I was not even recognised as a woman, as a reasonably good-looking woman.

At that point, since I wanted to overcome my disability, I also wanted to be brave. Then a point came when I hated the word 'brave'. People would pay me compliments. They would say: "Anita you are wearing a lovely green dress." And the question that immediately popped into my mind was: "Why not?" This could, of course, have happened to any woman, but because I was disabled it was very important to me that the *whole* of me be attractive — not just the colour of the saris I wore. Also, because there was such a clear dichotomy between non-disabled women and disabled women fighting for issues — for independence, autonomy, issues like these — I found myself questioning how disabled women could be independent. Of course we can

be independent and autonomous, but to what extent has the support system made space for our independence and autonomy? And why can't we talk about inter-dependence?

Women are always talking about 'sisterhood'. The whole notion of sisterhood is something that I have a problem with because if women were 'natural' allies of people with disabilities, why did it take them so very long to address this question? And when you talk about gender bias, I think the bias against disability was very clear. And not just in terms of a patriarchal society — I think women are as patriarchal as men when it comes to disability. The furthest they would go is to say: "Oh, poor thing!" There is a tendency to infantilise people who are disabled, to adopt a tone one would use for a child.

Not only did I go through polio, I went through two open-heart surgeries and now have a metallic valve. I am not valorising this; that is the reality. The cardiac operations meant that the breast region was scarred. I tried to conceal my scars by avoiding clothes with deep necklines and using my *dupatta* in a way that you could never see my scars. Then, in 2005, I was diagnosed with breast cancer. When I went through breast cancer I really felt that my 'womanhood' was in question because I had always believed that my breasts were the best part of my body. So it was not just the scars caused by the heart surgery that I had to get used to, but the fact that I would have no breasts.

I was very clear — you could say this is a form of gender bias too — that I would go in for a lipectomy rather than a mastectomy. Why? Because I was scared of the way people looked at me. This 'gaze' — and I consciously use the term 'gaze' — was strong. And it was not only because of the wheelchair; even when I did not use a wheelchair, it was strong. There was no hiding my gait, it is slanted. Try as I might to be like everyone else, I could never succeed.

I drive a hand-driven car. I can get into the car; I can drive. I drive very well; I have even done rallies as a disabled driver. But the minute I get out of it people look at me a certain way. It isn't as if they do not appreciate what I am doing, but the 'gaze' is unmistakable. It says: How come a woman who drives a car has to use a wheelchair?

There was a lot of work going on at that time on the whole notion of ‘eve-teasing’. I was prepared, at one level, to cry blue murder at men who whistled at women, because it was tantamount to them objectifying women’s bodies. But when I thought about it a little more, it struck me that nobody even whistled at me. That was my reality: the fact that nobody chose to whistle at me meant that I was not even recognised as a woman, as a reasonably good-looking woman

That gaze which indicates that you are different doesn’t only come from men; women too look at you in a particular way. They look at you as if to ask: Are you normal? Some of them actually ask you outright. This plays out in different situations — in the way doctors approach us, for instance. I was once talking with a fellow disabled person, and she revealed a personal experience. When she got married and couldn’t have intercourse, she consulted a gynaecologist. The doctor responded abruptly by saying: “Oh, very sad. Polio does this. Maybe intercourse is not possible because the pelvic muscles are affected.” Her words shocked my friend who wanted to know why this should be the case. The doctor then said as an afterthought: “Let me give you some jelly, maybe it will help.”

There are two ways in which bias against disabled women creeps into this story. One, it is the woman who has gone to the gynaecologist, not the man. Invariably, it is the woman who gets medicalised. Secondly, consider the attitude of the gynaecologist. Her prescription for a tube of jelly did help my friend. For the doctor, it was just a question of understanding the problem. Instead of explaining to my friend that intercourse could be difficult for any woman, especially if she is a virgin, she chose to highlight the fact that intercourse for women affected by polio may not be

possible at all. This is what medical experts routinely do. Most of them only try to ‘cure’ us in a particular way; they have never given a thought to our bodies, our needs.

Feminists do talk about sexuality. Freud once observed that the body is polymorphous; sexuality can come everywhere. So why the focus on genital intercourse? All non-disabled women realise this, so why is it that the question comes up only vis-à-vis the disabled? That is why I never miss an opportunity to interact with my feminist friends, because I believe it is important for them to understand how issues of the body need to be considered. For feminists, the body has always been an issue. Right from the 19th century, we have been talking about the body. Yet they believe that the disabled body is somehow different.

Many mothers who have disabled daughters come to me and say: “We are going to get hysterectomies done on them.” I ask them why they would want to do this, and they reply that they don’t receive any support from the system. I understand what they mean and I never question them about it. Then they add: “If she becomes pregnant, I will have to look after her as well as her child.” That’s when I say: “That means you are acknowledging that abuse will happen.” Then they may say they can’t always be around their daughter to protect her. I tell them: “You are in a way legitimising abuse.” They reply that they are helpless.

I can understand the anxiety of these mothers, but I cannot understand society. Isn’t it the responsibility of society to create the necessary support structures? Look at the Convention on the Rights of Persons with Disabilities. It states that disabled people have legal rights, which means any woman has the right not to have a hysterectomy. Yet nobody talks about that. The bias persists. How do we get the point across that we don’t want to be abused, but we may also want to have a child?

This brings us to another important issue. How do disabled women get married? How do they have children? I have done very well in my life, but my one regret is that I don’t have children. Only once did my father say: “Let’s try and put out a matrimonial advertisement.” You may ask me why I can’t marry a disabled person. Yes, I could do that, but why should I marry *only* a disabled person? When replies to the ad came in, my father threw them all away saying they were not suitable. They were all from people in difficult circumstances looking for companionship. But they were also doing something else: they were making me compromise on the issue of marriage. To say that you should marry only a disabled person or someone who has had serious challenges in life is simply unacceptable. If I can be marginalised in this particular way, you can imagine the plight of disabled women who have not even stepped out of their homes. It’s easier for men because, typically, they marry non-disabled women. I am not sure whether my father, for all his sensitivity, would ever have entertained the thought of any of his sons marrying disabled girls. So it is the beliefs of the family also that one needs to question.

My father also suggested at some point that I should adopt a child, if I really wanted one. I went to an agency in Delhi with an activist working on adoption issues. When I looked at a young 10-day-old baby there I really felt like reaching out to it. I told the authorities at the institution that I was keen to adopt a child. But I had to be honest about myself. They said it was not possible for me to adopt a child. What's more, a few of my relatives came up to me and asked me why I would want to impose a child on them. They were right, of course, in some ways. This *is* a concern, because, in a joint family, responsibilities of this nature are shared. But they were also wrong.

Of course, nothing I say can take away what my family has done for me. They have given me an identity, which I have also worked hard to acquire, but without help from my family things would have been so much tougher. My mother, in fact, fought for me. She went to my school and said: "My daughter will participate in the annual school functions otherwise she will feel inferior to her classmates." My father would tell me: "Don't ask the 'why me?' question, because the 'why me?' question applies to everybody. Ask yourself instead, 'Why not me?'" He was a lovely man, and he was my only friend.

At some juncture, I told him I had a boyfriend and this raised a very serious morality question. When I asked him about it, he told me to refer to the Krishna-Arjun discourse. I replied that I was not asking Krishna, I was asking him. He said: "Well, I am not going to drop you to his place; that would be too much for me. But if you want to go to him, you go. Just don't tell me about it." He was giving me a way out, sanctioning it in a way.

I have experimented with my life, but always under cover. The men too went along with these 'undercover' situations. The bias here is that you can't be open. Also, clearly, they are using you in a sense, although I quickly realised that I was using them as well.

Disability is visible — in the Foucauldian understanding that the visibility is very clear and the surveillance too is very clear. This is something we really have to think about. I think women with disabilities should raise a number of points — about education, employment, recreation, loving, sexuality. All of these are very important to women with disabilities. Because they are so clearly dependent on the family, the mother specifically, they are also oppressed in certain ways. There is a dichotomy between the mother and the disabled child, between the role of care-giving and the role of receiving care. Feminists have focused on the care-giver, including mothers. They talk, in a very clear Marxist sense, about unpaid work, etc. But what about the recipient? Care-receivers also need to be brought into the picture.

It's not as if we can't do anything for you. I teach a class of 46 students and I try to bring in not just the text but my experiential world. Somewhere, society is trying to 'normalise' us. And this normalising means that we must never question; it means we must always remain under

patriarchal hierarchies.

But it is not just patriarchal hegemonies that disable us in particular, but the normative hegemony. This may be difficult to understand for non-disabled people. For instance, most people talk about serious issues like lack of water, etc, but forget that there are disability issues even within these larger discourses. For example, if a glass of drinking water is not clean for a visually impaired woman, she will have no way of knowing what she is drinking.

Feminists use the metaphor of disability to explain their situation — they talk of the 'crippling' effect of something, the 'blinding' impact of other things. When you say *all* women are disabled, it is a very good way to see things. You are trying to understand the situation of women *qua* disability. But if you use this metaphor, it should also have the potential for emancipation. When we talk of the 'disability of being women', we shouldn't stop there. We should try and understand what disability is for the *disabled* woman. If we can mutually understand how women are disabled, and how the disabled are women, we will have reached a point that is very emancipatory. The disability metaphor needs to be problematised.

Another very important thing is to run academic courses that teach the epistemology of disability, just as we have courses on the epistemology of womanhood. What is disability? It is not just about concessional issues, it is not just about medicalisation, it is also about society. I have used the term 'temporarily able-bodied'. We are all 'temporarily able-bodied', and we also need to remember that disability does not respect any religion, caste, culture, gender. Anyone can be disabled, men or women. But women get marginalised further, there's no doubt about that.

To live my life I need a level playing field in which I can be as abled, or as disabled, as anyone else. I need education, I need employment. You want to presume that we are all sisters. Then try and understand our reality. If you are my sister, then be my sister in every way. Somewhere you exclude me. I remember a phrase from the civil rights movement in response to the Jim Crow laws, and I use it all the time: 'equal but separate'. We believe in equality, but a separate reality. That is not true equality.

Everyone knows that as people age they experience disability. It is only then that they consider it. If they had understood disability at every phase of their lives, they would have created structures to address those difficulties.

It is a difficult world, not only for the disabled. But I do need to state that although I don't consider myself disabled, I *am* disabled. I am disabled because I have to fight for an equal world.

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Gendered violence and biases in the criminal justice system

Suspicion and contempt for female victims of sexual violence permeates the criminal justice system. A victim of rape or molestation, for instance, must pass the test of the ‘good Indian woman’, and the ‘good woman’ cannot be one who wears revealing clothes or goes out late at night

VRINDA GROVER

CERTAIN FORMS OF SEXUAL VIOLENCE against women are still not prohibited, proscribed, penalised or even condemned. An attitude of suspicion and contempt for the victim/survivor of sexual violence permeates the criminal justice system. We readily castigate the police for their biased and sloppy investigation, but there is very little comment on how lawyers or the judiciary respond to this issue. Perhaps this is because not many people are conversant with the actual functioning of the legal system and the conduct of trials.

I conducted a training programme for the legal aid panel of lawyers on the rape law. It was a largely male group, with women constituting about a tenth of its strength. I began by asking them how they understood the growing number of rape cases that came for trial. Almost 90% of these lawyers promptly retorted that most of the cases that came to court were false; that the women were lying about rape. This was the near-unanimous answer, at a time when there is a high-decibel discussion going on about the severe and widespread sexual violence faced by women across the country.

But all these reports about women saying they feel unsafe, insecure and vulnerable, is there no truth to them, I probed. The lawyers replied: “Women are filing so many false cases of rape, dowry, domestic violence.” I drew their attention to the fact that, according to official records, a large number of minor girls were being sexually assaulted. This was conveniently sidestepped with the reply: “Yes, those children are not lying, but such crimes are committed by psychopaths — that is a separate category altogether.” The rest of the cases of rape are false, maintained the lawyers.

These are views held by practising lawyers who know the law and legal system and are familiar with its intricacies and manipulations. I moved the conversation to a related aspect and asked them how easy it was for any person, particularly for a woman, to walk into a police station and have an FIR registered. The lawyers readily agreed that the police were corrupt and often refused to register the complaints of ordinary people. Then how come all these women were managing to get their false cases registered? Grudgingly, a few conceded that not all allegations of rape were concocted and the system is to an extent biased against victims of sexual assault. But the majority continued to hold that most cases of



rape were false, as those women wanted/agreed to/invited/asked for ‘sex’, and later filed false complaints of rape. This is the mindset that the survivor of sexual violence seeking justice has to combat in court.

A woman victim is likely to find it less intimidating to narrate her evidence before a woman judge during the trial. However, a woman judge is not necessarily more sensitive or cognisant of the dynamics of sexual violence. Despite judgments of the Supreme Court to the contrary, judges of the trial court, including women judges, look for injuries on the victim’s body as signs of non-consensual sexual intercourse. It is extremely difficult to get a conviction in a case of date rape or where the woman or her conduct does not conform to that of the ‘good woman’. The test that the survivor of sexual assault has to pass is not that of a ‘reasonable woman’ but rather that of the ‘good Indian woman’.

Here I am talking only of rape cases — the gravest of sexual crimes. But we have seen decisions of trial courts setting the rapist free and advising the rape victim to marry the accused

rapist, to “forgive him” as he has offered to marry her! Clearly a court that passes such an unlawful order does not view rape as a crime at all, certainly not one that violates the woman’s bodily integrity and dignity.

If this is how the legal system responds to grave crimes of sexual violence, what happens when we look at other forms of sexual assault, like molestation or even sexual harassment? It is simply not part of our social understanding or judicial theorisation that women have the right to bodily integrity, sexual autonomy and dignity.

Recently, I heard many people say that they were “shocked” by the incident of July 9, 2012, when a mob sexually assaulted a young girl on a busy Guwahati road. Why the shock and surprise? Such incidents of grave sexual assault occur with alarming regularity across urban and rural India. This case was highlighted because of the video footage that was telecast. The full recording shows the brutality and brazenness of the sexual assault committed in full public view. But if you sit down and talk to people, you do not hear much outrage. The inquiries are all about the girl victim. “Why was the 16-year-old in the pub?” “Was she drinking?” “Who was she with?” “Who were the boys with her?”

So I am not sure that we as a society condemn the sexual assault of women. This definitely encourages the impunity with which sexual assault is committed and the accused acquitted. Let us not forget that impunity is not new for Assam and the Northeast, which is ruled by AFSPA and not the Constitution. The impunity enjoyed by the Assam Rifles when they raped and killed Manorama in Manipur, the disappearances and extrajudicial killings in Assam and Nagaland, are now embedded and entrenched there. We were complicit in condoning that impunity, and it has come back to haunt us now.

In the 1980s, following a strong nation-wide campaign by the women’s movement after the Supreme Court judgment in the Mathura rape case (*State vs Tukaram*), the concept of custodial violence was introduced through Section 376 (2) of the Indian Penal Code, with respect to sexual violence. This amendment for the first time made a crucial link between state authority, control, exercise of power and sexual violence.

However, this category of custody and control needs to be enlarged now. In the ‘80s, it was the police that was viewed as the main aggressor and therefore the custody regime in law enumerated police stations, jail hospitals, and women’s institutions as spaces where women were more vulnerable. These continue to be sites of violence, as is evident from the serious complaints of custodial sexual torture by Soni Sori whilst in custody of the Chhattisgarh police. But today, Kashmir, all of northeast India and large parts of central India are under the command and control of the armed forces and other security forces. Even the police dare not question, interrogate, or lodge an FIR against these security personnel. Serious complaints of sexual assault of

women by security forces from these areas have never been addressed. The Shopian rape and murder of two Kashmiri women, covered up as a case of drowning by the CBI, points to the impossibility of even a fair probe and investigation in ‘disturbed areas’ under army rule. Interestingly, the recently notified Protection of Children from Sexual Offences Act, 2012 included the armed forces in the category of custodial violence. Similar amendments must be made in the IPC for women. Also, the law needs to acknowledge the specific targeting of women during communal, caste and ethnic violence.

The present definition and description of sexual violence in the law is not only inadequate it’s also regressive. The law, that is, basically, the IPC, only penalises the ‘penile penetration of the vagina’, which is rape; and ‘outraging the modesty of a woman’, which is molestation. But what is ‘outraging of modesty’? There is actually a case where it was argued that a seven-month-old baby girl did not possess modesty and so the same could not be outraged. Thankfully, the Supreme Court rejected this argument. That is exactly the problem with this kind of formulation. It is not a legal definition of a crime, but rather the expression of a subjective social opinion that actually burdens the complainant to measure up to a prescribed standard of conduct before the law will treat her as a victim. So, will a girl walking out of a pub, wearing a short dress, qualify as ‘modest’ at all? Has the police ever registered a complaint of a sex worker alleging sexual assault? The other problem is that all forms of sexual assault other than rape, regardless of their nature or gravity, are categorised as ‘molestation’ in law. From the insertion of a stick in the vagina, to stripping and parading women naked, to the pinching of a woman’s breast, it is all the same in law: an offence under Section 354 of the IPC. This is one of the reasons why the law today is so ineffective.

Let us go back to the Guwahati incident of aggravated sexual assault. The young girl must be extremely traumatised and will need support in recovering. Regardless of the spotlight on this incident, the accused persons will be released on bail, immediately upon arrest. That is the law: Section 354 of the IPC (‘outraging the modesty of a woman’) is a bailable offence. There are no systems in place to provide psycho-social counselling or protection to the victim/witness. What does this signal to those who want to stand up and fight? Everybody is ostensibly outraged by the Guwahati case, but I am willing to wager that when this girl has to appear in court to give evidence — I am of course assuming that the police will actually investigate the case and file a chargesheet against the accused persons — she will find herself alone, except for a few women activists standing by her side. It is unlikely that the National Commission for Women will be there, or the Legal Services Authority, or a special public prosecutor appointed by the state government. None of these statutorily mandated and well-resourced institutions will have the time or the inclination to support the young girl and monitor the trial. Where is the short-term and long-term

support which every survivor of sexual violence needs, particularly when she goes to court? And remember this is a very hostile legal process.

We often hear cries of ‘Hang the Rapist!’. This kind of rhetoric is very unhelpful. Even in pure pragmatic terms, we must understand that the more stringent the punishment the more careful the court will be in handing out a conviction. I recall attending a candlelight vigil when Dhananjay Chatterjee was hanged in 2004, sentenced to death for raping a schoolgirl. My daughter and I carried a placard that read ‘Women Against Rape and Death Penalty’. Demonising a few will not make the violence disappear. It stalks every road, street, bus, office, factory, field, and home. We are dealing with a very complex and entrenched issue, which the law can only partially answer. Public hysteria against an incident of sexual assault is usually followed by the imposition of complete social control over women’s lives and their sexuality. When we seek recognition of bodily integrity, we also mean the sexual autonomy of women, including their freedom to choose their sexual partners. Sexual violence is intimately linked to the Indian fetishisation of virginity, the obsession with marriage, segregation of the sexes and our notions of ‘good women’ and ‘bad women’.

For over 20 years, the women’s movement has been asking for the law relating to sexual violence to be amended. But for the government it is not a priority issue, since women are not a votebank — no political party is about to win or lose an election because of the high incidence of rape or sexual assault of women.

In 2010, when the complete subversion of justice by Haryana’s top cop, S P S Rathore, who had sexually assaulted and driven the young tennis player Ruchika Girhotra to suicide, came to light, the government in a typical knee-jerk reaction came up with the Criminal Law Amendment Bill, 2010. We in the women’s movement seized the opportunity, organised two national consultations and presented an alternative draft bill to the union home ministry. We were assured of a discussion. Of course we never heard from the home ministry again. It would seem that widespread sexual violence or the threat of it, which dictates the lives of all women and others in the country, is not a ‘security’ issue worthy of the home ministry’s time and attention.

Now that the Guwahati sexual assault has ignited some public debate, there are again some rumblings in the government. Of course, law reform will not make sexual violence disappear or even lessen it dramatically, and the prejudices and biases will remain, but right now we don’t even have a toehold to stand and fight. So the law on sexual assault definitely needs to change, and this would be just the beginning of the battle. There are many other factors that come into play, like education, the media, trainings, socialisation, and so on. The question is, when there is so much law-making going on in the country, why does neither the government nor any other

political party have the time to amend laws which impact the very existence of women?

In early-August, we learnt from the newspapers that Cabinet had approved a gender-neutral sexual assault Bill. This is the Criminal Law Amendment Bill, 2012. Neither the contents nor the concepts and principles underlying this Bill have been discussed with women’s groups or any others. So much for the government’s avowed principles of transparency and democratic pre-legislative consultation. After hectic activity, we were able to secure a copy of the Bill from the government.

There are many serious concerns with this Bill, which seems to have been hastily put together without an understanding of the issues involved.

Firstly, it is encouraging to see that our longstanding demand to enlarge the crime of penetrative sexual assault beyond the present definition of rape, that is, peno-vaginal penetration, is reflected in the inclusion of other forms of non-consensual penetrative sexual assault. Sexual assault would include non-consensual penetration of other parts of the body by objects, etc, which is equally violative of a woman’s bodily integrity.

Secondly, the 2012 Bill does not view sexual crimes as a continuum of offences. Crimes of sexual violence must encompass the entire range, from penetrative sexual assault to sexual harassment. These offences must be formulated using the notion of violation of bodily integrity and dignity causing harm, injury, and degradation. The Criminal Law Amendment Bill, 2012, however, only codifies an expansive description of penetrative sexual assault and the only other provision dealing with sexual assault is the present Section 354, with the archaic and problematic phraseology ‘outraging the modesty’. What this means is that if the government were to pass the 2012 Bill it would bring about no change insofar as the Guwahati sexual assault is concerned. The incident would still be treated as a minor or trivial offence as it involved no penetrative sexual assault. It seems that two decades of written and oral communication with the government have been completely ignored.

Thirdly, new provisions defining crimes of sexual violence have to be added to the penal code. For example, except in the state of Madhya Pradesh, stripping, disrobing and parading a woman naked is not codified as a crime. This humiliating form of sexualised violence is routinely inflicted to degrade and humiliate women, particularly those belonging to disadvantaged groups or transgressing social norms.

Fourthly, as I said earlier, the categories of aggravated sexual assault need to be increased to include the armed forces and ‘coercive circumstances’ such as communal or caste violence.

Fifthly, the present definition of ‘consent’ has proved very problematic. Consent needs to be redefined anticipating the prejudices inherent in the system to exclude the

interpretation of the victim's conduct as consensual. It is very disappointing that there is no mention of the changes required in medical examination of victims of sexual assault, or the introduction of procedural amendments that may support a disabled victim/survivor. Nor is there any reference to introducing a victim/witness programme, despite a report of the Law Commission and judgments of the Supreme Court recommending this. The Bill is also completely silent on reparative justice for victims and survivors of sexual assault. Indian law must recognise reparation as a right of the victim, without any link to criminal trials and conviction.

Lastly, the most radical departure that the 2012 Bill makes is to introduce a gender-neutral sexual assault law. What this means is that, under the 2012 Bill, both men and women can be victims and perpetrators of the crime of sexual assault, as now defined. This requires serious deliberation. My view is that the law on sexual assault could be gender-neutral insofar as the victims of the crime are concerned. There is increasing evidence that not only women but others too, including transgender persons, are subjected to sexual assault. However, I do think that the accused/perpetrator should be gender-specific, that is, only men can be accused of sexual assault. Neither experience, nor data, nor studies in any way demonstrate that women are perpetrators of sexual assault. On the other hand, the proposed gender-neutral definition of aggravated sexual assault merits our serious consideration. We cannot deny the participation of women in inciting, abetting and conspiring to commit sexual violence, particularly in times of communal pogroms and caste violence. Perhaps when a person — man or woman — occupies a position of state power or other forms of authority, it is power that is determinative of their actions, and the gender identity of the perpetrator is subsumed under this exercise of power, privilege and dominance.

A last issue that must be mentioned here is Section 377 of the IPC, which criminalises homosexuality. The 2012 Bill makes no mention of it. The Delhi High Court has already read down 377 of the IPC and the matter is awaiting judgment in the Supreme Court. Now that a specific law has been passed for child sexual offences, and if the victim of sexual assault is made gender-neutral as proposed by the 2012 Bill, then there really can be no rationale for retaining 377 in the penal code.

Given the deep and abiding biases women face within the criminal justice system, it is only to be hoped that the government shows seriousness in addressing them. Is that too much to ask for as citizens?

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The workplace is still gender-unequal

The state has actually reinforced gender-based discrimination in the work arena

PADMINI
SWAMINATHAN

IT IS DIFFICULT to pronounce unequivocal judgement on the position of women in India since the beginning of the 20th century. While declines in fertility, access to education, employment and public office give an impression of a blurring of divides based on sex, these achievements have gone alongside beliefs, attitudes and practices that have reinforced these divisions as well as reformulated the ideology of domesticity. The process of economic development has taught us that it is easier to gain equal rights than to impose equal responsibilities on men for the day-to-day running of the household, including care work.

The sexual division of labour is taken for granted in a rather different way in the argument for 'wages for housework' which carries an implicit position on the socialisation of domestic labour. The argument here is that wages are due to housewives as they are already involved in social production. But while demanding wages for housework can be seen as a demand for a sort of 'righting', it still leaves women doing the same work in isolation. From the point of view of women, thus, "women are trapped into a material dependence on a man by lack of access to a decent wage, the absence of services to make full-time waged work and childcare compatible, the ideological and social pressures to marry, and the almost complete absence of any alternative to the family as a way of life, a learned sense of inferiority, and the personal effects of isolation and overwork," (Mackintiesh, M *et al*, quoted in Bland *et al*, 1978).

In light of the above, to officially state that women's work participation rates have increased over the decades, going by census data, is to give a particular definition of work, one that excludes almost all of the above. The state, for its part, contributes to women's subordination through policies that reproduce sexual divisions through the particular manner in which it defines equality, and the particular measures that the state has designed to achieve this equality. For example, our examination of the assumptions and implementation of Acts such as the Minimum Wages Act, 1948 and the Maternity Benefit Act, 1961 makes it clear that mere extension of the coverage and scope of such Acts will make only a marginal difference to women's conditions of work since the Acts themselves are constrained by the particular understanding of work, families of workers and

Aditya Malaviya



notions of breadwinners (as, for instance, in the case of the Minimum Wages Act) and deliberate attempts to subvert the coverage and quantum of benefit (in the case of the Maternity Benefit Act).

We are aware that gender itself, as a category, cannot explain all of the inequality and discrimination discernible in the labour market. But what feminists have demonstrated is that the ‘structured’ labour market and the factors that perpetuate this structure, when examined through the lens of gender, show inequalities. More important, the state through its capacity and authority to initiate/enact policies, ostensibly to address labour market inequalities, has contributed to reinforcing gender-based discrimination in the work arena.

Let us examine the two aspects of continuity and change characterising Indian women’s work simultaneously but from different angles: one, through a discussion of the Minimum Wages Act, 1948, we illustrate how the refusal to confront and grapple with the gendered assumptions on which the Act itself is premised, continues to contribute to gender injustice. Two, examination of the operation of the Maternity Benefit Act, 1961, on the other hand, brings out several aspects of continuity and change. To begin with, the Act, being a standalone legislation, has no mechanism that Parliament has evolved to make the beneficial provisions of the Act mandatory in its application to all establishments that come under its purview; equally unfortunate is the fact that changing forms of employment (from factory to home-based work, from regular/temporary to casual/daily, etc) have proved handy in making women

workers ineligible for maternity benefits.

I have, elsewhere, through an examination of the historical underpinnings and assumptions that finally went into the making of the Minimum Wages Act, 1948, tried to establish the manner in which the Indian state contributes to women’s subordinate position in society. Here we will recall how, 60-odd years since the enactment of the Minimum Wages Act, 1948, the discussion relating to minimum wages has yet to take on board the contentious issues of what our notion of ‘family’ is; how ‘basic needs’ of a family will be defined; and whose ‘work’ and what ‘work’ will be privileged to arrive at a basic needs-based definition of minimum wages.

The Minimum Wages Act, 1948 does not define the term ‘minimum wage’, or what precisely should be its content. The minimum wage advisory committees, set up under the Act, have not therefore been following any uniform set of principles while fixing or revising minimum wages. Considerable debate has centred around the need to define ‘the needs of workers’, whether it be to fix a living wage, fair wage or minimum wage, and it is this which has important implications for women in the workplace and for legislative and institutional action outside the workplace.

In this context it is pertinent to recall the report of the Textile Labour Inquiry Committee (Government of Bombay, 1941) that devoted considerable time and space to arrive at the notion of the living wage standard because of its bearing on the Minimum Wages Act that was passed subsequently in 1948. The Textile Labour Inquiry Committee dealt with what it considered two important questions: the first is the number of earners per family to be allowed in the calculation and the second is the question of supplementary earnings. *The consideration of the first question is made easy by our adopting the natural family as the basis of our calculations. In such a family the question can refer only to the earnings of the wife; the dependants or children can obviously not be expected to earn anything. Should any allowance be made for the possible earnings of a wife? It has been argued that, under a proper interpretation of the term living wage standard, a wife should be spared for the duties of the household and for looking after the children. She cannot be and should not be expected to supplement the earnings by extra paid work... The conclusion we arrive at is that an adult male should be held to have to support the family without the help of any supplementary earner or any other source of income* (Government of Bombay, 1948).

Deliberating further on the question of wage differentials based on gender, the committee opined:

Should the minimum level of earnings for men and women, whatever be their occupation, be the same? We believe the answer is inevitable; they will have to be different. A considerable gap, in fact, exists between the lowest wages

earned by men and women in the industry. Any violent disturbance of the existing differentiation is bound to affect the proportion in the employment offered to the two classes of workers. The trade board may reduce the differential between the basic minimum for men and women, but this can only be a gradual process. We have (already) noticed that in countries where the living wage basis is adopted for fixing a minimum wage, the standard of responsibilities for the calculation of a woman's wage is defined in a different manner from that of an adult male. A similar difference may have to be postulated for the textile industry in this province and an independent standard will have to be fixed for a woman worker's earnings. This will be an important and necessary part of the work of the trade board (Government of Bombay, 1948).

The Committee on Fair Wages (1954), relying heavily on the arguments put forth by the above Textile Labour Inquiry Committee, went further and stated that: *(I) If minimum wages and consequently fair wages are to be calculated on the basis of the requirements of the worker and his family, there is every justification for rating the standard family at a lower number of consumption units in the case*

of a woman worker than in the case of a man, for she will not be expected to support at any rate her husband even though she may have other dependants and encumbrances. According to this line of reasoning, the wages of a woman worker should be based on two consumption units if those of a male worker are calculated on three (Government of India, 1954).

As a concession to the then prevailing views on wage differentials based on gender, the Committee on Fair Wages agreed to take cognisance of the principle of equal pay for equal work, but laid down that this principle applied primarily to piece-rates. *"We suggest (therefore) that where employment is on piece-rates or where the work done by men and women is demonstrably identical, no differentiation should be made between men and women workers regarding the wages payable. Where, however, women are employed in work exclusively done by them or where they are admittedly less efficient than men, there is every justification for calculating minimum and fair wages on the basis of the requirements of a smaller standard family in the case of a woman than in the case of a man," (Government of India, 1954).*



Rajesh Vora

In sum, therefore, the underlying assumption on which the Minimum Wages Act, 1948 is premised is that a woman has fewer requirements/responsibilities than a man; also, that a woman's efficiency can at the most equal a man's but can never surpass it.

Sixty-odd years down the line, while the debate around securing and ensuring minimum conditions of work for all workers, including those working informally, continues, and while there is official acknowledgement that there are variations in minimum wages across space, industrial occupations and the sex of workers, it is not clear where we stand with respect to the underlying assumptions that formed the premise for the Minimum Wages Act, 1948.

The *Challenge of Employment Report* (April 2009) of the National Commission for Enterprises in the Unorganised Sector (NCEUS) has recommended the introduction of a national minimum wage 'with statutory backing which shall represent the lowest level of wage for any employment in the country. This wage shall be applicable to all employments presently not covered under the Minimum Wages Act of the state concerned, and would be applicable to both wage workers and home workers... The general principles in the fixation of the national minimum wage will be the minimum basic needs of the wage workers and the home worker and her/his family'. We are therefore back to square one, since there is no clarity as to what constitutes a 'family' and how the basic minimum needs of 'her/his' family will be arrived at. In other words, elimination of discrimination and exploitation based on sex continue to elude the premises on which progressive laws should be enacted.

Now let us examine how women fared with the Maternity Benefit Act, 1961, an important piece of legislation in independent India. Over the years, the courts have had to deal with several cases of aggrieved women workers who have alleged denial of benefits under this Act despite, according to them, being eligible for the benefits. It needs also to be stated here that, according to an exercise conducted by the NCEUS (2009) on the effectiveness of coverage of workers under different legislations, the Maternity Benefit Act was able to cover only 16% of eligible workers as of 1999-2000. I therefore conducted a content analysis of a few cases filed for relief under this Act, to help comprehend, among other things, categories of workers who have been denied or given less than the entitled benefits; the nature of establishments that deny such benefits; reasons cited by establishments for denying benefits; reasons for courts' acceptance or rejection of arguments by employers/petitioners. Around 20 judgments among the cases filed under this Act were reviewed.

A point that I noted, but did not labour because of the very nature of the litigation process in India, is the enormous time, patience, not to mention financial resources that

Working for Rs 5.50/hour, with no benefits

In an analysis of law and policy related to domestic work in India, Nimushakavi Vasanthi draws upon a study of domestic workers — all women — conducted in 2010-11 through the National Domestic Workers Movement in Hyderabad. Some of the findings reported:

- 84% belonged to scheduled castes, scheduled tribes and other backward classes. Most were non-literate, some had some literacy, and 12% had finished high school. Those employed full-time and providing services such as cooking or looking after children or the elderly had a higher degree of literacy than those who were engaged in cleaning and washing.
- About 40% of women from scheduled castes were engaged in domestic work such as cleaning and washing. Part-time workers mostly lived in semi-permanent houses. Full-time care workers earned more than those doing domestic work, had better housing, were better educated and were aware of legal protection.
- The most common reasons the women gave for doing domestic work was that it was close to their homes, it was easily found, they had small children, and they needed to do their housework along with domestic work for pay. Other reasons were that they were uneducated and could not do or could not find any other work. A small number said that this work was their choice.
- 80% of the workers interviewed did not know that domestic workers in Andhra Pradesh are covered under the Minimum Wages Act, 1948, which guarantees minimum wages and paid leave. They worked for as little as Rs 166 for an hour per month — a daily wage rate of Rs 5.50 for an hour or a daily wage of Rs 44 if they worked for eight hours.
- Workers doing full-time care work were subject to practices of untouchability, and denial of a bed and toilet facilities or a place to eat. None of the workers interviewed reported receiving any health benefits or compensation for injuries or sickness, or loans or termination benefits.

From: Nimushakavi Vasanthi. 'Addressing Paid Domestic Work: A Public Policy Concern Review of Women's Studies'. Economic & Political Weekly, October 22, 2011

had to be expended in the quest for justice. Suffice it to mention in this context that even as it takes the aggrieved woman worker close to a decade to get justice, the interim period was one of unemployment, since, in a few cases, the worker's application for maternal leave with benefits was answered by employers with a termination notice. The route that the litigation process involved, all the way from a local labour court/industrial tribunal to the Supreme Court, has taken upwards of a decade in several cases. Since this exercise is confined to content analysis of judgments, there is no way of ascertaining whether the Supreme Court's directives, be it reinstatement of retrenched workers with back wages, or any other, have been complied with within the time stipulated.

The study of judgments relating to cases under the Maternity Benefit Act, 1961 revealed, among other things, the manner in which women employed by the state have been excluded from provisions of the Act. Contrary to all norms of justice, the state has employed women workers but used nomenclature such as 'daily', 'ad hoc', 'casual', etc, to justify denial of maternity benefits on grounds that even the amended Maternity Benefit Act, 1961 applies only to regular and temporary workers, not casual, daily or ad hoc ones. Two, while recruitments have followed a set procedure, appointment letters have been arbitrarily changed to render women employees ineligible for any benefits, maternity or otherwise. Three, when the Supreme Court has come down heavily on state governments for denying maternity benefits to women employees kept for years on contract or on a daily basis, the bureaucracy has come up with other ways of making women employees ineligible, by citing, for example, that women employees on consolidated mode of payment of salary are not eligible for benefits under the Maternity Benefit Act. The government's own resolutions appointing persons on an ad hoc basis have come in handy for establishments to deny maternity benefits altogether and/or allow maternity leave but without monetary benefits. To top it all, in a few of the cases, applications for maternity leave were answered with termination notices, an aspect that the Supreme Court has specifically underlined as being illegal and bad in law.

From a feminist perspective, an important learning is the realisation that mere enactments of more laws to address specific feminist demands need to be backed by 'rules of operation' that also specify how binding these provisions are and whether existing laws governing establishments need to be amended in light of the new women-friendly laws. Hence, while struggles to extend the coverage of the Act to establishments and women workers outside the purview of the Act need to be strengthened, equally important is the need to struggle to unravel the ways and means by which legally eligible women workers get excluded from the provisions of such legislation. Further, despite feminist

opposition to population control policies, the service rules of organisations, including some state governments, deny maternity benefits to women who already have two living children. While the Maternity Benefit Act, 1961 itself does not state anything about the number of times a woman worker can avail of benefits under the rule, the service rules of organisations incorporating the Government of India's population control policies have taken precedence over the Maternity Benefit Act, to the detriment of women workers.

Going by the history of post-Independence India, the state's response to the issue of gender gaps has generally been in terms of 'welfare' measures ostensibly aimed at 'empowering' the disempowered. The persistence of poverty and vulnerability despite social sector interventions and despite any number of studies documenting the linkages and connections between macro-economic policies and changes on the ground, has contributed very little to the way discrimination is perceived at the policy level and/or in the manner data is gathered.

Debates around gender mainstreaming emphasise the dilemmas feminists face in addressing women's needs: should 'sameness' be the criterion wherein women enter previously male domains and the existing male norms remain the standard? Should 'difference' be recognised, leading to a valuation of contributions based on difference but which ends up entrenching the status quo? Or, how do we work towards 'new standards for both men and women that could potentially lead to transformation of gender relations'?

Going back to our discussion on the Minimum Wages Act, it is clear that we have not progressed beyond the 'sameness' criterion. The NCEUS approach could lead to proposals that enable women's different needs to be met to allow them to participate in a man's world or as T Rees put it in 'Reflections on the Uneven Development of Gender Mainstreaming in Europe' (*International Feminist Journal of Politics*, December 2005), it would 'tailor' situations to fit the needs of women.

But the bottomline of our argument is that, as of now, none of our present policies come anywhere close to even suggesting that we replace existing segregated institutions and standards associated with masculinity and femininity so that gender transformation in the true sense of the term can be achieved in the foreseeable future.

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How equal are women as citizens?

Women got formal citizenship with the dawn of independence in India. But it was only after the struggles of the women’s movement since the ‘70s that background inequalities were considered and these formal rights expanded into more substantive rights, including the right to property, representation in local governance, the right to life and free movement and the right to health and social protection

NEERA
CHANDHOKE

Civic citizenship and organic citizenship

CITIZENSHIP is intrinsically bound up with the idea of the nation-state. The first time in modern history the notion of citizen as ‘citoyen’ became important was during the French Revolution of 1789. The French Revolution also generated the idea of ‘the nation’. The nation is a unit in which residents participate according to their status, and according to certain rights and obligations. So this whole notion of ‘civic’ citizenship is associated with civic nationalism. Oddly enough, in 1789, whereas men in France got citizenship, women did not — until the 1950s.

The second notion of citizenship came to us from an alternative model of the nation-state in the 19th century, with the big multinational empires such as the Austro-Hungarian empire and the Russian empire. Within these empires, in the 19th century, a whole lot of ethno-nationalist movements came about and they in turn gave rise to what is known as the ‘organic’ notion of citizenship. This held that you are a citizen not because you have certain rights but because you are a member of a community that has a certain history, language, and so on — the notion of belonging is very important here.

These two notions of citizenship — the civic and the organic — have been theorised by western scholars. In India in the 1930s you had, on the one hand, Jawaharlal Nehru articulating the notion of civic nation and civic citizenship, and on the other you had V D Savarkar espousing organic citizenship, talking about how only the Hindus belong and it is they who should have citizenship. His idea of the citizen is intrinsically tied up with the idea of the nation and is based on the foundational question: Who belongs?

The civic notion of a citizen is more inclusive because it invests all those who reside within the boundaries of the country with certain rights, which come from a Constitution. But even within civic citizenship there have been inequalities. Women didn’t get the vote until the 20th century. It was only in the 1920s that American women got the vote, and that only after a long and protracted struggle. In India, women got the vote in 1950. This was largely because the country had witnessed a mass national movement. Once you have invited everyone to participate in this struggle, you can hardly sit back and

deliberate on who should have the vote and who should not be given the formal status of citizenship.

Formal citizenship and substantive citizenship

That brings us to the second set of dichotomies — between formal citizenship and substantive citizenship. A formal citizenship is when you have the right to vote and rights under a Constitution, but it doesn’t take into cognisance what is termed ‘background inequalities’. Substantive citizenship would mean that such inequalities are addressed. Unfortunately, none of this came up in the Constituent Assembly debates. Social and economic rights were relegated to the Directive Principles and therefore these concerns remained unarticulated. If women figured in the debates at all it was with regard to Articles 14 and 15 which said that the state shall look after the ‘weaker sections’, with women being seen as part of the ‘weaker sections’.

But inequalities of gender actually highlighted a basic problem in the construction of the citizen in a civic nation. The citizen had traditionally been deemed to be a property-owning male because until the early-20th century, citizenship rights were tied up with property rights. Since women never held property in their own name, they obviously did not fit the definition of a rights-bearing subject. This meant that women were doubly discriminated — in the private sphere because they did not hold property and were subordinated to their husbands (or fathers or brothers, whoever were the property owners) — and in the public space, where they were barred from exercising their full rights of citizenship by the fact that they did not have any status in the private sphere.

As the women’s movement gained momentum in the 1970s and 1980s, there was more public articulation of the notion of substantive rights, including property ownership. It was only in 2005, with the Hindu Succession (Amendment) Act, that Hindu women in India got equal rights to ancestral property, although a number of women still hesitate to exercise that right because of stereotypes and expectations of how women should behave.

So you have a very interesting development here. Inherent inequalities within society spark off a number of struggles which basically say: “Alright, now give us what you have

promised.” This is why formal rights are important; they create imaginations that lead to struggles, and history tells us that there is no expansion of citizenship rights without struggle.

There are a number of gender-based struggles which are demanding full citizenship rights, not only in the public domain but in the private one. There are all kinds of problems that gender struggles have illustrated. For example, when census operations are conducted, how is the head of the household categorised? It is invariably a male. Even if his mother is alive but happens to be a widow, she doesn't get counted as head of the household.

There is another aspect of citizenship which is not confined to the vote. It has to do with the basic democratic right of participation and representation. Here you find that in the modalities of representation, only a minority of women make it to Parliament — a little over 10% at the moment. This illustrates a fundamental dichotomy between formal rights of citizenship and background inequalities because obviously political parties are hesitant to put up women — except when it is for strategic reasons — because the transfer of power to women in the public sphere is not palatable to them. Now this denial of the basic right of participation and representation raises the question: Who represents whom? Can a majority of men represent the needs and opinions of women?

There are problems, of course, with group notions of representation. If you have women's representation, it is likely to be commandeered or monopolised by elite women, or elite interests, as happened during the first generation of panchayati raj when men put up their wives for the various reserved posts. The question then likely to come up is: Can the upper caste woman represent the interests of the triply disadvantaged poor dalit woman?

Right to life and free movement

Citizenship also entails the right to life and right to free movement. In 2002, we studied post-riots Ahmedabad, which was seen as the most conflict-prone city in India. One of the aspects that emerged was that Muslims in that city, who were formal citizens, were finding themselves more or less excluded from their rights of citizenship. Women, in particular, were very adversely affected. Not only had they been subjected to the most horrific sexual violence during the riots, they were also the victims of a backlash from within the community itself after the riots. Community leaders insisted that women go into *purdah*, and instead of arguing for proper schools they wanted girls to attend local madrasas. In fact, most families stopped sending their girl-children out to study after Class 8, so you had a generation of girls growing up who were less educated than their mothers. We noticed a lot of Muslim young women in *agarbatti* factories — many of them owned by Hindus — who were being paid pathetic wages. But these women had no option; they couldn't take part in the competitive job market because spatially they were

restricted, education-wise they were restricted, in terms of employment opportunities they were restricted, and of course within the home they were restricted.

Then again, after the rape cases that occurred in cities like Delhi, the attitude of the police and politicians stood exposed. Many among them argued that women should not be out after 7 o'clock, that women should dress appropriately, and so on. Women are made to feel that they are in some way responsible for the atrocities they face. But, as citizens, they have the right to go where they wish, dress the way they want. It is the state's job to provide them with security. If society is so uncivilised that it will attack someone just because she is a woman, there is something wrong with that society and the notion of citizenship it possesses. To prevent women from participating equally in the public space is in fact to deny them opportunities and life chances.

The Constitution of India gives women certain rights, and these rights are meant to be inalienable. If these rights are unfulfilled, or violated, then obviously there is injustice — because justice is the realisation of rights. If women have a right to civil liberties then their civil liberty to protest against, say, domestic abuse is a basic right, and the state must listen to them and offer redress. If women have the right not to be mauled in a public space, or be ill-treated in a police station, then when such incidents occur they must be able to access justice.

But there is an even more fundamental aspect to rights. A right is never just a right, but a right to do something. Clearly, women can only be truly free when they have access to certain basic freedoms in terms of health, education, and basic income. But if you look at the human development data for India — take just the four states of Chhattisgarh, Jharkhand, Bihar and Orissa where the Maoists have a presence — female malnutrition is above 50%. If a woman is not healthy, how is she going to be free? How are women supposed to exercise agency when they are not equipped with education, health, a minimum of social protection, an income, shelter?

So it is time to ask: What are the preconditions for citizenship? Basically it is about a woman being in a position to take advantage of the opportunities society offers her. I once did a project on people's rights where I compared the Narmada movement with the Chhattisgarh Mukti Morcha of Shankar Guha Niyogi. In the course of my research, I asked a group of tribal women who had been relocated what they missed about their old lives, and they said they missed drinking, they missed smoking, they missed changing their husbands. So I asked them whether they perceived these as their rights as citizens of India, and they said: “Yes, this is our *haq* (right) given by Bharat *sarkar*.” It struck me then how familiar they were with the notion of rights and how much the language of rights has come to occupy their collective imagination.

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Women in retreat after Independence

Why does India present the paradox of at least four major political parties headed by women, and yet have so little representation of women in Parliament? And why is there so much opposition to reservations for women in Parliament and state legislatures when there is no opposition to reservation at the panchayat level?

ZOYA HASAN

TWO THINGS NEED TO BE FLAGGED at the very beginning. First, there has been significant improvement in the status of women over the last two decades, but the majority of women lack opportunities. We need to note the structured inequality of Indian society — its economic inequality, social inequality, and the other entrenched inequalities that persist along caste lines.

Second, when we compare India with many of its neighbours, we may find that there is a much greater visibility of women in the public space, including in employment. But the opportunities for employment for a majority of women in India are in the informal sector and these women are working in extremely low-paying jobs at the lower end of the economic spectrum. So, while there is an increase in women's employment, the kind of employment that women have been able to secure will not substantially improve their status or standard of living.

We see a very significant increase in the number of women now in higher education, to the extent that in the social sciences and humanities, and even in many professional courses, the proportion of women to men could be almost fifty-fifty. Yet, when you actually look at the women in decision-making positions you find there are very few at the top. This is true in both the public and private sectors. While the corporate sector keeps talking about a few iconic women CEOs, we can count them on our fingers. However, there can be no denying that there are many more women in corporate jobs at present. In the public sector, while there are a large number of women, they are mostly relegated to the lower echelons — in clerical positions. Of course, the number of women getting into the Indian Administrative Service, the Foreign Service and, to an extent, even the Indian Police Service, is much higher than it was two decades ago. Every now and then, women top the civil services examinations and much is made of that. However, the fact is that the overall percentage of women in what are called the 'elite civil services' is not very high. You don't see many women at the secretary level, for instance.

This is the backdrop, a very important backdrop, to considering the status of women in India's mainstream politics today.

Everybody talks about India's first woman president, that the leader of the United Progressive Alliance is a woman, that the leader of the opposition is a woman, that the speaker of the Lower House in Parliament is a woman. But the reality is quite different, as some perceptive feminist scholars have pointed out. Twenty years ago, Maria Mies observed that the 'large' number of women in positions of power in India is actually quite small in relative terms. Mies's point assumes significance when we come to the central issue: formal representation in the public sphere. Women's representation in politics is even less than women's representation in employment, whether in the public or private sectors.

One of the major reasons for this is that politics in India is now a profession like any other, and it is largely a 'male' profession in the same way as teaching has become a 'female' profession. Politics in India has been a male monopoly for a very long time, thanks to patriarchy, conservatism, and the fact that men have always acted as gate-keepers in a traditional society like India. Other factors include two separate but overlapping phenomena — the criminalisation of Indian politics that has only been accentuated over the last two decades, and the huge amounts of money involved in contesting elections today.

It is often believed that it is difficult for women to mobilise the kind of resources that are needed in politics, and for women to deal with the criminality that marks Indian politics. But in the ultimate analysis, it is the two cardinal realities — conservatism and the fact that politics is seen as a male monopoly — that are the more important factors in discouraging women from entering mainstream politics. And there is another aspect — the reluctance of women themselves to enter the field.

The 73rd and 74th amendments could be considered game-changers even though we have not fully realised their impact. Until these amendments came along about two decades ago, women themselves were reluctant to enter local politics. Now they are quite enthusiastic about participating in politics, thanks to the panchayati raj experience and social and political changes taking place

in India through the democratisation process, which has seen an opening up of politics. However, women find their enthusiasm dampened by many barriers.

Women and the nationalist agenda

There are three major moments from the past that impacted women's participation in politics. The first is the social reform movement of the 19th and early-20th centuries. In some parts of India, especially Bengal and Maharashtra, and parts of south India, for the first time we saw women coming out into the public space and participating in social movements, such as the anti-sati movement, as well as the age of consent and child marriage debates. But the real change came with the Gandhian movement. Gandhi played a critical role in bringing women, hitherto relegated largely to the home, into the outside world during the period of the Congress-led struggles in several parts of the country. Women responded enthusiastically to the political mobilisation of the national movement.

But there were limits to that mobilisation. There was a certain instrumentalisation in the way women were used to make the argument against colonial rule. Significantly, after Independence, the expectation that women would continue to play an important role in the politics of post-Independence India was quickly belied. The Congress Party had some very important women leaders — Sarojini Naidu, Rajkumari Amrit Kaur and other legendary women who played an active role in the struggle for independence. Some of them were also very active in the Constituent Assembly debates and played an extremely important role in framing the Constitution and enshrining gender equality in that document. They were our founding mothers, so to speak. Yet, the fact remains that women's rights in India, for all practical purposes, were formal.

Women more or less went into retreat after Independence, in part because of the nationalist ideology and in part because the Congress Party, in the first two decades, focused on the role of the state, believing that state intervention would bring about social change and contribute to the overall improvement of all vulnerable and disadvantaged groups within the country, including women. The Congress was reluctant to recognise women as a category separate from 'the people'. The argument that there should be anything specific for women was therefore out-of-sync with the nationalist ideology.

Some leading women were themselves very comfortable with this approach and couldn't countenance the idea of treating women as a separate and special constituency that was inherently disadvantaged. In fact, it wasn't until the mid-1970s — with the report of the Committee on the Status of Women — that we have a counter-narrative. While drafting this report, leading women academics of the day argued that women had not progressed as expected after Independence, that they were particularly under-represented

in politics, and therefore there should be some special measures such as affirmative action and reservations for women. However, Phulrenu Guha, who headed the committee, disagreed because her thinking was shaped by the nationalist movement and politics of the 1950s, which held that the poor included both men and women, and something needed to be done for both categories rather than just women.

'Towards Equality', the report of the Committee on the Status of Women, changed perceptions considerably, and with the Eighth Five-Year Plan the government began to think differently, as evidenced by the National Perspective Plan released in the late-'80s when Rajiv Gandhi was prime minister. The National Perspective Plan was a marker, but there was still a mismatch between the re-thinking on what needed to be done for the position and status of women and the views within the political establishment.

Women as a political category

Meanwhile, there was the emergence of the women's movement which in different ways has focused, quite rightly, on questions of politics because its leaders could see that politics is crucial to bringing about transformation within different sections of the economy. The constraint was that the women's movement did not speak with one voice on the issue. There are differences between what were traditionally termed the 'autonomous women's groups' and those affiliated to political parties, in terms of perceptions of the state and the relationship between patriarchy and class, as well as caste. While there was consensus that women were hugely under-represented in politics, that politics is extremely important to bring about change, and therefore we need more women in politics, there were also serious differences on how these issues were to be addressed.

By the late-1980s and early-'90s, some of these differences had been overcome and there was much greater unity of purpose on the part of women's groups pushing for greater representation. That was how the Women's Reservations Bill came about, with women members of Parliament like Geeta Sen and Promila Dandavate getting it presented in Parliament. However, as we know, it has not been easy to get the Bill passed and it has continued to face major problems ever since.

There are three issues here. One is the issue of category: do women constitute a separate political category in the way, for example, that scheduled castes, OBCs and minorities constitute a category? Clearly, opinion is divided on this. The fact of the matter is that women belong to all these categories — they are from upper castes, lower castes, they are Hindu and Muslim. So women as a category is a complex construct, but complexity does not mean that women do not have distinctive concerns and interests. They do have distinctive concerns and interests that in some sense may

not fully define them but nonetheless informs their identity.

The second issue is that of women’s participation in politics, both electoral participation as well as involvement in social movements. Such participation has gained ground dramatically and around the same time as several other political and social movements such as the rising articulation among Muslims about being marginalised, the backward caste movement, and many other new social movements. It was this larger democratisation of society, especially the democratisation of caste, which brought hitherto marginalised groups into the public domain in a very major way.

But this, in a sense, has also pitted caste against gender. This counterposing of caste and gender is extremely important as a lot of women think of themselves principally as belonging to a caste category rather than to a gender category. This may change over time and women may come to terms with both their caste and gender identities, but at the moment it is one of the factors that make for women’s absence in the public space. It is also one of the reasons why they have been taken for granted by parties. Parties that otherwise lay so much emphasis on social marginalisation on the basis of caste seldom think in terms of women from their caste having also been excluded. These parties do not believe, as yet, that as they fight for the greater empowerment of OBCs or SCs or minorities, they must also work towards the promotion of the women of these castes.

Take the mandatory 22% reservations for scheduled castes/scheduled tribes. The number of women who get elected through these reserved seats is proportionately much lower than those who make it in through the general category. If you take the 14th Lok Sabha, only 11 women SC and ST members made it to Parliament although the total seats reserved for these two groups were 120 and 79 respectively. In the 15th Lok Sabha, this marginally increased to 17 women. So there’s certainly something in the argument about caste having subsumed gender as a category.

Historically, just when backward classes and lower castes were being included in mainstream politics, and just as they were making careers within politics, there came this challenge from women demanding representation of 33% in Parliament and state assemblies. This made for the widespread perception that women’s reservation would be at the expense of many of the first-time MPs from these various categories.

The third important aspect to consider is the nature of political parties. In our party-based democracy, political parties are usually male-dominated and have shown themselves to be reluctant towards providing women

positions within important committees and decision-making bodies that lay down ticket distribution norms and the like. This is quite paradoxical because there are few countries in the world like India that have four major political parties — the Congress Party, the Bahujan Samaj Party, the Trinamool Congress and the All-India Anna Dravida Munnetra Kazhagam — headed by women. The BJP is not headed by a woman but its leader of the opposition is a woman. So we have five major parties with women at the top, but they have few women in decision-making positions within their parties and this is one major reason why so few women are given tickets. Even though they may have made public commitments on providing equal representation to women and have not hesitated to mobilise women for purposes of day-to-day campaigning in elections, when it comes to giving them tickets even these women-led parties have shown great reluctance.

Political parties are therefore a major roadblock in women’s political representation and could be regarded as the villains of the piece. This is true of parties across the board. The Congress has given slightly more tickets to women, but in terms of women getting elected on a Congress ticket it’s no higher in percentage terms than any other party. So at the end of the day, you have this odd situation of women heading political parties but still being hugely under-represented within them.

Is there a way out? Given the many difficulties women experience in getting ahead in politics, clearly some kind of affirmative action is called for. Look at the experience of other countries that have significantly increased women’s representation in legislatures. They have done this either through affirmative action within parties or through mandatory reservations — as in the case of the Scandinavian countries. Some countries like Pakistan, where women make up 20% of parliament, have resorted to the nomination route, but this precludes the experience of actually contesting elections which is an important aspect of women’s representation. This makes the Pakistan example an unhelpful one.

It is also interesting to consider here why there is so much opposition to women’s reservation in Parliament and state legislatures when there has been little or no opposition to such reservation at the panchayat level. The reason is obvious. Panchayati raj, brought about by constitutional amendments, did not affect the political careers of those male MPs who voted it in.

Ultimately, the poor political representation of women in India only goes to show how Indian politics has become a major source of patronage and wealth-creation.

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