



Another Side of India: Gender, Culture and Development

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Contents

Foreword	iv
<i>Gita Sen</i>	
Preface: Origins and Acknowledgements	v
<i>Brenda Gael McSweeney</i>	
Contributors	vii
Introduction	xii
<i>Krishno Dey</i>	
Part One	Governance and Political Voice
1. Engendering Panchayats	2
<i>Niraja Gopal Jayal</i>	
2. She's in Charge Now: An Examination of Women's Leadership in the Panchayati Raj Institutions in Karnataka	8
<i>Shivali Patel</i>	
3. Public Space and Women's Rights: Fine Tuning Democracy	30
<i>Kumkum Bhattacharya</i>	
Part Two	Livelihoods and Education
4. <i>Srihaswani</i> : a Gender Case Study	39
<i>Krishno Dey, Chandana Dey and Brenda Gael McSweeney with Rajashree Ghosh</i>	
5. Hold the Pen-plough and Till the Paper-land: Success Story of a Movement for Education and Related Issues	56
<i>Kumar Rana, Liby T. Johnson and Subbrangsu Santra</i>	

6. Poverty of Choice: Gender and Livelihoods in Punjab 66
Yaaminey Mubayi

Part Three Women's Rights

7. A Uniform Civil Code towards Gender Justice 74
Leila Seth

8. Missing Daughters: Socio-Economic and Cultural Dynamics 83
of Adverse Sex Ratio in Punjab
Malkit Kaur

9. Contested Terrains: Gender Justice and Citizenship in 98
South Asia
Shabla Haeri

- Points of View, from the Other Side...** 123
Aruna Roy

- Acronyms** 125

Foreword: Gita Sen

June 2008

India has always been a land of unparalleled diversity and variety. This has been a source of richness and strength as different traditions, beliefs, systems of thought and ways of living and livelihoods have crisscrossed, challenged each other, and evolved. But this same complex, layered and variable way of living and absorbing and transforming reality is also full of fissures, tensions, and potential for disagreement and conflict. While distinctions of caste and religion have been extensively commented on by historians, anthropologists, sociologists, and political scientists, their interplay with another equally important source of social difference and inequality – gender – has been less documented until the feminist writing of the last three decades or so. The latter has spanned a wide range, its scope including the personal (violence, human rights and son preference), the political (*panchayati raj*, and institutions of local governance), and the economic (labour, livelihoods, and the effectiveness of government programmes). This book follows in this tradition, providing nuanced descriptions and rich analysis of women's lives and gender relations in a variety of settings and locales in the country.

At the same time, the India of three decades ago was a different economy and society than the country today. The upheavals produced by economic reforms and rapid economic growth have transformed not only incomes and employment, but also aspirations and social relationships. And even as corporate India flexes its global muscle, inequality has grown wider between the urban and the rural, between the towns and the rural hinterlands where farmer suicides have touched record numbers, and among different social groups. Gender is one axis along which such inequalities have become even sharper. One need only consider the abysmal literacy rates among poor, *dalit* girls and women, or their unconscionably high rates of maternal mortality and illness in the context of the country's shining performance in higher education and software development, and its opening up to medical tourism through sophisticated corporate hospitals.

Gender gaps in education and health are well known and have existed for a long time in India. But, what are the gendered effects of the economic changes currently under way? As special economic zones and retail marketing spread into the countryside, how will they shape women's economic lives, and their responsibility for family survival? As consumerism spreads, together with the cultural transformations fueled by the media and advertising, how will these affect gender relations in economics, politics and society? Will the multiple dimensions of rapid change create new spaces for women's agency and exercise of rights and power, or will they push the majority of poor girls and women ever lower in a more unequal social and economic order? There are opportunities and possibilities in the new economics of the country, but there are also major threats and risks as policy makers push ahead with economic directions that fuel inequalities and impoverishment. Where women will be during this century as a result of these contradictory changes is still an open question. It depends to some extent on the work of scholars and researchers who document the ways in which gender relations are changing, and on their ability to win the attention of those who govern the country. But even more, it depends on the ability of women's organizations to engage with the changes that are happening and to challenge the powerful to create an economy and society that is more equal, more fair and more accessible.

Preface: Brenda Gael McSweeney

August 2008

Origins

The origins of this volume of essays, *Another Side of India: Gender, Culture and Development*, date back many months beginning at the headquarters of the United Nations Educational, Scientific and Cultural Organization (UNESCO) in Paris. A discussion revolved around my work teaching Gender and International Development at Boston University's Women's Studies Program. UNESCO colleagues and I talked about my use of real gender case studies as a practical teaching tool for seminar students. One case concerns a livelihoods programme set in West Bengal, in which I was involved while heading up the United Nations in set in West India. The UNESCO team suggested that this approach should, under the auspices of its University Twinning and Networking (UNITWIN), anchor a new gender UNITWIN.

A few months later in India, the UNITWIN Network idea caught on quickly with university faculty and development activists across the country who were intrigued by the initiative. They were thrilled that UNESCO was interested to link universities with practical development work. Our UNITWIN proposal was hammered out by a team on a little laptop as we worked late into the night at the University of Patiala in the northern Indian state of Punjab.

UNESCO had launched this University Twinning programme in the early nineties, to promote North to South and South-South cooperation and communities of practice that would strengthen universities. Our Gender UNITWIN provides a platform for universities, social activists and researchers to work with UNESCO in supporting national development efforts.

We were aware of the time it would take to enroll the many people we wished to involve. We wanted to glean ideas from a broad spectrum of interested partners across India to connect with Boston University as well as UNESCO's specialist departments. Our idea then, even before having an official agreement, was to collaborate on a volume of essays. The goal of *Another Side of India: Gender, Culture and Development* is to be a first joint product of our partnership. The volume mirrors the twin actions of academics who focus on real life issues and of grassroots activists propelled to have a voice in shaping academia.

The scholars and activists wrote essays on the challenges that they are passionate about. We mutually shared ideas and draft chapters. Preparing the volume of essays was a vibrant way to get our UNITWIN Network up and running. The work boosted academic and grassroots dialogue within the Network and beyond.

The outcome was this volume that combines field-based papers and theory. The papers focus on governance, political voice, livelihoods, education and women's rights. To capture our ongoing interactions and the exciting work we began to publish a blog. This blog enables us to share research and accomplishments of each party at www.unitwin.blogspot.com.

The next step will be a symposium on "Gender: the Multidimensional Aspect of Working in India," conceptualized and hosted by Visva-Bharati University in Shantiniketan, West Bengal. There we will debate the thinking behind our essays and other research by the Network partners.

In the fall of 2007, UNESCO designated gender equality as one of the two top priorities of the Organization in its Medium-Term Strategy 2008-2013. UNESCO Paris will contribute towards the flagship symposium in India to further the UNITWIN Network on Gender, Culture and People-Centered Development.

Acknowledgements

As the initiator of the UNESCO/UNITWIN Network on Gender, Culture and People-Centered Development, I wish on behalf of myself and the other authors to thank so many for their vibrant ideas, enthusiasm and support.

Each of the Network universities and organizations: Visva-Bharati University and the Bhab Initiative in West Bengal, Jamia Millia Islamia (JMI) and the Cultural Resource Conservation Initiative (CRCI)/Lime Centre in New Delhi, the Punjabi University at Patiala, and the Women's Studies Program at Boston University

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Students of the Boston University 'Gender and International Development' seminars, and the Brandeis University Sustainable International Development Program/Heller School for Social Policy and Management 'Gender and Development' seminars

Especially the villagers who inspire daily the Network partners in India

And to all who assisted us on this project in innumerable ways, thank you for your contributions and insights.

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Contributors

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Anuradha Dey was born in Kolkata, India, and has lived in Rome since 1957, where she studied painting at the Academy of Fine Arts, and with the renowned artist Enrico Accatino. She went on to give several exhibitions of her work. Later, she joined Rome’s *Istituto Centrale Per Il Restauro* (Italy’s central restoration institution) where she undertook restoration of heritage works of art in various media throughout Italy. The cover oil painting of ‘Santal Women Threshing Paddy’ was created during a visit to Shantiniketan in the early 1980s.

Chandana Dey is the Project Manager for *Srihaswani*, Creative Manual Skills for Self-Reliant Development, set in West Bengal. She is also leading an effort to revitalize Shantiniketan. She has worked for the United Nations Research Institute for Social Development (UNRISD) in Geneva, Switzerland. She served as Project Coordinator in West Bengal with the Ahimsa Trust for the past decade. Chandana has a background in history and international affairs. Committed to facilitating grassroots development change, she is the co-founder of the Bhab Initiative. Chandana is currently involved with setting up a National Children's Centre under the aegis of the Nehru Memorial Museum and Library in New Delhi, India. She brings to this work her long-standing interest in education for underprivileged children and hopes to work towards facilitating a rights-based approach to child development.

Krishno Dey spent his early childhood in Kolkata, India. He developed his first interest in rural development traveling around villages with his father, then West Bengal's first Development Commissioner. After studying economics in the United Kingdom at Oxford and Manchester Universities, he worked with a variety of different United Nations organizations in nine countries, starting in Morocco in 1969 with the World Food Programme and in Chile (under Salvador Allende) with the UN Development Programme, and ending with the United Nations Volunteers in Geneva. His work has been concerned mostly with formulating and managing new programmes at the country level, and with evaluations and policy analysis at a global level, always with a focus on low-

income households. He returned to India in 1995 to pursue his interest in development in a voluntary capacity. There he co-founded The Bhab Initiative in Shantiniketan, West Bengal. He also continues to undertake assignments occasionally through the international system.

Rajashree Ghosh is a Visiting Scholar at the Women's Studies Research Centre (WSRC) at Brandeis University. She worked in the field of social development in the arenas of gender, education, health and environment. She has worked for the United Nations World Food Programme in India and has successfully liaised with Government, non-profit and multilateral agencies. She has an M.Phil and an M.A. from the Department of Sociology, Delhi School of Economics, Delhi University, New Delhi, India. She worked at Ten Thousand Villages as Volunteer Coordinator and with a South Asian migrant women's group (Manavi) in New Jersey, USA that extends support and strategizes on initiatives to enable rehabilitation. She has combined knowledge in theory and practical experience gained in India and the US. At WSRC, her in-depth knowledge of India provides contextual understanding of women and their participation in development. The specific aim is to explore Delhi, the capital of India as a cultural space. Ground level initiatives that work for women's "spaces" will be sought out as they engage women as agents of change in urban renewal. She continues to maintain strong ties with her community and plans on a sustained global discourse on gender.

Shahla Haeri is Director of the Women's Studies Program (WSP) and an Associate Professor of Cultural Anthropology in the Department of Anthropology at Boston University. She has conducted research in Iran, Pakistan, and India, and has written extensively on religion, law and gender dynamics in the Muslim world. She is the author of *No Shame for the Sun: Lives of Professional Pakistani Women* (Syracuse University Press in the US, and Oxford University Press in Pakistan, 2004), and *Law of Desire: Temporary Marriage, Mut'a, in Iran* (1989, 2006, 4th printing). She was the recipient of a Fulbright (1999-2000, 2002-2003), and has been awarded several postdoctoral fellowships including at the Women's Studies in Religion Program, Harvard Divinity School (2005-2006); St. Anthony's College, Oxford University (1996); the Social Science Research Council (1987-88); the Pembroke Centre for Teaching and Research on Women, Brown University (1986-87); and the Centre for Middle Eastern Studies, Harvard University (1985-86). Shahla made a short video documentary (46 minutes) entitled, *Mrs. President: Women and Political Leadership in Iran*, focusing on six women presidential contenders in Iran in 2001. This documentary is distributed worldwide by Films for the Humanities and Sciences (www.films.com, 2002).

Margaret Hartley is a recent Boston University graduate. She completed her Bachelor's Degree in Public Relations with a minor in African Studies. She was a student in Dr. Brenda Gael McSweeney's Gender and International Development Seminar which focused on gender, culture and people-centered development. Margaret was a Research Assistant at BU's Women Studies Program, primarily working on the UNITWIN blog. Her development interests include gender, education, public health and access to information in Africa. On campus she founded the BU Darfur Coalition.

Niraja Gopal Jayal is Professor at the Centre for the Study of Law and Governance, Jawaharlal Nehru University, New Delhi. She is the author of *Representing India: Ethnic Diversity and the Governance of Public Institutions* (Palgrave Macmillan, 2006) and *Democracy and the State: Welfare, Secularism and Development in Contemporary India* (Oxford University Press, 1999); editor of *Democracy in India* (Oxford

University Press, 2001); and co-editor of *Interrogating Social Capital* (Sage Publications, 2004), *Local Governance in India: Decentralization and Beyond* (Oxford University Press, 2006) and *The Oxford Companion to Politics in India* (forthcoming). Niraja is currently a Senior Fellow at the Nehru Memorial Museum and Library, where she is engaged in writing a book about the Indian idea of citizenship in the twentieth century. She is the Director of a research project, funded by the Ford Foundation, *Dialogue on Democracy and Pluralism in South Asia*, and of a country-wide survey of the quality of participation of elected women representatives in institutions of local governance.

Malkit Kaur is a Professor in the Department of Sociology and Social Anthropology at Punjabi University at Patiala, where she specializes in women's studies and rural sociology. She served as Head of the Department of Sociology and Social Anthropology from 1998 to 2001. She has researched and written on women and development, the girl child and socio-economic and cultural dynamics of the adverse sex ratio in Punjab. She has attended a number of national and international conferences and seminars related to the area of women's studies. She has participated in numerous consultations related to gender issues. The majority of her publications relate to women's issues focusing specifically on rural women.

Brenda Gael McSweeney is Visiting Faculty at Boston University's Women's Studies Program, and at Brandeis University is both Resident Scholar at the Women's Studies Research Centre (WSRC) and Adjunct Professor of the Practice at the Heller School for Social Policy and Management. She serves on the United Nations Development Programme's Advisory Board for the Regional Programme for Africa, and is also Faculty of UNDP's Virtual Development Academy. She served with the United Nations for thirty years in a range of executive positions including in West Africa and the Caribbean; in Europe heading the UN Volunteers programme; then in India as the UN Resident Coordinator and UNDP Resident Representative. The Government of India with the UN System designated gender equality as the UN area of focus. Brenda holds her Ph.D. from the Fletcher School of Law and Diplomacy. She was the recipient of a Fulbright and several other prestigious awards including from the Governments of Jamaica, Burkina Faso, and the Federal Republic of Germany, as well as two honorary doctorates. Her research focuses on female education and empowerment in Burkina Faso, and a gender perspective on livelihoods in West Bengal, India (see papers at www.unesco.org and www.gael.net).

Yaaminey Mubayi received her Bachelors degree in South Asian Studies at Mount Holyoke College, South Hadley, Massachusetts, USA. She completed her doctorate on the Jagannath Temple, Puri at Jawaharlal Nehru University in 2000. It was published in 2005 as part of the Heidelberg University series on Orissa. Yaaminey's work with the culture sector in UNESCO introduced her to the issues besetting development agencies and the importance of people's concerns in development initiatives. In 2003 she completed an M.Sc. in Social Policy from the London School of Economics. She has subsequently worked with various non-governmental organizations in the field of culture and development. She strongly feels that culture is a fundamental issue that underpins development initiatives. Yaaminey works on pilgrimage sites in Puri and Amritsar to illustrate the power inherent in culture as a medium to drive development initiatives. She also teaches heritage and community issues at the Department of Conservation, School of Planning and Architecture, New Delhi. Yaaminey is on the Expert Committee of the Government of Punjab for Development of Cultural Tourism. Lastly, she is also founder member of *Satark Nagrik Sangathan*, an organization working on using the Right to Information (RTI) for community empowerment in New Delhi.

Shiwali Patel is currently studying law at the Washington College of Law at American University, and is an aspiring public interest lawyer. Formerly, as a community educator for the DC Rape Crisis Centre (DCRCC), Shiwali facilitated numerous workshops for adolescents and adults on sexual assault and sexual harassment. Shiwali organized the annual city-wide teen dating violence conference, coordinated the planning of Sexual Assault Awareness Month (April), and served as a hotline counselor and hospital advocate for the Centre's 24 hour crisis services. Prior to working at DCRCC, Shiwali researched girls' education in Africa for an initiative of the US Agency for International Development (USAID). She has previously interned for the Immigrant Women Program at Legal Momentum, Harvard Law School's Office of Public Interest Advising. Shiwali graduated from Boston University with a B.A. in International Relations and a minor in Women's Studies. On campus, she founded a South Asian women's organization and created the first magazine devoted to issues related to sexual violence.

Kumar Rana was born into a peasant family of the village Pitanow of West Medinipur District of West Bengal, and now lives in Kolkata. He has been engaged in various social and political movements since his school days. He has worked on field based socio-economic research since 1992. As of 2001, he has been leading the research team of the Pratichi (India) Trust, founded by the Nobel Laureate Economist Amartya Sen.

Aruna Roy is a social and political activist. She worked in the Indian Administrative Service from 1968 to 1975. Aruna resigned in order to devote her time to social work and social reform. She joined the Social Work and Research Centre in Tilonia, Rajasthan, India that had been set up by her husband Sanjit 'Bunker' Roy, where she worked until 1983. She then moved to Devdungri, Rajsamand District, Rajasthan in 1987, and along with Shanker Singh, Nikhil Dey and many others helped to form the *Mazdoor Kisan Shakti Sangathan* (MKSS). Aruna Roy is a prominent member of many campaigns. She is one of the founders of the movement for Right to Information in India. The movement and campaign played a crucial role in the passage of strong national legislation for the Right to Information in the year 2005. In 2000, she was awarded the Ramon Magsaysay Award for Community Leadership. Aruna Roy requested that the award be given to the MKSS, but was informed that it was only given to individuals. She put the award money into a trust to support the process of democratic struggles. She has also been a member of different public hearings, tribunals and peoples commissions. Aruna was a member of the Central Government's National Advisory Council from 2004-2006, where she played a key role in incorporating strong citizens entitlements in the recently enacted Right to Information and National Rural Employment Guarantee Acts. She is currently a member of the National Employment Guarantee Council.

Gita Sen received an M.A. in Economics from the University of Delhi and a Ph.D. in Economics from Stanford University, USA. Dr. Sen is a professor and activist who focuses on the gender implications of globalization and economic liberalization, population policies and the equity dimensions of health. She is a founding member of Development Alternatives with Women for a New Era (DAWN), an organization that connects Third World researchers, activists and policy makers working for gender justice. She has served on numerous boards and committees and is currently, *inter alia*, a member of: the Key Advisory Group of Experts, Ministry of Health and Family Welfare, India; the Expert Group on Development Issues, Ministry of Foreign Affairs, Sweden; the National Consultative Group, the United Nations Population Fund, New Delhi; and the Expert Advisory Panel on Health, Science, and Technology Policy, the World Health Organization, New Delhi. Gita is the recipient of many awards and honours including the Volvo Environment Prize

(1994) and a Fulbright Fellowship at Vassar College. She is currently a Professor at the Centre for Public Policy within the Indian Institute of Management, Bangalore.

Leila Seth has enjoyed a remarkable and varied career in law and public affairs in India, during which she scored many 'firsts' as a woman: the first woman to top the London Bar examinations in 1958; the first woman Judge on the Delhi High Court in 1978; and India's first woman Chief Justice of a State High Court (Himachal Pradesh) in 1991. She achieved the first of these at age 28, while managing three very young children and her home during a working stint of her husband in London. As a lawyer, she joined the Bar at Calcutta High Court as well as the Supreme Court in 1959, and dealt with a wide range of areas where there were very few women, from taxation to civil, company and criminal law. She was thus able to experience, first hand, the strengths as well as the delays, discriminatory processes and corruption of a legal system that she did her best to reform. Serving as a Member from 1997 to 2000 on India's 15th Law Commission gave her the best possible overview and scope for influence. She was also a Member of the Expert Committee on Laws of the National Commission for Women. In 1994, she received the 'Living Legends for Law' awarded by the International Bar Association.

The range of her professional interests may be gleaned from her involvement in key public institutions beyond the strictly legal field. She was the Chairperson of the Executive Committee of the Commonwealth Human Rights Institute for several years, as well as being a Member of the Population Foundation of India, of the Advisory Board of Women in Security, Conflict Management and Peace (WISCOMP), of the Foundation of Universal Responsibility, and of South Asians for Human Rights (SAHR). She was Vice-President of the World Wide Fund for Nature (India) and responsible for their Centre for Environmental Law, and she was a Member of the Governing Board of Visva-Bharati University, Shantiniketan. Justice Seth was also one of 18 independent experts from around the globe on UNESCO's World Commission on the Ethics of Scientific Knowledge and Technology (COMEST), looking at the implications of research on human society from beyond a material perspective.

Mieke Windecker is currently a Master's candidate in Clinical Social Work at the School of Social Service Administration at the University of Chicago. She has a Bachelor's degree in Anthropology and International and Global Studies from Brandeis University. Mieke lived in India, and later worked with Dr. Brenda Gael McSweeney under the Student-Scholar Partnership Program of the Women's Studies Research Centre at Brandeis. Her social work interests include work with couples and families, with emphasis on issues of gender, sexuality, sexual dysfunction and mental health. Her research interests include comparative female mental health and cultural conceptions of sexual dysfunction, particularly with the Middle East and South Asia. Her most recent work is a survey study on female self-image. She has also recently received a Harvard University Alumni Fellowship to do research in Damascus, Syria on family planning.

Introduction: Krishno Dey

This volume of essays may be seen as a continuation of the UNITWIN objective of linking academic centres and ‘action research’ for development, in this case with a gender, culture and people-centered development thematic scope, initially involving Boston University; Visva-Bharati at Shantiniketan, West Bengal; Jamia Millia Islamia at New Delhi; Punjabi University at Patiala, Punjab, plus several non-governmental organizations (the Bhab Initiative, Cultural Resource Conservation Initiative and the Lime Centre). The ten essays in *Another Side of India: Gender, Culture and Development*, all deal with the Indian experience and one with South Asia more broadly.

Three themes are represented: governance, from a local, decentralized perspective prompted by the Panchayat decentralization movement beginning in the early nineties in India; livelihoods and education initiatives; and women’s rights.

The ‘open’ format of these perspectives and experiences shared through the ten essays is deliberate, meant to encourage the entry of additional partners (both North and South) into this UNITWIN arrangement. The intended goal is lively debate from a variety of viewpoints.

Part One: Governance and Political Voice

The three essays in this section deal with aspects of the revolutionary changes being brought about by the Indian constitutional amendments in 1992-3. The amendments gave greater powers of administration and service delivery, as well as democracy to elected local bodies (Panchayats) in the rural areas in particular (in the urban areas as well, with less impact so far), by the mandated quota of at least one-third of all elected officials to be women. The essays answer the question: how have these reforms been implemented by the Panchayati Raj Institutions (PRIs), and what outcomes may be observed thus far? It has to be noted that the working of the PRIs, and the varying extent of powers they have been given, is the concern of India’s state governments, however much prodding may come from the Central Government in a federal structure.

Professor Niraja Gopal Jayal’s essay (she is Chairperson of the Centre for the Study of Law and Governance, Jawaharlal Nehru University, New Delhi) is written from an all-India political and developmental perspective. It addresses these issues centrally and comes out with a strongly positive assessment in favour of women’s empowerment and participation. Within a short space of time, this strengthening of women’s role in local government has already won significant gains for women. They have managed to use the law through their own struggles with those in power in spite of all the odds and threats they face.

Shiwali Patel, a former Boston University student who studied the impact of these reforms in one south India state, Karnataka, again came out in her essay with a very positive overview of what had been achieved in the first decade or so after the reforms. She looked specifically at the role of women leaders and how they gave a voice to the urgent concerns of rural women in local development: health and education and dealing with issues of violence against women. The need for training and other collective support to these fledgling leaders is emphasized.

Professor Kumkum Bhattacharya of Visva-Bharati University, Shantiniketan, looks at the experience of precisely this kind of support to the PRIs through a project co-funded by the university along with an NGO and the sub-district (Block) administration. Her experience in the eastern state of West Bengal shows the first rounds of women Panchayat leaders being more interested in wresting some of the political power of the PRIs from the men than in micro-development, low-visibility issues in the villages. Gradually, however, after interacting more with women’s Self-Help Groups (SHGs, formed to tackle particular development needs) and local

women health workers (*Anganwadis*), they have become much more conscious of the importance of learning about, and becoming involved with, such issues.

Part Two: Livelihoods and Education

Moving to a broader canvas beyond the influence of Panchayats and local governance, the three essays in this section all look at gender issues from the perspective of low-income families and their livelihoods. One is from a project based in the area around Shantinketan in Birbhum District, West Bengal; the second is from Jharkhand state, in a predominantly tribal zone bordering West Bengal; and the third, from the peri-urban settlement among craftswomen of Nabha in Patiala District, the northern state of Punjab. Their common feature is that they all describe ‘action research’ projects working with villagers, mostly women, focusing on their attitudes and the ability to help them.

The first of these concerns the initiative of *Sribaswani* (a Bengali composite word for Creative Manual Skills for Self-Reliant Development) in nine villages of West Bengal. Written up together with the project team, many of whom are from the villages themselves, this essay focuses on changing community attitudes towards collective self-reliance, using creative manual skills and indigenous knowledge, thereby giving greater impetus to the contributions of women to domestic and community well-being. Working with both women and men, the aim is to provide parallel circuits of economic activity that can alleviate some of the uncertainties and vulnerabilities associated with current forms of globalization.

The second essay, written by Kumar Rana of the Pratichi Trust (set up by Nobel Laureate Amartya Sen), studies the impact of a women’s education movement led by, and among, the Santal population of Bandarjori village in Jharkhand, which rapidly took on responsibilities for health and poverty alleviation. The movement had spread to 98 women’s groups within the short space of five years. With a major thrust on building women’s organizations, the Santal *Ayo Aidari Trust* has also built confidence among the women to fight for their own rights and for justice.

The third essay in this group by Dr. Yaaminey Mubayi, founder member of *Satark Nagrik Sangathan*, analyses the fortunes of craftswomen making traditional *parandis*, or silk and metallic thread tassels for hair braiding. It focuses on a region of India renowned for its entrepreneurial spirit and high agricultural growth rates set off by the “Green Revolution”. At the same time, Punjab has been notorious for the worst gender ratios prevalent in the country. The study shows how women, especially migrant women, have lost out in the labour market and been further exploited by shopkeepers and even by the few women entrepreneurs of their particular trade.

Part Three: Women’s Rights

This final section explores various aspects of unequal rights for women in India, whether in terms of constitution and laws (the frustrated search, thus far, for a uniform civil code), or in terms of practice, reflecting various forms of violence against women both at home and in the community. The most obvious among the latter is sex-based foeticide, leading to some of the world’s worst gender ratios in regions of India characterized by higher-than-average incomes and material prosperity.

The first essay is authored by one of India’s most prominent women jurists, Justice Leila Seth. She chronicles and analyses the problems faced in passing a uniform civil code for all citizens in order to do away with discrimination, in an electoral democracy where some political parties have found it expedient to mollify sectional and sometimes retrograde religious sentiments. The impact has been particularly severe in inhibiting justice for women in terms of marriage, divorce and

property settlements. The fight has to be for equal rights and laws for all citizens, irrespective of caste, class, culture, religion or gender. Without them, empowerment and identity for women will remain unattainable.

Professor Malkit Kaur of Punjabi University, Patiala, probes the issue of the state of Punjab's growing female deficit, or 'missing daughters' in the second essay. By 1991, the sex ratio had declined to 872 (contrasted with a national average of 933) and a child sex ratio of 792. The essay discusses the vicious circle between negative conditions for women and girls, and the economic, as well as cultural, factors that engineer the preference for sons. The hunger for ever-higher dowries, the frequent maltreatment and even burning of brides by their in-laws, and the extreme perceptions of threatened 'family honour' have been among the key explanatory factors, together with the lack of well-paid employment opportunities for women in a general climate of consumerism and materialism.

Dr. Shahla Haeri, Director of Boston University's Women's Studies Program, provides a thoroughly documented conclusion to the women's rights section of the volume of essays. This essay on women's rights looks at gender-based and domestic violence throughout South Asia (especially India, Pakistan and Sri Lanka). Dominant patriarchies have used the institution of marriage and related customs to restrict the mobility and scope of women's activities to being dependent wives and mothers. These trends have become exacerbated with the perception that global trends and changes in economic structures are leading to women 'slipping out of the domestic grasp'. Dr. Haeri notes with favour the rise of women's movements for 'alternative' and 'restorative' justice, with human dignity and social equality at their core, possibly using the newly developing Panchayat systems to mediate and arbitrate while challenging established hierarchies and ingrained prejudices.

Points of View, from the Other Side...

Finally Aruna Roy, a socio-political activist of Rajasthan, India, provides a fresh 'peoples' perspective on these various attempts at gender justice. She writes of village women such as Sushila who have been part of the public campaign for the Right to Information and its promulgation in the form of the RTI Act in India and its States. In speaking out people demonstrate that in a democracy, they can use public mobilization to impact policy. People have the right to know what is being done in their names and with their resources. A long struggle lies ahead for gender and social justice.

Part One

Governance and Political Voice

Engendering Panchayats

Niraja Gopal Jayal

ABSTRACT:

This paper explores the impact of women's representation and participation in the new institutions of local democracy created in India by a constitutional mandate in 1992. This constitutional initiative mandated a 33% quota for women at all three levels of the panchayat institutions, as also for the chairpersonship at each level. This paper surveys the obstacles – both social and institutional – to effective participation by women in the panchayats. On the basis of the author's own field observations as well as secondary literature, it evaluates this participation of women in terms of developmental outcomes as well as empowerment outcomes, to argue that while the developmental outcomes are often impressive, the empowerment outcomes too are not inconsiderable.

Almost fifteen years ago, in December 1992, India's Parliament enacted the 73rd and 74th constitutional amendments, decentralizing power to rural and urban local bodies respectively. In rural India, this was to be effected through the mandatory establishment of Panchayats, elected institutions of local governance, at three levels from the village to the district. The purpose of the constitutional amendment was to enable the participation of citizens in the preparation of local-level plans for economic development and social and economic justice, as also in their implementation. The amendment was momentous for another reason as well: it provided for guaranteed representation of 33% for women at all levels of the panchayat institutions – the Gram (Village) Panchayat, the Panchayat samiti (intermediate block level) and the Zilla Parishad (district level). The quotas applied not only to the members of these bodies, but also to the position of the sarpanch/pradhan (chairperson) of the panchayat. Similar guarantees were provided for members of the scheduled castes and tribes, in proportion to their percentage in the population.

It was left to the states of the Indian Union to determine which of the list of functions (specified in the Eleventh Schedule of the Constitution) to devolve, and many states interpreted this less than generously. However, the quotas themselves were non-negotiable as were regular elections to the panchayats. As a result, the panchayats do not everywhere have adequate functions or finances to make a meaningful difference to governance at the local level. However, most states have now completed a third round of elections since the PRIs (panchayati raj institutions) were created, and the entry of a million women into these institutions has had a powerful transforming effect.

Early studies¹ of the first phase of these institutions showed that the majority of women entering the new PRIs – with the notable exceptions of those in the states of Tamil Nadu, Orissa and Uttarakhand – were illiterate or barely literate. Forty per cent of them belonged to families below the poverty line; while 54% belonged to landless or small and marginal farming families. Many studies showed high representation of the backward castes, though in Uttarakhand, Karnataka, Haryana and Orissa upper caste women dominated. In terms of age, most studies showed approximately 70 per cent of women panchayat members to be below the age of 45. Though it was

1 These include Nirjala Buch, *From Oppression to Assertion: A Study of Panchayats and Women in Madhya Pradesh, Rajasthan and Uttar Pradesh* (New Delhi: Centre for Women's Development Studies, 1999) and Susheela Kaushik, *Participation of Women in Panchayati Raj in India: A Stock Taking*. (New Delhi: National Commission for Women, 1998).

commonly assumed that women representatives belong to locally influential and politically connected families, this was truer of the two higher tiers rather than the Gram (Village) Panchayat.

The obstacles to effective participation by women have been formidable. They include a variety of constraints, both institutional and social. Many of the institutional constraints – such as lack of devolution, lack of finances, procedural distortions such as no-confidence motions and the two-child norm – of course apply, with equal force, to male representatives. P. Sainath's survey of 104 dalit-led panchayats in Madhya Pradesh² showed how, in many of these, dalit sarpanches were – after the first year – ousted by a variety of methods: rigged suspensions, manipulated votes of no-confidence or by being forced into unaffordable litigation. Where there were two scheduled caste groups in a village, the upper castes would support and prop up the smaller one, so that they could retain their hold over the panchayat. The fact that such manipulation is generally found to take place after the first year of the panchayat's term has elapsed – because the rules disallow no-confidence motions in the first year – is obviously significant.

While lower caste men and women have both been victims of violence, women have faced threats of violence even when they have merely expressed their desire to contest elections. Rape and sexual abuse have also been known to occur, besides which women representatives who are efficient have tended to attract slanderous allegations of sexual liaisons. Unsurprisingly, violence against women representatives is generally worse when they also happen to be members of the scheduled castes or tribes. In the famous case of a dalit woman sarpanch in Madhya Pradesh who was prevented from performing her ceremonial duty – of hoisting the national flag on Independence Day – because the Yadav (a backward caste) majority in the village insisted that a dalit would pollute the national flag by touching it. Sometimes, panchayat meetings are scheduled in the late evening in areas inhabited by the locally dominant backward castes, where a dalit woman would scarcely have the courage to visit even during the day.

Further, it has been observed that women from the scheduled caste and OBC (Other Backward Caste) categories in the states of north India have faced a larger percentage of no-confidence motions. Similarly, because states do not provide for the mandatory presence of women representatives, it becomes possible for male chairpersons to conduct the meetings with only upper caste male members present. The absence of women is particularly visible at the gram sabha, or the village assembly, responsible for determining the beneficiaries of particular development schemes, and for approving the annual accounts of the Gram Panchayat.

Again, while most panchayats have several committees, there is no quota for women on these, and this easily becomes a way of excluding and marginalizing women members. Some studies have showed that women are often ignorant about the existence of committees, and are excluded from developmental committees. If at all they are members of committees, they tend to be members of the Health Committee, and the Women and Child Development (Anganwadi) Committee.³

Many social constraints – restrictions on mobility, including seclusion and the veil; lack of literacy and education; male domination; household chores of cooking, bringing up the children, fetching water, fodder and fuel wood, etc. – are specific to women. In the early years, the quotas presented a challenge to men, particularly those who had earlier played a role in local politics. They would nominate as candidates their wives, daughters, daughters-in-law and sometimes even mothers, presuming that they (the men) would be effectively performing the role of the elected representative. Thus, election banners and posters would frequently carry the name of the man rather than the woman; after election, men would assume the right to attend the meeting in place of the elected woman representative, to whom the minutes of the meeting would just be sent home for her

² P. Sainath in *The Hindu*, July 5, 1998.

³ Kaushik, *op. cit.*

signature. If his wife was the sarpanch (chairperson of the panchayat), it was common for the man to be addressed as the sarpanch! This phenomenon of proxy or surrogate representation – which came to be translated, in Hindi, as sarpanch-pati (husband of the sarpanch) was widespread in the early years of the panchayat experiment, but seems to have diminished with time, as women have become increasingly conscious of their rights and have begun to assert these.

Despite these obstacles, the participation of EWRs (elected women representatives) has resulted in impressive developmental and more than modest empowerment, outcomes. Women have generally attempted to address those developmental needs that appear to be more pressing from their perspective. Thus, if male representatives prioritize infrastructural development (not least because of the lucrative possibilities from the contracts and kickbacks involved), women have tended to work on schemes for bringing piped water into the village or for building a middle-school or high school in the village so that their daughters can study beyond primary school. They are also more involved in monitoring the presence of teachers and medical staff in the school or health centre, to inspect development works and nutrition centres under the Integrated Child Development Scheme. They have initiated efforts for smokeless stoves, crèches, community halls, and have taken the initiative in family and matrimonial matters, counseling abusive and/or alcoholic husbands.⁴ Women-headed panchayats have sometimes also experienced a substantial raise in their revenues, with a more proactive and community-oriented approach to the auction of village ponds, community forests and village markets.

The improvement of educational facilities was articulated by many women as one of their primary developmental objectives. One Sarpanch (who had, incidentally, been trained by the women's organization Anandi) in Dahod district⁵ said that when she had asked for a primary school in the village, she was told there was no need for it because there were only three children whose parents wanted the facility. She took upon herself the task of mobilising support for the school which was established, and which is now attended by 300 children. The attendance is partly a function of the penalties for non-compliance, which are a fine of Rs. 600 and six months in prison for the parents of those children who do not attend. It is worth mentioning that until she came to the panchayat, this woman had not stepped out of the boundaries of her home, or been a member of any other organization, much less even seen a government office or a court.

It has been observed that the non-political background of the women members of the panchayats can actually be an asset in arriving at unbiased decisions on community matters – such as the construction of a community hall, the selection of beneficiaries under the widow allowance scheme, water supply and work under the Jawahar Rozgar Yojana (an employment generation scheme).⁶ In the Garhwal region of Uttarakhand state, many Gram Panchayat members have actively worked on literacy, health, roads, tanks, pensions and forest conservation. Others, as in West Bengal, have advanced livelihood projects with income-generating schemes and small-scale industries for women. At the middle tier of the panchayat structure, members have reported involvement in water, electricity, schools and roads. Several years ago, the pradhan of a panchayat in the Purulia district of West Bengal counted first among her achievements the ten wells that she had had dug for drinking water as well as irrigation.

Indeed, elected women representatives have themselves observed that even when men and women are in agreement on the need for, say, a road, the same decision can be motivated by very different visions. Men are attracted by the idea of driving their two-wheeler (and someday a car) on

4 Buch, *op. cit.*

5 Author's fieldwork, August 2005.

6 Snehlata Panda, "Emerging Pattern of Leadership Among Rural Women in Orissa" in *The Indian Journal of Public Administration* (October-December 1996), p.727.

the road, while women see its practical utility in terms of the convenience of walking to work in the fields or the safety of their daughters walking to school.

As far as empowerment gains are concerned, these are not inconsiderable. Elected women representatives have often remarked upon how they are manifestly discriminated against in panchayats; how male colleagues tend to dominate meetings, refusing to give any attention to the opinions and suggestions proposed by women; and the dismissive attitude towards them of the male officials. However, the social custom that women sit separately (with each other) and do not speak in the presence of men has gradually undergone a change. Likewise, the earlier obstacles of ‘who will make the chapatis?’⁷ and ‘who will look after the children?’ have become less insurmountable, with men as well as other women, in the household taking up some household responsibilities, particularly when they have supported – or sponsored – the woman’s candidature. Her election does bring a sense of status to the family as a whole. They are now invited to weddings of higher caste folk and generally get more respect in the community.⁸

Clearly, centuries of patriarchal social practices are not overturned or substantially eroded overnight, or even in 15 years (which is how long the quotas in panchayats have been around). There are innumerable examples of scheduled caste women representatives being humiliated and discriminated against, being disallowed from chairing the panchayat meeting. But there are also, on the other hand, cases like that of the woman sarpanch who, on every occasion that she attempted to attend and chair the meeting, was told to make the tea or take herself off, and that the minutes would be sent to her at home. She acquiesced for a while, and then one day asserted her right to chair – literally, from a chair rather than from a corner on the floor to which she and other EWRs would normally have been assigned – the meeting of the Gram Panchayat.⁹ In many panchayat meetings, women members have tended to sit separately from their male colleagues, while in others they have gradually begun to sit together with men in a mixed fashion. The latter practice is more pronounced at the district-level panchayat, the Zilla Parishad.

Women pradhans have often been prevented from hoisting the national flag on Independence Day (August 15), but have wrested the right to do so, sometimes with a court decision or mobilization. Many of them have given up the veil (ghunghat), and have begun to articulate their opinions in panchayat meetings. One former pradhan interviewed said that women now realize that they must do what the people want, for it is after all the people who elected them and not their husband or father-in-law.

The experience of being unable to read agenda papers or minutes, or even to follow the proceedings of panchayat meetings, has contributed to an awareness of the importance of education, especially for girls. This is why we find many elected women representatives placing high on their agenda the goal of getting a middle- or high-school for girls for the village. For it is often the case that the education of girls is terminated at the level of the primary school, as going to high school entails walking, insecurely, many miles to another village. Women in the northern state of Uttar Pradesh – whose current Chief Minister is a dalit woman called Mayawati – have been inspired by her achievement to become more ambitious for their own daughters. Some mothers have actually begun to take basic lessons in reading and writing from their own literate daughters. This recognition of the importance of education for women is a form of empowerment that will bear fruit slowly but surely.

⁷ This generic argument makes reference to the title of a book: Bishakha Datta, ed. *‘And Who Will Make the Chapatis?’ A Study of All-Women Panchayats in Maharashtra*. (Calcutta: Stree, 1998).

⁸ Bharati Tekchandani, Kiran Jyoti and Priti Sharma, *They Call Me Member Saab: Women in Haryana Panchayati Raj*. (New Delhi: Multiple Action Research Group, 1998).

⁹ Author’s fieldwork in Gujarat, August 2005.

This enhanced consciousness of their rights and an ability to perform their functions more effectively than was earlier the case is, in many cases, the result of capacity-building efforts by non-governmental organizations (NGOs). Mahila Samakhya in Karnataka was one of the pioneers in this area. It mobilized poor, lower caste rural women into sanghas or collectives, prepared women for political participation, trained them after the election, and helped to create a climate of accountability and responsiveness. It paid particular attention to encouraging women to attend, and enabling them to participate in, the meetings of the gram sabha.¹⁰

Indeed, most non-governmental organizations working in this area of what is known as 'capacity-building' have worked to make women representatives more effective and on occasion even to persuade men to encourage their wives to participate in panchayat affairs. Possibly one of the most successful of such initiatives is that of Prakriti, a Nagpur-based NGO. Prakriti began by recruiting approximately a dozen young graduates as Panchayat Sakhis (friends of the panchayat). Each of these women was assigned a district, and she would travel to the Gram Panchayats of the district regularly, sometimes as often as twice a month. Here, she would help elected women representatives understand the rules of meetings, introduce them to available developmental schemes, as also provide elements of legal and financial literacy. She would often attend panchayat meetings to give confidence to the women representatives and to assist them in participating. The Panchayat Sakhis were also charged with the task of persuading men in the village – from the husbands of the elected women or other members of the panchayat – of the importance of women's participation. The Panchayat Sakhi programme proved to be so successful, that over time it was found that first-time male representatives would also seek out the Panchayat Sakhi to learn the ropes from her. Today, the Panchayat Sakhi model has spawned a voluntary corps of Gram (Village) Sakhis drawn from former women representatives, whose terms as members of the panchayat have long ended but who are confident of their ability to contribute meaningfully to the democratic process at the grassroots.¹¹

Many other NGOs have helped form associations of women representatives, often networked in the form of a state-wide federation of such associations. This not merely facilitates the efficient organization of training programmes, but also enables peer-learning as women spend a few days together hearing about each other's experiences both in the panchayat as well as in dealings with government officials.

On the whole, it has been observed that the participation of women in panchayat institutions has been more robust in regions where caste structures are less oppressive, and particularly where patriarchy is weaker. The latter may be due to a variety of factors: a history of social reform movements, including those for widow remarriage; male migration; or social mores in general.

It has often been argued that women in institutions of local governance (and not only in India) are much less prone to corruption than men. Some Indian examples would appear to bear this out, such as that of the woman pradhan who became suspicious when her husband suddenly acquired a two-wheeler. Suspecting that her husband was in league with the panchayat secretary in the matter of a building contract to be awarded, she insisted on the scooter being returned. Another compelling example is that of a high school educated pradhan in the state of Uttarakhand. She was implored and even threatened by her relatives to sign on a set of suspect accounts; she refused to do so, on the grounds that she was not convinced of their veracity. In the face of pressure from the extended family, she insisted that not only would she not affix her signature on the accounts, but

¹⁰ Revathi Narayanan, "Grassroots, Gender and Governance: Panchayati Raj Experiences from Mahila Samakhya Karnataka" in Karin Kapadia, ed. *The Violence of Development: The Politics of Identity, Gender and Social Inequalities in India*. New Delhi: Kali for Women, 2002.

¹¹ Author's fieldwork in Nagpur (Headquarters of Prakriti) and in Chandrapur District of Maharashtra. August 2005.

that she could not because, as she put it, 'this hand and this signature are no longer my own. They have been given to me by the people of the village.'¹² This is a simple but truly profound understanding of the idea of democracy.

The constitutional amendment envisaged the panchayats as institutions of local self-governance designed primarily for the planning of programmes of economic and social justice, and the implementation of development schemes entrusted to them. However, given that local level planning remains largely neglected in the way in which this otherwise historic initiative has been implemented, panchayats have tended to function chiefly as delivery systems. As such, they are devoted more or less entirely to the implementation of existing development programmes, mostly designed at the federal level.

Despite these limitations, the achievements of the panchayats in which women are active participants are considerable. They include schemes for drinking water, primary education and health, as also the conservation and sustainable use of common property resources such as forests and ponds. Empowerment outcomes too have resulted, with many women claiming that their husbands and others in the family feel that status has been enhanced as a result of their election. This, for instance, makes husbands more likely to help with household chores as also to consult their wives on both family and village matters. This is clearly a radical departure from past practice. Some women report that they are now consulted on various matters even outside the family. The very fact of coming to be known by their own names rather than those of their husbands can be revolutionary.

Undoubtedly the most significant transformation is wrought by the realization and recognition, by women who experience the handicap that a lack of education poses. Many studies have noted a change in the customary practices relating to the education of girls, the age of marriage and the giving and taking of dowry. There is the example of the organization of *balika sanghas* (girls' collectives) in Andhra Pradesh to prevent child marriage in the village. The adolescent girls who constitute the members of these made it their business to accost strangers who come to the village, to tell them that there are no girls here below the age of 18 (the legal age of marriage), and if they were to try and marry such a girl, they will be reported to the police.

It is scarcely surprising, then, that a very large number of women representatives, including and especially dalit and tribal women, express their willingness, even eagerness, to contest elections again, sometimes for positions at a higher level. There are others who argue that such a provision for quotas should be made available at the level of the state legislature and the national parliament, so enabling them to develop their political potential to the fullest.

There are obvious limitations to the possibilities of empowerment through such local institutions. Nevertheless, it is apparent that these institutions are providing women with political agency, a non-material political resource through which they can, over time, hope to affect other types of change as well. Through participation in these institutions, women have begun to recognize not merely political opportunities but also to perceive and eventually interrogate patriarchal norms that mandate their exclusion and marginalization in deliberative bodies to which they have been duly elected. An enhanced awareness of alternative roles and a more positive self-image than that internalized over a lifetime of patriarchal defined gender identity is arguably a significant gain.

¹² Author's fieldwork in Tehri District of what was then Uttar Pradesh and is now Uttarakhand. May, 1999.

She's in Charge Now: An Examination of Women's Leadership in the Panchayati Raj Institutions in Karnataka, India

Shiwali Patel

ABSTRACT:

This paper examines women's leadership in the Panchayati Raj Institutions in the Indian State of Karnataka. In 1993, the 73rd Amendment to the Constitution in India mandated that one-third of the seats in local governments should be reserved for women. Consequently, states in India, at varying degrees, have increased women's leadership in local politics. Of these states, Karnataka has the strongest record of women's involvement in the Panchayati Raj Institutions. Resultantly, women have made major impacts on development issues, particularly around water attainment, violence against women and education. Furthermore, shortcomings in the reservation system are analysed and recommendations for ameliorating the system are provided.

Introduction¹

Many people debate about the differences in what women and men consider important for community growth and development. Often it is said that women's decisions are influenced by the needs of families and children, whereas men are concerned with infrastructure. As a result, the unique perspective brought forth by women who are policy makers is significant for development projects because of their considerations of the needs of families. Hence, in India, quotas that lawfully increase the number of women in local governments diversify the political decision-making process. Moreover, these quotas empower women because it gives them responsibility and influence over community development initiatives.

*If we are outspoken, they – the men – call us brazen and dub us shameless. But now we don't care because we know we have access to people who will have to hear us. The day we have our Gram Panchayat meeting, the men and the people at home mock us – that's when we bring out books and show them what we know.*²

– Deviramma, the President of Yeliyur Gram Panchayat in Karnataka (1995), on women's involvement in community governance.

The quotas do not only facilitate an increase in perspectives by women on community development, but they also boost women's self-esteem and change people's attitudes towards women in politics. The reservation system of the Panchayati Raj Institutions (PRIs), which was legislated in 1993 by the 73rd and 74th amendments, mandates that a third of the seats of all three tiers of the institution (Gram, Taluk and Zilla Panchayats) are for women. As a result, voice and power are now given to women and other marginalized communities who are underrepresented in governance – Scheduled Tribes and Scheduled Castes. The impact of women's leadership varies by state and is enhanced by non-state actors, such as Self Help Groups, Non-Governmental Organizations (NGOs) and other Civil Society Organizations (CSOs). These institutions have been

¹ I worked on this paper as my senior thesis under the supervision and guidance of Dr. Brenda Gael McSweeney from the Women's Studies Program at Boston University.

² Jain, "Panchayat Raj: Women Changing Governance." In the interview, Deviramma later adds that the male Secretary does not allow the women to talk during meetings.

helpful, yet also detrimental, to the women's ability to govern, as will be explained later. In this paper I will focus on the southern Indian state, Karnataka. In relation to the other states in India, Karnataka has a positive record of the participation of women in the PRI. The 1999 "Human Development in Karnataka" report states that 43.8% of the seats in the Gram Panchayat system were held by women.³ Notable scholars in India recognize the situation in Karnataka as a stepping stone for women and leadership. The Director and Founder of the Institute of Social Sciences in New Delhi, India, Dr. George Mathew⁴, said in a personal interview that Karnataka is a remarkable situation because "although you have given reserved seats for women for one-third, finally when the elections took place, after the first one, the second and third, 45% of the seats were occupied by women... they defeated men. In general seats they defeated men." Karnataka's mature panchayat system developed from its history of reservations and effective devolution of functions, functionaries, and finances. Resultantly, the roles of the different tiers of local governments have become clearer and less ambiguous, and conflict has lessened between the *Zilla*, *Taluk* and *Gram* levels. Moreover, women leaders in Karnataka have been given better resources to assist them than women in the other states.⁵ However, though it is encouraging to have women political leaders exceeding the minimum quota, a system like this, that enforces equal political participation, has its weaknesses.

The PRI is a relatively new system, and unsurprisingly, there exist sexist attitudes deeply rooted within many community organizations, which affect public attitudes towards the quota. The oppression of women contributes to the disenfranchisement of women and disempowerment within the family. Some women's leadership is considered not serious by colleagues and constituents, and many women act as proxies for the men in their families – husbands, fathers and brothers. Moreover, women encounter difficulties in exerting leadership because they are de-authorized by community members. These problems are more complex for women from lower castes and tribes. Many people believe that lower caste, tribal people and women are neither educated nor exposed to experiences that would permit them to make significant community decisions. In my opinion, this is because the reservations are still relatively new and will need many more years and adjustments (functional and attitudinal) to work with fewer flaws and as little discrimination as possible. Unfortunately, the history of oppression towards women and Dalits poses extreme obstacles in creating positive changes.

This paper commences by describing the history of local governments in India and the evolution of the PRIs. Following the history is an overview of major development issues that affect women in India, including access to water and education of girls. To evaluate the effectiveness of the quota, this paper examines improvements in these areas of development prior to and during the tenure of women leaders in PRIs. Because I reside in the United States, my paper is based on secondary data and personal interviews with eminent individuals working on and researching the PRI in India. Further, I have collected data from Internet resources and materials from local libraries. Accordingly, many of my arguments and presentations are presented as recommendations for future in-depth studies to examine women's leadership in PRIs and its effect on community development.

³ Viswanathan, p. 172. In the Taluk Panchayats, 40.21% of the seats were won by women, and in the Zilla Panchayats, 36.45% of the seats were won by women, (pp. 348-349).

⁴ This interview took place at Boston University on April 11, 2005.

⁵ PRIA – Society for Participatory Research in Asia. Correspondence, New Delhi, India, addressed to Dr. Brenda Gael McSweeney of Boston University on 14 April 2005.

History of Panchayati Raj Institutions in India

The core concept of the PRI, political participation at the local level, preceded India's struggle against colonial rule. "Panchayat" referred to five male elders of the village during the pre-British occupation, and these men had few responsibilities. The panchayats mediated local conflicts and represented residents to higher levels of authority in adjudicating growing problems.⁶ Caste panchayats lead marriage issues and rituals, and village panchayats, consisting of elders of households, settled civil disputes in land rights and criminal justice. They also regulated village altercations in land grazing, woods and water bodies.⁷ However, as time passed, the powers vested in panchayats changed. During the period of the British Raj in India, legislative acts were enacted to sustain the local governments in India. Before Independence, Mahatma Gandhi insisted on developing formal institutions of local governments that would involve rural people in the decision-making processes guiding their own communities and lives.⁸ He argued that local leadership would lead to more efficient allocation of resources, and would therefore result in effective community development. In addition, local governments can embody communities which are not adequately represented in national and state governments, but are still affected by national and state decisions. After Independence, on August 15, 1947, there was an increase of initiatives that ensured political participation of marginalized groups. Consequently, women and members of Scheduled Tribes, Scheduled Castes, and Backward Castes were offered greater leadership opportunities in local politics.⁹

In 1993, the 72nd amendment to the Constitution of India formally recognized the reservations for women in the PRIs. The amendment placed a quota of one-third of the seats of the Pradhans (chiefs) in local governments for women, and a quota for Scheduled Castes (SC) and Scheduled Tribes (ST) in proportion to the size of their population in the community.¹⁰ The reservations system was enacted to provide political power to women, members of SCs and STs, and to increase initiatives that offer equal opportunities (educational, work, health, etc.) for these underrepresented groups. Though this act was a major step towards equal representation in politics in India, similar measures were envisaged long before. During the struggle for Independence, Mahatma Gandhi was the dominant proponent of local governments and Panchayats; his own vision of Panchayati Raj was conveyed as follows:

Every village has to become a self-sufficient republic. This does not require brave, corporate, intelligent work... I have not pictured a poverty-stricken India containing ignorant millions. I have pictured to myself an India continually progressing along the lines best suited to her genius. I do not, however, picture it as a third-class or even a first-class copy of the dying civilization of the West. If my dream is fulfilled, and every one of the seven lakhs [one lakh is 100,000] of villages becomes a well-living republic in which there are no illiterates, in which no one is idle for want of work, in which everyone is usefully occupied and has nourishing food, well-ventilated dwellings, and sufficient

⁶ Vyasulu, 'panch' from 'panchayat' literally means five.

⁷ "Decentralization in India: Challenges and Opportunities," UNDP, p. 5.

⁸ Gandhi believed in upholding the three-tier caste system of the dominant caste, intermediary caste and untouchables. He said that the panchayat system should be maintained by those of the dominant caste and each caste should stay in its own boundaries that guided their work life and way of living. Gandhi supported all the castes and he believed that the system would function best if the castes worked together and helped each other. Roy, Himanshu, p. 33. Other activists expressed opposition towards Gandhi's philosophy. Dr. B. R. Ambedkar criticized Gandhi and said that rather than keeping the caste lines, the untouchables should be able to rise outside of their caste, because if they stay within the "untouchable" category then they will remain oppressed.

⁹ Scheduled Castes are the former untouchable castes whom Gandhi called "Harijans" – children of God. Scheduled Tribes are indigenous tribal people. Backward Castes rank above "untouchables," but still remain socially and economically depressed.

¹⁰ Duflo, Esther, p. 2.

Khadi for covering the body, and in which all the villagers know and observe the laws of hygiene and sanitation. There is nothing inherently impossible in the picture drawn here. To model such a village may be the work of a lifetime. Any lover of true democracy and village life can take up a village, treat it as his world and sole work, and he will find good results.¹¹

Gandhi influenced the first Constitution of the Republic of India. In November 1947, Article 40 of the Constitution stated that:

The state shall take steps to organize village panchayats and endow with them such powers and authority as may be necessary to enable them to function as units of self government.¹²

Unfortunately, Article 40 was not put into effect, and as a result, the panchayat system remained weak. Local politics were controlled by male elites who used their powers to exploit lower caste members and to deny women their rightful place in decision making processes.¹³ As a consequence of the ineffective panchayat system, in 1957 the Balwantrai Metha committee recommended improvements in the organization of these local governments. The committee suggested more efficient implementation of community development and other government programmes. Subsequently, there was some progress in expanding local self-governing bodies in the rural areas of the state.¹⁴ Today the PRIs are still made up of this three-tier system – Gram Panchayat, Taluk Panchayat and Zilla Panchayat.¹⁵ The powers for Gram, Taluk, and Zilla Panchayat are listed in the Appendix. It is within these local structures that reservations are mandated for women, STs, and SCs.

History of the PRI in Karnataka

Currently, Karnataka is one of the only states in India that actively enforces the reservation system for women. Karnataka's early proposal and enforcement of the quota for women explain this positive record. It was first established that women, SCs, and STs should be included in panchayat systems by the Chandrashekharaiiah Committee Report of 1954, and committees were later set up to discuss the progress of certain areas of development. This report not only supported a reservation system for the underrepresented groups, it also planned to set up a three-tier system of the Village (Gram) Board, Taluk Board, and District (Zilla) Board, and this three-tier system was not presented in the prior report given by the Venkatappa committee.¹⁶ A few years later in 1959 the Mysore Village Panchayats and Local Boards Act was passed, which was largely based on recommendations from the Chandrashekharaiiah committee that included reservations for women and SCs. After about twenty years in 1983, the Karnataka Zilla Parishads, Taluk Panchayat Samitis, Mandal Panchayats, and Nyaya Panchayats Act was passed. The Act listed twenty-seven

¹¹ "Decentralization in India: Challenges and Opportunities," UNDP, p. 3. Quote derived from R. Prabhu & U.R. Rao (eds.), *Village Republics: the Mind of Mahatma Gandhi*, pp. 246-247, Ahmedabad, Navjivan Press.

¹² Viswanathan, p. 170.

¹³ Strulik, p. 3.

¹⁴ "Panchayati Raj System in Independent India," National Institute of Rural Development. The Balwantrai Metha Committee was set up to examine why the Community Development Programme had not met its original expectations. The Community Development Programme started in 1952, and a basic weakness was that it lacked strong representation from local people.

¹⁵ Mohan, pp.1-2. Grama Panchayats are for a village or a group of villages, with a population of 5,000 -7,000 people. Taluka Panchayats are for every Taluk (the intermediary base between Grama and Zilla panchayats), while Zilla Panchayats are district based.

¹⁶ Natraj, p. 17. The Venkatappa Committee (1950) and Mysore Village Panchayats and District Boards Act (1952) recommended the need for only Gram and Zilla Panchayats, not Taluk. It did not set reservations for women, SCs or STs.

development issues for the panchayats to work on, and it reserved 25% of the seats of local governments for women, which came into effect in 1987.¹⁷ The Mysore Village Panchayats and Local Boards Act was the first act to truly consider the positive impact of decentralization on community growth, and it created legal mandates to include women in decision-making processes. A few years later, in adjusting to the standards of the 73rd amendment to the Constitution, the state government passed the Karnataka Panchayat Raj act of 1993, which stripped away some financial and political powers from the panchayats that had already been granted by the previous act. Resultantly, this act reverted control back to the state government and set back decentralization.¹⁸

Today in Karnataka there is 33% reservation in government seats for women, 33% for Other Backward Castes (OBC), and a quota for SCs and STs that is proportionate to their population size. Moreover, the Vice President and President positions in the Gram, Taluk, and Zilla levels have reservation requirements.¹⁹ Currently, with a population of about 52 million people, Karnataka has 5,870 rural governments with 27 Zilla parishads, 175 Taluk panchayats, and 5,659 Gram panchayats. The average population served under the leadership of a Gram panchayat is 5,000.²⁰

Powers of the PRI

The panchayats have the power to initiate development projects in their rural communities. Their influence on these projects depends on the tier to which the panchayat belongs. The Gram Sabha is a village assembly that meets every six months and has an essential role in monitoring the Gram Panchayat. Gram Sabha provides an opportunity for rural women to participate in decision-making processes and ensures that their concerns are heard by Gram Panchayats. As stated in the provisions to the Panchayat Act in 1996, the functions of the Panchayats and the Gram Sabha are:

- “the power to enforce prohibition or to regulate or restrict the sale and consumption of any intoxicant;
- the ownership of minor forest produce;
- the power to manage village markets by whatever name called;
- power to exercise control over money lending to the Scheduled Tribes;
- the power to exercise control over institutions and functionaries in all social sectors;
- the power to exercise control over local plans and resources for such plans including tribal sub-plans.”²¹

Panchayats are in term for five years until the next election cycle, which is six months prior to the end of the period of governance. Of the three levels, the Gram Panchayats are the most influential in community development because they work closest with the local people and directly participate in local governance.²² The powers given to panchayats are important because these responsibilities allow panchayats to effect development through community initiatives, representing a significant improvement over older oppressive systems where women were not allowed to have an impact over development. Women and men panchayats occasionally use their powers to address different issues. Their perspectives vary on development (*i.e.* water has been part of women’s preoccupation as a home-based issue, and has thus been set forth on the agenda by women’s panchayats). Therefore, these differences, as well as similarities, between women’s and men’s

¹⁷ Rajan, p. 4.

¹⁸ *Ibid.*

¹⁹ Ananthpur, K., p. 8.

²⁰ “India: Fiscal Decentralization to Rural Governments.” World Bank, p. 2.

²¹ The Provisions of the Panchayats (Extension to the Scheduled Areas, 1996) Act. National Commission for Scheduled Castes and Scheduled Tribes. <http://ncscst.nic.in/panchayats.htm>.

²² Ananthpur, K., p. 8.

concerns and needs are important to consider in examining the positions that panchayats have within local governance structures and their effectiveness in leadership.

The Karnataka Panchayati Raj Act establishes a Standing Committee for Social Justice (SCSJ) in all three levels of local government. This committee functions to protect STs, SCs, women, and children from social injustices, and looks into cases of violence against women. Unfortunately, an empirical study in 1999 showed that only 37% of the 133 panchayats examined had a standing committee on social justice.²³ The study also found that although the president of the SCSJ may be a SC or ST, they did not always use their powers to protect members of their community. Hence, there are limitations to the Standing Committee on Social Justice and panchayat members' involvement in key social issues, such as violence against women.

Fiscal Power

Panchayats need fiscal power to complete community development projects. Fortunately, financial responsibilities are provided for the three tiers of the PRIs. Panchayats are provided funding for 29 different community development schemes, and each state's local government in India is given funding for either some or all of the 29 projects. The panchayats in Karnataka are given grants for all 29 needs, including rural drinking water, primary and secondary education, and healthcare.²⁴ As a result of the government grants, panchayat leaders should receive about 30% of the State's public expenditure to spend on community development.²⁵ However, rural governments receive only about 20% of the total state spending. 20% of this funding is for Zilla Panchayats, 18% for the Taluk Panchayats, and 62% for Gram Panchayats.²⁶ Though all 29 development needs should be funded by the local panchayat systems, and 62% of the rural budget is supposed to be allocated to the Gram Panchayats, the actual spending at the village level is limited. Fiscal power given to the Gram Panchayats is important because they directly work at the community level and would therefore understand village needs the best of all three tiers. Yet Karnataka's state government does not allocate enough financial resources to the PRIs, and consequently the Gram Panchayats spend only 6% of the total rural funding.²⁷ The Gram Panchayats do not have direct access to the funds from the State, and they do not have the ability to decide on allocations. It is the upper level local governments that spend the funds and decide the priorities.²⁸ Consequently, the lack of devolution to the Gram Panchayats makes it difficult to fulfil rural community necessities.

What is Successful Governance?

Successful governance takes into active consideration the needs of the community that is being governed. Martha Nussbaum, a renowned proponent of the *capabilities approach*, stated that governance should "include the wide range of ways in which the political, social, and administrative structures of society affect the access of its members to basic opportunities and capabilities."²⁹ The capability approach also recognizes the importance of functional values to each member in society, including the ability to live a long life. According to Nussbaum, there are certain 'items' that are guaranteed by society, such as political liberties, and providing these 'items' requires setting them as political goals.³⁰ Fulfilment of these items could also relieve society of poverty. Furthermore, the

²³ Rajan, p. 5.

²⁴ List of 29 subjects are in Appendix.

²⁵ "India: Fiscal Decentralization to Rural Governments," World Bank, p. 2.

²⁶ *Ibid*, p. 6.

²⁷ *Ibid*.

²⁸ Rao, p. 6.

²⁹ Nussbaum, Martha. "Gender and Governance: An Introduction," p. 4.

³⁰ Nussbaum, Martha. "Women and Human Development," p. 89.

capability approach supports that individual human functioning is a vital force in growth. If each person was supported in successfully utilizing their functional skills, then they could control their contributions to their own *and* their region's development. Consequently, the individual's aspirations would help the community grow. As a result, this development theory should also influence the ideal governing structure. Predominant approaches to development emphasize economic and financial prosperity. This view generally associates good governance with free enterprise. Though economic growth is a significant consideration for governance, human rights and equality should be the first priority for development projects and democracy (*i.e.* to include the affected people in the decision-making process). Therefore, this paper most closely agrees with Martha Nussbaum and the capabilities approach, using the United Nations Development Programme's definition of "good governance" as:

The exercise of political, economic and administrative authority to manage a country's affairs. It comprises the mechanisms, processes and institutions through which citizens and groups articulate their interests, exercise their legal rights, meet their obligations and mediate their differences.³¹

Professor Niraja Gopal Jayal, the Chairperson of the Centre for the Study of Law and Governance in New Delhi, examines the role of gender in local political structures within private and public realms. Her view is that including women in government would decrease the divide between the private (domestic) and public life. The private life is significant not only because it creates obstacles for women to participate in politics, but also because women govern within the household (*i.e.* child care, water, etc...).³² She argues that traditional notions of governance have ignored the women's role in managing the household, such as collection of natural resources for sustenance and maintenance of the children. As such, it is promising that women in the panchayat systems have brought these domestic issues into their political agendas. Women leaders in the PRI have also attempted *and* succeeded in prohibiting the sale of alcohol and its consumption because of its relationship to spousal abuse, waste of household incomes, loss of landed property and other resources. The collaboration of women leaders to enforce prohibition narrows the gap between private and public life, considers the immense role that domestic life plays in women's lives, and connects women's roles at home with political goals. Jayal also advocates that there needs to be additional action beyond placing women in upper levels of political organizations. Political leaders should highlight the many ways women are exploited and oppressed within the household, labour market, and as members of subordinate class, castes, religious, and community groups.³³ Addressing these inequities would highlight the discrimination encountered by the female leaders in the PRI. If there is an effort to make reservations for women to increase the pool of female political participants, then there needs to be even greater effort for women to exercise their rights as leaders and voice their ideas, opinions, and concerns in politics.

Part of this paper will examine if quotas in local governments can ameliorate the position of women in society. With the support from NGOs and other Civil Society Organizations that help train women *and* men panchayat leaders to address women's issues, the movement for gender equality will certainly gain strength. Unfortunately, a reservation for women in the PRIs is not enough to end gender based inequality. Improvements need to be made on the local level, in women's access to education and other social services. Political leaders have the opportunity to improve the situation of marginalized persons and therefore female leaders in the panchayat can become significant facilitators for women's empowerment.

³¹ *Ibid.*

³² Jayal, p. 100.

³³ Jayal, p. 102.

Karnataka: Human Development Disparities between Women and Men

The 1999 Karnataka Human Development Report (HDR) described social inequities in the region, including in education and healthcare access for women, and the female to male sex ratio within the population. In 1991, in a population of 44,977,200 people, there were only 960 females per 1000 males; in 1961, the ratio was 959 females per 1000 males, which indicates only 0.1% improvement in 30 years. Urban Bangalore in 1991 had the lowest sex ratio record of the districts in Karnataka, with 903 females per every 1000 males. Dakshina Kannada (South Karnataka) was the opposite with more females in the district – 1063 females for every 1000 males.³⁴ In addition to the unequal sex ratio, sexism and discrimination against women contributed to the elimination of the female-child through sex-selective abortions, lower nutrition/food provided to girls, and limited access to health facilities. Nobel laureate Amartya Sen marked several disadvantages faced by women in a culture of patriarchy in his article, “The Many Faces of Gender Inequality,” in 1) mortality inequality; 2) natality inequality; 3) basic facility inequality; 4) special opportunity inequality; 5) professional inequality; 6) ownership inequality; and 7) household inequality. While these inequalities have been stronger in the past, female mortality rates have not shown much improvement in the thirty-year period from 1961 to 1991.

Education:

There are many disparities between women and men in Karnataka, particularly in literacy and access to education. Poverty contributes greatly to the lack of girls in schools. If girls are relied on for unpaid house work, then the family immediately benefits from keeping girls home by increasing their domestic resources. Moreover costs for schooling are high, which include tuition, books, and uniforms. Therefore many families with two children can only afford to send one child, and by preference they send the son. The daughter is kept at home because there are less opportunity costs to forgo her education. In addition, the lack of female teachers, toilets, and the long distances to school increases pressure to keep girls at home and not at school. The same HDR stated that in the rural areas, 34.8% of women are literate compared to 65.7% of men. The gap is less in urban Bangalore and Kodagu, which are both 14%.³⁵ Education affects other parts of human development. Studies have shown a positive correlation between female literacy and community health. Women who are formally educated tend to marry at a later age, have fewer children, and earn higher incomes than women who are illiterate. Thus, to heighten girls’ and community development, female education should be on the agenda for leaders in the PRIs. Though the high numbers of illiteracy are unnerving, Karnataka has instituted programmes to reduce the education gap. One such initiative offers monetary incentives for girls to stay in school past the secondary stage, and provides them with free rations and uniforms. Nevertheless, there needs to be greater effort to address gender-specific discrimination that results in the absence of girls in schools. Hopefully the leaders in the PRI can become stronger activists for educational reform.

Resources and Employment:

Efficiency in supply management and access to resources has been emphasized in the women’s movement, particularly water and toilets, which are important for personal hygiene. Women are responsible for collecting water, which could take hours to gather while straining their backs and shoulders. In addition, women manage fuel and food supply. The 1991 census for Karnataka reported that 46% of rural households had access to electricity, 67% had safe drinking

³⁴ Viswanathan, p. 105.

³⁵ *Ibid*, pp. 110-111.

water, and only 7% had toilets. Twenty percent of rural households had none of these.³⁶ Toilets are particularly a woman's concern for privacy and comfort purposes, and the lack of toilets has a deleterious effect on their health. Moreover, disparities in work between women and men demonstrate the extent to which women are at a disadvantage. In 1991, work participation in Karnataka was 53% for men and 29% for women. Women were also paid less than men in similar occupations. Traditional female livelihoods offer low returns; they are either subsistence (non-wage) occupations or are in the informal sector, such as agricultural labour and handicrafts. The lack of sufficient capital for formal sector jobs keeps them out of the competition.³⁷ Women also do not participate in marketing their work, and thus have little control over the earnings from their production. If female agricultural workers and pottery makers do not set the prices for their labour, they rarely get the returns they deserve. Furthermore, women who work in organized sectors are vulnerable to abuse, health risks, and exploitations of their toil.³⁸ Unfortunately, these poor working conditions exist in many female-dominated occupations. Women who do agricultural manual labour and factory-related work are not always treated fairly by their employers because their work is not considered of high 'importance' and is regarded as menial compared to men's labour. These inequities contribute to higher rates of female poverty, and in turn limit women's access to credit. With less borrowing power than men, women become financially dependent on husbands and male relatives. Subsequently, because of the lack of collateral in land and property, as well as illiteracy, women have less of a chance in obtaining loans from banking institutions.

Violence Against Women:

Worldwide, violence against women is underreported. Sexual and domestic violence are acts of power and control that are often used to humiliate, shame, and dominate its victims. Unfortunately, many survivors of these crimes, particularly sexual violence, remain quiet about their victimization because of the stigma of being assaulted. There are women leaders in the PRI who have been emotionally, physically, and sexually abused for various reasons. Many men who feel jealous and less powerful by the presence of women in PRIs also exhibit violent behaviours against these women. An example of violence is the many 'unnatural' deaths of women. Many of these deaths are unreported or misrepresented as suicides or 'accidents.' In the rare case that a police investigation occurs, it is usually ineffective and delayed through lack of sufficient evidence. According to the Crime Research Bureau of the State Police Department in 1996, out of 100,000 females, there have been 7.31 molestation and rape cases and 0.74 dowry deaths.³⁹ Unsurprisingly, these reported numbers are much lower than the actual prevalence of violence against women. To address some of these issues, the state has created legislation on violence against women with the Dowry Prohibition Act and the Devadasi Act.⁴⁰ Unfortunately, these acts are poorly enforced and consequently, the problems continue to exist.⁴¹

³⁶ *Ibid*, p. 112.

³⁷ *Ibid*, p. 114.

³⁸ *Ibid*.

³⁹ *Ibid*, p. 119. I do not know how these statistics were taken; they were listed in the Karnataka Human Development Report.

⁴⁰ Devadasi literally translates into "servant of God." However, according to the Human Rights Watch, devadasis are 'those women that are forced into temple prostitution.' http://www.hrw.org/reports/1999/india/India994-01.htm#P298_15414.

⁴¹ *Ibid*, p. 129.

Profiles of the Women Members of PRIs

The distribution and number of women leaders in PRIs in Karnataka is higher than any other state in India. In a few years or perhaps a decade, there may be an equal number of women and men in local governments. Who are these women leaders? How did they get started in local governments, and have there been changes in the class or caste of these women panchayat leaders since 1987 and 1993? These are very important questions to ask because the class or caste of the women may influence their policies and priorities on community development issues. In addition, community members treat the PRI women differently based on the political backgrounds and castes of the women. The unequal treatments make it either easier or more difficult for the women to have their voices heard by the broader community and their constituents. Thus the women's profiles are critical for examining the local political system and its effectiveness in addressing development.

Many of the women who have entered politics for the first time are young and are considering a life of political involvement.⁴² The 1999 Human Development Report revealed that in Karnataka the number of women in the panchayats who are under 30 years of age represents 28% of the Gram panchayat, 37% of the Taluk panchayat, and 34% of the Zilla level.⁴³ This indicates a positive future of women's participation in governance because the younger generation of women panchayat leaders will have knowledge of how the system functions if they decide to continue with politics in the future. In effect, they will have a greater capacity to exert their voice and their political experiences will enhance their ability to govern in the future. Studies also show that women with previous experience in the panchayat system are more willing to voice their concerns to the state and expand their agendas, rather than be overshadowed by other male leaders. Though we can celebrate that these women have political power, it is important to consider the financial limitations that are imposed by the state government that constrain the women leaders' ambit of action. Women who are without a background in the political system are more at risk of being marginalized and violated by their communities. These women are more likely to be silenced in the system because they are new and vulnerable to be taken advantage of by the process and parties who have a more experience in the system.⁴⁴ The political experience of women in PRIs varies by state in India. In Rajasthan, Uttar Pradesh, and Madhya Pradesh, only about 3% of the women have previously held positions in government. Unlike Karnataka, these states have not upheld the reservation system for women.⁴⁵ Since the amendment is relatively new and the term for panchayat members is five years, it is likely that there are many women who are new to the political scene, whose influence and power may still be limited. Yet hopefully, this trend will diminish as more women rise to positions of power and people's attitudes towards women in governance changes. When Karnataka started to elect women to office as a result of the 1987 reservation act, only 20% of the women had previous political experience.⁴⁶ Today, the number could be higher, which could be followed by other states of India. As noted above, the roles of NGOs and Civil Society organizations are significant in providing training for women panchayat leaders. NGOs such as the Mahila Samakhya and SEARCH in Karnataka are very supportive of women in panchayat institutions, and will be discussed further in this paper.

Not only does prior political experience increase women's activity in governance, but knowledge of the system, the Constitution, and various political institutions also increases their

⁴² Vyasulu, UNDP.

⁴³ Viswanathan, p. 121.

⁴⁴ Basu, p. 42.

⁴⁵ "Decentralization in India: Challenges and Opportunities," UNDP., p. 36.

⁴⁶ Jain, Devaki. "Panchayat Raj: Women Changing Governance."

leadership skills. Furthermore, it is unclear whether gender and familiarity of the PRI are closely correlated because like women, there are men who are also unaware of the functions of the three tiers of governments and fiscal responsibilities. Women in Karnataka are more aware of the PRI powers than the women in other states in India. About 19.35% of the women surveyed knew about the legislation in detail.⁴⁷ This is because of Karnataka's previous legislation in 1983 that enacted the reservation system which allowed for women's participation in politics early on. This number sharply contrasts with the state of Haryana, where women in the local governments were almost universally ignorant of the Haryana Panchayati Raj Act and their own powers. In Haryana, there is little pressure to uphold the 73rd amendment, and as a result both women and men panchayat leaders are not encouraged to understand their position.

The women's family and caste backgrounds influence their leadership. The reservations for SCs and STs communities have increased political representation of women from poor and lower-caste families in the PRIs. For many of these women, caste and tribal identity affects their decision-making processes. In a survey taken by the Centre for Women's Development Studies, 40% of the women reported coming from families whose incomes fell below the poverty line.⁴⁸ These women usually have a great deal of difficulty in exerting their leadership over the political agenda because their community has negative perceptions of lower caste people. A study called *Participation of Women in Panchayati Raj in India: a Stock Taking* (1998) by Susheela Kaushik found that only 30% of the women in PRIs come from politically active families. The research contradicts the common assumption that a majority of women are involved in the government because they are from wealthy families with strong political histories.⁴⁹ Furthermore, a majority of the women leaders are married, and often these women have *sarpanch patis* (Sarpanch 'husbands'). The 1999 report on human development in Karnataka reveals that 68% of the women in all three tiers of the system are married. There are also divorcees, widows, and single women that are part of the PRI⁵⁰, which is a sign of progress in a country that traditionally has given very low status to widows and divorced women. Despite these encouraging signs, representation by lower caste women and men has not increased significantly after the constitutional change, and 60% of PRI members are still dominant caste members.⁵¹ Moreover, there are many women who are from Backward Castes in the panchayats: 35.3% at the Gram level, 34.6% at the Taluk level, and 46.4% at the Zilla level.⁵²

The 1999 report on Karnataka stated that in all three levels of local governments, 17.7% of the women were illiterate. The rates for illiteracy continue to be higher for the women at the Gram Panchayat levels. One explanation could be that since the Gram division is at the village level and works least with higher government officials, formal education is not a prerequisite for active participation. Accordingly, in the Zilla Panchayats, 17.4% of the women are graduates.⁵³ The Zilla Panchayat is the district level that works least directly with community members. Another important issue that is examined in this paper is if an increase of women in the PRIs will lead to a greater focus on social issues. 49.3% of the women leaders in Gram Panchayat, 68.4% in Taluk Panchayat, and 61% in Zilla Panchayat, consider social justice to be a prime objective.⁵⁴

⁴⁷ "Decentralization in India: Challenges and Opportunities," UNDP, pp. 37-38.

⁴⁸ *Ibid*, p. 35. This survey compared Madhya Pradesh, Rajasthan and Uttar Pradesh.

⁴⁹ *Ibid*.

⁵⁰ Viswanathan, p. 121.

⁵¹ Jain, Devaki, "Panchayat Raj: Women Changing Governance."

⁵² Viswanathan, p. 121.

⁵³ *Ibid*.

⁵⁴ *Ibid*.

How have female members of the PRI set the Development Agenda?

There are many studies that examine the role of women and men in policy making. In the United States, the general trend is that women political leaders are more liberal than their male counterparts.⁵⁵ Many women in Congress, such as Hillary Clinton (Senator, New York) and Patricia Murray (Senator, Washington), have fought for women's rights in equal benefits and pay for tradeswomen, for reproductive rights, and campaigned against sexual violence. In a study conducted in West Bengal and Rajasthan, women and men were found to have different concerns for public goods. In both states, more women cared about access to and the quality of drinking water. However, in regards to road construction, there is no clear disparity between women and men.⁵⁶ Thus it is imperative to review regional differences when studying women's role in policy-making, because research findings from Karnataka do not apply to all the states in India. Nevertheless, reservations have led to the increased disbursement of goods to disadvantaged communities – whether it is by gender or caste. In India, women have been on the forefront of efforts to promote primary education and healthcare, as well as conservation of resources for sustainable development. Women have addressed the quality of school facilities such as clean drinking water, toilets, and extra classrooms.⁵⁷ The Society for Participatory Research in India (“PRIA”) has made extensive studies on the PRIs in India and found that women have been giving priority to social issues such as health, education, and domestic violence. PRIA's research finds that women have adopted measures of solidarity and sensitization of women's involvement in meeting needs in these areas.⁵⁸

Healthcare and the Environment:

Women panchayat leaders have encouraged more affordable and accessible primary healthcare. Narayanan referenced a *Mela* (fair) that in 1994 gathered women Gram panchayat representatives from Karnataka to discuss their involvement in traditional medicine and the environment. Through this meeting, women have been informed of the need to increase public awareness about traditional medicines and the side-effects of western medicines. Furthermore, these discussions led to shared knowledge on the effectiveness of herbal and traditional cures, methods of growing herbal gardens, and preparing family remedies.⁵⁹ Thus comprehensive and affordable healthcare has gained more attention and value in local communities through the PRIs. Narayanan also found that women had greater interest in the care and maintenance of the environment. Since women have been traditional nurturers of the environment, it is common that they have knowledge of how to protect it. At the *Mela*, discussions on sustainable development included preservation and conservation of natural resources of lakes, common grazing land and forests, village sanitation, wasteland use, and chemical fertilizers effects on health. Women participated enthusiastically because these issues were linked to their daily lives as caretakers of the household.⁶⁰

⁵⁵ Duflo, p. 4.

⁵⁶ *Ibid*, p. 5.

⁵⁷ “Decentralization in India: Challenges and Opportunities,” UNDP, pp. 74-75.

⁵⁸ PRIA, through e-mail exchanges.

⁵⁹ Narayanan, p. 391. Narayanan found these results from a *Mela* in 1994 that comprised 250 Gram panchayat representatives from 10 districts in Karnataka. The *Mela* was put on by the Utsahi Mahila Abhyudaya Resource Centre for Women in Panchayati Raj at the Institute of Social Studies Trust, Bangalore. The sessions at the *Mela* were to draw attention to women's strengths in traditional medicine and as nurturers of the environment.

⁶⁰ *Ibid*, p. 392.

Water:

Women's role in looking after the household influences their needs and their perceptions on sustainable development. Water is a major concern for women because of the many household uses of the resource, as well as the distances women travel to acquire it. Devaki Jain in her essay "Panchayati Raj: Women's Changing Governance," gives an example of a village in Uttar Pradesh called Sonbhadra. At a procession celebrating the 73rd amendment and increased opportunities for women, 90% of the women said water was their top priority at a discussion following the event. Water is a significant issue for women because it is needed for cultivating crops, rearing cattle, and household uses.⁶¹ Women also value proximity to water and fuel resources, health centres, and even court justice systems, all of which poorer women have to access by travelling long distances.⁶² With women panchayat leaders, rural women are more comfortable with approaching the PRI to address these issues. Consequently, women panchayat leaders can be an outlet for rural women's needs.

Education:

Education is an important issue that female members of PRIs have maintained on the agenda. The need for secondary educational facilities is very important for girls' education because there is a lack of them in rural areas. Resultantly, girls and boys have to travel far distances to be educated. In a personal interview Niraja Jayal stated that women members of the panchayat have been pushing for better access to education because, especially among the illiterate women in PRI, they are aware of the disadvantages during meetings in not being able to read memos on which they have to thumbprint, or not understanding the agendas that are distributed prior to meetings. These situations increased awareness of needing girls' education to promote full comprehension of PRI meetings when they are older and become community leaders. In case studies from Jacob John's document, "Women in Governance: Road to Success," women's experiences and achievements within the panchayat system are described. A young member, Ms. Rashmi Manjegowda of the Neralekere Village in Karnataka, has increased public financial contributions towards primary schools to better their facilities. She also encouraged women leaders to play an active role in community development. Rashmi has done a lot of work for the general public welfare of children, agricultural workers, women, and men.⁶³ Rashmi is just one example of the many female leaders who have contributed towards social justice of their communities.

Violence against Women and NGO Involvement:

Violence against women has also been an important issue that has been focused on by women panchayat leaders. Alcohol consumption increases violence in communities. As a result of the violence and excessive spending of household income on drinking, women have been on the forefront of banning liquor sales. Currently there are states in India with prohibition laws. In India, liquor has been increasingly consumed after the trade liberalization in 1992/93; the sales of liquor in India increased by 170% from 1989 to 2000.⁶⁴ Gujarat was the first state to enact prohibition in the 70s and later during the 90s women's movements have pushed for prohibition because it is connected to loss of household income and violence by their husbands.⁶⁵ Gujarat and some states in the Northeast have complete prohibition on alcohol. Partial prohibition exists in Tamil Nadu,

⁶¹ Jain, "Panchayat Raj: Women Changing Governance."

⁶² Ibid.

⁶³ John, p. 57.

⁶⁴ Rahman.

⁶⁵ According to the Rahman paper, there are three types of Prohibition: 1) complete prohibition of production and consumption; 2) partial prohibition of usually one or two types of liquors; 3) prohibition on certain days of the week or month.

Kerala, and Andhra Pradesh.⁶⁶ Though these laws ban the sale of liquor, men illegally purchase alcohol, and thus violence caused by alcoholism has not ceased.

A report conducted by the International Centre for Research on Women (ICRW) examined the panchayats in Karnataka and their interventions on Violence against Women (VAW). Within each panchayat group is a Standing Committee on Social Justice (SCSJ) that addresses social injustices including VAW. For the report, questionnaires were distributed asking about Gram panchayat involvement on violence against women issues. The most frequently addressed issues included domestic violence, prohibition of the *devadasi* practice, sexual assault, child marriage, dowry harassment, and harassment of widows.⁶⁷ The report concluded that there was inadequate action by governmental representatives on violence. Furthermore, it recounted only 49 incidents in which Gram panchayats addressed problems of VAW.⁶⁸ However, a similar study from NGOs/local organizations found that around half of all panchayats dealt with violence against women in various manners. They also discovered that the foremost reasons that VAW is not addressed are gender insensitivity, lack of skills or perspectives on the issue, lack of responsibility taken by panchayat representatives on VAW, and the non-existence of SCSJs. Also communities do not traditionally turn to panchayats to confront issues of violence against women. Instead they trust specific families who have monitored justice in the villages for years. If panchayats are viewed as agencies that promote community development and they do not see VAW as a development issue, then issues of VAW become settled by community members themselves, families, or left alone. Yet an interesting finding from the research is that though panchayats have not been significantly involved in VAW, women panchayat leaders have been gaining recognition in handling these issues. Women not only intercede more than men, but their intervention is more acceptable by the community.⁶⁹ Female victims of violence often feel more comfortable and safe to confront a woman leader over a man. If the attack was by a male member of society, the victim may experience difficulty in trusting men.

In Karnataka, VAW is rarely addressed because there is a lack of community collective action around the issue, and as a result, panchayat leaders are limited in what they can accomplish. Panchayats have been more effective with the interventions of NGOs and other community-based groups. These organizations provide training for panchayats to effectively work on VAW and raise support for panchayats to address VAW. They have focused on alcohol and its relation to domestic violence. With the help of NGOs, panchayat leaders have had greater gender sensitivity and were more involved in disputing violence against women cases than if there had been no NGO and SCSJ.⁷⁰ The ICRW study shows that the most desirable method of involvement for VAW is “panchayats resolving cases of VAW along with groups with a strong women-centered focus, and who are committed to changing community norms.”⁷¹ Thus, gender sensitivity is very important along with NGO intervention because women have felt “shameful” confronting panchayat leaders alone, especially because of the fear of making their case public. Nari Adalats, or women’s courts, have been more approachable for victims of VAW to discuss their case. Panchayat women, SC and

⁶⁶ Rahman.

⁶⁷ Rajan, p.11.

⁶⁸ *Ibid*, p. 11. In the district Belgaum, of the total 485 panchayats, only 14 addressed violence against women, in Haveri 2 out of 157, in Gadag 3 out of 116, and Bagalkote 5 out of 163 panchayats addressed violence. These questionnaires were completed by 210 resource persons around Karnataka who were knowledgeable about panchayats involvement in violence against women (VAW). The other states and the respective numbers of panchayats involvement in VAW, are: Mysore 2, Tumkur 3, Kolar 2, Davanagere 5, Chitradurga 4, Udupi 2, Dharwad 6 and Koppal 1, totalling 49 panchayats.

⁶⁹ *Ibid*, pp. 14-17.

⁷⁰ *Ibid*, pp. 20-21.

⁷¹ *Ibid*, p. 22.

ST have had difficulties in voicing their concerns in VAW because of discriminations based on gender or caste.

In the ICRW case study, NGOs in Karnataka were examined in their involvement on VAW with Panchayat leaders. The Mahila Samakhya (MS) is a women's education programme in Mysore that has been engaged in ensuring that SCSJ functions at the Gram Panchayat level and addresses VAW. The MS organized women to form collectives, or *sanghas*, on health, savings and legal issues, and later the MS started to work with panchayats by entering sangha members in elections to become active members of the Gram Panchayat. Regarding these women entering politics, a MS staff said "We...gave information regarding women contesting in the election. Later, they got elected. We felt if they follow the existing political leader, there would be no use. We also discussed the concept of gender in women's political participation."⁷² The MS has had a role in sensitizing members of the SCSJ to gender concerns, and resultantly, greater effort have been made by the SCSJ and within the Gram Panchayat to ensure activity on VAW issues. By working with the Gram Panchayats, they have had easier access to policies and intervention. Another example from the ICRW study is of the organization called SEARCH from Bangalore. SEARCH focuses on the training of elected women representatives and network and coalition-building to help develop leadership skills, their understanding of PRI, and their potential within the system. SEARCH has trained 18,000 elected women representatives in 1993-2003, and is currently working in 1,000 Gram Panchayats stretched over 48 talukas and eight districts in Karnataka.⁷³ These collectives empower women and encourage them to exchange stories and ideas of their roles as leaders. Women of different castes are also connected to develop their solidarity. However, SEARCH does little to intervene in VAW issues because to approach the panchayat as a body is difficult. However, through trainings and collective support, women have been able to openly discuss the difficulties they encounter, and thus VAW can be addressed on an individual level. ICRW notes that there are limitations in participation on VAW due to caste because women of lower caste can address the issue in cases of their own lower caste. However, if a lower caste woman wants to report an incident involving upper caste members, she has to talk to an upper caste panchayat member. The authority and ability to govern within the PRI is not a basis of simply gender, but also caste. These case studies, among the many others that were conducted by ICRW display the strengths of collective action from NGO support, civil societies, and panchayats in dealing with VAW. Unfortunately, female representatives have limited powers in addressing human rights issues, because panchayats alone cannot get involved in issues of violence against women and effectively solve them.

NGOs have not always been a positive influence on the panchayat leaders. Some NGOs resent the PRIs because they believe that they are being replaced by the PRIs and thus, do not have enough of a voice in political and governmental decisions because of PRIs. They view PRIs as rivals. So, even though there are benefits from the involvement of NGOs with PRI members in such ways as training them of their rights as leaders and capacity-building skills, the NGOs have also been a deterring factor in PRI members' ability to act out in their positions. They have not acted to work with the PRIs, rather against them. On the other hand, some NGOs do not consider themselves important for political participation, and instead of considering PRIs as competition,

⁷² Rajan, p. 25. There are many examples of NGO led interventions in the ICRW document "Panchayat Involvement on Violence Against Women." Other organizations listed include Nari Adalat (Women's Court) in Gulbarga, Vishala in Bijapur, Grameena Mahila Okkuta in Kolar, and India Development Service in Dharwad.

⁷³ *Ibid*, p. 33.

they do not think that they are fit for politics, only for development. These NGOs avoid involving themselves with panchayat leaders.⁷⁴

Changes in the Position of Women Members in the PRI

Through women's involvement in the PRI, there have been many benefits that are not directly related to human rights/women's rights issues on the agenda. Many people have become aware of gender equality issues as a result of women's organizations and their work with women panchayats. This is especially prevalent in the places where human rights have become the lead issue. George Mathew felt that there was a potential for women in PRI to transform society because of their commitment to issues of sanitation, water, education, etc. Furthermore, in community development efforts, studies show that wherever women hold leadership positions, there is greater efficiency and transparency in public affairs.⁷⁵ Women have not been afraid to raise their voices. In fact, George Mathew described a delegation that he sent to Pakistan, in which there were several women leaders of the PRI from Karnataka, and these women were very vocal and made a positive impression in Pakistan. The changes in attitudes and esteem extend to women's roles outside from PRI; 25% of women involved in PRI noticed a change in their position in the family.⁷⁶ The private domain should not be ignored. Niraja Jayal's view is that renegotiation of relationships within the household has been a very important change due to increased participation of women in the PRI:

It may not be the public sphere at all; it may not be in the sphere of governance that you'll observe a change and implication of impacts... when husbands begin to take their wives opinions on when a child should get married... when women's opinions come to be solicited as a result... many women actually said this in interviews in all these studies, that 'I was never asked before, but now at least I'm asked.'⁷⁷

Women have also been supported by their mother-in-laws and sister-in-laws who will offer their help in making *chapattis* (flat bread) or taking care of children for the women to attend meetings. So the roles within the household have not been strictly enforced because of the changes in the schedules of new panchayat members.

During an interview, George Mathew listed other positive developments that resulted from women in PRIs. First, gender budgeting has been stronger because of the involvement of women in panchayat institutions. Currently, the budget plans of every issue that is examined, whether it is agriculture or education, consider the impact of spending on women and men. Thus women's concerns over development issues can be conveyed by means of the budget. Second, reservations have been debated at higher levels of government because over ten years have passed since local political systems went through the PRI enactment. Quoting George Mathew, "...it is now a big issue for the assembly – state assembly and parliament. And everyday this is an issue... there must be a reservation for women in assemblies and parliament... and no day passes without this being one way or the other taken in television or radio." What is even more encouraging is that support for reservations has become an essential plank for all political parties. Since it is no longer alarming that many women are running in local elections, this transitional phase, characterized by the negative reactions towards women leaders, is hopefully over soon. Third, and I cite from the interview, "women have shown that they can do things." Since women have set forth issues on the agenda and have taken community development initiatives, they provide evidence that women are effective

⁷⁴ Vyasulu.

⁷⁵ Mathew, p. 11.

⁷⁶ Pal, p. 142.

⁷⁷ Jayal, Niraja. Interview, 15 April 2005.

in governing. This establishes confidence in women's leadership, and supports the idea of raising reservations to higher levels of government.

Negative Impacts of Women's Membership in the PRI

A revolutionary system like the PRI has certain weaknesses. There have been backlashes against having women in powerful positions because of the traditional views of women and men that keep them within certain expected roles. In Karnataka, women have acted as *sarpanch patis* – a new class that emerged in which women acted as proxies for their husbands, who actually managed their responsibilities as panchayat leaders. These women were simply surrogates for their husbands and male counterparts who could not govern because of the reservation system. George Mathew also calls these women “panchayat pati,” because “symbolically a woman will be there, but her husband will be acting.” He discusses how this works:

There are cases where some women are pushed to the forefront by their husbands because I as a husband, cannot stand, because legally I cannot, because this area which I was influencing has gone to 'women's seat', so women have to stand. So okay I tell my wife [you'll be...], but everything will be done by me, she'll only be putting her signature or her thumbprint.⁷⁸

Initially, when the 73rd amendment was passed in the first phase of elections, many women were forced to contest by their husbands and sons. Men strategize to push their wives and mothers into these positions so that they could act as their proxies.⁷⁹ However, as time passed and women received support from NGOs and SHGs, women became more effective in being leaders and less dependent on the men in their families. In addition, as stated above, elected women have been victims of violence and harassment. An example is from Tamil Nadu in Villapuram, where there was no permanent water supply facility and the people have been dependent on water from corporate tankers. As a result of this relationship, charges were made for water, and any attempt to acquire a water pipe from a water source was squashed by a mafia that profited from charges. In an attempt to bring water supply to her constituency, Leelavathy, a female leader in the PRI, campaigned for access to water by pressuring the local administration. Three days after a trial run, she was killed in daylight by armed men.⁸⁰ In addition, Dalit female leaders of the PRI, who are from the former untouchable caste, are discriminated against because they are women of lower caste. As stated by an upper caste panchayat member, Dalits are not supposed to be leaders in local institutions. Consequently, instead of forming their own decisions on issues, Dalit women usually take on the positions of the upper caste members.⁸¹

Self-Help Groups and Ways to Improve the PRI

Panchayat women can be supported in tackling various problems through the assistance of Self-Help Groups (SHG). A description of SHGs follows here from an article in the Journal of International Women's Studies:

Such groups, perhaps comprised of women from shared socio-economic backgrounds, would provide a forum for dialogue, analysis and reflection, thereby contributing to the capacity to the members to understand and find solutions to their problems. Second, membership in a group would reduce individual insecurities and dependencies and build confidence. Third, the groups could provide a mechanism for discussion, choice and elaboration of social and economic activities to be

⁷⁸ Mathew, p. 12.

⁷⁹ Correspondence from PRIA, 14 April 2005.

⁸⁰ Mathew, p. 12.

⁸¹ Kothai, pp. 35-38.

undertaken on individual or joint bases. Fourth, groups serve as one mechanism for the poor to transform their individual weaknesses into collective strengths thus enhancing their bargaining power vis-à-vis other economic groups and exerting countervailing pressure against the local power structure.⁸²

To summarize, SHGs empower women by forming them into collectives and translating their skills into action. As a result, they have increased their power through working with PRIs. SHGs allow women to tackle challenges they encounter because of their socioeconomic class or gender by means of discussing the issues and possible solutions communally. In Karnataka, SHGs have many influences over the panchayats and help women wield leadership focusing on confidence, choice, support, and greater bargaining power. These meetings in effect increase awareness of, as Nussbaum and Sen have termed, their ‘capabilities’ in governing. If organized well, SHGs increase the sustainability and efficiency of development projects. An example of SHG effectiveness is from rural Bangalore at Virupasandra.

Sakthi adopted another village, Virupasandra in Ramanagram Taluka, in 1992-1993. They formed Women’s Self Help Groups, imparted leadership and gender training and encouraged the savings habit. The women took a revolving fund of Rs. 25000 for leaf plate making and are earning Rs. 25 to Rs. 30 per day as additional remuneration during the lean agricultural season. They have begun to understand the value of working as a collective – they have better bargaining power when they purchase groceries and food grains jointly from the wholesale market instead of buying them from the local retailer at a much higher rate.⁸³

Women in leaf plate making supported each other collectively through the SHG, and as a result have increased their bargaining power and can save more money. The leaf plate story exemplifies the fact that SHGs are providing a network between women and empowering them to promote their development and exercise leadership effectively. A study conducted by the Society for Participatory Research in Asia found from its research that poorer women who were organized as SHGs were able to address poverty alleviation through savings and credit activities. This allowed them to gain control of their earnings and production. Confidence was a positive by-product and it arose from the learning and exchanging from each other in their group.⁸⁴ As a result of the savings and credit activities, the group promotes the socio-economic development of women as well as their self-reliance.

SHGs also create a support base for marginalized communities of women from SCs and STs to be active in community affairs. SHGs help increase women’s participation within the PRI, and encourage members of the Gram Sabha to elect representatives that are most aware of their agenda for social justice.⁸⁵ They are an important asset in the agenda-setting initiatives of the women members of PRI.

There are ways to improve the system to ensure the greatest involvement of female members of the panchayat. A seminar on “Women in Local Governance and their Training Needs” organized by the Institute of Social Sciences in Bangalore in March 2004 addressed measures to increase women’s leadership. Among the attendees were women Gram Panchayat members, governmental and non-governmental representatives, and the academic community. Suggestions

⁸² “Reflections on new partnerships between women and local self-governments in India: a rural revolution?”, *Journal of International Women’s Studies*.

⁸³ Viswanathan, p. 176.

⁸⁴ “Findings of Self-Help Groups for Enhancing Participation of Women in Local Self Governance,” PRIA. The study was set in Madhya Pradesh, Uttar Pradesh and Uttaranchal.

⁸⁵ *Ibid.*

that arose during the seminar on increasing the collective approach of women were: 1) to create unity among women so they can meet among themselves and discuss problems and issues that should be addressed at Gram Panchayat meetings; 2) that women should help each other so that the more experienced women can provide assistance to the incoming women; and 3) that women need to ensure that the projects are carried out by the panchayat members, not contractors.⁸⁶ Consequently, through collective action, women would have greater power and the ability to exert their leadership and voice.

To increase women's effectiveness in leadership, aside from the collective approach, SHGs and NGOs could train women to develop their human capital, particularly in education and literacy. This would not only better their performance, but it can decrease the sarpanch pati phenomenon that exists. Furthermore, capacity building of women panchayat leaders would increase their effectiveness as members. It trains women in many different ways, including development, management of programmes, gender sensitization, financial expenditures, and other roles that would increase their awareness of the system and empowerment within it.⁸⁷ However, for women to be provided with this opportunity, men need to be involved in advocating for gender equality within the PRIs and on an individual level.

Conclusion

This research paper has been a very interesting project because I have been able to examine the PRI system as thoroughly as possible through personal interviews, documents, and online research. My experience as a whole has been very enriching, educational and eye-opening. Through it, I have come up with many conclusions. Gender equal governance is successful in pushing for individual and community growth. With greater visibility of women in significant decision making processes there is an increase of focus on the importance of human rights, especially women's rights. In addition, women offer a different perspective on community development. By providing access for women to local governance and leadership, the PRIs are the main factor in creating gender equality in governance, and subsequently offer women this capability to govern successfully. The visibility of women has led to many positive developments and changes to benefit India, and women in several ways. Awareness and action in education, healthcare, and violence against women have reached the agenda. Even family bonds and respect for women have strengthened. However, in addition to these progressions, female leaders have experienced negative reactions. The Sarpanch Pati phenomenon still occurs today, and women leaders encounter difficulty in exerting their leadership at meetings and being taken seriously, especially Dalit women. NGOs and SHGs have provided assistance to women in Karnataka to be aware of their rights as PRI members and they have educated these women on issues to set forth on the agenda, such as violence against women. At the same time, NGOs' interests conflict with the PRIs and thus the competition between them weakens their possible collective strength. Nevertheless, taking all factors into consideration, I believe that the reservation for women in the PRIs has benefited India, and in the future, it will be exciting to see the changes that will occur from the involvement of women in the PRIs, and possibly in higher levels of government.

⁸⁶ John, p. 27

⁸⁷ *Ibid*, p. 28.

APPENDIX

DEVOLUTION OF POWERS OF THE THREE-TIERS OF GOVERNANCE WITHIN THE PRI

Responsibilities of Gram Panchayats

- Preparing annual plans
- Preparing and implementing annual budget
- Promotion of: agriculture, horticulture, animal husbandry, poultry, dairying, fisheries, forestation, cottage industry
- Provision of drinking water
- Distribution of house sites
- Implementation of centrally sponsored schemes on poverty alleviation, social development and family welfare
- Promotion of adult literacy, ensuring school enrollment, and attendance at a primary level
- Rural supply and sanitation
- Monitoring and functioning of public health centres
- Monitoring the public distribution centre

Responsibilities of Taluk Panchayats

- Preparing annual plans and consolidating the plans of village panchayats
- Preparing annual budget
- Promotion of agriculture, animal husbandry, agriculture extension
- Maintenance of water supply and sanitation
- Social forestry
- Construction and maintenance of public roads and communication
- Monitoring and implementation of various programmes and policies at village levels
- Promotion of health, family, welfare, development of women and children

Responsibilities of Zilla Panchayat

- Preparation of annual plan for the district; consolidation of village and Taluk Panchayat plans
- Construction and maintenance of roads, buildings and bridges
- Construction of rural water supply works
- Coordinating the implementation of various activities and programmes on poverty alleviation and social development at village and Taluk Panchayat levels
- Watershed development and wasteland development
- Management of hospitals and dispensaries
- Monitoring the public distribution system

Evolution of Powers of the Three-Tiers of Governance within the PRI

(Rao, M. Govinda, "Fiscal Decentralization in Indian Federalism," Institute for Social and Economic Change)

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Public Space and Women's Rights: Fine Tuning Democracy¹

Kumkum Bhattacharya

ABSTRACT:

The 73rd amendment of the constitution of India (1992) provides 33% reservation for women in the three-tier Panchayati Raj Institutions (PRI). This means that women not only can fight elections to this institution at each of the three tiers but that 33% of the seats are reserved for them, and once elected/selected, they can be in power for a five-year period. PRI embodies decentralization and devolution of power to the smallest unit of Indian polity in an institutional manner.

The entry of women in this very public space has not only broadened their horizons but has also engendered functioning civil societies in which women find institutional representation that they would not have found so comfortably otherwise. In the initial stages of the PRI issues focused on were in consonance with what were considered “development issues”, *i.e.*, building of infrastructure, increasing economic resources, and access and implementing state and national development policies.

Over the years, the PRI has been adding to its basket of development tasks and it is in this that women members are expected to be empowered to address other issues like delivery of health services, immunization and nutrition (for women and children), primary education, self-reliance through formation of women's self-help groups and generating awareness of women's issues, in which rights form a very major part.

The issues raised in this paper are summarized as follows:

- What are the levels of awareness about issues and conditions of women?
- What are the opportunities available to the women (in PRI) to play the desired roles?
- Do the women members use their power in dealing with women's issues?

Introduction:

“The reasons democracies need more women in politics is not simply to equalize the chances for women to compete for political office... nor even to send a firmer message to female citizens that they too are part of the citizen body... policies pursued by a ‘mixed’ parliament will take a different form from those pursued by a predominantly male assembly... The argument does not presume that women enter politics as advocates of a particular identity group or that they will define themselves explicitly through their gendered identity... But the case for more women in politics rests ultimately on the belief that it is not possible to escape the social processes that “identify” women “with” their “gender”.²

¹ I thank the Asian American Studies Institute, University of Connecticut, USA for giving me the wonderful opportunity to be an exchange scholar. This has been, believe me, an honour and a privilege and I hope that our two institutions, UCONN and Visva-Bharati can become closer with one another, and we can span the world with a sense of togetherness and being there for each other.

² Anne Philips, “Identity Politics: Have now had enough” in *The Politics of Inclusion and Empowerment: Gender, Class and Citizenship* (edited), John Andersen and Berte Siim, 2004, New York, Palgrave MacMillan; pp. 37-38.

The 73rd amendment of the Constitution of India (1992) provides 33% reservation for women in the 3-tier Panchayati Raj Institution (PRI). Technically this is also called Local Self-Government. This means that women not only can fight elections to this institution at each of the three tiers, but that 33% of the seats are reserved for them, and once elected/selected, they can be in power for a 5-year period. PRI embodies decentralization and devolution of power to the smallest unit of Indian polity in an institutional manner.

The entry of women in this very public space has not only broadened their horizons, but has also engendered functioning civil societies in which women find institutional representation that they would not have found so comfortably otherwise. In the initial stages of introduction of the PRI, the issues that were focused on were in consonance with what was considered as “development issues,” *i.e.*, building of infrastructure, increasing economic resources and access and implementing state and national development policies.

Over the years, the PRI has been adding to its basket of development tasks and it is in this that women members are expected to be empowered to address other programmes like delivery of health services, immunization and nutrition (for women and children), primary education, self-reliance through formation of women’s self-help groups and generating awareness of women’s issues, in which rights form a very major part.

The issues that I hope to raise in this paper are summarized as follows:

- What are the levels of awareness about issues and conditions of women?
- What are the opportunities available to the women (in PRI) to play the desired roles?
- Do the women members use their power in dealing with women’s issues?

India has demonstrated on two very critical moments of its recent political history that it has a robust democracy – its voting public has displayed sagacity and discretion (the election following the infamous period of Emergency in 1977 and during the recent debacle at the housings of the right-wing non-secular alliance in 2005). It has shown that the people have no doubt about the secular ethos of the country even though they may not always identify themselves with the idea of “one nationhood.” This makes us feel proud, and gains some amount of global accolade; however a country cannot rest on these laurels alone because an everyday functioning democracy also requires winning many small victories over social discrimination perpetrated in the case of children and women in their access to rights as well tackling of issues of poverty, malnutrition, and illiteracy that more than others, women and children experience more acutely.

As mentioned above the Constitution of India in its 73rd Amendment (1992) institutionalized 33% reservation of seats for women at the Panchayati Raj Institution that is a three-tier level of governance operating within a state at the district, block, and village levels. In the 1950s the Government of India divided districts within states into administrative blocks comprising of a number of closely situated villages (based on population strength), so that execution of community development programmes could be streamlined. PRI is not linked in any way with the legislative (operating at the state level) or the parliament (operating at the national level) system; candidates cannot make an automatic transition to either of these systems from the level of the Panchayat; and they, *i.e.* the elected members cannot run for re-election within the PRI to the same post. However, after relinquishing their Panchayat position they are able to contest any general election for the state assembly or parliament. This system ensures that a set of new people can be provided opportunities of participation in governance with every new electoral term. It may be mentioned that we have not been able to push through reservation of women in either the legislative or parliament assemblies yet, though there is continuous pressure to push through such amendment. In recent times we see a consistent and sustained move towards empowering Panchayat bodies and entrusting the implementation of development schemes of the Government of India.

The genesis of the project:

The idea for this project came as a suggestion from a collaborative venture of the Department of Social Work, Visva-Bharati; CARE-India, West Bengal; and the Block level PRI (specifically the Bolpur-Sriniketan Panchayat Samiti) on delivery of health and nutrition services. Through the project, I came in intimate contact with the women members who had fought Panchayat elections to achieve their positions, and they seemed eager to learn the rules of the game they had entered. I must mention that the head of the particular PRI that I was engaged with is a woman who at most public gatherings shares the platform with senior political leaders and other notable public figures. Among the elected/selected (some of the women were consensus candidates i.e. unanimously chosen) female members, there are Muslim, Hindu and Santal (a Scheduled Tribe) women, who in their own ways are giving voice to their views and ideas in public forums. Traditionally, Muslim women are not expected to appear in public and the Santals in general are shy of expressing themselves in public forums. But there are Muslim women who are showing signs of enterprise in breaking out of their conventional social and cultural norms from the point of view of the conservative settings that they come from. There are Santal women who are speaking out in public meetings demanding very specific services for their villages, and there are Hindu women from mainly the lower castes who seem poised to be able to transcend the constrictions of their social identity.

“Nothing short of a small revolution occurred during President Bill Clinton’s visit to India. In the rural heartland of Rajasthan, a dozen village women sat around on plush blue sofas, in resplendent dress to discuss issues of democracy and power with the US President. First they introduced themselves – elected representatives of their village councils or panchayats. Together they run a women’s dairy cooperative and have initiated several small credit and loan schemes for poor landless women in their communities. They had discarded the age-old custom of hiding their veiled faces behind home walls. Now, they explained, they had to go to the bank to draw and deposit money, and to their district headquarters to attend monthly meetings. Even as they spoke in their native tongue, the women freely used English words such as ‘loan’, ‘credit’, ‘internet’, ‘public’ and ‘no confidence’. They complained about the lack of jobs for their educated sons, spoke about the need to open a school close by for their adolescent daughters and their ongoing fight for drinking water, better roads, seeds and farming tools for their villages.”³

In the course of my interactions with the women whom I interviewed for their views on different issues and with whom I had long discussions, I have been amazed to observe the range of the constraints that these women had to face in their day-to-day life as well as the coping mechanisms that they employed. (Given even a quarter of the constraints, I did not see women from my situation in life invest even a little, to engage in public affairs or enter into meaningful dialogues in the public sphere.) I was amazed at their willingness to learn about their roles in governance. Quite unfortunately for them, they did not have too many role models; all they had to emulate were the “patriarchal” roles that politics in many ways embody. They seem more comfortable in playing political roles, like garnering support for more tangible and “observable” projects for the areas under the jurisdiction of their Panchayat rather than devoting the time and energy to pursue the intangible and slow-results of intervention in matters related to health and nutrition.

It was apparent that these women formed an important resource base that was waiting to be tapped, let alone be used to full potential. It was then that the idea was suggested that empowerment is too bland a word for these women; they did not even know the kind of power that they had access to, or for them feeling comfortable in using the power. Any study would say that here was a clutch of empowered women, but if one cared to ask the women themselves, they would

³ India’s Nurseries of Politics, (cover story) by Mrinal Pande, *UNESCO Courier*, June 2000, Vol. 53 Issue 6, p 32.

not be so clear about their identification with power. Certainly, these women needed training and exposure to skills necessary for the meaningful expression of leadership roles.⁴

They also needed to learn to network with similarly placed women so that they could share experiences and participate in mutual growth. They needed to learn coping mechanisms to deal with the domestic aspects of their lives besides being active in the public sphere. When I asked the women what skills they considered important to be able to play their role as Panchayat representatives their responses were significant. They wanted training in management of funds, drawing up budgets, keeping records of meetings and decisions, to be able to propose plans for development, etc.; what remained unexpressed were the skills required to focus on purely women-related issues. There was a little consternation in time-management between domestic responsibilities and public duties though they had faith that understanding husbands, in-laws and grown-up children take care of most domestic responsibilities.

The categories of participants involved in the interface with the University:

Three major workshops, panchayat meetings, and one-on-one interviewing with the female members form the backbone of this study. The participants in the workshops were women Panchayat representatives of a Block (the Sriniketan-Santiniketan Block situated in one of the three sub-divisions of the Birbhum District, West Bengal), auxiliary health workers, village-level volunteers or the people who volunteered from within the communities living in the village, and the pre-school personnel (all female); the members of an international funding organization, CARE-INDIA and the faculty of the Department of Social Work, Visva-Bharati University. Some of the categories of participants have been described below.

In India there is a social welfare programme called the Integrated Child Development Scheme (ICDS) that caters to the children from birth to entry into the primary school system at the age of five. It also caters to young would-be mothers by providing the facility of ante-natal services like mother's immunization, iron supplement and birth control. This (ICDS) is instituted through a play school that provides a few hours of engagement for the children and monitors their nutritional status. Supplementary diet is provided to the children on a regular basis. This is a good scheme with direct contact with the beneficiaries, only the number of ICDS centres is not adequate or always accessible because of the fact that ICDS centres are often set up within a cluster of villages where every village may not be equidistant from the centres; this is a severe drawback. However, the Government of India is seriously engaged in tackling the problem. The ICDS institutions are called 'Anganwadi' that are distributed within a Block; their number is decided on the basis of population size of the Block. The other participants in the interface programme with the University were the state personnel in health and administration directly involved in the implementation of state and national policies of health, immunization and nutrition. It may do to explain briefly the roles of each of the categories mentioned above so that we know the nature of the public sphere that is encouraging the increased involvement of women in rural societies.

- The auxiliary health workers are those who are employed by the state health department who are attached for duty to Primary Health Centres (one each for a fixed population size in the area, or one each for a number of adjoining villages) responsible for ensuring that immunization to pregnant women and newborn children is properly administered. They also maintain health records of pregnant and lactating mothers, as well as birth weight records to follow up on those infants who are born with low birth weight. During the

⁴ Making Leadership Work More Effectively for Women by Janice D. Yoder, 2001, *Journal of Social Issues*, Dec, Vol. 57 Issue 4, p 815.

special polio immunization drives, they travel from house to house, mobilizing parents to bring their children to the polio clinic. The auxiliary health workers organize mothers' meetings, children's health check-up camps, special tuberculosis camps and other related awareness programmes. These workers cover at least five to six villages, where means of transport is extremely limited and also must report back to their supervisor once a week. These workers have to depend on the PRI (Panchayati Raj Institutions) members and the personnel of the pre-primary staff (Anganwadi workers) to meet their deadlines and targets.

- Village-level workers are members of a voluntary group who assist the PRI members, the auxiliary health workers and the pre-primary personnel. Interestingly, they call themselves "peer educators"; they are usually young girls who utilize their time in this productive manner. They are unpaid and do not receive honourarium, which they are now gearing up to demand. However, this work as a volunteer gives them visibility and acceptance in the community after which they may consider putting in their nomination papers for the election to the PRI. These are the advantages that encourage young girls to take up such voluntary social responsibility. This voluntary participation forms the informal setting for leadership training. They are also active in forming women's self-help groups that have gained popularity and momentum as an important programme for women's empowerment.
- The pre-primary personnel, called the Anganwadi workers, are in-charge of the pre-primary or kindergarten education of the children in the village, providing medicines to pregnant and lactating mothers and nutritional inputs to infants; this is beyond their actual responsibilities of running kindergarten schools. The children come to the centres fairly early in the morning and stay until the middle of the day. They are given one major nutritious meal that is cooked on the premises. On the immunization days, the centre functions as a health delivery centre. Each Anganwadi centre is provided with scales to measure weight of neonates that they are to record and compile for the state level database.

The interface proceedings:

Returning to the discussion of the meetings, the workshops brought together these groups of 'professional' women from the rural areas to engage in discussion on the theme of the workshops on delivery of health care to rural populations, especially children and women. The workshop started with the demographic profile of the district (Birbhum District in the state of West Bengal) being presented to the participants with special inputs on the child mortality rate; gaps in the immunization programme; causes of infant mortality (low birth weight, unprofessional delivery, infection at birth and lack of nutrition of both mother and child) and other health indices. Simple charts, diagrams and maps were used and these were circulated among the participants. We used the techniques of participatory rural research appraisal and focused group discussion so as to maximize participation. The aims of the workshops were clearly spelt out – to create a holistic view of health and to make it a concern for all and not just health personnel; to understand the ground realities in the matter of health and health services and to examine how various organizations in general, and specifically in this case – the Panchayat systems, the State Government Health Department, the ICDS centres, an NGO (CARE, India) and the University could work in partnership with each other sharing the resource base of each other in order to achieve the aims of total health of the community. The women arranged in groups with members from each category of participants, were asked to draw charts, plans of action and identify the possible players in the execution of the plans.

It was interesting to observe that the women, who were employed (like the health workers, Anganwadi staff and Block officials) with clear job descriptions were found to initiate discussions; it was also observed that in most of the groups, the group members showed unanimity in designating the elected Panchayat representative as the group leader or spokesperson.

The issues that emerged for discussion focused on reproductive health, nutrition, and quality of education especially at the primary level, adolescent behaviour, domestic violence, alcohol and substance abuse, and hygiene (not necessarily in that order!). The groups were clear that the PRI and state machinery have to work in close cooperation with each other and that the PRI could play a more supervisory role at the local level by pointing out the lapses and filling in the gaps.

The role of the Visva-Bharati University to which I belong would have to be in the training of the PRI and village-level volunteers; this view was important to us as one of the premises of Tagore's philosophy of rural development (that he referred to as 'Rural Reconstruction') enjoined on a partnership between various social categories of the village community or, in plainer terms, the partnership between the urban 'educated' and the rural 'illiterate.' The Visva-Bharati University was founded by Rabindranath Tagore, a poet philosopher and also an initiator of one of the most interesting experiments (known as the Sriniketan Experiment) for the uplift or more appropriately, reorientation of the village-folk so as to equip them to keep pace with modernity and contemporary situations. For a poet used to dealing with the magic of words and moods, the lifetime that he devoted to rural reconstruction is indeed fascinating. I shall mention a work by L.K. Elmhirst entitled *The Poet and the Plowman*, one of the most moving accounts of the early days of the Sriniketan experiment that is an endeavor in Rural Reconstruction in villages located in the neighbourhood of the Visva-Bharati University.⁵ Tagore set up Visva-Bharati meaning a world university in 1921 with twin campuses, Santiniketan and Sriniketan; the former was devoted to pursuits of higher education at par with the worldwide trends in modern education while the latter focused on rural uplift and development. As part of the great experiment, the extension wing of the University had started the practice of 'adopting' the nearby villages for development initiatives at various levels – education, health, improved agriculture practices and organized youth activities. The cooperative movement encouraged partnership of the rural people with the University in development work and in many ways the University has been persistent in its efforts in bringing more and more villages within its ambit of complete development. These workshops and the situations of interface provided the right ambience in which such partnerships and collaboration can be sustained.

The broad findings and concluding remarks:

The auxiliary health workers and pre-primary personnel have a lot of paperwork to do when reporting back to their superiors and it was felt that this work could be performed by the offices of the PRI so that there could be more time available for actual productive work at the village level. However, the PRI members were very clear about their inability to do this because firstly, they were not sufficiently trained and secondly, they were already overburdened with too much paperwork of their own.

The female members of the PRI stressed that even though they understood the value of health and educational issues as being related to women's issues, these could not be their primary concern, as they had other priorities like improvement of infrastructure, overseeing activities of village-level organizations, regulation of markets, collecting certain classes of taxes, attending official meetings (too many meetings are held, and they seem more like conventions with little output), as well as doing political work. Most PRI are entrusted with the work of census, electoral rolls and their reforms and collecting various taxes such as toll imposed on new roads, water, etc.; all other

⁵ Elmhirst, L.K. *The Poet and the Plowman* 1957, Visva-Bharati, Calcutta.

tasks would be additional responsibilities. However, by the time the second workshop was held and many of the meetings with various PRI groups were conducted, there seemed a change in attitude of the women representatives who felt that with the help of volunteers and self-help groups the PRI could coordinate some of the work and tasks required to be carried out. The Block Office realized the importance of training of PRI representatives in specific skills in which the University would offer its expertise.

This gives an idea about the range of activities and multi-tasking that is involved; more likely, I have omitted a vast array of tasks that are expected of the women who participated in our workshops. The PRI members are in a supervisory role for ensuring that all these tasks and responsibilities are fulfilled. Obviously this requires coordination and synergy of efforts that would sweat out even the most qualified management executive for the reason that there are too many human and intangible long-term goals not factored in. The immediate goal activities do not clearly indicate the long-term goals/ends that are to or will be achieved. To give a few examples, the relation between scholastic achievement and nutritional levels on a long-term projection (consistent nutritional health makes for better attendance in schools and thereby better performance); relation between weight at birth and infant mortality; mother's immunization and prenatal health; immunization and the national programme for the eradication of polio; the many ways in which families violate child labour laws; sex ratio and protection of the girl child, etc. are not always visible or tangible as realizable goals. One needs to set up a series of short-term goals as well as checks and balances to reach that final goal of adhering to globally accepted and standardized human development indices. Obviously there will be some deviation from these norms due to local and extra-local factors and it is necessary to reduce the causes that may lead to gross violation of the norms.

In such a situation, the female members are a boon to the system of governance; women seem better equipped to work with the intangibles, as they have practice in the domestic sphere. They also seem to be more concerned with relationships with other human beings and these help women in bringing a human touch to their work. Given the multi-tasking that is now required of the PRI, the entry of women has to be seen as compulsory rather than as a special privilege being shown to women. I would like to point out that weaving-in issues of gender and rights, especially into the array of existing tasks, would be an added responsibility unless they are couched as of now, into issues of health, nutrition, education, care of girls, and resisting domestic violence. Issues concerning women as individuals (having control over their bodies, of exercising personal choice in partners, having access to parental property, being free to choose their educational and career trajectories, and to demand gender sensitivity) have to be gradually woven into the texture of public space, public sphere and most importantly into the public psyche. It seems that we are on the right track with miles to go.

“Barjinder Kaur, a head of a 20-member village council said, ‘At first it seemed as the government had made this law to pay lip service to women’s rights. But now even the illiterate women in our village are becoming more aware – they are ready to take action on issues.’ Panchayats across India are consulted for advice ranging from education, health to employment.”⁶

The encounters suggest that there is fair amount of awareness about the issues and conditions of women among the women that would need to be shared across the community and institutionalized into policy for changes to be affected. However, in response to the latter two questions, I may say that there is serious handicap – one, the lack of role models and institutional

⁶ India: Women Gain Some Political Influence in *Women's International Network News*, 2000, Vol 26, Issue 1, p 63.

support and two, the lack of training not only in good governance but the inability to weave in the women's issues into their day-to-day activities and tasks. When we talk of women's issues and rights, we have to ensure that there is a receptive public as well as space that nurture women's agencies so that the issues and rights are addressed and given due consideration. At the action level, needs have to be created for which a series of interim goals have to be set within a timeframe before the final or the desired goals are to be reached. I went to the US to explore the possibilities of learning from the American models and practices of individualization balanced with civil societies and how far we can use them in our situation, if needed with some improvisation; so that we can equip our Indian women to translate their awareness into affirmative action. "... Even if greater number of women enter...state systems, the question remains of what those public roles represent. The fact is that the roles most frequently associated with political authority reflect patterns of behaviour more often associated with masculine than feminine action."⁷ Gender quotas have changed the political landscape of India. Most of the women interviewed began their political careers without political ambitions (many were forced to stand for election in response to the political ambitions of the male members in their families); however during the period of incumbency women experienced feelings of their power and once involved in the political process developed their own political ambitions. The most important aspect of the quota system is its mobilizational capacity by changing political representation in terms of gender, but also in respect of class, caste, social and educational background.⁸ On this note I may conclude that female members have to learn to be women themselves and not women in men's jobs and it is encouraging that they are learning to be so.

⁷ *Compassionate authority: Democracy and the representation of women*, by Kathleen B. Jones, 1993, New York and London, Routledge, P 239.

⁸ Democratic Mobilization through Quotas: Experiences in India and Germany by Brigitte Geissel and Evelin Hust, 2005 (July), *Commonwealth and Comparative Politics*, Vol. 43 Issue 2.

Part Two:

Livelihoods and Education



**Srihaswani: a Gender Case Study
Shantiniketan, West Bengal, India**

Krishno Dey, Chandana Dey and Brenda Gael McSweeney
with Rajashree Ghosh

ABSTRACT:

This 'gender case study' looks at the experience of a small but potentially significant experiment in rural self-reliance in a rain-fed district of the state of West Bengal in India. Although the programme of Creative Manual Skills for Self-Reliant Development (CMSSRD) was not designed specifically as a 'gender initiative,' it demonstrates many features of interest to broad gender concerns. These were brought out in this study with the support of Boston and Brandeis Universities through Dr. Brenda Gael McSweeney. Of special interest are the ways in which a 'parallel economy' of subsistence livelihoods draws upon the skills and traditions of women's contributions to the household, to agriculture, to health and nutrition, and allows rural communities to better face the uncertainties of engagement in the globalizing economy. At the same time, CMSSRD encourages women to strengthen their roles in the culture and identity of the village community and beyond. ...*kd*

Background:

This paper is an empirical inquiry through a gender lens into a development initiative in the district of Birbhum in the east India state of West Bengal. The case study, drawn from a small piece of recent work involving field observations and discussions, is based on the experience of an innovative programme called "Srihaswani" – a Bengali composite word for Creative Manual Skills for Self-Reliant Development (CMSSRD). It allows an insight into unique methods that can be used to understand men and women's access to resources, their activities, and the constraints they face relative to each other. Gender analysis yields information showing that gender, and its relationship to ethnicity, culture, class and age, affects different patterns of involvement, behavior, and activities of women and men in economic, social, and legal structures.

Why in a course on Gender and International Development would one choose a small programme like 'Srihaswani' as a case study? How do the conditions and experiences of low-income women in a little corner of India help our understanding of either 'development' or the situations of women, and men, in other parts of the world, whether industrialised or not? For that matter, what does international development itself have to offer of interest to the study of women? Or why does the perspective brought by a focus on women bring any special insights to initiatives for the progress of people everywhere?

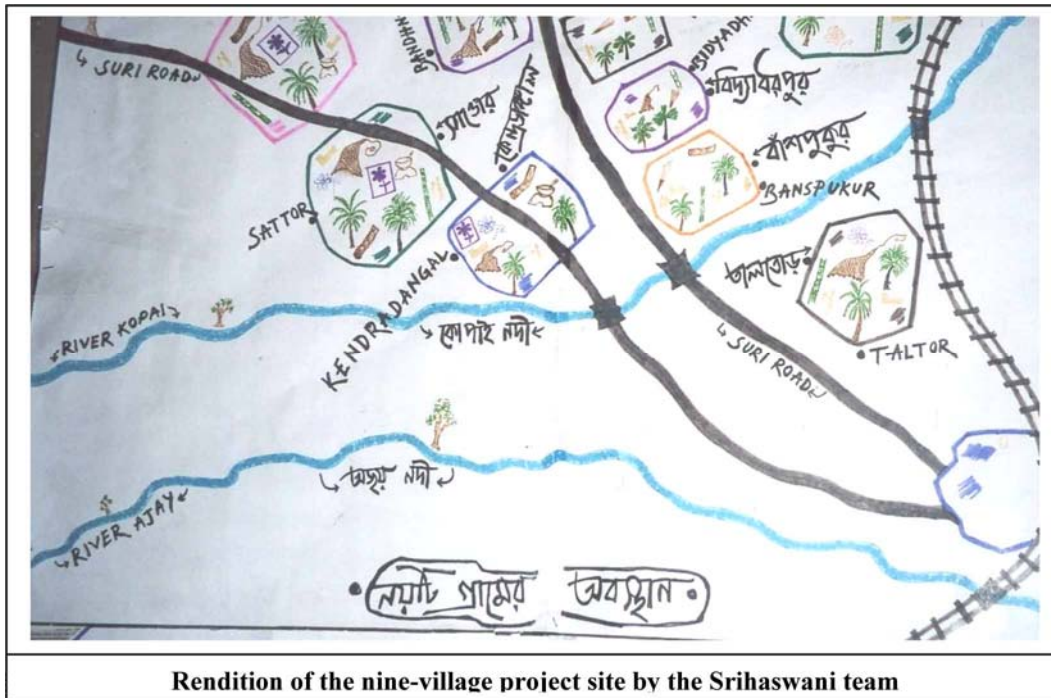
The question of what constitutes development is a source of endless debate. This paper follows Amartya Sen and Martha Nussbaum¹ and equates development with an increase in the creative capabilities of women, men, and children. Unfortunately, misleading simplifications are common, such as making 'development' synonymous with 'economic development,' where economic development itself is made synonymous with market-led economic growth. This case study attempts to show that people's, and especially women's, concepts of development do not match such simplifications. By giving much more room for local households and communities to voice their desires and concerns, the directions taken were often unexpected.

Public sector organizations dealing with international resource transfers under 'aid,' transfer of knowledge and know-how, trade, investment, and institutional capacity-building have been forced

¹ Amartya Sen: *Development as Freedom*, Oxford, 1999, ch. 2; Martha C. Nussbaum, *Women and Human Development: The Capabilities Approach*, Cambridge University Press, 2000, ch.1.

to acknowledge that local complexity and the multi-faceted nature of people’s concerns were inadequately taken into account in project design. This failure accounts for much of the disappointment felt when results fall short of expectations, or when efforts bring about unintended results.

Academic disciplines and their theories in the social sciences tend to rest on models and assumptions of human behavior that bear little relationship to reality. Economics, as it is generally taught today, assumes that men (women are largely ignored) act out of pure self-interest in the market-place. Fundamental human emotions such as care, love, hatred, solidarity, sharing, the thirst for power and status, envy, patriotism, and religious beliefs are cast aside by ‘economic man’ as engines of human behaviour, while people’s needs for identity, dignity, and for secure, stable, safe relationships and social respect are equally disregarded. Other social science disciplines such as sociology, anthropology, history, literature, and comparative religion, which examine motivations beyond self-interest in the marketplace, and would have had much to contribute to the study of development, find little place in the thinking that goes into programme designs.



Rendition of the nine-village project site by the Srihaswani team

This case study took as its premise that it was necessary to approach the work through the eyes of the village community and village household, the only level which allows a full and detailed observation and understanding of intra- and inter-household behavior with as few pre-conceptions as possible. It assumed that there was a need to listen to people, and, in particular, to the women whose problems and aspirations are seldom heard. The processes of rapid change that are affecting them are not always positive. It is necessary to understand if it is the processes or the outcomes that are not positive. Women’s integration into larger markets creates changes in social relationships, the time available to care for their children and others, and changes the daily balance of women’s lives. It is critical to understand these factors so that development activities become tailored to maximize creative capacities and have a new positive impact on the involved communities.

The philosophy:

The *Sribaswani* initiative is based on the particular premise that self-reliance – both individual and collective – is a key development objective that grows in importance with the macro- and micro-effects of globalization. The engagement of women with that objective provides a rich set of insights into processes and assessments of wide relevance to international development policies.

CMSSRD or *Sribaswani* tries to revive parallel, ‘safety’ circuits of economic activity. It tries to nurture a modest level of local economic contributions and transactions in a manner that allows the people to provide for their survival needs with resources and processes they control. The attempt of *Sribaswani* has been to help build the consciousness and pride of the villagers in their own knowledge, skills, and way of life, and to explore avenues to build on their existing capacities. If community members maintain their practical daily living skills and can meet their basic survival needs for shelter, food, and health through self-reliance at the household or village level, they can be more consciously selective about the transactions they choose to engage in beyond the village, rather than simply being at the mercy of decisions taken by others on their behalf. If they understand what they have, what they can do for themselves, and what they truly need from others, they are in a stronger position to retain control and choice: choices that protect their land and natural resources; make better use of government services; allow them to assess the worth (social cost-benefit) of proposed development schemes, and involve themselves in local and parliamentary democracy. As large corporations and multinationals aggressively enter the rural environment, poised as they are – with the help of the state – to take over an increasing share of the economic space, rural households and communities need to think in advance of what the long-term implications might be for their own control over employment, their way of life, and cultures.

Unlike most development programmes, *Sribaswani* has not spent time trying to meet pre-determined numerical targets. Instead, from the start, it has focused on capturing the qualitative changes taking place in both men’s and women’s lives, and has addressed the problems of entire village communities. Through repeated interviews, detailed data was collected from each household member according to gender and age. The inclusion of both men and women (sometimes separately at first) allowed for animated discussions of male-female interactions, and provided opportunities for debate about the different impact of proposed and then ongoing activities. An exclusively female-oriented programme may not have stimulated such dialogue.

“A bullock cart has two wheels,” said a woman member of the kitchen-garden group, who also felt that *Sribaswani*’s work with both men and women had positive results for the community as a whole. “There are many things men do not know and others where women are ignorant. Education must include both women and men,” said an energetic *panchayat* (elected unit of local government) leader who has emerged from a scheduled caste community, and is busy on most days overseeing development help at the local level.

Selective local discussions suggested a tactical reason for not having an exclusive focus of women, namely that an exclusive orientation on women might provoke indifference, or even active hostility from the men. This could lead to their unwillingness to permit the women to take time off from other tasks in order to attend discussions and training sessions outside the home.

Gender Perspective

“An analysis of gender relations can tell us who has access, who has control, who is likely to benefit from a new initiative, and who is likely to lose. Gender analysis asks questions that can lead us in a search for information to understand why a situation has developed the way it has. It can also lead us to explore assumptions about issues such as the distribution of resources and the impact of culture and traditions. It can provide information on the potential direct or indirect benefit of a development initiative on women and men, on some appropriate entry points for measures that promote equality within a particular context, and on how a particular development initiative may challenge or maintain the existing gender division of labor. With this information, measures of equity can be created to address the disparities and promote equality.”

Citation from the Canadian International Development Agency

<http://www.acdi-cida.gc.ca/CIDAWEB/acdicida.nsf/En/IUD-32071913-GG4>

Nevertheless, the description and analysis in the following pages has a dominant gender focus, extracted from the programme's broader scope.

The project area: local context and rationale of the *Srihaswani* programme:

The villages of Birbhum are being rapidly integrated into the larger market economy. The introduction of electricity, telephone lines, mobile phones, and television, also brings advertising and marketing pressures into the more affluent households. Farm families as a whole have benefited from the State of West Bengal's agrarian reform programmes of the 1970s, and many have had recourse to diesel-powered pumps to obtain a second rice crop through well-irrigation, using high-yielding varieties.

A word about Birbhum district-project area

The District of Birbhum, in which nine selected project villages are located, is one of 29 in the east India state of West Bengal (second most populous in India, with over 85 million people in 2001). It is a relatively poor district of the Indo-Gangetic plain, rain-fed on eroded soils for the most part, with rice as the principal crop. The project area is in a 15-km. radius of the small town of Bolpur (> 100,000 population) and the adjacent university campus of Visva Bharati, Shantiniketan, some 160 km. North-West of the metropolis of Kolkata (previously Calcutta, 14 million in the urban agglomeration). Such university proximity means a proliferation of student research surveys – to such a point that one village woman responded concerning her daily routine, “I get up very early, brush my teeth, then rush out to brush the teeth of my cow!” Shantiniketan owes its renown to its founder, the pre-eminent cultural figure of modern Bengal, Nobel laureate and poet-writer-composer Rabindranath Tagore (1861-1941), whose ideals of humanism, harmonious living and rural uplift through education have also inspired the *Srihaswani* programme. While Hindus are the dominant population, there are significant numbers of Muslims (close to 30%), as well as tribal people (less than 10% – mainly Santhals).

As a result, cases of acute hunger and starvation are rare today. Railroad and bus connections are good, the road network and wells for potable water show recent improvement, and school and health services are becoming more accessible. Problems, however, remain with the quality and affordability of many public services, as most people have low incomes (less than rupees 3,000 – or \$60 per month per average household of six people), and schools with huge classes are poorly equipped and staffed. Their education is of little direct relevance for either their graduates or their villages, and adds to the pressure for limited government jobs and city employment. Health conditions need urgent improvement, especially freedom from water-and insect-borne diseases. High population growth keeps increasing the density of cultivable land, leading eventually to the sale of unviable plots and the abrupt transformation of farming specialists to landless wage-labourers. Despite the low employment potential of Kolkata and other urban centres, the young have an almost universal dream of leaving the village, thereby seeking to overcome isolation and monotony, the stifling weight of custom – especially for women – and the daily struggle for survival, given the chronic uncertainty of harvests and prices.

The *Srihaswani* programme seeks to address two notable features of the local society and economy: the precariousness of village life, which is increasingly dependent on external policies and fluctuations over which villagers have little or no influence and control, and the loss of the subsistence economy. Using modern cultivation practices implied a transformation from cultivating mixed crops (using retained seeds and techniques based on local knowledge developed over the centuries) to mono-cropping of high-yielding rice varieties dependent on purchased seeds, chemical inputs, regular water supplies mined from underground aquifers, and increased mechanization. The original inducement was through a high and unsustainable system of State subsidies, but as India integrates its economy more closely with the global economy and follows World Trade Organization

(WTO) dictates, these subsidies are being withdrawn and agricultural income taxation looms as an imminent reality. Also, over time, the soils have begun to require ever-larger doses of chemical fertilizer, their salinity has risen, and arsenic poisoning is spreading throughout the region's watersheds as a result of depleting aquifers. This transformation in agriculture has also reduced women's contribution to agriculture and food production, especially as more mechanization and cash transactions take place.

In the area of crafts and services, similar factors of monetization and industrialization have displaced significant areas of subsistence village production, often by women, in favor of goods supplied through urban organized manufacturing or even imports. Rapidly rising consumerism and dowry demands for unmarried daughters are adding to the household debt burden, fueling the calls for aborting female fetuses through the use of illegal pre-natal sex-determination. Seasonal or permanent migration to the towns or to more affluent states in search of work are a regular feature of village life, made more bitter by those who return frustrated by their failures.

Points to ponder...

- * Erosion of local knowledge, creativity and skills (and therefore self-pride and identity), especially those dependent on manual work
- * Impact of rising consumerism and debt on the hunger for cash incomes and wage-labour
- * As a result, many of women's contributions to the economy become even more invisible, since they are perceived as marginal to household needs. As elsewhere, women do a majority of the work within the informal sector and the home and as a result, much of their work is not counted or is underrepresented in official statistics.

The rapid disappearance of the subsistence economy, especially of collecting natural foods and herbal supplements and artisan work – in which women played a large role – is the second feature addressed by the programme.

"I get up at 5 am and read the *namaḥ*" (Muslim prayer). Then I open the chicken coop, wash the previous night's dishes, and make the beds. I sweep the courtyard, especially the kitchen. I make tea and serve it to everyone in my house. Then I have my own tea, sometimes with puffed rice. I then clean the cowshed. Then I cook food for my children before they leave for school. During the peak-farming season, I also cook for my husband who has to go off to the fields early. Then I make lunch for the rest of the household. I have my bath and I pray again. During the day, I pray five times. After lunch, I grab a quick rest. If there is any handcraft-work like weaving *talais* (straw mats) or embroidery for *kanthas* (quilts), I do this in the afternoon rest time. I make the evening tea. My children come home – they eat – I wash these dishes. I then start cooking the evening meal; we eat by 8 pm and we go to bed by 9."

Account of an average 15-hour day in the life of a housewife in Khiruli village. Collected from a Women and Children Survey conducted by women in their own villages at the start of the Srihaswani Project (in the year 2000)

The Srihaswani team members in 2004 drew up a list of tasks which were essentially gender-based. It is important to note here that men have specific skilled or unskilled tasks at specific hours of the day outside the perimeters of their homes. Women, on the other hand, are fulfilling their multiple roles as care-givers and income-earners. The onus of running a household and earning for their families falls on women.

♀	♂
Planting, plowing, irrigation, fertilization, and weeding	Sewing, harvesting paddy
Seasonaladdy collection and cutting	Par-boiling rice, daily frying of puffed rice
House construction	Daily cooking and fuel preparation (cow-dung cakes)
Occasional home/garden fencing	Daily home and courtyard cleaning, frequent plastering with cow-dung
Occasional house/furniture repair	Washing and mending of clothes
Occasional hut thatching, sharing in building/maintaining village infrastructure	Milking and feeding livestock and poultry, cleaning the shelters
Fishing and making fish nets	Fetching water for all household needs, collecting leaves and brushwood as fuel
Tree planting and care	Responsible for kitchen gardens and herb-patches for medicinal purposes
External marketing of produce (in the towns)	Bartering, exchanging/transacting, within the village
Borrowing and lending money, cash purchases and sales, savings and accounts	Collection of "free" foods (vegetables, roots, snails), spinach, mushrooms
Van/rickshaw driving, bullock cart construction	Care of children, elders, sick, and disabled
Paid employment outside (labour wages, teaching and clerical positions, informal)	Looking after animals, livestock
Pottery/blacksmith/carpentry/cobbling/bamboo crafts	Crafts for home and sale, such as making mats, quilts, brooms, embroidery, sewing, home decoration
Political discussions and group-based activities	Worship and rituals

Group interview response to Brenda Gael McSweeney and Chandana Dey, November 2004.

Other than agriculture itself, the common-property resources, namely: forests, ponds and embankments, the common lands and properties for animal husbandry, and the monsoon-flooded fields, provided rich sources of additional food and nutrition, fuel and raw material for each household, which were rarely monetized or traded. Much of the artisan and craft work consisted in making herbal medicines, utensils, furniture, shelter materials, clothing, and simple creature-comforts from cultivated, collected, surplus and waste products. The education and training of children passed from grandparent or parent to child, or from master-craftsman to apprentice, were immediately put to use, unlike the classroom rote-memorization of much irrelevant information that is often undigested and wasted. The work of artisans is used for ceremonial and traditional ritual and festivity, for religious devotion, for home decoration, and for art, music, and dance entertainment. All these were rich not only in customary tradition but in accumulated and well-tested treasures of knowledge and skills. It should be noted that 'artisan' is rarely a distinct category of people in these villages, but a part-time occupation of many farmers and housewives.

The Srihaswani method and approach:

As noted above, the prime thrust of the *Srihaswani* programme is to explore ways of increasing the individual and collective self-reliance of rural communities, while dealing with the challenges and uncertainties provoked by the rapid market integration of rural societies. The assumption, at the time of conception, was that since market forces were in any case likely to play a dominant role in shaping ordinary people's lives, they needed to be better equipped to deal with them.

Introduction to the community:

A three-year process of dialogue and mutual learning between interested villagers and a few Shantiniketan-based researchers, started in 1996, was the basis and prelude to outlining the *Srihaswani* framework on an experimental project scale. Once it was possible to draw on modest external resources,² nine villages – within an accessible (to bicycles and buses) radius of Shantiniketan – were selected for the initial phase of work on the basis of village discussions, on grounds of being fairly representative of the wider rural society. It was clear at the outset that this project would need to be the first stage of a much longer, sustained effort, if local women and men were to be able to accept and work out their own interpretations of the basic *Srihaswani* philosophy.

Drawing on earlier experience with the UN Volunteers (UNV) Programme, a structure of interaction and support was organized for the project to maximize the volunteer effort of all participants. Village groups, some of them exclusively composed of women or children, others mixed, and a few (mostly male) groups of farmers, were the mainstay of the project. For reasons of sustainability, the first line of women and men *animators*³ and trainers were selected from the villages themselves, through acquaintance (earlier dialogue process) and interview, and participated on a part-time paid basis, in addition to volunteering time when required. The major constraint was the time available to village women and men to participate in a programme that would not provide them with immediate additional cash benefits. Yet, it would reduce their little leisure from their survival-based routine. Consequently, a high degree of flexibility was demanded from all project staff, to fit in with the limited free time of the participating villagers. Most of the project field team were selected from those based in Shantiniketan-Bolpur as field agents, each responsible for a cluster of villages and activities, and functioning on a near full-time basis. The field coordinator has been a woman, as has been the overall project coordinator (Chandana Dey) selected by the Ahimsa Trust.

The first year was spent entirely on household and cluster discussions around the *Srihaswani* framework and its relevance to the concerns and priorities of villagers. Much importance was ascribed to getting to know each other and building up a platform of trust and understanding. Repeated visits to the same households, with separate or joint discussions with the women, children, parents, and grandparents, proved necessary to obtain a full gender- and age-differentiated picture, as well as to dispel the original suspicions of village inhabitants. It was during these intense and focused discussions that it became apparent to the field team just how tired the community members had become of responding to survey questionnaires and participating in short-term service-delivery projects administered by numerous Non-Government Organizations (NGOs). A number of such NGOs had promised much but delivered little, and then suddenly left.⁴ In the *Srihaswani* case, what was most puzzling for the villagers at first was that there were no concrete activities that were being proposed, and nothing being constructed or distributed. Moreover, the

² About \$15,000 per year for four years from the year 2000, provided through the United Nations (UN Development Programme) and the overseeing Ahimsa Trust (Non-Governmental Organization) by AUSAID (the international cooperation arm of the Australian Government).

³ Catalysts, responsible largely for social mobilization.

⁴ It should be made clear that this is not a remark about all the NGOs active in the area, some of which have been making much-appreciated contributions over many years.

concepts seemed alien and contrary to the normal flow of things. What did the *Sribaswani* team really want, who was behind them, what might the underlying motives of the entire exercise be?

It was well into 2002 when the first groups were formed. Initially the groups were composed of women and children, and drawn usually from among the lower income strata and castes where the women proved more accessible, more interested in the new ideas and proposals, and more anxious to find opportunities for discussion outside the home. Children and schools constituted fertile ground for cultural and educational activities, which included setting up drama groups, producing newsletters and exhibits, and learning new songs and dances. It took time to find appropriate village animators, especially from among the Santhal (tribal) hamlets where little Bengali was used. Detailed time-studies at the household level and mapping of the villages themselves were undertaken, with as much participation as possible by the adults. Workloads of women and men were discussed and presented through diagrams.

The project focused on establishing three resource centres at the outset, located at central points within the village clusters where the locally-manufactured products of Creative Manual Skills for Self-Reliant Development (CMSSRD)⁵ could be displayed as contributed by, or acquired from, the villagers. This was done in order for them to become more aware of how broad the range of items and skills really were, and encouraging them to question the causes and impact of their disappearance over time.

In carrying out the 'sectoral' activities of health, literacy, nutrition, tailoring, bamboo and other craft training, recourse was made to the volunteer services of doctors, academics, and social workers located in Shantiniketan. Gradually, the project reached out to other NGOs for specialized knowledge and experience, in areas such as medicinal plants, mushroom cultivation, and organic farming, which meant sending village teams to them for training and exchange. These were often in different, far-off corners of India, and the visits proved to be radical departures for people who had rarely, if ever, left their own neighborhoods. The third and fourth years saw more of these network arrangements being established and more attention given to producing reports, evaluations and consultations, photographs, web-material, and film recordings.



***Three women leaders conversing with case study interviewers
Brenda Gael McSweeney and Chandana and Krishno Dey in West Bengal***

⁵ *Sribaswani*, or CMSSRD, tries to understand and improve the totality of daily life at the local level through the creative (i.e. not just mindless, repetitive, routine tasks) use of manual skills. Why manual? There is a use of manual skills so that there is direct, personal involvement and satisfaction through contributions that require a conscious joining together of mind and body capacities.

Activity areas and their components:

The first year's discussions led to an identification of the many areas of daily village activity, which best lent themselves to CMS strengthening and development in an inter-related manner. In turn, this suggested groups of project initiatives, which could be undertaken in several villages simultaneously, and managed in accordance with criteria covering geographic proximity and ethnic affinity. While not comprehensive for a *Sribaswani* strategy, these would be sufficient to start off the process.

Project activities came to be broadly grouped into awareness-raising; health, medicinal plants, nutrition and kitchen-gardening; culture, education and communication; manual skills for craft, village infrastructure and barter in essential goods; and natural and organic farming, water conservation and environmental protection.

Awareness-raising activities:

Villagers and project team-members together assessed the current state and inventory of creative manual skills and their products in the nine villages. Instead of quantitative survey methods, a combination of exhibitions, posters, maps, and newsletters was used to create awareness of what there was, as well as of what there was not (or had been lost over time), matched against needs as well as local resources and raw materials. (For instance, ploughs were still being made locally by one or two families, but there were no longer skills for making good thatching, pottery, or bamboo articles, despite the evident demand for the latter and the continued availability of the necessary raw materials. Most households had to hire expensive masons from outside to re-thatch their roofs, or wait for annual markets to purchase their bamboo baskets.) The findings, in terms of the range of skills, were surprising for many villagers. At the same time, sample observations noted the rapid shrinking of the subsistence economy and the need for cash expenditures to replace what they had earlier collected, grown or made for themselves (such as medicinal plants for healthcare). The role of grandparents and older relatives in keeping alive folk wisdom, their role as carriers of local history, of traditional medicine, and other elements of indigenous knowledge, hardly remained. It was found that women were more readily conscious of both the changes that had taken place and the potential for reviving the lost manual skills.

“Their daughters have begun to dream. Dreams that are clearer and shimmer with a reality that might be grasped, unlike the unformed dreams of their mothers ... These new dreams are bringing with them new struggle ... those that come with the freedom to choose. Education, alternatives, ambitions, choices which hold a promise that might somehow fail.”

- Anees Jung, Beyond the Courtyard

Those attending schools as well as other children participated in awareness-raising activities. *Potuas* (singing, painting-based story-tellers) were engaged to inform people, as were short plays and street-theatre. Video-filming and compilations of case study material were among the techniques used to train and record.

This is indeed ‘work in progress.’ Future attempts are needed to establish dependency and self-reliance indices with their attendant risks and advantages. The level of ignorance about the most basic differences between political parties and their policies, or on the functions and responsibilities of the state and the bureaucracy, make it problematic for real democracy to flourish. Much work is needed on simplifying and making relevant subjects taught as abstractions in school books, in the context of a global system of power and wealth. People should have the tools to make informed electoral choices, which one hopes can protect them from policies that work against their self-interests.

Healthcare, medicinal plants, nutrition and kitchen-gardening activities:

A committee of volunteer doctors and paramedics from Shantiniketan-Bolpur assisted this cluster. They helped to conduct the first assessment of the health conditions of the villagers and gather data on the frequency and severity of communicable and water-borne diseases, and the particular health problems faced by women, especially during pregnancy and birth, along with the types of treatment women sought. Free patient consultations were also arranged in order to build up a sense of solidarity, while lessons were given in first aid to youth groups. The cost of medicines emerged as the major factor inhibiting the regular and timely treatment of families, as also a sense of mistrust concerning local hospitals. As a result, the poor rarely consulted qualified practitioners, running instead to the “quack” doctors (so termed locally to refer to fake practitioners who are little more than peddlers of patented medicines) regularly visiting the villages. Otherwise, they visited the resident *ojhas* (traditional medicine-men) using occult methods to deal with life-threatening crises, such as snake-bites.

The biggest challenge was to encourage investment in preventive healthcare, especially in promoting better hygiene and nutrition, keeping the village ponds clean, and improving sanitation and waste treatment. All these areas required much development and use of Creative Manual Skills (CMS), and the improvements suggested were readily appreciated. For medicinal plants in the service of indigenous systems of healthcare (Ayurveda), observation visits were encouraged through a Bangalore-based network. This was also supported by UNDP India, and the Foundation for the Revival of Local Health Traditions (FRLHT). The visit was also to one of the latter’s active groups in the vicinity of Madurai in South India. This activity was considered a great success in showing villagers and team members how much could be achieved through dedication and very limited resources by households and in locations even poorer than their own. They could also appreciate the potential that medicinal plants represented as a new source of income. Women and village youth were the enthusiastic standard-bearers of this area of activity.

“How can we work if we are not healthy?”

The Health group members started kitchen-herbal gardens in their own patches of land adjoining their huts, and learned how to make a number of herbal medicines themselves for their own families’ consumption. A health survey done by the youth of this village in the first year of the project showed that most people suffered from acidity and heartburn and had to keep antacids with them at all times. Today, they say their health is much better, and they have learnt how to make a natural remedy for their stomach problems that is far more cost-effective than medicines from the village shops.

A related set of issues covered the problems of malnutrition, bad diets, and poor cooking practices. Villages had ignored many of the traditional plants and spinach varieties that were earlier collected freely from pond and canal embankments, and were thereby constrained to buying less nutritious but higher-status vegetables and cereals from the market. The potential for growing nutritious vegetables, mushrooms, and medicinal plants in tiny plots maintained by housewives has been explored successfully by women’s groups from all the villages over eighteen months, with the support of an NGO ‘Resource Centre’ headquartered in Kolkata. The initial seeds, saplings and organic manure were supplied by the project.

“Such groups working and meeting regularly feel they have benefited from the knowledge gained. The men seem happy with women learning to express themselves and encourage them to attend meetings,” says the kitchen-garden consultant.

It was felt by the project team that their efforts at propagating kitchen-gardens and basic nutrition information have been appreciated. Mothers in Muslim villages are happy that their

daughters have the chance to venture outside the confines of the home and learn useful things – something they would have liked to do, but find themselves unable to do at their age because of social barriers and an overwhelming burden of work.

The village ponds, some owned by the community, offer considerable opportunities for fish cultivation, duck-raising, and the planting of fruit-trees on their embankments. If the first priority of subsistence improvements in diet and health treatment is maintained, the scope for major savings in health treatment costs makes this area a prime candidate for sustainability. Women have been the only participants in this field, both because of custom and public perception, as well as for socio-organizational reasons on a single-gender basis. Cooking classes proved to be an excellent device for nutrition training and family budgeting. Perhaps more important, they encouraged women to meet outside their homes and discuss common concerns. In the future, there may be more scope for opening village ‘restaurants’ and running ‘communal kitchens,’ especially for the families most in need. If sufficient scale could be achieved, the potential for goods and services to be exchanged (bartered) and for parallel marketing would be greatly enhanced.



Hupni Hembram, age 14, of Kayetpukur, a Santhal village in Birbhum district, draws and writes of her dreams for the future: *“I want to study. I want to teach, and I want to serve the people of my country.”*

Culture, education and communication:

Closely related to the awareness-raising activities, and involving the local primary schools as much as possible, cultural awareness activities began with theatre workshops involving schoolchildren, featuring CMSSRD’s importance for daily life. Even when the parents were skeptical, the children joined in with enthusiasm and, in many cases, eventually influenced their parents. There were instances however, where girls’ participation in the activities were discouraged by the men in the community, based on the religious objections of elders.

Drama performances and teaching materials addressed issues such as traditional customs and ceremonies, hygiene and environment, health treatment and first aid, and water conservation. Poster and wall ‘newsletters’ have brought a sense of village identity, resulting from surveys undertaken which include village histories gleaned from interviews with the elders. Literacy classes were also started as needs were expressed for both reading and writing skills.

The project contributed to websites maintained by UNDP-Delhi for the UN Volunteers, held exhibitions in Mumbai, Delhi, and Bangalore, as well as participated in the Annual “Poush Mela” or Winter Fair at Shantiniketan, and produced video footage for sharing the experiences of the project and for use in training villagers. Materials for use in the primary schools were also produced. Yet the project has had little opportunity or time to make use of the media, or to create alliances with potential supporters in the towns, especially Bolpur. There is considerable scope in interesting both domestic and foreign tourists in CMS activities and lifestyles, given the proximity of

Shantiniketan. These and other networking activities are quite crucial for the sustainability of the venture.

Manual skills for craft, village infrastructure and services, and barter/parallel trade in essential goods & services:

Although this ‘production and trade’ cluster is at the heart of CMSSRD economic activities, it proved the hardest to solicit participation and get off the ground for a number of reasons. For instance, the justification for not relying totally on the market appears difficult to grasp and contrary to ‘mainstream’ trends; some investment in re-gaining lost skills and simple tools is required: several occupations are associated with low castes and therefore seem undesirable. An early bamboo-training workshop demonstrated the scope and potential interest of the community members. This paved the way for determining the need for reviving skills such as blacksmiths, pottery, bamboo-work, and straw-thatching (traditionally male preserves). Many new areas are being added on an experimental basis, which would both strengthen collective self-reliance and encourage extra-market exchange. They include educational and healthcare skills, mechanical repairs, simple transport and construction of equipment, food processing and storage, organic and natural farming; skills in building and maintaining roads, sewage systems, culverts and small bridges, as well as better houses, smokeless *chulas* (stoves), and biogas pits, which were of enormous benefit to women’s health. Some of these newer areas offer greater scope for enlarging women’s recognized contributions.

As skills improve and their products begin to gain respect and enter into daily consciousness, there is an opportunity for exchanges to take place through *parallel markets*, which are formed and operated by clusters of participating villages in the first instance, their neighbours and nearby small towns. Detailed written accounts of transactions and negotiated, but notional, money values (lower than the regular market, and with in-kind equivalences) would allow for increasingly complex and extended-duration transactions of both goods and services to take place; even special currencies could be used on the lines of the Local Exchange Trading Systems (LETS) schemes operating in Western Europe today in a need-based manner. The key element of this work is that it should be based on readily available raw materials and skills of a ‘quasi-free’ nature, in the sense that they can be obtained through manual collection, and rely on unused (surplus) labour capacity in slack periods of the day and year. Again, there is little reason why these parallel markets should not be managed predominantly by women, providing them with more justification and scope for being active outside the domestic courtyard.

Natural and organic farming, water conservation and environmental protection:

This is another field where most of the past and current effort has been going into awareness raising, and where persuasion and mobilization efforts have dominated over concrete implementation on any scale. There is potential, however, to improve conditions in a generally barren, rain-fed area with poor soil, once the farmers and villagers squarely face the longer-term negative implications of high-yielding monocultures and their environmental impact. Similarly, efforts have to focus simultaneously on the urban consumers to appreciate chemical-free cereals, vegetables and fruit. There have been no resources so far to tackle the latter, while work on the former has been slow and beset by skepticism.

The CMSSRD input is to bring back “intelligent farming” – careful, mixed cropping, labour-intensive practices, drawing for inspiration on Masanobu Fukuoka’s natural farming as much as on the more widespread organic farming contributions. The project has thus far identified promising starts with reviving traditional paddy varieties, re-introducing species diversity, and producing organic fertilizers and vermi-compost. The related efforts on kitchen gardening and medicinal plants have already been mentioned under the health activity cluster. Tree planting on communally-owned lands and canal-pond embankments have been tried with some positive impact, and a start

made on establishing tree-sapling nurseries. Women have a key role to play in all these practices, given their historical sensitivity to environmental issues (as witnessed, for example, in the renowned Chipko movement), and their more limited involvement thus far in immediate cash-generation and market trade.

Soil erosion is severe, and the planting of windbreaks and soil holding grasses needs to be strengthened. Water harvesting will have major benefits, but the project has not been able to benefit, so far, from the exciting experiences tried successfully in other states such as Rajasthan, Gujarat and Orissa. One of the areas where considerable group discussion has taken place, involving both women and men, has been to clean up the village ponds and use them for both fish farming and providing drinking water to livestock.

Some hurdles:

- For many months, villagers were skeptical and suspicious about the objectives and possible motivations of the project sponsors. Villagers felt that in the past they had been cheated or, in some way, “used” to obtain data for research or studies without any feedback to themselves, or, at best, ‘given’ something concrete like a well or pond. In contrast, this new initiative seemed excessively abstract, expressed messages that were difficult to understand, and demanded both time and sustained effort from them, especially from already overburdened women.
- As in most agrarian communities, the time for interaction with outsiders was always limited during the day. This project required many visits to the same households and many evenings spent getting to know one another and establishing a basis of trust. During the monsoon months, the villages were virtually cut off by local flooding and impassable lanes, while planting and harvesting peak periods demanded the full attention of villagers, thereby cutting almost three months each year from project field activities.
- Differences in gender behavior proved to be crucial. Most of the women venture outside the domestic walls little, if at all, particularly from those Muslim households and higher-caste Hindu households. Santhal women tend to look for work outside, and participate in cultivation activities much more easily, but the ability to converse in Bengali is more limited. Again, women were often not allowed to go out of the home or village for training purposes.
- The scheduling and phasing of project activities required much experimentation and improvisation. There were challenges posed by social fragmentation, especially between castes in the dominantly Hindu villages, and between Hindu and Muslim neighborhoods in the same village.
- Land and accommodation scarcity made it difficult to obtain space or rooms for the resource centre activities, or to hold discussions on a regular basis. Youth clubs were the most cooperative in lending space to the project when they appreciated the perceived benefits to the village. Similarly, for other activities like organic farming, the lack of availability of suitable land and assured irrigation water often proved to be a delaying factor. Ensuring local self governments or *Panchayat* as well as State government support came to be seen to be of critical importance for the longer-term viability of this venture.

Key notes and observations from the field:

- The bulk of *Sribaswami* work has been on bolstering the viable remnants of the self-reliant local economy. There has been an attempt to show how this can be feasible, albeit limited,

through alternatives to current market-driven forces of globalization encouraging the formation of a small, survival-oriented parallel economy. Conversations with several groups of men and women on whether this work on an "alternative economy" had any future, revealed surprisingly positive assessments. In a discussion with men and women in the village of Darpashila, where most people work as daily labourers, the majority view was that an injection of "cash" would finish in a short time and would leave no lasting results. In contrast, help in terms of spreading knowledge and literacy would have permanent results and be readily sustainable.

- Farmers have been helped by being given access to organic agriculture, traditional paddy seeds, and training. Some work has been done on building up the knowledge, especially of the women, concerning herbal remedies, helping them to plant and recognize locally grown medicinal plants. Initial efforts to teach villagers the logistics of the barter system have at least started discussions on the continuing relevance of non-market forms of exchange that might reinforce social ties and solidarity.
- Self-knowledge and thereby self-worth would probably be counted amongst the biggest gains: through the project life, women have traveled to other villages, talked to many different women and exchanged experiences. Today, women from all castes, religions, and economic strata sit and eat together. Early in the project, doubts were raised about the efficacy of a Muslim woman heading the nutrition team where her work involved cooking classes. The nutrition team overrode even the doubts expressed by the Project Coordinator. "If we are to do things differently," said a woman team member who was part of the nutrition team, "then we must be consistent. Our team head will do the cooking since she is the person best qualified for this job. Whoever wants to eat will eat." This strong assertion of commitment is surely enough reason to continue the work started and hope for even more positive statements from women as well as men in the future.
- It is being felt that *Srihaswani's* work with both men and women has had positive results for the community as a whole. More and more women are coming to the forefront and taking on important economic roles. In a Muslim village, we spoke to three such "change agents." Political support has been one reason for this change. Many *panchayats* (locally elected governance organizations) seats are now reserved for disadvantaged women. In the nine villages, there are two such reserved *panchayats*. Women are heading the *Anganwadis* (groups formed for women and child welfare under the central government/UNICEF-WHO-WFP-supported Integrated Child Development Service (ICDS) in the villages. They are spreading ideas of health education, besides conducting their nutritional supplement programme.
- There are several SHGs (Self-Help Groups), also set up by the *panchayats*. This means that women have to leave the home, and go to the city to deposit money. More and more women are taking on important economic roles. As a result, some even have an impression that men's roles might have started to become marginalized, especially in the local economy.
- Some of the women have expressed the view that *Srihaswani's* work with both men and women had positive results for the community as a whole.

Issues for Discussion:

- What are the ways of accurately **assessing the situation of rural women** under the kinds of conditions described, given the limited access to entering the household for strangers, and given the skepticism with regard to the utility for themselves of surveys and aided programmes?
- What **alternative strategies can there be for involving poor women** in their livelihood improvement, in the best possible way, in a society beset by all kinds of hierarchies, cultures, and barriers to access?
- **Should programmes deal exclusively with women**, and poor low-caste minority women at that, and spell out specific gender objectives, or should there be more comprehensive approaches with a more subtle (*i.e.* through interventions targeted in terms of natural interest) clustering of participants?
- How **from a gender perspective**, does one combine the possible benefits from global market integration with protecting local identity, culture, environment, and cooperative or mutually supportive social arrangements?
- In very resource-poor societies with skewed asset distributions, does the ***Srihaswani/CMSSRD*** approach, or others that follow an ‘**alternative economy or feminist economy model**’, have the potential for application on a much larger scale and across different cultures? If so, what is the potential and possible strategy for a cross-country campaign and movement to take root?
- What is the significance of **community contribution in a development initiative** such as *Srihaswani/CMSSRD*? What do women and men expect from the initiative in exchange for their time, labor, and effort? Is there a sense of ownership?
- What are the **roles and importance of development change agents** in an effort to improve women’s empowerment and gender equality?
- How can **significant international support** be generated to sustain a similar effort over an adequate time period (say ten years), given that governments (South or North) rarely show interest in this type of approach with few immediate market or trade gains? What role is there for civil society networking, and what options exist for its organization?

“... debates have recently arisen on the feminist development policy scene in India, which are typical of debates in international development more generally ... For one group...the essence of feminism is a critique of sexual domination, and the essence of change is changing socially constructed gender roles. For the other group... the essence of feminism is a critique of women’s economic dependency, and the most desirable change is to give women more economic options.” -Martha Nussbaum, *Women and Human Development: the capabilities approach*

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Hold the Pen-plough and Till the Paper-land: Success Story of a Movement for Education and Related Issues

Kumar Rana, Liby T. Johnson and Subhrangsu Santra¹

ABSTRACT:

This paper narrates the story of a women's movement that has changed a village educational scenario completely. Establishing the linkages with other development issues and using traditional cultural idioms of Santal tribal society for women of the Bandarjori village in the Dumka district (Jarkhand, India) has not only made a hundred percent enrollment and attendance at the primary school possible, but also has increased children's learning achievement by assuring that they study outside of school. At the same time, they have successfully used the traditional cultural idioms not only for objective development, but also for greater social impact.

The title of this paper is a translation of the first line of a Santali song – *Kolom nabel sabe pe, kagoc' basa casa pe*. The translation is too weak to bring out the poetic flavour and accuracy intended in the original; yet, it clearly indicates that the composers of the song live in a society where agricultural practices are central to their lives and livelihoods.

This is not a traditional folk song; it was composed only several years ago. The song composers, in as much they are part of the agricultural traditions, are perceived to play the role of *gogo bor* (women), rather than that of *casa bor* (cultivators). This is the self-ascribed role of men (*baba bor*), thanks to their congenitally protected right over tilling of lands (women are not even allowed to touch the plough, and in any traditional agricultural system, ploughing is perceived as the most important activity).

Yet, in the aesthetic expression, they use the greater social identity of cultivators, despite the fact that this identity itself has been severely damaged through the course of its interaction with colonial history (through alienation of land²). The land once owned by the Santals is no more the land of the cultivators; most of them have become hired agricultural labourers. It is still from the remnants of their past that they build their identity – *casa bor* – despite the many changes. Changes in patterns of land ownership have been causing pauperization in addition to introducing characteristics of a class society into a hitherto self-dependent, egalitarian one.

Despite the changes (some of which are very rapid), the roots of the Santals' past identity – cultural heritage and social bindings that formed the historically rooted endurance³ – have not completely been replaced by a divisive class organization. Although the all-pervasive modern class division has evidently become a part of the Santal society (as well as of any formerly egalitarian

¹ Kumar Rana and Subhrangsu Santra work with the Pratchi (India) Trust. Liby T. Johnson works with Gram Vikas, Mohuda, Ganjam, Orissa. The authors are greatly indebted to Ayo Aidari Trust, particularly Munnii Hembrom, Agnesh Murmu, Agatha Baskey and the members of women's groups of Bandarjori village for the cooperation extended during the fieldwork and making documents available. They are grateful to Kumkum Bhattacharya, Ranjit Bhattacharya, Nitya Rao, Dikshit Sinha and Debi Chatterjee for their valuable comments on the initial paper presented at the Village India seminar organized by the Indira Gandhi National Centre for the Arts, New Delhi, 5-6 May 2003.

² See Bradley Birt (1909), O'Malley (1910), Datta (1939), Roy Choudhury (1961), Sen (2001).

³ See Hembrom (2001), Bhattacharya and Baskey (2002).

societies), several traditional egalitarian elements still make their presence felt through their key role in the organization, governance and continuity of the society as a “Santal Society.”

Not that all the traditions followed in tribal societies are beneficial to the society, in fact, there are many traditional elements that prove to be severely damaging. However, this cannot be the ground for rejecting all traditions outright. The same is the case for modernity. The relationship between tradition and modernity need not necessarily be antagonistic. Rather, as one shall see here, they can supplement each other, very usefully, in the greater developmental perspective. We shall discuss how traditional cultural idioms have been used in a Santal village to initiate an all-round movement for the development of their village and people, particularly in terms of primary education.

The case of Bandarjori:

The village Bandarjori is located at a distance of 10 kilometers from the block headquarters of Jarmundi in the Dumka district of Jharkhand. An apology for a road, full of sharp-edged stone chips, connects the village with the nearest bus stop at Jarmundi. Unlike some other parts of Dumka district (mainly the *Damin*⁴ area), where good quality cultivable land and natural resources are available, the topography of the Jarmundi area is of poorer quality and forests are now to be traced only in the local folk songs. In addition, the small amount of cultivable lowland (*bāiḥaṛ*) that is available now is totally controlled by the other groups (grabbed from the Santals). With land and forest options closed, manual wage labour remains the only option for livelihoods.

Jarmundi is also different from the other blocks in the district, demographically speaking. While 47% of the total population in the district belongs to Scheduled Tribes, only 19% of Jarmundi’s population belongs to Scheduled Tribes.

Bandajori is inhabited by 93 households (all Santals), with a total population of 540, of which there are 67 school-aged children. There is a primary school in the village run by a single teacher. The school building is new, yet not sufficient to accommodate five classes, as there are only two rooms, and some of the children have to sit on the verandah.

Insofar as the visual appearance goes, Bandarjori, with its mud houses by the main street (*kulhi*), bamboo groves, and few other trees in the outskirts, piglets and chickens, kids and calves in and around the houses, red and yellow uplands in the surroundings, and some low lands at the outskirts of the village, has a landscape as any other Santal village in this part of Dumka district. Of course, there are some differences, but the stark contrast that makes Bandarjori different from others is something beyond ecology and topography or flora and fauna. It is a difference that has been created by the villagers, particularly the village women. Unlike other villages, in Bandarjori every primary school-aged child is found in school during school hours. No child can be seen playing, tending cattle, caring for siblings or collecting cow dung during the school time. Tilling the paper-land is the most important work for them.

⁴ *Damin I Kob*. A Persian word meaning the Skirt of the Hill. Formed in 1796 (planned in 1782 by Augustus Cleaveland) under Regulation I of 1796 with an area of fourteen hundred square miles. John Petty Wood demarcated the area in 1933 (the demarcation survey started in 1924). Initially this fertile area down the hills was meant for the self-governance of the Phariya tribal people. Santals started settling into the area from the beginning of the 19th century and within three decades they outnumbered the Pahariyas. By 1855, and not only in the *Damin* area, Santals virtually filled up a far extended area that formed the Santal Pargana district following the great Santal Insurrection of 1855 (with an area of 5,470 square miles).

Before the beginning:

The change is a recent story. Two years ago, Bandarjori was in the same league as other villages: the primary school had a low rate of enrollment, attendance, and learning achievement and it had a high level of absentee teachers (common features of the district and of the state).⁵ The change in the scenario was made possible only through a tenacious movement for all-around development of the village.

It was in 1998 that Agnesh Murmu, a forerunner among women development activists in the district and a senior leader of the Ayo Aidari Trust (AAT), made several visits to the village to organize the women. AAT is a Santal women's organization formed in 1998 and run by Santali women, engaged in building women's organizations in villages. The objective of AAT is enabling assertion of women's rights (including right to land) through empowerment and sustainable development (education, health and livelihood). Both women and men were not only skeptical about the idea of formation of a women's group, but many of them were also suspicious and uncooperative. Agnesh's tenacity finally yielded fruit. After continuous contacts with the women for more than three months, she managed to convince ten of them to form a group.

Beginning with group savings (Rs.5 per member per month)⁶, at times irregular given their abject poverty, the women started group cultivation. They took some wasteland from the villagers on a sharecropping basis, as the main cultivable lands were not available for them. In addition, they cultivated some winter crop in the far rain-fed low lands that remained unutilized after the main kharif harvest was over.⁷ There were simultaneous discussions about the basic problems of the village – indebtedness to moneylenders, unavailability of wage employment in the locality, lack of a safe drinking water facility, irregularity in the public distribution system, irregular payment of lower than legal minimum wage rate by the contractors, inconsistency with the postal department in delivering mail, irregular attendance of the primary school teacher, erroneous functioning of the health delivery system, and so on. The discussions motivated the women to make contacts with officers of various government departments – Block Development Officer, Lady Extension Officer, Officer in Charge of Primary Health Care (PHC), Post Master, Food and Supply Officer, *et al.*

After approaching the officers several times, the group members became partially successful in bringing some benefits, not only for themselves, but also for the whole village. For example, in 1999, there was only one dug well for drinking water for the whole village, which was not sufficient, particularly during hot summer months. Presently, there are three dug wells. Other achievements include regularity in the public distribution system and mail delivery, payment of minimum wages, etc.

The major success, however, was the feeling of self-reliance and esteem created through the united achievements of the groups. Before the formation of their own organization, people of this village, in conformity with the local economic structure of the district⁸, were forced to borrow money from the local non-tribal moneylenders at an interest rate of 100% per annum. Now, one of the local *mahajan* comes often to the village to persuade them to borrow from him at a much lower interest. “*Tumlog bhi baco, hame bhi bacao* – you people live and let me also survive,” he said. There

⁵ For details see Pratichi Education Report II.

⁶ 5 Rupees is approximately 12 or 13 US cents.

⁷ There are three main types of land found in the district. *Bāibāṛ* – low land for rice cultivation, *bād* – semi upland for rice cultivation. Crop production in such lands is only ensured in a year of good rain. *Tandi* – uplands, just some coarse cereals, pulses and oilseeds are grown only occasionally. Productivity is very low. While the cause behind single crop production is attributed to lack of irrigation, the AAT experience shows that the difficulty in irrigating the lands can also be overcome to a large extent by organizing and motivating the villagers.

⁸ See Rana, Rao and Rana, etc.

was none to oblige him. The recycling of the savings the women make every month has enabled them to get free from the clutches of the *mahajan*.

The women opened group bank accounts and deposited their savings in the bank. Opening of bank accounts was not an easy job – an unsympathetic bank manager finally opened the account only after making the group members visit the bank no less than ten times! The tenacity of the women after a long and relentless fight brought them another success: a bank loan for group cultivation. The repayment of the first loan in the stipulated time helped in getting a larger loan and a subsidy for goat rearing.

The introduction of cultivation in the wastelands (both permanent wastes and seasonal wastes) has not only boosted the morale of the women, but has also changed the agricultural practices as a whole. The freedom from the clutches of the *mahajan*, the opening up of new avenues for economic progress (particularly by women's groups), and the improvement in agricultural practices have brought a visibly radical change in the village. Additionally, seasonal migration for agricultural wage labour, a permanent feature in the district⁹, has completely stopped.

Material changes have played a role in changing the social dynamics within the village. Men – many of whom were hostile to the idea of the forming a women's group and opposed the process from the beginning – have admittedly learnt many positive lessons. In fact, the erstwhile traditional *oṛa boṛ* (housewife) now takes many bold decisions that the *oṛa mālik* (household head) adheres to. Now, women can even challenge and punish the men if found guilty. On one occasion, an inebriated man was found to have beaten his wife. He was immediately locked up in a room and was only released after he begged pardon from his wife and the other women and promised to quit drinking forever.

The group members have also successfully solved some intra- and inter-household disputes. Since 1999, none of the villagers have taken any dispute outside the village for settlement. The women's group, with full cooperation and participation of men, sat together and sorted out the conflicts. In doing so, women used the traditional *bicar* (village court) system, where each and every participant gets an opportunity to express his or her views, which are all heard, and the *bicar* continues until it finds each and every participant satisfied with the decision. The modification of the traditional *bicar* is, however, very important to note. In the traditional *bicars*, women are generally not allowed to take part (unless they are party to the conflict in question). But the Bandarjori model is based on the principle of equal rights for men and women.

Success did not come overnight. It was a hard and difficult battle that the women had to fight inside and outside of the society. They had to persuade the reluctant women to join the groups (now all 93 village women are part of one or another group) and had to fight with their own men (some of whom were quite hostile). At the same time, they had to fight with the unsympathetic administrative system and had to stand firmly against the conspiring local traders and *mahajans*. These strenuous fights, while re-establishing the sense of cooperation and solidarity – key elements of the Santal social organization – highlighted a major weakness in the society – the weakness of not being able to utilize modern education in favour of developing themselves and their society.

The beginning of the movement for education:

The Ayo Aidari Trust, from the very beginning, had understood the importance of literacy and primary education, and this was clearly mentioned in its Concept Note.¹⁰ Accordingly, literacy and primary education with particular emphasis on women and female children were put on the agenda of the women's group. It must be mentioned here that some of the AAT members, despite

⁹ See Rana (2002), Rao and Rana (1997), Rao (2002), Rogaly *et al* (2001), etc.

¹⁰ Documents of Ayo Aidari Trust, Ayo Aidari Trust, Dumka (1998), Mimeographed.

having accepted the Concept Note, failed to understand the seriousness of the issue, but the majority of them continued with the emphasis. However, no notable success was achieved in the first two years of AAT's operation. It was Bandarjori that opened the floodgates in the new millennium.

All the group members started learning the alphabet and successively reading and writing. Simultaneously, they took up the case of primary school. They first met the schoolteacher, who was erratic in his attendance. After many persuasive consultations (including implicit and explicit threats), the teacher started coming to the school regularly.

But the regularity of the teacher's attendance was not enough for the school to function effectively. Attendance of the children remained as poor as ever and the teacher found an excuse to resume his relaxed way of functioning. Then the groups sat together and developed a strategy to ensure attendance of the children. The strategy not only involved simple counseling and persuasion, but also a more strict enforcement mechanism. One member from each group, in turn every month, was given the responsibility to ensure the attendance of children from a given set of households. This way, five members shared the onus for the whole village. They visited the households on a day-to-day basis and supervised the attendance of the children. Households were made liable for a fine of Rs.20 for every child found out of school during the school time for any cause other than ill health.

As a member of a group realized, "children in a Santal household grow up doing work - tending cattle, caring for siblings, collecting firewood and cow dung, helping in domestic work, and so on. Yet, in this new era (*nava jug*) one cannot but acquire education. So we put it in this way: Whatever the situation may be, children's attendance to school was mandatory. Those who desperately need children to be involved in work other than studying (for poverty and other reasons related to the family dimension) should be extended help (*gana*) by the group members. Problems exist, but if one tries hard they can be overcome. Today, when we look back, all the problems regarding attendance of children we used to complain about are felt as false notions."

Attendance of the children, nevertheless, while solving one part of the problem, demanded more planning and input from the groups. The learning achievement of the children did not improve much, mainly for two reasons. First, the teacher being the sole person taking care of five classes hardly found any effective 'teaching' time. Second, the children were not accustomed to studying at home. Even those few parents who were concerned about their children's education both inside and outside the school could not help much because of their own dismal background of formal education.

This shortcoming was immediately addressed. The women sat together and looked for solutions. The immediate solution that they tried to implement was to divide the responsibility of supervising children's homework among the relatively educated members. "Though we are not sufficiently qualified to teach them, we are able to see that they are sitting a couple of hours and reading the books. *Asol katha do huyuk' kana beva* - the most important thing is the habit (of studying)," a member emphasized.

The women have also appealed to the school inspector for providing more teachers and classrooms in the primary school and have also appealed for a new school under the *Gram Siksha Yojna*, a programme launched by the state government recently.

Extending the Beginning beyond Bandarjori:

The experience of Bandarjori, as Agnesh Murmu put it, is "a real achievement that Ayo Aidari can take pride of." A whole world opened itself; not only for the women of Bandarjori, but also for the entire population. And, "to achieve the goals of Ayo Aidari, the Bandarjori experience

should be replicated in all the villages of the district. If Bandarjori can do it, why not the others?” Munni Hembrom, secretary of AAT, underlined.

Thus, the movement for education that began at Bandarjori has started spreading in other villages as well. So far, seven other Ayo Aidari villages have been able to ensure the attendance of the children and teachers, and many more have started the process. Also, in many groups, achievement of basic literacy skills has already been put on the top of the agenda. For all the groups in Ayo Aidari’s operational area (as of March 31, 2003, AAT works with 98 women’s groups), it has become mandatory to take up the cause of primary education, with special emphasis on female children.

In 1998, the women of Ayo Aidari Trust marched forward with a slogan, “*abo bon benawak’abo toadari* – we shall build our motherland.” In 2003, they found a new slogan as to how to build the motherland – “*alo parhao cit’ak’, toadaribon benawak’* – we shall acquire education and build our motherland.”

Interestingly, the first slogan came as a dream of the Ayo Aidari leaders, and the village women are now showing the way of realizing the dream of building the motherland based on equal rights of women as the men.

Apart from taking up the cause of primary education as a movement, Ayo Aidari Trust has chalked out a plan for making a concerted effort to enable the linking of health issues with primary education, poverty alleviation, and economic advancement. AAT has the support of a group of individuals who have come forward to help the health project. This project aims to use the concept of tribal social cooperation and social responsibility¹¹ as the basis to organize the people (which will eventually be formed as a Cooperative society) to make an integrated development intervention and act as a bridge between them and the policies and programmes in the public arena.

The lessons:

The Bandarjori experience has relevance for Ayo Aidari’s achievements and offers lessons to a larger audience. The primary education sector in the newborn state of Jharkhand has still a long way to go to make it universalized. Despite the tall claims of the literacy and other ‘movements’ regarding increased rate of literacy and school attendance in the State, success in terms of learning achievement is well below the optimum level.¹² The upsetting results of the so called interventions made through public policy¹³, make it unambiguously clear that peoples’ participation is central to the issue of making primary education universal. It is the peoples’ will and zeal that can make primary education a reality for all. An imposed ‘well wish’ can only find its place in failure and false bemoaning.

Bandarjori also positively and strongly shows the unfailing possibility of ensuring peoples’ participation, provided the public policies consider the complexities of village organization. Most of the complexities can be guided towards the betterment of the villages. The tribal societies have a traditional system of cooperation among the villagers that, in fact, forms the basis of the society. In case of marriages or other ceremonies, for example, the particular household concerned gets material assistance from others that is perceived as a loan (without being explicitly mentioned) and is reciprocally returned.

¹¹ Towards a Better Life, Proposal of the Support Group (2002) (gautambose1@yahoo.co.in/krpitanow@rediffmail.com may kindly be contacted for this).

¹² See Rana *et.al.*, Pratichi education report II.

¹³ For example, 38000 literacy centres were opened in Dumka district in 1997-98, yet the decennial increase in the literacy rate for the district from 1991-2001 was only 13%. Female literacy remained far behind the national average. For details see PRIA (2001).

Bandarjori women have not done anything more than what was prevalent in the society. “If you have problems, then we are here to share them”, is the simplest of expression that has brought a sea change. People have used their own cultural idiom to fulfill a higher degree of inescapable necessity.

The Bandarjori experience, importantly, points to the greater linkages in the development process. It was only when the women of the groups got exposed to the outer world (through approaching the offices and bank) they felt that it was, “impossible to live in this world without acquiring education.” Primary education, or for that matter any developmental issue, cannot be addressed in segregation. Particularly, in places like Dumka district (where tribal population, poverty, ill health and malnutrition are commonplace and many times synonymous) a concerted move is crucial to the issue of primary education. For example, acquiring education is central to the issue of economic advancement and freedom (by means of wage earning, other employment opportunities, dealing with the traders and moneylenders, making advancements in agricultural practices, receiving the benefits of public programmes, etc.). At the same time, it is also very important to combat hunger and poverty that hinder education menacingly.

The issue of health is equally important, as it acts as a most obstructing agent not only in attendance in the schools but also for economic advancement. The inversely proportionate relationship of education with ill health-loan poverty¹⁴ has to be comprehensively understood and policies designed to combat the challenges that not only concern education but also people’s rights to life and livelihood.

Another important lesson that Bandarjori offers is the immense possibility of exploring avenues to gather knowledge from the treasure house of peoples’ understanding as regards development. People in general, and tribal societies in particular, have a historically developed cultural podium that has protected them from being extinguished under the consistent pressure and attacks from various corners¹⁵. This cultural background can be encouraged for effective usage – in the field of education, health, poverty alleviation and so on. Apart from social cooperation, there are other important cultural heritages, like equal and reciprocal responses to each other (if one gives something to another, the latter reciprocates at least partially if not equally), democratic values (everybody has his or her subjective or material share according to his or her participation in the process of acquisition), sense of freedom (people including children should not be forced to carry on others’ directives, etc.), sense of self-responsibility and self-assertion, etc., which can help promoting a system of governance based on fairness and justice.

Ayo Aidari Trust, in particular has learnt a crucial lesson that has a special bearing on the purpose of the organization – equal rights for women. During its formation days, there was a debate among the AAT members and supporters as regards to what should be the AAT’s functional principle – whether to fight for equal rights and justice (through legal support and organizational mobilization of women) or to build an organization that would fight for the causes of women through an all round development agenda. As an organization of and by women, some of the members thought it important to give priority to the issue of women’s rights to land inheritance. Some thought that it would be wrong to see the land issue in isolation (without taking the socio-economic conditions of the Santals into account). The Bandarjori experience corroborates the second view - women have started asserting their right over land and other assets and wealth, and in some cases, they have achieved success. At the same time, this experience confirms the ideological basis of Ayo Aidari Trust – an ideology of self-assertion of women on the basis of equity and justice.

¹⁴ Rana and Johnson (2003), The Pratiche Health Report (forthcoming).

¹⁵ See Murmu *et al* (2002).

The social dynamics are changing for the better, rather rapidly, but the possibility of these changes has always been based upon the effective utilization of the traditional culture and value system. It is the relative freedom of the Santali women (by means of their two hands – working beyond the family and earning from that work) that has been boosted by the development initiatives they carried out. An alienated approach might have been proved counterproductive.¹⁶ Not just rights or justice, any social development – education, health, and poverty alleviation – can only be achieved by using the prevalent social idioms. And as has been seen, the prevalent social idioms also change themselves to a higher degree through development initiatives. There was a changing identity of the Bandarjori women – from the ascribed identity of *oṛa boṛ* (housewives) to becoming an equal partner in the traditional governance mechanisms of the community, which were so far male-dominated. Of course, the women have to go a long way to achieve complete equality, but the beginning they have made can set an example not only for others but also for themselves to deal with other, more complex issues.

Some Questions:

The positive experiences of Bandarjori, nevertheless, throws up some questions that demand serious thinking.

First, can this be replicated elsewhere? Does it apply equally and universally? What was the cause of the universality of primary education not being taken up with equal seriousness by the other villages in AAT's reach? Has the movement any future, given the abjectly poor economic conditions of the people, particularly in the tribal areas?

In fact, the Bandarjori experience is the answer to the often repeated question within AAT – why is the education movement not spreading? It is an all-round development approach that has made the education movement successful. Experiences from other villages also authenticate it. Villages, which have adopted varied activities (*e.g.* savings and credit, group cultivation by the women, launching successful movements for ensuring minimum wages, distribution of ration cards without paying bribes, ensuring pregnant mothers' benefits, immunization of children, settling household disputes – particularly those concerned with female inheritance under *gharjawai* system¹⁷, etc.) are among the most advanced villages in terms of ensuring enrolment, attendance, quality of teaching, etc.

For the second question, the answer can be both yes and no. The movement can, of course, be repeated in the other villages as well (and that is what the AAT has planned to do in the next six months), but the same methods may not be applicable everywhere. Each and every village has its special characteristics, and that has to be taken into account. For example, in many villages, the demographic character is unlike the homogenous Bandarjori (only Santal). In most of the villages, unlike Bandarjori, some or many women are yet to join the groups. In such cases it will not be easy to ensure 100% enrolment and attendance. However, as it happened in many other villages, the reluctant women soon joined the groups. Another possibility as it happened in some villages is that even non-member women are showing more interest in sending their children to school.

¹⁶ As happened in the case of Maki Bui and Sonamuni Kui, two Ho tribal women of Chhotnagpur. A court case (writ petition no. 219 of 1986, Supreme Court of India) for the right to land inheritance (which they are not supposed to enjoy according to the Chhotnagpur Tenancy Act (1908) – an act similar to the Santal Pargana Tenancy act – 1949) by these two lingered for more than a decade and by that time the hapless women were alienated from their own society (the court case made the villagers totally hostile) and died in hopelessness and hunger.

¹⁷ According to Santal customary law, a sonless Santal can transfer his landed property to one of his daughters by marrying her on Gharjawai basis. In such a marriage, the son in law comes to the father in law's house to stay. For details see Archer (1984), Besra (1996).

Third, there are many reasons for why Bandarjori took up the movement of education when the others were almost silent. The answer to this question has partly been given above. The women's involvement with other development activities opened their eyes to the need for primary education. Secondly, the leadership of AAT in this area was relentless in its effort. For example, in the beginning, Agnesh had to visit the Block Development Office (BDO) office twenty times, almost daily, to get the sanctioning of a dug well. As the harassment by the BDO grew, her zeal increased. The leadership issue had another dimension as well. In some of the villages the relationship of the AAT workers with the village women was most of the time one-sided; the cultural bindings were shattered by the economic divisiveness. For the AAT members, the village women were to follow their directives, as though there was nothing to learn from them. The reciprocity of the village women was inversely equal; for them, the AAT members are the *cicit dāis* (lady teachers) from whom village women should keep themselves respectfully distanced. At Bandarjori and some other villages, the commonality of cultural identity of the village women and AAT members ensured their togetherness based upon equality.

AAT members have learnt fast that there is a lot to learn from the women of the villages with whom they share a common cultural platform. By strengthening the equal and reciprocal respect for others that prevails in the Santal society, such development initiatives can contribute a lot in making greater changes.

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Poverty of Choice: Gender and Livelihoods in Punjab

Yaaminey Mubayi

ABSTRACT:

Punjab, a state in northern India, has traditionally been an icon of development in the country. At the vanguard of the 'Green Revolution' or the food self-sufficiency movement in the 1960s, it is characterized by high per capita incomes and standards of living much higher than the rest of the country. Nabha, a small town and former princely state in south-central Punjab, is a primarily agrarian economy, with a long history of a strong identity and self determination amongst its people.

However, Punjab is increasingly beginning to show the detrimental effects of a lop-sided pattern of development, with diminished social indicators, particularly in public health and education, and particularly critical problems in the area of gender development, with high rates of female foeticide, child marriage and low women's work participation rates.

The contradictory nature of Punjab's development in the context of globalization is illustrated by twin phenomena: increased 'housewifeization' of women and a lack of organization for supporting women's livelihoods and devaluing of traditional skills. The former draws from increased income displays and conspicuous consumption, wherein traditional crafts and skills of women like phulkari embroidery, as well the income derived there from, are devalued in the context of the patriarchal family. There is increased pressure upon women to be housewives and depend on their husbands' incomes, and upward social mobility involves the giving up of their own income generation potential. This may be a factor contributing to the low work participation rate for women in Punjab. The second case illustrates the status of the *parandi*-makers, women of lower income families carrying out a traditional skill in order to supplement the family incomes. These women are severely underpaid and their product sales dominated by a monopoly of local wholesalers. There is lack of organization amongst these women, which contributes to their lack of voice in demanding higher wages for their labour and diversifying their markets. The cultural mores that undervalue paid work by women underpin their reluctance to seek better conditions.

Background: The context of Punjab:

The north-western state of Punjab constitutes one of the most important geo-political zones of India, being regarded as a role model for economic development in the country. However, Punjab's prosperity has not translated into an equally high level of social and human development. In terms of gender, particularly, Punjab lags behind far poorer states, indicating that material prosperity alone does not connote cultural well-being¹.

Punjab is regarded as one of India's most advanced states. Being the cradle of the Green Revolution, it acquired a very high growth rate between the mid-60s and the 80s, recording an annual compound growth rate of 8.4% against a national average of 4% in the late 60s. Ranking first in per capita income in 1964-65, by the 70s, Punjab was a role model of development for the other

¹ Punjab's annual growth rate in 1992-97 (at constant 1980-81 prices) was just 4.7 per cent, as compared to 12.1 per cent in Gujarat and 9.6 per cent in Maharashtra (Jairam Ramesh, *The Paradox in Punjab*, in *India Today*). According to the Planning Commission, Punjab is one of the states that face the prospect of increased unemployment in the post-Ninth Plan period (2002- 2007). (www.indiaonestop.com – India's employment perspective). Punjab has a sex ratio of 876.6, one of the lowest in India (Census of India, 2001).

states. It was displaced by Maharashtra in 1993-94, and as a result of the insurgency, there was a slowing down of development, the growth rate having fallen to 3.58% against the national figure of 5.91% in 1998-99.

The primary sector of Punjab's economy is agriculture and livestock, which comprise more than 40% of the gross state domestic product. This sector has shown a decline in growth since the 1970s, leading to stagnation. This sector employs the largest share of the workforce, more than 50%, a factor that has remained constant and not shown a healthy shift into the secondary and tertiary sectors, which have a higher income potential. This indicates that a large number of people are trapped in agriculture and need to be shifted to other sectors. The state cannot therefore, be said to be industrially advanced since the share of the industrial sector is less than 20% of the economy.

Unemployment rates are high in Punjab: 2.6% in the rural sector as against the national average of 1.9%. Urban areas are only marginally better off. The unemployment is primarily amongst the educated youth, indicating that nearly 20% of the age group between 15-35 years is unemployed. There is also a high degree of underemployment, particularly because of increased mechanization in agriculture. The work participation rate amongst females is an abysmal 17%, much lower than the least developed states. This is compounded by an adverse sex ratio and gender indicators, making Punjab notoriously unfavourable in terms of gender development. This indicates a potential crisis in the social and cultural environment as well.

The setting of urban poverty:

Urban centres offer tremendous opportunities for all citizens, including the urban poor. Cities can be sites for social and economic transformation, being centres of employment, government and politics, cultural and educational focal points catalyzing scientific and technological innovations. They are spaces for diverse and dynamic interactions between people from different regional, social and economic backgrounds, where service provision can take place in an efficient and cost-effective manner.

Urbanization is growing at a rapid rate worldwide, and with this growth come problems of a particular type. It has been estimated that within a single generation, a majority of the developing world's population will live in urban areas, doubling the number of urban residents to over two billion people. (www.worldbank.org). In India, urban agglomeration is projected to cross 50% of the total population, around six hundred million people, by 2020. Thus, it is feared that the opportunities presented by urban living cannot keep pace with the growing problems of poverty and environmental degradation in these areas. Already, about 40% of India's urban population is poor, and the sheer scale of the predicaments confronting such a mass of people is a challenge before the state and civil society, with repercussions for the international development environment as well.

The focus in urban development is shifting from the metropolitan cities to the 'peri-urban' areas, small towns scattered over the countryside that form the interface between the rural and the urban sectors. It is at this level that the impact of globalization will be felt most keenly, particularly through government schemes like the privatization of agricultural land for development of Special Economic Zones (SEZs). It is these areas that require tremendous capacity-building, at the social and cultural levels, most particularly, in order to participate in the benefits of globalization as equal partners. One such town is Nabha, lying deep in the agricultural heartland of the Malwa region of Punjab.

Gender issues in Nabha:

Nabha, formerly a princely state, is a sub-division of Patiala district with an urban population of about 75,000 people. Its economy is heavily dependent on agriculture, and apart from a factory set up by Smithkline Beecham, its industry is concentrated in the manufacturing of agricultural ancillaries on a small scale. It has a rich heritage of music and performing arts as also traditional

crafts, particularly embroidery, *parandi* (hair tassels) – making and intricate gold and silver work. At the core of the town lies the *Quila* (fort) of Nabha, once the political and administrative hub of the state, now being leased out to a private agency by the state government for conservation and institutional development.

Despite a relatively high per capita income, Nabha shows large-scale gender inequalities, particularly in terms of a low sex ratio (864), high female mortality, particularly infant mortality (59%) and relatively low female literacy levels (62.94%). The district is believed to have the highest rates of female foeticide in Punjab and possibly in the country.² Patiala district, then, contributes substantially to India's large number of "missing women," estimated at approximately 36.7 million.³

In terms of livelihoods, the female Work Participation Rate is estimated at approximately 17.6% in the district, comparing unfavourably even with the state average of 18.68%, which is far below the national average of 25.68%.⁴ 81.32% of women in Punjab are classified as "non-workers," indicating that women's productivity is completely marginalized. Women's marginalization from mainstream productive processes is a form of social exclusion, wherein they are prevented from participating in development in social, economic and cultural terms. The problem is compounded by restrictive definitions of work in official classifications such as Gross Domestic Products (GDPs) and viewing productivity purely in monetary terms.⁵ There is no framework to measure women's contribution to the economy in the official discourse.

Following from this, there are cultural constraints on women that keep them and their work from being counted in the economic mainstream. These include opportunities for education, skills development, restricted mobility and family considerations. These are extra-economic problems, and reflect cultural morals, values, and attitudes that focus on women being kept economically subordinated and disempowered. For example, following the Green Revolution in Punjab in the 1960s, women's traditional rural activities, including crafts, were devalued on account of the mechanization of agriculture and urban development. As family incomes rose, women were discouraged from doing "work" outside the household, as there appeared to be no economic necessity. Earlier generations of women usually had an independent income, however small, through crafts, services at richer households and agriculture-related tasks. Now, such independence is regarded as socially unacceptable in a bizarre reversal of gender stereotypes.

The following argument explores the issues surrounding the growing devaluation of women's work in Nabha, particularly with the advent of global trends towards conspicuous consumerism, the shift in production methodology from household-based cottage industry to cash-based production for larger and more distant markets and the consequent deskilling and 'housewifeization' of women from manufacturers of crafts with ownership over their means of production to unpaid caregivers to families with no framework for evaluating productivity. The argument is based on a preliminary assessment of craftswomen in urban Nabha, across a socio-economic spectrum ranging from middle-income level (families owning small shops and businesses) to lower-income groups (those with approximate family incomes of less than Rs. 7000, the state average). The two major emergent issues are firstly the increased circumscribing of women's work

² The Tribune, a national daily, reported on 23.1.03 that "*Punjab leads the country in female foeticide. Patiala is ahead of all other districts in this crime against humanity. Here 330 female fetuses are aborted every year.* In addition, female infanticide is also practiced here. Barbara D. Miller reports - "*Not all groups practiced female infanticide, but there are grim reports that a few entire villages in the north-western plains had never raised one daughter.*" (Barbara D. Miller- Female Infanticide and Child Neglect in Rural North India in Caroline B. Bretall and Carolyn F. Sargent, edited, *Gender in Cross- Cultural Perspective*, Prentice Hall, New Jersey 1993).

³ Martha Nussbaum, *Sex and Social Justice*, Oxford University Press, 1999.

⁴ Punjab Human Development Report, 2004, p. 130-132.

⁵ It is widely accepted that women's labour feeds the family, while men's labour is primarily viewed in cash terms. In agriculture, men cultivate cash crops while women's cultivation is termed "domestic" or "kitchen" gardens, undermining its crucial role in feeding the family.

within the home and the family as a result of a growing cash-based economy, and secondly the negative impact of a dominant trend towards patriarchal values determining women's activities and the exclusion of these activities from the prevailing development parameters.

Craftswomen in Nabha: the context of the princely state:

The princely state of Nabha, established in 1755 by Hamir Singh of the Phulkian lineage, was a prominent regional power in Punjab. Given the title of 'Maharaja' under the progressive and far-sighted ruler, Hira Singh in the 19th century, Nabha distinguished itself through its unique role in the freedom struggle and the attitude of independence and self-determination of its citizens. Its urban centre, radiating outwards from the *Quila* (fort), traditionally the seat of power of the rulers, was traditionally occupied by aristocratic families with their extended households and agricultural property in the hinterland, craftsmen, particularly skilled in iron work, traders and shopkeepers and workers and labour that straddled the porous boundaries between the city and the adjoining countryside.

The city streets and neighbourhoods were vocationally demarcated, with mohallas (neighbourhoods) named after the occupational groups that peopled them, viz. Munshian (money lenders) Mohalla, Bedian (Brahmins) Mohalla, etc. The state's nobility had large estates in the town. Following the practice common to the time, the aristocratic ladies did not go to the bazaars to do their shopping, but trades people came to their homes with their wares. Such was the case of the craftswomen who embroidered the fine fabrics worn by the aristocratic women. This system endured for a few decades following independence in 1947, but was now in decline, the princely states being long gone, and the aristocratic families having moved away to the metropolitan centres, or being survived by only the oldest members.

Case Study 1: Housewifeization: The loss of women's earning potential:

Accompanied by a descendent of one of the aristocratic families, I wandered the streets of Nabha in search of an 'embroidery woman,' a lady whose fine craft was greatly favoured by my guide's mother and grandmother in past times. The woman was associated with this particular family through links of loyalty, as well as the status and preference she received from them in turn. However over the past few years, the family having moved away from the 'big house' to another city, she had 'retired' from work, preferring to spend her time 'with her grandchildren'. She lived in a traditional neighbourhood where 'once you could find an embroidery woman in every house,' but now there was no one who carried on the craft. Her son and daughter-in-law lived with her, along with their two small children. When asked if she would teach her craft to her daughter-in-law, she said she had no time to work, what with looking after the home and children. Besides, the income was not needed because her son earned enough to support the family. But had she needed the income from her work decades ago? "I prepared my daughters' dowry with the money I earned from my work," she said proudly. And what of her status as a woman of skill recognized by the ladies of the 'big house'? Sadly, she said, girls these days were not interested in spending long hours at their craft. Their husbands' incomes were higher now, and they looked down upon the idea of working for money.

This was the situation in a fairly well to do middle class home where the family income was greater than Rs. 10,000 per month. Here we see a more intangible attitude-oriented shift away from the traditional work culture, brought in through multiple factors like nuclear families, a growing middle class consciousness, and media images encouraging inward-looking households, rather than a communitarian pattern of living with shared responsibilities by the women. As a result, at one level in Nabha, there is a noticeable decline in the quantum of extra-household income generating work done by women. Neighbourhoods where previously there were embroiderers in every house, are

now completely without craftswomen. Many of the intricate stitches that had made *phulkari* an art form are now lost to the future.

There is, however, another side to the issue. Deep in the by lanes of the old city, I discovered Sharan Kaur⁶ a widow whose son operated a PCO (public telephone) kiosk/small-essentials shop. Chatty and enterprising, Kaur ran an embroidery business, specializing in *phulkari* as well as other styles, and supplied *dupattas* (scarves) and *salwar-kameez* (traditional northern women's clothing) sets to the local market as well as to some established shops in Patiala. She worked on the material herself along with her daughter-in-law, who managed to adjust her time between the intricate stitches and a year old baby, as well as an extended family. "Sometimes there are so many work orders that we are not able to cope between the two of us," Kaur said. "So I call on some women from the nearby villages who have been working for me for some years and whose skills I can depend on." Here we see an unofficial sub-contracting system wherein Kaur assumes the role of an entrepreneur, providing employment to less well off women and also linking the urban markets with the rural hinterland, a link that is by no means unknown in Punjab. In Amritsar, for example, home to intricately embroidered woolen shawls that are famous across the country, dealers frequently employ rural women to do the embroidery. However, since these women are not organized, they are usually underpaid, receiving about a tenth of the sale price of the product.

Thus, we see that the overall picture is one of market expansion, with long distance links being established between the rural manufacturers and urban markets. However, traditional patterns of work have shifted from a feudal base, where manufacturers were linked to their overlord-buyers through relationships of status and loyalty, to a more entrepreneurial relationship of supply and demand between the manufacturers and the markets. The change also had a more subtle aspect: the traditional craftswomen working more intensively and using greater skills in order to generate a higher quality product, albeit with lesser quantity. The modern scenario called for greater quantities being generated as the remuneration was related to the number of pieces being produced, and did not necessarily call for such high standards of skills. The traditional compensation was the status and recognition by the overlord: the current situation was one where the buyer was unknown, and payment was immediate.

The negative factor underpinning the situation is embedded in the sector being unorganized, and women's poverty and vulnerability being exploited on account of their lack of collective voice to demand their entitlements. This is more obvious in the next case, that of the *parandi*-makers of Nabha.

Case Study 2: The *parandi*-makers of Nabha:

It has been argued in the last section that women in Nabha are shifting from traditional work patterns determined by feudal links of loyalty into a cash-based arrangement wherein the product was simply a commodity. There is another group of craftswomen in the town for whom work is not a matter of choice but a necessity. These women work as a result of poverty and desperation, and include the *parandi*-makers, manufacturers of the traditional silk and gold/silver thread tassels that were famously produced in Nabha. These were commonly used by women to tie their long braids, a normal accessory in Punjab with its large Sikh population. The *parandis* worn at weddings and festive occasions were particularly decorative, and they were frequent gifts exchanged by girls and women in days gone by. Modern fashions of cut hair, however, have displaced the long braids of women, and the *parandi* is becoming increasingly outdated in today's world.

These are still manufactured here, however, although the women making them are under the monopoly of the local shopkeepers, who give them a small fraction of the actual price of the objects. The women's earnings are barely Rs. 30 a day, less than half of the minimum wage. They also face

⁶ Name changed.

insufficient exposure to the requirements for the modern market such as absence of finance, exploitation by middle men, lack of marketing and livelihood skills, inadequate infrastructure, inadequate opportunities for capacity building, and limited awareness of the development in different sectors.

Parandi making in Nabha is concentrated in the Bathinda mohalla area, which is inhabited mostly by Bahawalpurias, a migrant community originally from Bahawalpur now in Pakistan. There were about a hundred women who made *parandis* in this neighbourhood. Professor Sethi, a retired academic based in Nabha, who had carried out research on the *parandi*-makers said, “The total labour force is estimated to be between 2000 and 2500. Out of this about 800 are Bahawalpuris, about 400 are locals including the women who had migrated from west Punjab at the time of India’s partition. The remaining are the women who have come from surrounding villages as their husbands/fathers can no longer find work because of mechanization of agriculture. There are also women from U.P. (Uttar Pradesh) and Bihar who have come here with their husbands, who have learnt the craft. The last category of workers, often called Purbias (Easterners), are preferred for routine work. They are also preferred because they work for one employer at a time (indicating that they were prepared to work for less remuneration, indicating their greater vulnerability).⁷

Most of the *parandi*-makers were middle-aged women. The younger women were more involved with the children and household, although they did make *parandis* when they could. The young girls usually attend school or college but they too help out occasionally. Evidently the middle-aged women had more time on their hands than the younger ones, but were frequently more vulnerable as well, being dependent on their sons if widowed, or if their husbands were too old to work. The meager earnings were sorely needed.

Women are either involved in making simple black *parandis* or the more colourful ones with complex designs. The latter are given to women who are more skillful. The raw material such as the yarn, threads, beads etc. is given to the women by the trader who brings it from elsewhere (Ludhiana or Delhi). These traders are also part of the same community hence well known to the women. The women make the *parandis* and give them back to the trader they had taken material from.

The labour rate for the simple black *parandi* is Rs. 6 per dozen and for the more decorative one it is up to Rs. 15 per dozen. On average a women manages to make three dozens of the simple kind in a day. Therefore she earns about 20 to 50 rupees. However, if a couple of women from a single household work they can make 100 to 200 rupees in a day. Earning power depends on the time available to an individual.⁸ The tassels are sold in the markets of Patiala for as much as Rs. 75-200 per piece, indicating the massive profit margin of the middlemen, the shopkeepers.

Most of the women were quite interested in coming to work in a centre as long as it was near their homes. This would give them the space and freedom from household demands that currently eat into their time. Home based work also isolated them from one another, and a common workplace would provide connectivity as well as a support structure for them to share their problems. They complained about the low rates they were receiving for their labour, but were reluctant to break off contact with the shopkeepers who commissioned their work, as this link gave them security at the moment. They did not want to be bothered by procurement of raw material or marketing of the finished product.

⁷ Sethi, 1990.

⁸ Take, for example the case of Poonam. Poonam is from a poorer family than those around them. This may be inferred from the general condition of their home and their clothes. Her father seems old and infirm. He buys black yarn from Ludhiana. This he gives to the women in the neighborhood to be made into *parandis*. Poonam is in class 12 and in her spare time she makes *parandis* and helps pack them. Her father then sells them to *pherivalas* (door to door sellers) who take them to Rajasthan and other places. She tells me that they pay the women on a monthly basis (about 500 Rs. per month). She is thinking of working as a nurse after school like her elder sister. I think it was quite important for her to be able to earn a living.

Indus Tree, a Bangalore-based NGO specializing in training and capacity-building of vulnerable crafts persons, particularly women, stated the need for skills training and diversification in this situation. They also stressed the point that the women needed to be slowly weaned away from the exploitative relationship with the shopkeepers, and any sudden break would only reinforce their vulnerability. It is also imperative that the women organize themselves as a cooperative in order to achieve a greater voice and demand their entitlements in terms of fair wages for their work as well as better working conditions.

It is also relevant to incorporate Amartya Sen's view of inequality as central to the notion of capability, reflecting a person's freedom to follow a lifestyle of his/her choice.⁹ Diverging from the Rawlsian and Utilitarian frameworks which emphasize primary goods and satisfaction as determinants of well-being, Sen argues that it is the freedom to have access to the tools of sustainability that is the key to an individual's benefit. Sen also emphasizes the importance of gender as a determinant in the redistribution of resources, owing to the "systematically inferior" position of women within and outside the household in South Asia.¹⁰ The notion of the "quality of life" as discussed by Sen and Nussbaum is an essential one whereby issues of citizenship, dignity of labour, freedom of social conduct and family relations play an important role in determining the linkages between the individual and national and global policies.¹¹

In the case of the working women of Nabha, we see that the traditional work pattern was one based on historical links of loyalty between overlords and the workers, however, the women achieved a status as skilled crafts persons that allowed them a certain degree of freedom over their products, means of production as well as their time. In the modern context of market forces determining production, women have greater vulnerability, as subordinate members of the family and society. They are responsible for looking after the household and family, in addition to their necessary work to supplement the family income. The cash-based incomes earned by the men do not automatically translate into greater well-being for the family, as the latter may not have access to it. The large-scale alcoholism and drug abuse particularly among men in Punjab indicates that a large share in cash earnings does not provide for the family. It is up to the women to fill this gap. However, their work and earning potential is not officially recognized, and their activities remain unorganized and unclassified.

There is a great need for research and documentation of women's work and its valuation as a productive activity counted in the official estimates of production. In the case of the *parandi*-makers of Nabha, for instance, the women need to organize themselves into Self Help Groups (SHGs) and acquire training and capacity-building in terms of product diversification, accessing the markets, ascertaining demand patterns and taking control over the mode and means of production through bringing in technical agencies and resource persons for training, information dissemination, and marketing. A livelihoods information centre will be set up in the *mohalla* as a space where women can congregate to work, have training programmes and workshops, meet with marketing agencies as well as have recreational activities. The centre will be equipped with computers and the internet, so that women can communicate and have access to information on market rates, etc. Furthermore, institutions like National Bank for Agriculture and Rural Development (NABARD) and micro credit agencies like Sa Dhan may be brought in to impart training in forming SHGs, cooperatives and their management, savings, and investment for total financial sustainability. Project coordinators from among the community will be trained to ensure follow-up for sustainability. This will help them achieve the required voice and capability to manage their time and production in an effective manner.

⁹ Sen, 1992.

¹⁰ Sen, 1990.

¹¹ Nussbaum and Sen, 1993.

Part Three:

Women's Rights

A Uniform Civil Code Towards Gender Justice

Leila Seth

ABSTRACT:

This essay records and analyses the challenges faced in securing a uniform civil code for all citizens of India. The author looks at the complex issues of passing a civil code in an electoral democracy, and contends that a progressive government should ensure equality and justice for all Indian women now by pushing through a uniform civil code. She calls for gender-just laws, even if the progress is little by little, through an open process. The principles of equality, justice and non-discrimination are far more important than unequal, unjust, and discriminatory personal laws associated with particular religions. The paper argues that a uniform civil code (a family law code) will help break down those customary practices derogatory and harmful to women and give women individual identity as independent citizens of India. The author contends that like criminal law, the family or personal law should be the same for all individuals so that a plethora of personal laws does not prevent some women from having the rights of equality available to others. She stresses that a uniform civil code will not take away the right to perform religious ceremonies and rituals. A uniform civil code is urgent because it is a matter of social reform and gender-just laws.

Over 55 years ago we, the people of India, gave to ourselves a wonderful constitution – a sovereign, democratic republic where there would be justice, liberty, equality and fraternity.

The Constitution secured for us certain fundamental rights, and the right to enforce them through the courts. Other rights which could not be achieved immediately were placed in the next chapter known as Directive Principles of State Policy. These were directions to the Indian State to implement them in due course, except where there was a time frame of ten years mentioned as in the case of providing free and compulsory education for all children until the age of 14 years. Unfortunately, even this time frame was not adhered to, leading the Supreme Court to treat it as a right and demand compliance. But it is only recently that some attempts to make it a reality have been taken by the government.

Article 44 of the Constitution provides for a uniform civil code for the citizens. It states “The State shall endeavor to secure for the citizens a uniform civil code throughout the territory of India.” What does uniform civil code mean here? We already had a uniform criminal code – one that applied to all in the territory of India. We also had a number of civil laws which were uniform – like the Contract Act, the Transfer of Property Act, and the Civil Procedure Code, etc. So, this uniform civil code really referred to family laws sometimes called personal laws.

The Muslim members of the Constituent Assembly who spoke on the uniform civil code were all men. Except for Tajmul Hussain from Bihar, all of them fought relentlessly to exclude the Muslim community from this Article. At the other end of the spectrum were three stalwarts for social change and equality for women – Minoo Masani, a Parsi, Raj Kumari Amrit Kaur, a Christian, and Hansa Mehta, a Hindu who wanted it to be made a fundamental right.

No viewpoints were accepted, and it was not made a directive principle of State policy – postponing the problem to be sorted out by a future government.

It is more than half a century since Article 44 was enacted. But successive governments have not shown the necessary gumption and courage to act upon it. Though off and on, the need for a uniform civil code is debated, a small but vociferous section of the Muslim community –

India's largest minority – opposes it on grounds of religious interference, and the larger but quieter voice of gender justice is dispelled, resulting in uncertainties and continued discrimination. It is then that one remembers the words of Acharya Kirpalani, a congressman, spoken when the Hindu personal laws were being radically reformed in 1955-56 (despite the violent opposition of an orthodox President and Hindu religious leaders). He said:

“We call our State a secular State – a secular State goes neither by scripture nor by custom. It must work on sociological and political grounds. If we are a democratic State, I submit we must make laws not for one community alone. Today the Hindu community is not as much prepared for divorce as the Muslim community is for monogamy...Will our Government introduce a Bill for monogamy for the Muslim community? Will my dear Law Minister apply the part about monogamy to every community in India? ...I tell you this is the democratic way. It is not the Mahasabhaites alone who are communal; it is the Government also that is communal, whatever it may say. It is passing a communal measure. You shall be known by your acts, not by your profession. You have deluded the world so often with words. I charge you with communalism because you are bringing forward a law about monogamy only for the Hindu community. You must bring it also for the Muslim community...the Muslim community is prepared to have it but you are not brave enough to do it.”

The Government was silent and went ahead as planned. The Government is still silent – fifty years later. A courageous government could have ensured equality and justice for all Indian women then; a progressive government should ensure equality and justice for all Indian women now by pushing through a uniform civil code.

Though the Constitution does say that directive principles are not enforceable by any court, it also makes it clear that the directive principles are “fundamental in the governance of the country, and it shall be the duty of the State to apply these principles in making laws.”

Article 44 pertains to all citizens of India. The Constitution confers citizenship not on the basis of caste, creed, sex or religion, but on the basis of birth, domicile, choice, etc. Thus it is the right of all citizens, and women in particular, to be treated equally and without being discriminated against. The endeavor of the State to achieve this must be perpetual and paramount. Even if the Government hesitates for fear of losing votes and the religious leaders rant for fear of losing control, the women's movement and civil society should not be complacent. They must help bring about equality for all Indian women, including those whose voice is feeble because of being behind the *purdah* (Muslim veil) for years. We cannot leave it only to the minority community to raise the issue, for then we might wait forever, as it does not suit most men to give up their hold on women and the advantage which is already theirs.

In fact this was brought home to me very clearly at a seminar on August 4 and 5, 1995 organized by the Legal Aid Cell of AGHS (an acronym of an NGO set up by Asma Jahangir and others) on Family Laws and Human Rights of Women held in Lahore. It dealt with the personal laws in the sub-continent of Bangladesh, India and Pakistan. It soon became apparent to the participants from all three countries that though the family laws for the Muslim majority had changed somewhat since the partition of British India and benefited women in Bangladesh and Pakistan, the position of the Hindu minority in these two countries was as it was before. The Hindu minority had been totally unaffected by the dramatic changes of Hindu Law in India, *e.g.*, mandatory monogamy, permitting divorce and the right of women to adopt as also inheritance rights in their father's property, etc. The substantial benefits gained by Hindu women in India had passed them

by, and they were still carrying on as before the codification and amendments of 1955 and 1956 and thereafter. Similarly the Muslim minority in India had been passed over without any movement towards gender-just laws, while some benefits had accrued in Bangladesh and Pakistan to women by virtue of Muslim personal law amendments brought about in those two countries.

Since changing laws for minorities is a sensitive matter, at this seminar, we called upon “concerned persons, social action groups, political parties, legislators, and the government of these countries to campaign for and introduce reforms in the family laws in order to make them just and guarantee equal rights to all women and children.” A declaration setting out “the minimum requirements” was released. It dealt with marriage, separation and divorce; it also dealt with guardianship, custody, adoption and other rights of the child; further, it made provisions regarding economic rights of women within marriage, and maintenance and inheritance laws.

These are not Hindu or Muslim or Christian or Parsi demands or laws – these are a cry for gender-just laws for giving women their human rights and their mandated Constitutional rights. If we cannot give them all the rights all at once, let us progress little by little but let us not be stagnant. Let us move towards gender-just laws and a uniform civil code.

I was a Member of the 15th Law Commission of India from September 1997 to August 2000. We submitted a number of reports to the Government. Our report on the Indian Divorce Act, 1869 took us into the realm of ‘personal law.’ The Divorce Act applied only to Christians, and was heavily weighted against women. Despite several reports – one as early as 1960 – by previous Law Commissions, the law had not been changed.

Once again we made suggestions with regard to the notorious Section 10 of the Act, which provided that a Christian man could be granted divorce on the ground of adultery alone, whereas a Christian woman had to establish adultery plus an additional matrimonial offence such as cruelty, bigamy, incest or desertion. This was obviously discriminatory, and we wanted it changed. We also suggested repeal of the provision making it necessary for a decree of confirmation by the High Court.

We recommended that the anomalies and ambiguities be removed and the law be changed expeditiously in the interest of social justice and the Christian community in India. I was delighted when the new law came into force in September 2001.

The 15th Law Commission also took up an important matter in Hindu personal law relating to the property rights of women. The Mitakshara system of the joint Hindu family (commonly known as the Hindu undivided family or HUF) where devolution of property takes place by survivorship rather than succession, permits only sons to be members of the coparcenary and excludes daughters. We felt that the exclusion of daughters from participating in coparcenary property, merely by reason of their sex, was unjust, and we made some positive recommendations in this regard.

Kerala had abolished the joint Hindu family in the state, Andhra Pradesh provided that a daughter would at birth become a coparcener like a son. Tamil Nadu, Maharashtra, and Karnataka followed the Andhra Pradesh model. After due deliberation, we decided to recommend a combination of the two models; we believed that the synthesis we arrived at was in keeping with justice, equity, and family harmony. We suggested that these changes be brought about by an amendment to the Central Act by Parliament so that there would be uniformity in this regard throughout the country.

In May 2000, our report on Property Rights of Women: Proposed Reforms under the Hindu Law was sent to the Law Minister. This was the last report submitted by the 15th Law Commission, whose term was to expire at the end of August. The press reported it extensively.

When some TV reporters came to the Law Commission to interview me on the subject, I said: “Despite the Constitution of India having proclaimed equality before the law as a fundamental right, a daughter is excluded from participation in ancestral property under the Mitakshara system merely by reason of her sex. It is my fervent hope that if the changes suggested are brought about and fully implemented, it will be the death knell of the curse of the dowry demand and will also improve the condition of women.”

Discrimination against women enshrined in the law exists just as acutely in the Muslim personal law in India. What is worse is that here, attempts by the courts to improve their position have roused the wrath of sections of the community. In the case concerning Shah Bano, an impoverished, divorced woman denied maintenance by her ex-husband, the Supreme Court granted maintenance on grounds other than those of Muslim personal law.

The subsequent uproar compelled the pusillanimous, vote-seeking government of the day to rush a bill, the speciously titled Muslim Women (Protection of Rights on Divorce) Act through Parliament in order to nullify the judgment and deny Muslim women this protection. It was a shameful capitulation.

What happened to the directive given by the Constitution to the State to endeavor to secure for the citizens a uniform civil code throughout the territory of India? This uniform civil code means a uniform personal law on such matters as marriage, divorce, maintenance, adoption, guardianship and succession, regardless of one’s religion – as exists in most countries and indeed, even in Goa, a legacy of Portuguese rule.

To my mind, the principles of equality, justice and non-discrimination are far more important than unequal, unjust, and discriminatory personal laws associated with particular religions. When I suggested to Justice Jeevan Reddy, the Chairperson of the 15th Law Commission of India that we take up the question and write a report on the uniform civil code, he looked thoughtful and said, ‘This is not the right time.’ And indeed, the timing – which of course will never be perfect – is a vexed question. It is difficult to get minority communities to accept such legislation if they are suspicious of the partisan motives of the Government that seeks to introduce it.

On December 4, 2004, I read in the *Times of India* a statement made by the present Law Minister that he would go to the cabinet the next week (which he has since done) with a proposal to amend the Hindu Succession Act 1956. He said that this was at the behest of the Prime Minister and added that the Law Commission had proposed reforms under the Hindu Law to confer equal rights regarding coparcenary to women, which was the subject matter of the proposal. (The Law has since been amended).

But when questioned by some of his colleagues, including Fali Nariman about introducing a uniform civil code, he ruled out a uniform personal law and replied, ‘We can’t speak for all communities unless they are ready.’ But when will all communities be ready? Was the Hindu community ready when the Shastric Hindu laws were drastically changed in 1955-56? And how do we help the communities to be ready?

The answer appears to lie in the editorial of the Hindu newspaper of December 7, 2004 which concludes that ‘a readiness to reform can be created by dialogue and debate addressing the laws that discriminate against women grossly and are indefensible.’

It is important to bring all personal laws within the constitutional principle of equality. The Parsi, Christian, and Hindu laws have been slowly moving in that direction, but we need the Muslim personal laws to move likewise. After all, so many changes have been brought about in other countries where Muslims predominate. Why then should the Indian Muslim women be so disadvantaged, especially when they have an equal right to vote and participate in the formation of government at both the State and the Central level? Depriving them of equality in personal laws seems rather strange.

The line between personal law and criminal law is often blurred. Section 125 Cr.P.C. (Criminal Procedure Code) is a provision to prevent vagrancy and thus gives all Indian wives some maintenance. Yet it became such a huge issue in the Shah Bano case. When tribal people marry, it is their personal law. But when the panchayat shuns them, then it is referred to as the law of the panchayat. But if the panchayat executes them, then clearly it is a case of murder and clearly a matter to be dealt with under the criminal law. But is not blackening their faces, putting garlands of shoes around their neck, and ostracizing them a violation of human rights and thus a crime?

The tribals suffer untold indignities and even death, and leaders like Mahender Singh Tikait proclaim loudly that anyone breaking the caste rules must expect to be punished. Muslim women suffer indignities as a result of the horrendous practice of triple talaq, etc., and though the All India Muslim Personal Law Board admits it is a social evil, the Board President said just recently that the triple talaq is irrevocable as it comes from divine inspiration, that is the Shariat.

I say that we must depoliticize the uniform civil code. For at the heart of the desire for a uniform civil code is the determination to do away with discrimination, empower women, and give them their dignity and self esteem. A uniform civil code (in other words a family law code) will help break down those customary practices derogatory and harmful to women and give women individual identity as independent citizens of India.

Religion is about faith – a relationship between an individual and his/her God – whereas law is about specific rights of an individual as against other individuals or society at large. One is the religious plane which is entirely personal and the other is the social plane which deals with a person's status and self esteem as a citizen of the country. Take for instance the Divorce Act which applies to Christians, irrespective of whether they are Protestants or Catholics. Interestingly, the Catholic Church does not recognize divorce, but a Catholic can get a divorce under the provisions of this Act if he or she wants. If criminal law treats all offenders with an equal hand – regardless of their caste, creed, sex and religion, so should the civil law including the family law. Women's lives are normally bound with the family and their status therein. Laws that are unjust within the family or laws like untouchability to other sections of society cannot stand within the framework of the Constitution and must slowly but surely be changed.

It is sometimes asked why we need a uniform civil code when we have the Special Marriage Act, 1954 which Pandit Jawaharlal Nehru had called the forerunner of the uniform civil code. But the first Special Marriage Act was enacted not in 1954 but in 1872. It required the parties marrying under it to renounce their religions. It is only when the Special Marriage Act was re-enacted in 1954 that it permitted inter-religious marriages without the couple having to renounce their religion. Parties marrying under this Act were governed by the Indian Succession Act, 1926 for purposes of inheritance. Subsequently in 1976, Hindu couples marrying under Special Marriage Act, 1954 were taken out of its ambit and could inherit under the Hindu Succession Act, 1956. This was a retrograde step, at the time, because for a Hindu wife, her inheritance was depleted due to the coparcenary system.

Some say have an optional code, but what use is that? There is no doubt that we live in a male-dominated society, and only a few liberal and generous men will give up voluntarily what they have over the centuries enjoyed. If we had in 1955-56 enacted a voluntary Hindu Code how many Hindu men would have opted for it, especially as it was greatly at variance with the Hindu religious laws that existed at the time. But because it was made mandatory, today we Hindu women are the beneficiaries of that law. We need to thank the champions of women's equality like Pandit Jawaharlal Nehru who had the courage and tact of seeing it through all odds.

In India, women's problems regardless of caste, community, gender, or religion are similar. Women are suppressed and denied their dignity. A multiplicity of family laws divides them and is confusing, and they are often not aware of what their rights are, if any, in a given situation. They would be strengthened if they were united together under one set of rules. The larger group of uneducated women often cannot differentiate between custom, culture, religion, and criminal law. Why should the Muslim Aneesa be at a disadvantage to the Hindu Parvati? As Dr. Vasudha Dhagamwar noticed in her research that Aneesa Begum, who worked as a domestic servant with her parents, was not willing to accept that if her husband Sayeed divorced her, she would not be entitled to maintenance like the other domestic servant Parvati. She said 'How won't they give it? Parvati will get it and I won't? How can this be? Is there no law in the country?' Her exact words were "*Desh mein koi kanoon hai ya nahin?*" Like criminal law the family or personal law should be the same for all individuals so that a plethora of personal laws does not prevent some women from having the rights of equality available to others.

A uniform civil code will not take away the right to perform religious ceremonies and rituals, but would any woman object to a code that gives her equal property rights, protection from polygamy and arbitrary divorce and the right to adopt and the right to inheritance even if her father or husband converts to another religion?

One of the advantages of a uniform civil code will be a proper notice period and registration of the marriage. The ceremonies will become optional. But parties can have ceremonies of their choice as a ritual, *i.e.*, Hindu – Saptapadi, Muslim – Nikah, Christian – Church blessing, etc. Proof of the marriage will be the registration and compliance with what is required of notice, etc., as set out in the uniform civil code. Monogamy will be mandatory and the laws of divorce will be the same for men and women, and this will lead to cohesion and non-fragmentation of society. Men and women must be entitled to equal property rights, which can be enforced by law. This will be real empowerment for women. If this is not done, it is women and children who are the losers. Men have managed to manipulate what laws are made by virtue of their position in society and/or religion to ensure their supremacy. And even progressive men do not often voice their dissent as they are indirect beneficiaries of this manipulation.

But bringing in the uniform civil code will not be easy, as we have seen. In 1972, the government introduced a comprehensive law pertaining to adoption. It provided that the Hindu law on adoption would be repealed. There would be only one law throughout India applicable to all. The Bill went to the Select Committee, and it was opposed even though it was only an enabling act. A completely secular law failed to get enacted because one community opposed it on religious grounds saying that though Islam doesn't permit adoption, yet a "bad" Muslim might adopt. A Muslim member of the community even went so far as to say that there should be no such law giving any community "the liberty of abandoning their personal law."

Even though Dr. Ambedkar's code was built on the principles of gender justice, he could not persuade the Government to get the Hindu Code Bill passed in one chance. So, it was split up

and passed piecemeal during the period 1955-1956 into Marriage (1955), Succession (1956), Minority and Guardianship (1956), and Adoption and Maintenance (1956). Unfortunately, due to reasons of political expediency, just family laws were not enacted for all Indian women, thus only Hindu women benefited.

But Article 44 demands just family laws for all. It is not a question of national integration only but a reminder that all Indian women need this protection of a uniform civil code and an improvement and acceptance of their rights. It is urgent because it is a matter of social reform and gender-just laws, and a draft uniform civil code should be prepared. It should be circulated widely and debated vociferously and comments asked for. The best should be taken from different laws and the strong anti-woman biases removed. There is no use closing the debate and saying, as Mani Shanker Aiyar says in his recent book *Confessions of a Secular Fundamentalist* that there is one and only one factor standing in the way of the reform of Muslim personal law, and it is the demand for “immediate imposition by brute majority, of a uniform civil code on the Muslims by a political party,” which is communalist and anti-Muslim and who, in the guise of a uniform civil code, want to impose a Hindu Civil Code. But Mr. Aiyar fails to note that Indian women are not asking for a Hindu Civil Code but a uniform civil code, one that is just and most fair to women.

Mr. Aiyar is clearly targeting the B.J.P. (the Bharatiya Janata Party), but today the party and government in power cannot be said to be anti-Muslim. It even has a staunch opponent of the uniform civil code – Syed Shahabuddin in its fold. So, now is the right time to set the ball rolling, to ensure all Indian women security, equality, and justice, to let a uniform civil code be framed and a dialogue set in motion. Why should an old demand and a commitment made in the Constitution be abandoned and remain an unfinished agenda of the Founding Fathers. Many people say they want a gender-just code but not a uniform civil code. But the Constitution has provided for a uniform civil code, and this is a better reason for law reform – that it must be gender just goes without saying. I think they should not oppose it because a particular party supports it – depoliticize it and remember that a good idea propounded by social activists does not become bad because your opponents tried to hijack it. Claim it as your own, like the peace process with Pakistan, and get the credit for women’s emancipation and equality and ensure that it is gender-just. Take what is best in all laws and frame a uniform civil code.

But the observations made in the above mentioned book by Mani Shankar Aiyar – a minister in the present Government – makes me lose heart. He says, “As the customs and usages, rites and rituals, traditions and practices of different communities are the very basis on which religious communities distinguish themselves from each other, the prospect of actually seeing a uniform civil code is distant.” Surely he realizes that law and religion are separate, and there can be one law for all Indians but many religions practiced and customs followed – unity in diversity. For surely the foremost identity is one of being an Indian, and thereafter a linguistic and/or religious identity, i.e., a Christian, Muslim, Hindu, Jain, Buddhist or Sikh, etc.; and though a Jain, Buddhist or Sikh comes within the ambit of Hindu law, he/she follows his/her own religion and rituals.

But there is hope in Mr. Aiyar’s disclaimer as he states that the views expressed in the book are entirely his in his personal capacity and do not necessarily reflect the views of the party to which he belongs nor the Government of which he has the honour to be a minister. What he has said binds only him as a concerned citizen of this great country.

So, I say, this government which cannot be indicted by the Muslim minority of being partisan owes a duty to the women of India to complete the unfinished agenda of the Founding Fathers and do away with all discrimination between men and women and make a personal law that will benefit all Indian women without discrimination whether they are Christian, Hindu, Muslim or Parsi. I say get rid of the Hindu codified laws, do away with coparcenary discrimination and the Hindu Undivided Family and the law which permits only a male member to ask for partition of a

dwelling house; get rid of triple talaq, polygamy, etc., and improve the law and increase women's rights for all Indian women. For law is a springboard and a "pointer" in the words of Gandhiji and helps to bring about change since it is the mindset that is required to be altered in order to have effective implementation.

When the Hindu laws were not being passed by the Provisional Parliament and the orthodox members resorted to filibustering, Renuka Ray and Durgabai Deshmukh were restless and told Pandit Jawaharlal Nehru about the manipulations and maneuverings. He was a strong supporter of women's rights and after some thought he said, "Do you trust me? Do you feel that I really want to see the Bill through?" And when they replied in the affirmative, he said, "Will you trust me further? Will you let me choose the time for the enactment of the legislation?"

It was a tough fight, but the bills became law in 1955-1956 about twenty-five years after the campaign for the removal of the legal disabilities of women was started by women organizations.

Do I not have a right to plead for equality for my Indian Muslim sisters or must they and I wait until Indian Muslim men give them the right to speak out? Do not Indian women have the right to ask why should monogamy be optional for Indian Muslim men and why should divorce be almost instant for Indian Muslim women. Are Indian Muslim women a lesser group – to be silenced into submission and not be allowed to develop their self esteem – are they second class citizens?

I say again – depoliticize Article 44 and let us complete the unfinished agenda of the Founding Fathers. Every time a suggestion is made for a uniform civil code or gender just laws, the religious leaders or persons with vested interest should not rabble rouse and frighten the ordinary Indian Muslim women into silence, immobilizing them with fear that what is being suggested is the death knell of Islam; nor should they threaten the government with the spilling of rivers of blood. Reinhold Niebuhr has said, "Man's capacity for justice makes democracy possible, but man's inclination to injustice makes democracy necessary." Let us do things in a democratic manner and give justice to women.

Now is the time to redeem the pledge of equality given to the women of India and enshrined in the Constitution. I submit that the personal laws should conform to the fundamental rights of equality and if there is any conflict, equality should prevail. I call upon the government of the day to show courage and introduce a uniform civil code. I speak not as a Hindu or an agnostic but as a woman who feels the indignity suffered by other women and as a secularist, though not a secular fundamentalist, which has acquired a pejorative meaning. For, as Lord Meghnad Desai has said, "Each fundamentalism is a political and not a religious movement based on an agenda of creating an exclusive realm where they can control the citizenship."

Surely there is no better time to fulfill Pandit Jawaharlal Nehru's dream of all Indian women walking hand in hand and in step with men. At the time of writing, we have a progressive Muslim President, a sympathetic Sikh Prime Minister, an analytic Hindu leader of the Opposition and a concerned Christian woman, who is Chairperson of the United Progressive Alliance. Let us together ensure that we have a uniform civil code.

It needs hard work. It needs dialogue and public debate and changing the mindset with empathy. It is no use taking adversarial positions. That will not get women anywhere. Let us prepare a good draft and circulate it widely. Let us also circulate the family law bills prepared by the National Commission for Women and others. It is important for the matter to be discussed in a

transparent manner so that ignorance is removed, because prejudice and fear are often caused by ignorance.

The process must be open. We must not let the fundamentalists – Hindu, Muslim, Christian or Secularists – take over. We should bring the light of cold reason to bear on the subject and act tactfully but bravely and we shall prevail. For as President Andrew Jackson said, “One man with courage makes a majority,” and I replace it with: One woman with courage makes a majority.

So, let us slowly move into the sunlight for, in the words of Martin Luther King, “Injustice anywhere is a threat to justice everywhere.”

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Missing Daughters: Socio-economic and Cultural Dynamics of Adverse Sex Ratio in Punjab

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ABSTRACT:

A drastic decline in the child sex ratio of the state of Punjab during the decade of 1901-2001 has become a matter of concern for academics, social activists, policy makers, planners and voluntary organizations. The present paper is based on the findings of the study conducted as a response to such concern, aimed at having a grassroots level feel of the situation and to know the perception of the rural people concerning the male and female child, the various factors associated with such perception, the pre-natal sex determination test, and female foeticide. Starting with the situational analysis of sex ratio in the state of Punjab, the paper looks into the various historical, socio-economic and cultural factors which have contributed towards making the position of girls vulnerable in the society. Findings revealed that the factors that were contributing to the perception of daughters as a burden were related to the marriage of daughters and to family honour. The response of women varied according to their caste, income and education. A number of suggestions have been given for improving the situation.

Sex ratio is an important social indicator of the extent of gender equity prevailing in a society. Changes in sex composition of the population largely reflect the underlying socio-economic and cultural patterns of a society. The sex ratio of the Indian population is strikingly below the world average and has remained unfavourable to women throughout the last century. It has rather shown a declining trend during this period except for small increases at some points in time. In 1901, the sex ratio of India was 972 and it experienced continuous decline until 1941. In 1951, there was a marginal increase of one point, but thereafter it again dropped for two consecutive decades to reach 930 in 1971. The sharpest decline of 11 points was experienced during the decade of 1961-71, bringing the sex ratio down from 941 to 930.

For the first time since 1901, there was an increase of four points in the sex ratio during the decade of 1971-81, and the 1981 Census revealed a sex ratio of 934. Although the increase was not very significant, hopes were raised very high, as it was thought that the much required turn around had begun and that this increase will continue. The census data of 1991 again proved to be disappointing when the sex ratio went down to 927, but it then registered an increase of six points, thus bringing it to 933 at the time of 2001 Census. The net deficit of females in India that was 3.2 million in 1901 further widened to over 35 million in 2001.

A state-wide analysis reveals that the state of Punjab presents a very alarming situation with respect to the trends in sex ratio. Punjab has a sex ratio of 874, which is significantly lower than the national average of 933 (Census, 2001). Among the 27 states (excluding Jammu & Kashmir), Punjab has ranked 26th, and only the one state of Haryana has a sex ratio (861) lower than that of Punjab. Punjab has slipped down to rank 26th among the 27 states, as compared to having been at 23rd in 1991. While the national level statistics have shown an improvement of six points, Punjab has experienced a decline of eight points during the decade of 1991-2001. Like Punjab, the neighbouring states of Himachal Pradesh and Haryana and the Union Territory of Chandigarh have shown a decline in sex ratio in the last decade.

A look at the time-series data of the last century reveals that while for India sex ratio declined from 972 in 1901 to 927 in 1991, for Punjab it had increased from 832 in 1901 to 882 in

1991. Thus, the trend for Punjab was encouraging until 1991, except for the fact that the increase in the sex ratio of Punjab, noted during the decade of 1981-91, was less as compared to the increase in the earlier four decades. This deceleration in the increase was a matter of concern and the probable reason for this was the increasing trend of female foeticide in the state. The concern was not baseless, and the data of the next decade (1991-2001) confirmed the fears of a declining sex ratio. The sex ratio of the state registered a decline of eight points and the child sex ratio declined drastically by 82 points (the largest decline in the country).

The first private sex determination clinic came up in the city of Amritsar (Punjab) in 1979. After that, there was a mushrooming of ultrasound clinics during the decade of the 1980s. The decade of 1981-91 experienced a significant decline in the child sex ratio of the state from 924 to 875. With the spread of ultrasound clinics to every nook and corner of the state, the child sex ratio by the Census 2001 was recorded at a miserable 793. This drastic decline pointed towards the probability of increased use of pre-natal sex determination followed by abortion of the female fetuses.

Data related to the child sex ratio (0-6 years) presents a very alarming trend. At the national level, the child sex ratio has declined from 945 in 1991 to 927 in 2001, a decline of 18 points. Maximum decline in the child sex-ratio is evident for the Punjab state from 875 to 793 (a decline of 82 points) followed by Haryana (59 points), Himachal Pradesh (54 points), Chandigarh (54 points), Gujarat (50 points) and Delhi (50 points). Thus, the decade of 1991-2001 has witnessed a decline in the sex ratio of Punjab and a drastic decline in its child sex ratio.

The fact that all the districts of the state, except Moga district (which has experienced a decline of 48 points) have experienced a decline of more than 50 points in the child sex ratio and four districts including Fatehgarh Sahib (- 120), Kapurthala (- 104), Gurdaspur (- 103) and Patiala (- 101) have reported decline of even more than 100 points presents a frightening situation. Of all the eleven districts reporting lowest child sex ratio (784 or less) in the country, nine are in Punjab. There are 34 districts reporting lowest child sex ratio in the country (less than 820). All 17 districts of Punjab fall in this category. If things continue like this, a stage may soon come when it would become extremely difficult, if not impossible, to make up for the missing number of girls. Moreover, a missing number of either sex, thus creating the resulting imbalance, can destroy the social fabric of the society.

According to a study by UNFPA (2001) based on data generated by the National Family Health Survey I and II conducted in 1990-92 and 1996-98, the Sample Research Survey has pointed out that female foeticide accounts for a significant part of the decline in fertility and the increase in the small family norm achieved in Punjab and Haryana, two of the most prosperous states in India. The study revealed that sex-selective abortions accounted for about one-third decline in total fertility rate in urban areas of Haryana, while it contributed to 50 and 80 per cent decline in rural and urban areas of Punjab. Thus, female foeticide can be considered as the main probable cause behind the recent drastic fall in the sex ratio (0-6) of the state.

Though data for the state of Punjab is not available, for the country as a whole, a study conducted by a subcommittee of the Federation of Obstetricians and Gynecologists' Societies of India reported that out of 8,000 cases, 7,999 were aborted when the test results showed a female fetus (Ravindra, 1986). Another study conducted by Ravindra (1986), on 1000 cases in Bombay, found that not even in a single case, a male fetus was aborted, whereas 97 per cent of fetuses identified as female were aborted. According to the study on female foeticide by an Info-Canadian team, about 500,000 unborn girls – one in 25 – are aborted in India every year (Tribune, 2006).

Historical, Socio-economic and Cultural Factors:

Punjab being a predominantly peasant society, preference for sons for doing agriculture has been very pronounced in its traditional ethos. The love of Punjab peasantry for agricultural land that further required males for inheriting and cultivating it placed a high premium on sons. The traditional social system denied women any significant property rights. Being a dominantly peasant society and the major community 'Sikhs' being a 'martial race', Punjab has always demanded sons who could fight in a battle or plough fields during peace. The very location of Punjab led to the development of such social traditions and practices that had serious consequences for the proportion of males to females in this region. Until the British came to India by sea, Punjab had been the gateway of India. Because of frequent invasions and attacks, a sense of insecurity was created. Under these circumstances, women proved to be a liability, as quite often, they were taken away by invaders, kept as wives or concubines, and sometimes they were sold out, and these were the matter of great disgrace for the brave people of Punjab. Thus, the insecurities created by these invasions resulted in the practice of female infanticide and the consequent practices like polyandry, traffic in women, marriage by bride-price, and child marriage.

The socio-cultural practices of a male-centered kinship system prevalent in the north undervalued and subordinated females. The traditional patriarchal and exogamous marriage and kinship system prevailing in the region has always placed women in a low status and in a precarious position, until they earn their place in the family of marriage by bearing sons. As compared to the southern kinship system which values women more and allows them to retain their ties with their natal kin, the northern kinship system discourages a woman from keeping active ties with their natal kin. A woman who tries to retain ties with her natal kin is looked down upon and is ridiculed as encouraging undue interference from her parental relations. As in the local axiom, it is said '*Ghar digall bābar Nahī Jānī Chāhidi*', i.e. matters of the family should not be discussed with the outsiders. Here the parental family of the girl is also considered outsiders. All these factors contribute towards making the position of women vulnerable in the in-law's family.

Thus, the cultural paraphernalia developed here has been hostile to the existence of females and resulted in practices like female infanticide, child marriage, the *pardah* system, and a ban on female education. When *Gurū Nānak*, the first Sikh Gurū came on the scene, female infants were being killed and women who gave birth to daughters were looked down upon. Gurū Nānak, through his teachings, tried to convince the masses about the importance of women in society. The third *Sikh Gurū* raised his voice against infanticide and condemned those responsible for this. The Singh Sabha Movement also raised voices against the *pardah* system (veiling, indicating avoidance behaviour of women, especially married women), female infanticide, child marriage, deplorable conditions of widows, the practice of dowry, and extravagant expenditure on marriage ceremonies. But in spite of progressive spiritual teachings of Sikh Gurūs, the situation continued to be far from satisfactory.

Talking about the practice of female infanticide in Punjab, Darling (1925) mentioned "Twenty years ago, a Deputy Commissioner of Jullundur remarked that the girls are sacrificed so that loans for their marriage expenses may not encumber the land descending to the sons. The birth of a daughter is regarded as the equivalent of a decree of Rs. 2000 against the father." Darling further mentions that, "One of my authorities is a Sikh official of standing, and he went so far as to say that one reason why village menials do not have to buy their brides is that they do not kill their infant daughters." This indicates that the practice of infanticide was prevalent in high castes only. In spite of the shortage of girls, the consequent difficulties in getting girls for marriage, and the practice of bride-price, female infanticide was practiced. The Ludhiana Administrative Report mentions the resultant practice of bride-price. "In Punjab, where the shortage of women is so great, there is nothing to be said for it, and that it should still exist is a curious commentary on human

logic. Incidentally, it must tend to raise the price of brides, and this is now so high that few can purchase without resort to moneylender” (Ludhiana, A.R., 1904). Thus, in spite of the shortage of girls, the practice of female infanticide was prevalent in the region in earlier part of the twentieth century. Banga mentions that Punjab was annexed to British India in 1849 (1997). In 1853, a large gathering was held in Amritsar at the instigation of British officials. This gathering included local chieftains, landlords, merchants, and representatives of the ruling Punjabi families. It was dedicated to the eradication of female infanticide and to limiting both the cost of dowries and general marriage expenses.

During the British period, punishments were prescribed by the state for those who killed their daughters; every birth and death were sought to be registered in the nearest police station within the specified time, and the cause of death was to be recorded. Besides, education and social reform movements were encouraged to create a climate against female infanticide. Special attention was paid to the villages, which were notorious for the killing of female infants. Because of the special attention given by the state to some of the communities and villages, more improvement in sex ratio took place in those villages and among those communities. Between 1911 and 1931, the proportion of females, on the whole, had been adversely affected (due to plague and influenza, which took greater toll of the female life), but among the Jats in the districts of Lahore, Ferozepur, Jalandhar, and Ludhiana, the number of females per thousand males increased substantially. Thus, the impact of state policy was evident.

Various studies conducted after Independence revealed that though the practice of female infanticide had become a thing of the past, the neglect of the female child and limited access to female child and women’s healthcare, nutrition, and medical care continued resulting in higher mortality among the female children. Miller (1981) termed this as ‘extended infanticide.’ “The access disadvantage’ to life sustaining inputs like mother’s milk, nutrition, immunization and health care negates the biological advantage that the girl child has. The Narangwal study (Kielmann, *et. al.* 1983) and Das Gupta (1987) have clearly indicated neglect of female infants and babies, differential allocation of food, health, and medical care to girls resulting in higher mortality from all causes among the females. Some recent observations by Basu (1991) and the Central Social Welfare Board (1998) also reveal these male/female differentials in food, nutrition, and health. In the last two and a half decades, a very disgraceful practice of female foeticide has not only become popular, but received social sanction also. Scientific advancement in the field of health has been used by the patriarchal institutions of the society in accordance with their own requirements.

Thus, the technology, which was supposed to be a life enhancing device, has been reduced to the life depriving technique for girls. The patriarchal ideology has been taking different forms, whether it is female infanticide, neglect of the female child, or limited access of the female child to health, nutrition and medical care or foeticide.

Present Study:

A drastic decline in the child sex ratio of Punjab in the last decade has attracted the attention of academics, social activists, policy makers, planners and voluntary organizations. Dr. Sabu M. George (2001), an activist researcher who has been actively involved in implementing female infanticide and foeticide prevention programmes all over the country for the past 16 years says, “If the present trend of unabated pre-natal sex-determination continued for another decade, the region will witness an alarming decline in sex ratio, so much so that the present sex ratio of 793 (0-6 years) in Punjab would decline by another one third.”

In this context, it was considered essential to have a grassroots level feel of the situation and to know the perception of the people concerning the male and female child, the extent of male preference existing in the society, the various factors associated with the male preference, and pre-

natal sex determination and female foeticide. Because of the limitation of space, the present paper deals only with perception about the female child, the pre-natal sex determination test, and female foeticide.

The study is based on primary data collected from two villages, one each selected from two districts of Punjab. These two districts (Ludhiana and Patiala) were selected from the lower 25 per cent of the districts of the state, when arranged in the descending order of their sex ratio as reported in the Census, 2001. From each of these two selected districts, one block was selected randomly and from each of the two blocks, one village was again selected randomly. Fifty households were selected from each of the villages, thus making a total of hundred households from the two villages. The sample was obtained by using the stratified systematic sampling technique, caste forming the basis of strata. Respondents of the study were married women in the age group of 20 to 60 years. Data was collected through a schedule and an attempt was made to collect more of qualitative data in terms of exact statements made by the respondents during the course of interview. In the majority of the cases, interviews were followed by discussions, as respondents had great interest in the subject under study. The author collected the data herself and made multiple visits to villages over a period of two months. In the presentation of results every attempt was made to present the qualitative data.

Perception about the Girl Child:

An attempt to understand the perception of the respondents revealed that all the respondents were unanimous and emphatic about the necessity of having a son in the family. A number of reasons given by the respondents for their answers were socio-cultural, economic and psychological. The psychological reasons mentioned were also found to be related and can be said to have their origin in the socio-cultural factors. (This aspect is not being discussed in the present paper, because of the limitation of space).

When the same question was posed related to the necessity of having a daughter in the family, only 54 per cent of the respondents stated the necessity of having a daughter in the family. Some of the respondents (31%) very candidly stated that daughter was not at all necessary in the family. Out of these respondents, some were very bitter about the condition of girls and women in society, and they very emphatically denied any need for a girl child in the family. This point has been further discussed in the section on 'pre-natal sex determination and female foeticide', as these respondents tried to justify the use of the test as a means to get rid of the unwanted daughters in the family.

A number of respondents replied to this question very vaguely. Some of the statements they gave were:

'Je ik kuRi ik munda ho jave tã theek hai'

'If you have one daughter and one son that is good.'

'Je kuRi ho jave tã changā hai, Bhain Bharā dī jodī ban jāndī hai'

'If you have a daughter it's good, as there is a brother— sister pair.'

'Je kuRi nā vī hove tã koī gall nahī'

'If there is no daughter, that doesn't matter.'

A scheduled caste woman remarked —

'Jis de munde ne ob kaibnde ne kuRiā tō kī lainā, hou tã theek hai, nahī tã nā sabī'

"Those who have sons, they say, "what do we have to gain from daughters," if they have one it is all right, if not, then it's also good.'

Another respondent said —

'Je kuRi nā hove tã sochidai parmātmā dī marjī, te koī bābiā kol nahī jāndā. Je mundā nā hove tã edbar odbar bhajidā bai'

'If there is no daughter, it is taken as God's will and no body goes to Babas and Hakims, but if there is no son, one goes to different Babas, Hakims and religious places to get a son.'

Regarding the reasons given by the respondents for the necessity of having a daughter, it was found that all these respondents (54%) mentioned that 'girls are more sincere and affectionate' and that 'mothers can share her sorrows and joys with daughters.' The respondents who had no daughters and had recently married specifically mentioned the necessity of having at least one daughter, so that one can share one's feelings with her. Though the respondents were mentioning the helplessness of girls in providing any economic support to the parents, the emotional support provided by the girls was emphasized repeatedly.

Another reason that was mentioned by a large number of respondents was that a daughter in the family makes one empathetic towards the sufferings of others (usually this 'others' is referring to the parental family of the daughter-in-law). Another 37 per cent mentioned that those with daughters know how to adjust. During the discussion, it was mentioned frequently that those who do not have daughters, do not know how to make compromises and do not realize the problems of those having daughters.

While a middle caste woman was being interviewed, her son (about 17 years) remarked that as they did not have any sister, their father did not know how to compromise, and he always wanted his views to be accepted and never bowed down. If they had one sister, making compromises with her in-laws would have told their father to bow down. About 35 per cent of respondents felt that presence of a daughter in the family makes brothers and fathers more responsible. About 26 per cent felt that a daughter was essential for making *kanyā dān* (*The gift of a virgin*). The concept of giving daughter in 'dān' or donation was also prevalent among one-fourth of the respondents. Through performing the marriage of daughter, a father fulfils the sacred duty of *kanyā dān*, which is supposed to earn good *karma* (*spiritual merit*).

Thus, most of the reasons mentioned for the necessity of having a daughter in the family reflected that the very fact of having a daughter in the family made one more humble, disciplined, ready to make adjustments and empathetic towards the sufferings of others. It means female children are associated with suffering and compassion.

Daughter as a Burden:

The various reasons given by the respondents to the question as to why a daughter was considered a burden on the family were related to the marriage of daughters and to family honour.

In the patriarchal and patrilineal society of Punjab, marriage occupies a position of fundamental importance. In the case of girls, it is considered to be more or less a final goal to be achieved. Even the need for girls' education is in some way related to the desire for getting a good match for the girl or helping the girl to be economically independent in case of any problem in the in-laws' home.

The first and the immediate reply to the question as to why girls were considered a burden on the family was the practice of dowry and its increasing demand. The respondents considered it responsible for degrading the worth of a girl in the parental family. The dowry means the gifts given by the girl's family to the boy's family and consists of clothes and jewelry for the girl, household goods and gifts for the groom, his parents, and various kin. The gift of the virgin in marriage (*kanyā dān*) is itself ideally accompanied by the gifts of lavish dowry and the sumptuous entertainment of the groom's family. The menace of dowry influences the psyche of the parents and makes them wish

to avoid having a daughter at all. The amount of dowry given has sharply increased over the years and is increasingly being felt as a burden by the parents. The increasing consumerism and the materialistic values of the modernizing economy are leading to tremendous increase in the practice of dowry. The number of dowry deaths (killing of the bride for bringing inadequate dowry or driving her to commit suicide) is again showing a sharp increase. This factor was mentioned by the majority of the respondents as the reason for the fact that daughters are considered an economic burden by the parents. The statements given by respondents clearly reflect the situation.

'Lokī dukkhi ne kuRiā passō, kyonki parhā likhā ke vī dāj denā pendā hai.'

'People are very unhappy about the girls, as even after getting them educated, they have to be given dowry.'

'Aj kabl bhukkh babut vadhi hai lokā di.'

'Today, people's desire for more and more dowry has increased.'

'Agley jad dāj tō dukkhi karde ne tā dukh bundai.'

'When a girl is harassed by the in-laws for dowry, then you feel unhappy.'

Even the majority of backward castes and scheduled castes considered the increasing dowry demand as a major problem. Thus, the practice of dowry, which was considered earlier as a problem of the upper castes only, is now spreading to the lower castes also. Uberoi (1993) pointed out, "of special interest is the fact that, since the turn of the century, many communities which formerly gave bride wealth, now insist on dowry. This change is associated, like a ban on widow remarriage with claims to a higher status in the caste system – that is with the process of Sanskritization or with the hegemonization of culture associated with modern commodity production."

The recent decades have witnessed the phenomena of female infanticide in south India, the part which has mostly remained free of this tradition. Mazumdar (1994) reported, "it came as a great shock when India Today (June 15, 1986) published a report on the existence of female infanticide in Usilampatti Taluk in Madurai district of Tamil Nadu. The author cited interviews with doctors and common people, and painted a horrifying picture of poverty stricken parents killing their new-born daughters out of fear of the expenses of rearing a daughter including the eventual dowry. The government hospital there recorded an average of 600 female births in the *Kallar* group every year, out of which 570 babies vanish with their mothers. Hospital sources estimated that nearly 80 per cent of these become victims of infanticide. The article suggested that the practice was rampant in all the 300 villages of Usilampatti Taluk, that nearly 6,000 female babies had been killed in the Taluk in the last decade (though very few had been recorded), that this practice was being practiced only amongst the poorer members of the community, and that the practice was essentially related to the dowry evil. Family planning is yet to catch up with the *Kallars*."

Thus, there has been an expansion in the practice of dowry and its spread even among communities that had never practiced it before, or had in fact practiced the opposite form of bride wealth or bride price. Bride wealth is also called bride-price. This is the money paid by the groom's family to the bride's family. This is considered to be selling the girl to the boy's family and socially is not considered good.

Another survey on dowry conducted by All India Democratic Women's Association (AIDWA, 2003) in the Salem District of Tamil Nadu reported that one woman who had been severely indebted because of the high dowry that had been required to pay for her daughter said, "I wish I had killed my daughter... I cannot pay back this loan." Another woman, when asked as to why she had killed her second child, said, "I don't know." The fact is that no one had gone to see her after she delivered the baby, and the fear of facing torture had made her kill the child.

Kishwar (1996) in her study of Punjab mentions that in these peasant families, a heavy amount of dowry is given to compensate the daughter and the son-in-law for denial of the daughter's share in land. But this leads to the family viewing the daughter as an economic burden and decreases her worth in the family. She further points out that the custom of spending more money on marriages was growing among agricultural labourers also. Sometimes, the family has to work for years together to pay back the money. As a result of Sanskritization, this practice is spreading among the lower castes also. (Sanskritization is a process of cultural and social mobility, whereby lower castes try to raise their position in the caste hierarchy by adopting the customs, rituals, ideology and way of life of the higher castes).

In the present study, the practice of dowry and the increasing amount of dowry were perceived as the main factors responsible for the female child being considered as a burden. Increasing expenditure on marriage (70%) and expenditure after marriage throughout life (50%) were also mentioned as the reasons for the perception of a daughter as a burden. Hershman (1981) also observed that the amounts of money and gifts passed in dowry and at other *rites de passage*, are considerable and their significance cannot be overestimated in the context of their bearing on the economic decisions of the household and kin group. Thus, for instance, a man makes a gift of many times his annual savings to affianc the marriage of his daughter, and similarly a man must contribute a substantial amount towards the dowry of his sister's daughters. Punjabi affinal relationships involve a continual act of giving by wife-giving affines to wife-receiving affines, and the total financial effect of such gifts accounts for a considerable proportion of the amount earned and produced by any household.

In Punjab, when pre-natal sex determination became popular with the mushrooming of the ultrasound clinics during the 1980s, posters could be seen at public places saying 'better invest Rs. 500 now rather than Rs. 50,000 later.' After another ten years these posters read 'better invest 5000 now rather than Rs. 5 lakh (Rs. 500,000) later.' These reflected the increasing dowry and also the fact that the birth of a girl child was made to correlate directly with the amount of dowry that parents have to give.

The problem of finding suitable grooms for their daughters was another problem mentioned by the 66 per cent of respondents. A very common statement made by the respondents was:

'KuRiā vāste change ghar labhne mushkil ho gaye ne'.

'It has become difficult to get good families for daughters' marriages.'

'Change ghar' (good family) usually means a family of status higher than theirs. This statement points towards the practice of hypergamy. This trend is also associated with the increasing demand for dowry. Uberoi (1993) talking about the practice of hypergamy stated, "To the extent that hypergamy becomes institutionalized, it must give rise to structural imbalance. At the top of the hierarchy, where politically and economically powerful families compete to make prestigious marital alliances, there is an acute shortage of eligible grooms – a situation which in past times was corrected by the notorious practice of female infanticide and by polygamy. Conversely, at the lower end of the hierarchy, there is a shortage of eligible brides, with the result that men of this group have to pay a heavy bride price to secure brides of their own status, or marry girls from still lower status groups. Moreover, in the middle rungs of the hierarchy, a 'no-win' situation is created: daughters are married with heavy dowry to men of higher status, and bride price is paid for the marriages of sons."

She further reported, "It is clear that dowry has the effect of controlling competition among women for the most desirable husbands in a hypergamous marriage market, while expanding the pool of desirable wives in the case of men. To give a large dowry will also increase the prestige of the family, not just by attracting a wealthy or influential son-in-law, but by determining the family's capacity to give freely without expectation of immediate return. Women are, therefore, important

instruments in the competition for marriage." Thus, the practice of marrying the girl into a family of higher status and the practice of dowry are closely associated.

Another reason that was mentioned by about 81 percent of respondents as the factor for the devaluation of the girl child in the family was the uncertainty about the future of the girl after marriage. Parents thought that they had very little control over the lives of daughters. Even after educating them and giving them enough dowry, they cannot ensure their happiness. Some of the statements given by parents related to this aspect were —

'Jādō agge change ghar nahī milde tā hi dukkḥ rebndā hai kuRiā dā'

'When we don't get good families for our daughter's marriage, then one feels sorry for them.'

'Thā nahī change labhde, dhī de dukkḥi hon dī chintā hai, begāne ghar dā dukkḥ mardai'

'Don't get good families for daughters, one is always worried about the problems for the daughters in the in-laws' home.'

'Begāne ghar koi takeef nā hove, pḥer nahī dukḥdīā kuRiā'

'If daughters don't face any problem in the in-laws' home, then you don't mind having daughters.'

'Dhī tō nahī osde karmā tō dar lagde'

'One doesn't fear daughters but their fate.'

(Fate here refers to whether she gets good in-laws are not).

All these statements reflect the uncertainty and fear in the mind of the respondents about the future of the daughter after marriage. A majority of the respondents expressed the helplessness of the parents in case the girl faces some problems in the in-laws' home as the reason for the daughters being perceived as a burden.

Low status of the bride givers in the society was also one of the reasons given by 64 per cent of the respondents for the daughters being considered as a burden by the society.

Respondents, mentioned this fact repeatedly in the remarks like:

'KuRi vāle hameshā neeve'

'Those from the daughter's side have always to bow down.'

'KuRi hou tā bath bahna payegā, mundā hou tā bath ad ke mangegā'

'If you have daughter, you have to fold your hands in respect, while if you have son, you can demand dowry with open hands.'

'Chābe kuRiān thoDiān ne par kuRiā vāle bahRe kahdde ne'

'Even when the girls are less in number, those from the girl's side have to bow down and make all adjustments.'

All these statements by the respondents revealed their feeling that those from the girl's side are always considered inferior.

Referring to the low status of the girl's family, Madan (1993) emphasized that the very substantial gifts that accompany and ensue from Hindu marriages are not presents for the girl herself - dowry in the proper sense of the word, nor can they be considered as a portion of her anticipated inheritance, as Tambiah and others (1973) have tried to argue. They are primarily affinal presents marking the irreversible asymmetry of relations between the wife givers and wife takers.

He further reports, "Inferior status conferred upon the bride-givers is reflected in the Indo-Aryan languages in a number of ways. The most common among these is the use of the term '*Sala*' (wife's brother), which is a very common term referring to contempt and mild abuse, when applied to a stranger. The term 'bride's father' is often used to express the weak, even pitiable bargaining position of a man. It is a very common refrain that the bride's side always has to 'bow down' or swallow their pride (*Jhuknā Partā hai*) if it comes to any difference of opinion between the two sides."

In addition to the above mentioned reasons, which were related to the marriage of a daughter, another set of reasons mentioned by the respondents that they considered were very important in shaping the perception of daughter as a burden were those related to family honour.

The fact that acts as a deterrent for the status of girl children in the family and society is that a daughter is considered as the repository of family honour. The majority of respondents mentioned this fact. They reported that if anything unwanted happens to the girl, the honour of the family is lost. Hershman (1981) remarked, "The control of female sexuality is closely related in Punjabi society to notions of male honour and shame. One of the fundamental axioms of Punjabi morality is that a brother must watch over and safeguard the honour of his sister and a father that of his daughter. To have intercourse with an unmarried women was, and still is, an offence punishable by killing and not only should the male lover be killed but also the woman herself. The proper person to take such revenge is the one whose honour has been slighted, *i.e.* either the father or the brother of the woman. It is generally considered the proper course of action for a father, on finding his unmarried daughter to be pregnant to kill her with his own hands." Even if revenge does not always take such an aggressive form, protecting the honour of the family remains a primary concern. Thus, one is always worried about the protection of the girl, according to majority of the respondents. About 63 per cent and 65 per cent of the respondents respectively mentioned that social environment was becoming insecure and crimes against girl children were increasing. Forty-four per cent of the respondents held that it was not safe to leave a girl child alone at home. Thus, increasing sexual crime against female children was a cause for concern for the majority of respondents.

Das (1993) discussing the Punjabi kinship had reported that dishonourable conduct on the part of a daughter can ruin the honour of the family forever, leaving the parents unfit to show their face to the *biradari* (community). It is often said that it is the duty of the father to kill an errant daughter rather than allow her to smear the good name of the family.

In the present study, respondents were not very explicit about their approval/disapproval of such acts. An attempt was made to discuss with the respondents about the instances of honour killings being reported in the newspapers from various parts of the country. While discussing these issues with the respondents, it could be inferred that they were not very critical of such acts and in a way they empathized with the compulsion of parents, who have to resort to such acts to save the honour of their families.

But they would immediately add, "Parents also should change themselves. Things now are changing very fast. Girls are moving out of the four walls of the home, and we cannot expect them to behave in the same traditional way."

Such remarks reflect that they are realizing the changes taking place in the position of girls. Increasing instances of children rebelling against their parents, especially in matters related to choice of marriage partner, are creating a kind of insecurity among the parents and along with these, they

do not fail to mention the increasing sexual crimes against women, young girls, and even female children. They use such examples to say:

'Tā hi tā kaibnde hā ki kuRiā tā nā hī hon'

'That's why we say that it's better not to have daughters.'

'KuRiā di tā makeki vāli rākhi hai'

'Girls always need protection, just like the maize crop.'

'Madam nu vee keh ke ānde hā bai aṣṭ tā gharō tor dittā, hun tussī dhiān rakkeho'

'Even we tell teachers that now we have sent them to school, now you have to look after them and ensure their safety.'

Only one Jat Sikh (upper caste) woman remarked that girls are safer now. She said, "If anything unwanted happens to the girl, the whole world comes to know about it, as the things get reported in the newspapers and television. Earlier these things went unreported."

In the context of increasing crimes against girls, some of the low caste women reported:

'Munde nu tā ghar chhad ke kamm te chale jāvānge, kuRi di rākhi karnī paūgi'

'We can leave the boy at home and go to work, but a girl has to be looked after for her safety.'

'Vaddā ghar tā kuRi nu sambh ke vi rakke laūgā, sādhe tā bāhar kamm te vi jānā paindā hai. Bāhar dā mabaul changā nahī'

'Rich people can provide safety to their daughters, but we have to go out to work and the environment outside is not safe.'

The above statements reflect the insecurity in the minds of women belonging to lower castes, who have to leave their young daughters at home or have to send their young daughters for work outside. They reported that the social environment is becoming so insecure that it is not safe to leave girls alone at home, while going for work outside the home. They also added that the environment outside was also becoming unsafe for the girls.

Thus, the factors that were considered to be contributing to the perception of daughters as a burden were related to the marriage of daughter and related to the family honour. The frequency of women responding to different reasons varied according to caste, income, and education of the respondents. All the marriage related reasons were of concern to the majority of the upper caste respondents and those from high and medium income groups. The practice of dowry and the increasing demand for dowry was being perceived as a problem by the lower castes, the castes which earlier did not have this problem. Upper and middle caste respondents, those from high and medium income groups and those who were illiterate and primary-school educated were more concerned about the family honour related reasons. The social environment was considered to be increasingly becoming more insecure and was contributing towards making girls more vulnerable. The dominant thinking behind all the reasons given by the respondents reflected the perception of the female child as a burden and a liability.

The vulnerable position of the female child was also reflected in the various reasons (as discussed earlier) given by those who considered that at least one daughter was essential for the family.

Pre-Natal Sex Determination and Female Foeticide:

The majority of the respondents knew about the fact that in state of Punjab, the number of girls as compared to boys was much less and they immediately pointed out that the reason for this as female foeticide. Only few respondents from the backward and scheduled castes mentioned their lack of awareness about it. All the respondents knew that there was a test for detecting the sex of the child before birth. Only 16 per cent of the respondents knew that this test actually was for the diagnosis of abnormalities in the fetus. The majority of them were also aware that the practice of pre-natal sex determination and female foeticide had been legally banned. They considered the doctors involved in this practice to be the main culprits as they mentioned that doctors in their greed for money had made this practice popular through advertisements. The respondents were hesitant to mention about the use of pre-natal sex determination test, as they knew it was illegal.

In a survey conducted in 2000, 17 per cent of the households mentioned the use of abortion. In a 2001 survey, 33 per cent of households with couples in their reproductive age acknowledged having undergone sex determination tests (Dagar, 2003). The study further mentions that the largest user of pre-natal diagnostic techniques was the upper income group in which 53 per cent were found to have used these methods. Middle and lower income groups mentioned undergoing these tests to the extent of 39 per cent and 19 per cent respectively.

The data for the present study was collected after the Honourable Supreme Court's orders to the states to ensure the strict implementation of the ban on the use of pre-natal diagnostic techniques act for sex determination. The respondents were thus not at all ready to mention about the use of such tests. Although, when engaged in discussion about the practice of using this test for sex determination and the consequent abortion of the female fetuses, most of the respondents mentioned the prevalence of this practice in the village, but denied having used this test themselves.

Respondents from the backward and scheduled castes mentioned the high prevalence of this test and the consequent abortion among upper castes. They mentioned that they did not have money to go for these tests. A look at the family composition of the selected households revealed that in a number of households of the high castes, instances of a wide time gap in the birth of the second child, when the first child was a girl, reflected that there must have been some instances of foeticide in between. Otherwise, such a wide gap between the births of subsequent children is not very common in the villages. For example, in one case, the age of the first child (daughter) was 10 years and the second child (son) was 6 months. In other case, the age of the first child (daughter) was 7 years and of second child (son) was 3 years, and in still another, the age of first child (daughter) was 6 years and of second child (son) was 1½ years. Such cases were identified among the upper caste landed families. Discussions with the neighbours also revealed that these families had been resorting to repeated sex determination tests and the consequent female foeticide.

It was in the backward and scheduled castes and low income families that frequent instances were found where the number of daughters in the family was high varying from 3-6, as the couples went on reproducing in the hope of having at least one son.

A look at the sex ratio calculated from the population of the respondent households also revealed the sex ratio to be very low among the upper castes households (715), followed by scheduled castes (820) and it was found to be maximum among backward castes (1060), thus pointing towards the possibility of use of the test and the consequent abortions among the upper castes.

Regarding the attitude of the respondents about the use of Pre-Natal Diagnostic Techniques (PNDT) for sex determination revealed that majority of respondents (70%) were against the use of this test. But it was clear that their responses were influenced by the kind of messages they were receiving through radio, television, and other sources. Although they said that pre-natal sex

determination should not be there, at the same time, they say that a son is essential for the family. A woman from scheduled caste stated:

'Par pber vi trishna tã bundi hai putt di, test nalã bone chabeede, per mundã jariiri hai'

'Anyway, you feel temptation for having a son. The test should not be there, but a son is essential.'

About one-fifth of the respondents were very bitter about the condition of women in society. They considered that abortion of the female fetus was better than to go on having female children who were unwanted in the family and society. They very emphatically asserted that female foeticide was rather a way of getting rid of unwanted females and that it was better to commit the sin of killing the fetus once, rather than making her tolerate injustice throughout life. They also mentioned that the use of this test would ultimately increase the worth of the female child in the society, as it will lead to the scarcity of girls. They also thought the test was helpful in family planning, as it helped in limiting the number of children by doing away with undesirable females.

Following remarks reflect their feelings:

'Sãri umar di bekadri nalõ tã ik din dã pãp changã hai'

'It's better to commit sin one day, rather than existing without getting any value and respect.'

'Jamãne de hisãb nãl tã kaihnde hã kã kũRi dã pair vi gbar vicb nã pave'

'If we look at the society and the environment around, then we think that daughters should not at all be born.'

Many of them also reported that if this ban on pre-natal sex determination is strictly implemented, it will lead to an increase in family size, which will be a problem for women, and the unwanted females thus born will face neglect and discrimination and may also result in abandoning females and female infanticide.

It was also mentioned by the respondents repeatedly that people are now resorting to other means for ensuring the birth of the male child. As a result of the stricter implementation of the PNDT Act, now called "The Pre-conception and Pre-natal Diagnostic Techniques (Prohibition of Sex Selection) Act," they are now increasingly resorting to other means like visits to 'Deras', 'Babas', 'Hakims', pilgrimages, getting 'mankas' and some 'desi' medicines (they have superstitions that their super-natural or medicinal impact will ensure birth of a male child). Respondents frequently talked about the women visiting 'godmen,' who ensured the birth of sons by different means. Even in the case of first pregnancy, the majority of them were visiting some of the above-mentioned places to have a son. Resorting to such means was very frequent among the backward and scheduled castes also.

An important factor, which was acting as a deterrent for the practice of female foeticide was the role of religious leaders. Some of the respondents mentioned about the fact that they had taken 'Naam' of particular 'Baba Ji' and, therefore, they did not go for the practice of foeticide.

In April 2001, declaration of 'Hukamnãma' by Jathedar of 'Sri Akal Takht Sahib' (the supreme temporal seat of the Sikh faith) banned female foeticide, reaffirming the Sikh principle of branding *Kurimãr* (the killer of daughter) a cardinal sinner. There is still a vast potential of sending this message of the condemnation of the practice of female foeticide through the religious leaders.

There are also incidents of abandoned female infants being reported. Two such incidents have been reported in one police station area in Punjab in a short period of one week (Hindustan Times, 2004). One recent incident of female infanticide in Chandigarh also should be a matter of concern. The desire to have sons and the tendency to avoid having daughters has been taking different forms at different times. Now when every effort is being made to implement the PC and

PNDT Act strictly, care should be taken to see that it should not take other forms like abandoning or killing female infants.

Suggestions:

In order to bring about improvement in the situation, action has to be taken on many fronts. On the one hand, it has to be ensured that these pre-natal diagnostic techniques are not used for the detection of sex of the foetus, on the other, people's perception about the girl child needs to be changed. Rather than making piecemeal interventions, a holistic approach needs to be adopted towards the issue of gender equality.

The community needs to be sensitized to the gender inequalities and how the social system perpetuates these deprivations and discriminations. The contributions being made by women in the family need to be propagated, so that their worth is recognized and appreciated by the society.

A social movement condemning the practice of female foeticide needs to be initiated and the social sanction given to the practice needs to be changed to social condemnation. The mindset of the people needs to be changed, otherwise this perception and act will continue. With the fast technological advancement, there can be a number of possibilities about the misuse of technology. People need to be made aware about the dangerous consequences of declining sex ratio like - it may mean more violence against women and an insecure and hostile environment for women, the practice of bride purchase and fraternal polyandry. The shortage of girls in the state has already resulted in the purchase of poor woman brought from Bihar, Uttar Pradesh, Jharkhand, Madhya Pradesh and West Bengal, and the instances of several brothers sharing a wife are also being reported.

It has been observed that people's actions are mostly guided by the individual gains without bothering about the consequences for the society as a whole. Thus concerted efforts on the part of the state need to be made for stricter implementations of the Act in changing the mindsets of the people, bringing about improvement in the position of women based on suggestions emerging from different platforms and presented through different documents. A number of incentives need to be given to the girl children in the field of education, health, employment, and other aspects. Any step which results in improving the condition of girls will be a step towards increasing her worth in the society and making her more desirable so that parents of daughters feel privileged and stop perceiving daughters as a burden.

Some initiatives have been taken at the local level. In Nawanshahr, the district administration took the initiative for preventing the elimination of the unborn child by targeting pregnant women, *i.e.* registering every pregnancy and monitoring it up to the time of delivery. In Bathinda district, where a very low sex ratio of 779 in the 0-6 years age group in 2001 Census, earned the name of *Kuri Mārān Dā Pind* (girl killer's village) for many villages, the average of girls born in the first six months of 2005 was 831. This improvement is attributed to the suspension of licenses of 14 ultrasound centres in the district. As a result of these initiatives, some improvement in the child sex ratio has been reported in the newspapers. But to assess the impact of such measures some empirical studies need to be conducted that will help in formulating further action plans.

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Contested Terrains: Gender Justice and Violence against Women in South Asia

Shahla Haeri

ABSTRACT:

In this paper I focus on gender-based violence, and suggest alternative approaches to tackling the issue. It is in the very act of eliminating bodily harm against women that I locate attempts toward achieving gender justice. Causes of violence against women – by and large perpetrated by men who are known to women – are complex, multifaceted, and must be understood as structurally patterned, taking place within the historical and socio-cultural contexts in which women and men live, follow a locally/culturally patterned code of conduct, and share a life together. I take the position that violence against women is a very serious health hazard, with widening negative repercussions for the community as a whole. Because of its nature, however, violence/health ought to be approached both as an individual and a communal matter. Although perpetrated by individuals, gender-based violence often finds tacit or explicit cultural and communal legitimization and reinforcement, and thus the vicious circles spirals. Taking the perspective of “Restorative Justice,” I suggest utilizing the age-old institution of panchayat in South Asia to seriously challenge gender-based violence. As a traditionally multi-purpose institution, the panchayat system can be utilized to educate the public while simultaneously promoting gender justice by raising awareness regarding the evil of violence against women.

Although oppressed in many societies, women still cannot be likened to any other exploited group, such as the blacks in South Africa or the “untouchable” castes in India. Blacks and whites, low and high castes do not have to deal with the conscious and unconscious exigencies of a mutual desire, which is both a promise of self-enchancement, even transcendence, and a threat of disintegration to the self. Nor do they, or any other paring of the oppressor and the oppressed, need each other – in Plato’s comment on his myth of the origin of sexes – for “reuniting our original nature, making one of two, healing the state of man.”

Kakar 1989, p. 142¹

It is difficult to realize that the paradigm which we consider so natural, so logical, has in fact governed our understanding of crime and justice for only a few centuries. We have not always done it like this. ...Instead, community justice has governed understandings throughout most of our history. ...For most of our history in the West, non-judicial, non-legal dispute resolution techniques have dominated. ... For centuries the state’s role in prosecution was quite minimal. Instead it was considered the business of the community to solve its own disputes.²

Zehr, 1985, pp. 6-7

In the beginning there was violence.

¹ See also Holland and Eisenhart, 1984, who make a similar argument in comparing the similarities and differences between gender and class relations.

² Cited in Llewellyn and Howse, 2003, p. 4.

Allow me to be radical, by which I mean going to the roots; the roots of gender injustice, indignities, unequal access to resources, rights, and privileges in South Asia, and in other parts of the world. Contemplating the asymmetrical gender inequity and privileges is of course nothing new, not now, not historically. Indeed, it is the stated goal of the International Development Resource Centre's (IDRC) Gender Unit.³ Looking at the objectives of the GU, as outlined by Pamela Scholey (2001) and reading through the exhaustive and highly informative paper by Anne Marie Goetz (2003), and the United Nations' Special Report on violence against women, one begins to wonder about the unsteady dance of "two steps forward, one step back" of women, gender and development projects. Seeing the Indian scenario a decade after reforms, Bhan laments (2001), "it seems that for every woman that gains in power, several more silently recede further into the depths of poverty." Why, one wonders, despite all the money and good will that has poured into developing and implementing projects to improve women's position and living conditions globally (and with some success), violence against women is in fact increasing,⁴ to the point of becoming "epidemic" (World Bank). A ten second search in Google turns up the mind boggling number of over three million sites and references to gender and violence!

In this paper I do not intend to trivialize or deny the achievements made by women, men, institutions and states to change and to improve women's living conditions in much of the world. Indeed, I think much good has come of it, even if only in raising women's – and social – consciousness, in making their voices heard, and their votes counted, as it were. But I am troubled by the world-wide persistence of gender-based violence, particularly in the domestic domain. I would like to tackle this "legacy of injustice" (Nussbaum 1999) that has consistently denied women dignity and severely crippled loving and trusting gender relationships. Achieving gender justice and empowering women is thus through internationally coordinated and nationally implemented policies toward challenging and eventually redressing this legacy of injustice at every step of the way. Causes of violence against women – by and large perpetrated by men who are known to women – are complex, multifaceted, and must be understood as structurally patterned, taking place within the historical and socio-cultural contexts in which women and men live, follow a locally/culturally patterned code of conduct, and share a life together.

All over South Asia, writes Agarwal (1988), violence in general and violence against women in particular are clearly on the rise (p. 20). But what is particularly disquieting is not just the "quiet violence underlying female infanticide, sex-specific abortions and discriminatory food and health care practices," but the "visible increase in all forms of violence on women, including rape, dowry murders, *sati*, and witch-hunting"⁵ (p. 20; see also Jahan 1988, pp. 220-223; Bhandare 1999). Of more pernicious consequence, further, is the convergence of state with community-dictated patriarchal norms in much of South and South-east Asia (Agarwal, *ibid.*). Behind the ongoing and increasing gender-based violence in India, contends Sudhir Kakar (1989, p. 141), lies "the role of sexuality and the irrational in human affairs" – and one could say, in South Asia by extension. In his reading of the culturally scripted "sex and violence" in India, Kakar examines the personal and the "storied" nature of gender relations and concludes that "gender relations seem impelled more by hostility than tenderness or love" (*Ibid.*). While sharing Kakar's view, Martha Nussbaum however casts the argument universally, but with a more optimistic qualifier. Condemning the patriarchal "record of injustice" that has historically eroded possibility of gender love and sympathy, Nussbaum posits that "Even in societies that nourish problematic roles for men and women, real men and

³ This article was originally commissioned by IDRC, November 2003.

⁴ For South Asia, see Agarwal 1988; Jahan 1988; Bhandare 1999, pp. 36-37; for specific statistics see Manohar 1999, p. 42.

⁵ Manohar (1999, p. 41) states that an attempt to revive *sati* in 1987 was quickly nipped in the bud.

women can also find spaces in which to subvert those conventions, resourcefully creating possibilities of love and joy” (1999, p. 14). I agree with Nussbaum, and likewise think that there is structure to this “madness,” and that it is not peculiar to India only. I also believe that changing beliefs, attitudes, and behaviors that have taken centuries of “hostility than tenderness” to solidify require a long, sustained, and creative approach.⁶ The home grown anti-liquor movement of Andhra Pradesh is but one example (discussed below). The traditional run-of-the mill and often half-hearted punitive approaches toward domestic violence and violence against women have sadly not yielded the desired reduction in the level or the intensity of gender-based violence.

Part I: Toward Gender Justice

1. Culture of Violence

Violence and mayhem that marked the birth of the new nation-states of India and Pakistan in 1947 continue to wreck havoc on the daily lives of millions of women and not only in the lower classes, but women of all backgrounds, castes and professions; their body the site of direct or indirect violence, from domestic violence – in its most prevalent form – to communal brutality to hostility across the neighbouring borders. Obviously not every single woman is subjected to terror and violence, but that women as a group, and often as members of a particular religion, caste, or lineage are subjected to complex and nuanced forms of violence in South Asia. Perceived as symbols of national honour, at the same time, the postcolonial South Asian women have been jealously protected by nationalist movements (Chatterjee 1991).

Violence is not a cultural aberration unique to South Asia, of course.⁷ Violence against women, in its personal or political forms, is not limited to women from the global south, east, or poor nations – though it maybe particularly aggravated in the poorer classes and nations (Farmer 1997); it is as widespread as the bread we eat, but with varying degree of intensity and pervasiveness in societies at different moments of modernity and technological advancement. Further, a comparative glance at the ways political, ethnic, and communal conflicts are expressed across cultures reveals the symbolic significance of violating women’s bodies as means for dishonouring the enemy while underscoring national identity and masculine honour. It is thus not, as it might be assumed, localized to the “uncivilized,” underdeveloped, and “patriarchal” societies alone. Violence – in its diversity – is structured along the axes of gender, ethnicity, caste and class, and as such cannot be divorced from “the actions of the powerful,” *i.e.*, patriarchy and its institutions (Farmer 1997, pp. 274-75). Astonishingly gender-based violence against women has not abated in the United States, and the frequency of rape and sexual assault against women is “staggering,” considering that “one in four women has been the victim of a completed rape and one in four women has been physically battered” (Koss, cited in Farmer 1997, p. 275). Writing on the persistence of discrimination against women in the developed world, Goetz (2003) notes that a significant body of feminist analysis of liberal democratic institutions demonstrates that “these institutions neither

⁶ Creativity is fundamental, and here by that I mean having the ability to be boldly imaginative and visionary; to break through the mold of traditionally oppressive patterns of communal beliefs and behavior; to rethink and re-imagine relationships, obligations, and responsibilities; to be willing to pick and choose from the local, the national and other’s cultural experimentations. By creativity, in short, I mean a well conceptualized plan of action, supported by clearly formulated political/legal structures, and implemented through unambiguous rules and procedures.

⁷ The UN defines violence against women as “any act of gender-based violence that results in, or likely to result in physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life” (<http://www.ippf.org/resource/gbv/ma98/1.htm>).

enable more women to participate equally with men in public decision-making, nor produce policies which benefit women and men in equivalent ways” (p. 17).

A few statistics further highlight the extent of global discrimination, the range of lives and privileges possible to men and denied to women, and so the violence that is necessary for men to maintain their position of power and authority, the *status quo* (Heilbrun 1988, p. 16). A few substantive statistics highlight the extent of discrimination against women. Fisher & Mackay (1996, p. 36) provide the data:

- In 1993 only six countries had women as heads of government (most being in South Asia), while the average number of women in world parliaments dropped to 10 – from 12 percent in 1989. Regardless of political system, the percentage of women in national parliaments around the world was 13.8 percent as of 2000 (Goetz 2002, pp. 16-17; Monahar 1999, pp. 50-51).
- Women account for two-thirds of the world’s illiterate population.
- On average, women receive between 30 to 40 percent less pay than men for the same work.
- In many parts of Asia and the Pacific, inferior health care and nutrition for girl children, coupled with maternal mortality and discrimination against girl babies (even in the womb), have caused men to outnumber women by five in every 100.
- Despite a two-thirds increase in female literacy during the last two decades, women’s participation in the formal employment sector has increased by only three percentage points – from 37 percent in 1970 to 40 percent in 1990.
- In many African countries, women account for more than 60 percent of the agricultural labor force and contribute up to 80 percent of total food production – yet receive less than 10 percent of the credit to small farmers and one percent of total credit to agriculture.
- Women constitute less than one-seventh of top administrators and managers in the developing countries.

It is the recognition of such historic indignities and the embedded violence that has awakened many women to their rights, motivated them to assert their power, raise their voices, and to demand gender justice in much of the modernizing world. Although women have come a long way to demand redress, particularly in the more democratic societies, because of the worldwide ideology of sexism and the assumptions of “natural” female inferiority, they are far from receiving justice and actually realizing their full potentials as citizens.

Many feminists, women and men, are presently challenging the cultural matrix that has traditionally allowed and enabled men to inflict all forms of violence against women. There is, however, broad consensus that cross-culturally women have been discriminated against, and that embedded in the nature of discrimination are violence, and injustice. The very fact that the *Convention for the Elimination of all forms of Discrimination Against Women* (CEDAW, adopted in 1979) had to be proposed and expected to be ratified by the member states as a United Nations protocol underlines the extent of gender injustice and pervasiveness of discrimination against women (some of whom including the United States have refused to ratify the convention). “General Recommendation 19 requires member states to adopt measures, including legislation, to combat violence against women. It obliges states to inform the UN of the situation of violence against women in their nations and the measures taken at the national level to eradicate such violence” (<http://www.un.org/womenwatch/daw/cedaw/>). Rooted in the many forms of discriminations, and historically upheld in patriarchal societies, is an assumption of the “right” – the entitlement – of one party (men) to scarce resources, and its denial to another (women), with the further obligation of the latter to defer (Freeman 1993, p. 93).

Violence manifests itself in infinite variety, from the physical and visible kinds to the subtle, invisible, and psychological ones. The pervasiveness of gender-based violence was such that in 1993, the United Nations adopted yet another declaration, namely *The Declaration on the Elimination of all Forms of Violence against Women* (<http://www1.umn.edu/humanrts/instree/e1cedaw.htm>). This is the first international human rights instrument that deals exclusively with violence against women. “The Declaration provides the first comprehensive definition of violence against women. The Declaration recognizes that violence against women occurs in all social strata, cultures, peoples, nations, and regions, and explicitly refers to the urgent need to extend and ensure rights and principles of equality, liberty, integrity, and dignity, as they apply to all women and to all individuals” (<http://www.un.org/documents/ga/res/48/a48r104.html>).

2. Gender Governance

The puzzling question is, how could gender-based violence be on the rise when women’s legal entitlements are enshrined in many of the nation-states’ constitutions,⁸ and when women are gaining in education and in public stature, among other things – admittedly slowly and unevenly – in the rapidly changing and modernizing world? Or, could that be in fact one major reason for the aggression directed at women? That because women are asserting their autonomy,⁹ “gendering the public domain” (Low 1996) as it were, and competing with men economically, politically, and socially that many men’s resentment is mounting? A recent study in India reports (2003), “a woman’s risk of being beaten, kicked or hit rose along with her level of education.” And that “thirty-two percent of men with zero years of education and 42 percent men with one-to-five years of education reported sexual violence. Among men with six-to-10 years of education – as well as those with high-school education and higher – this figure increased to 57 percent.” <http://www.womensenews.org/article.cfm/dyn/aid/1591>. Is the globally escalating gender-based violence – in its infinite variety – expression of “dislocated masculinity,” of wounded masculine honour, of competition for scarce resources, and of patriarchy “reconstituting” and repositioning itself?¹⁰ Is gender-based violence a manifestation of modern institutional rearrangements and reallocation of knowledge, power and privileges that are intimately bound up with reciprocal gender obligations and relations, gender identity and entitlement? What is the role of the state and its institutions in granting and safe-guarding the rights of its female citizens?

Postcolonial South Asian nations are presently caught in powerful cross-currents and conflicting demands for holding onto the “golden” traditions or to fundamentally change and rearrange gender ideology and gender relations. Genuine social changes in gender relations do not come about easily, and they require deep devotion to the cause and much thinking, debating, educating, and long-term planning. Policies for change, given the international demand for eliminating all forms of discrimination and gender empowerment and equity, require a two pronged grand strategy: (a) to make women real partners-in-governance by genuinely restructuring the political institutions and balance of power, and (b) to create gender balance by rearranging the reciprocal gender rights and privileges, *i.e.* to redress gender injustice. To achieve the former and to

⁸ India has one of the most progressive constitutions, and the Pakistani constitution of 1973 was also advanced as far as women’s rights were concerned, though it has changed after the military coup of 1977.

⁹ In almost all world religions women’s autonomy and independence is viewed negatively, which has then historically legitimated in all forms of restrictions and discriminations against women.

¹⁰ See (Cornwall and Lindesfarne 1994); (Sangari 1989, p. 1) respectively. I am aware that patriarchy is not monolithic and bounded, and that in addition to taking specific forms in different cultures, it is fluid and dynamic, responding to the changing configuration of power and knowledge.

make room for women's participation in governance, not only must women be given greater political representations and access to institutions of power, but also the means to hold the states accountable for the implementation of gender policies (Goetz 2003). Recommendations for gender governance in South Asia, given the entrenched male hierarchy and gender ideology, range from demand for implementation through state mandated "quota" representations at the local and national levels, through making procedural provisions conducive to women's participation in the local and national political process (Bhandare 1999, p. 40; Cartwright 1999), and through coordinating state policies with specific charters of the United Nations (Desai 1999, p. 120; Goonesekere 1999). One need not be naïve regarding the intricate tapestry of South Asian social fabric, and the entrenched complexity of its gender, class and caste systems. Nonetheless, with a representational number of women in the national parliament and active in grassroots political and social institutions, they can then firmly put in place meaningful legal frameworks and procedures that seek to formulate women-friendly laws and regulations, to demand accountability, and to see to their implementation. Concurrently, creative and effective educational and community based programs and plans ought to be put in place, whether improvising on the existing social institutions or introducing new ones, in order to highlight the pernicious effect of violence, while aiming to decrease and hopefully eliminate the habit of violence against women. The more women are involved in the local and national governance the more they are in a position to overcome male resistance to power sharing, to educate the public to the inherent dignity of equality, and to therefore reduce and eliminate violence against women.

In this paper, however, I focus on gender-based violence and domestic violence, and suggest alternative approaches to tackling the issue. It is in the very act of eliminating bodily harm and violence against women that I locate attempts toward achieving gender justice. After a brief discussion of gender justice, I concentrate on three interrelated areas that have historically created structural propensities for the tacit – and sometimes explicit – sanctioning of gender-based violence in most patriarchal societies. I first touch upon some manifestations and paradoxes of patriarchy by drawing attention to the complexity of its multiple representations, the many ways it tends to form people's subjectivity, and its adaptability in repositioning and reproducing itself in the modern world. Having sketched the patriarchal matrix within which the ethnically and linguistically diverse South Asian communities have historically co-existed (not always peacefully), I then discuss concept of personhood among Hindus and Muslims in South Asia by focusing on the institution of marriage, underscoring the legal and cultural erosion of women's individuality and dignity. Third, I take the position that violence against women is a very serious health hazard, with widening negative repercussions for the community as a whole. Precisely because of its nature, however, violence/health ought to be approached both as an individual and a communal matter, because although perpetrated by individuals, it finds tacit or explicit cultural and communal legitimization and reinforcement, and thus the vicious circles spirals. Given the apparent failures of states and communities in South Asia to curtail the flow of gender-based violence through traditional means of punishment, I suggest an alternative approach to dealing with violence against women. Taking the perspective of "Restorative Justice," which is "fundamentally concerned with restoring social relationships" and healing,¹¹ I suggest utilizing the age-old institution of panchayat in South Asia to seriously challenge gender-based violence. As a traditionally multi-purpose institution, the panchayat system can be simultaneously employed to promote gender justice by educating the public, and raising awareness regarding the evil of violence against women. Significantly, with the passage of the 73rd Amendment in India and the requirement for a 33 percent female political representation, the South Asian panchayats (or panchayat-like systems) may be effectively revived and reconstructed as

¹¹ Llewellyn 2003, p. 2; Claassen 1996, p. 1, respectively.

an all-purpose medium to educate the public regarding culturally sensitive notions of human dignity, equality, respect, and community justice. Restorative justice is a relatively new approach to conflict resolution and often takes place outside of the court system. For that matter, it is a controversial approach and the degree of its effectiveness is hotly debated.

3. Legacy of Injustice: Gender Justice?

The problems people face wherever they live include scarce resources, competition for resources and the shortness of life. These have been called “the circumstances of justice,” circumstances that make it incumbent upon us to develop an account of what is due to people and to their dignity (Nussbaum 1999, p. 8).

While the formulation of “gender justice” is a relatively new concept, the fact of injustice against women, in the forms of discrimination, seclusion, deprivation from power and privilege, the use of public space, and violence against women, has been ongoing, and in some cases, *i.e.* trafficking in women, sexual slavery, violence against women, intensifying. It is the global consciousness of the relentless discrimination against women and the consequences of the blatant unfairness and injustice that have focused global attention on gender justice and attempts to find local and global ways to redress it. Gender should not be taken to mean woman, in the sense that many women and men, *i.e.* gender, have been the subject of discrimination because of poverty, race, ethnicity, and religion. But women have been subjected to multiple injustices and indignities in the public domain, and within their immediate or extended families.

If in the lexicon justice refers to an equitable and fair distribution of access to resources or “the circumstances of justice,” then “gender justice” may be defined as an evenhanded and balanced distribution of resources and privileges between men and women to restore women’s dignity; it implies an automatic attempt to eliminate all forms of gender discrimination – whether culture specific or otherwise. Using CEDAW as the frame to define gender justice, Freeman writes, “The basic premise of the convention is that women have a right to the full enjoyment of human rights and fundamental freedoms ‘on the basis of equality with men,’ and most of the articles are framed in the context of equality” (1993, p. 93). Ideally, the idea of justice, however it may be understood locally, conjures up images of fairness and equity, at which foundation lay ideas of human dignity (see the edited volumes by Rao, Rurup, & Sudarshan 2003; Bhandare 1999; Kishwar 1999). Given the historic legacy of legal, political and religious gender injustice, however, across cultures human dignity has been a scarce commodity for women. The path to achieving gender justice, given the “legacy of the great injustice,” (Nussbaum 1999, p. 14), is through a simultaneous mobilization of gendering local resources and global institutions to confront gender injustice that is deeply embedded in the very act of violence against women; and to explore alternative and creative ways for working toward achieving gender justice in order to restore women’s dignity. From the beginning, likewise, the objective of the United Nations Development Fund for Women (UNIFEM) that was established in 1976 was to empower women through achieving gender equality and gender justice (Joshi 1999, p. 192). “The focus on women,” argues Nussbaum, “is justified by the urgency of the problems facing women in today’s world and by the sorry record of our dealings with (and evasions of) these problems. But no theory of justice could plausibly call itself such if it did select out one group for favourable treatment on the basis of a contingency of birth. This, then, is a theory of justice, and of feminism as a humanism” (1999, p. 9).

South Asian feminists, lawyers, and human rights advocates echo the same view and are almost unanimous in arguing the necessity of empowering women through restoration of gender

equality and justice in all spheres of life and fields of activity, *i.e.* education, health, politics, law, economics, and religion.¹² The late Justice Sunanda Bhandare summed up the situation: “In spite of the enshrinement of these provisions [in the Indian Constitution], equality between men and women continues to be an elusive goal not only in our country but all over the world. A wide gap exists between the ideal and the practical in our country due to historical reasons. However, the main reason why such discrimination continues in our country is the attitude of inferiority – nay bondage – towards women and an atmosphere in which women are deprived of all basic freedoms, starting with that of education, and are thereby exposed to easy exploitation” (1999, p. 33).

This dilemma has been confronted specifically with regard to the debate on personal laws of different communities all over South Asia. “Activists are generally of the opinion that the principle of gender justice should be incorporated into all the personal laws so as to protect minimum rights of women governed by them, while at the same time expanding rights in the secular framework. There is a noticeable change with regard to moves for reforms within the community in the last decade. While women have been pressing for changes to personal laws, fundamentalists within the communities have been resisting the slightest concession to the pro-change lobby” (Agnihotri 2001, <http://www.india-eminar.com/2001/505%20indu%20agnihorti.htm>).

Focusing on various issues and taking different perspectives, South Asian feminists and activists converge on the awareness that women’s rights are human rights and that it is within the framework of Universal Declaration of Human Rights that they must demand gender justice and seek implementation. They see women’s human rights as the bedrock of women’s development and empowerment and realize that the ultimate goal of women’s development is full citizenship and gender equality (Kishwar 1999; and many articles in Bhandare 1999; Mehdi & Shaheed 1997; Khan et al 1994).

One may argue that given that class struggle is still going on and that “class justice” is far from achieved – not to mention “caste justice” in South Asia – achieving gender justice may be in fact romantic if not Quixotic. Then again, a judicious look at South Asian feminists’ sustained and sophisticated struggle to raise public consciousness and to achieve gender justice at local and national levels gives one hope to anticipate better days ahead (Mazumdar 1999; Chatterjee 1990; Sangari & Vaid, S. 1989; Hasan 1994; Khan 1992; Khan & Zia 1995; Bhandare 1999; Kishwar 1999).

Part II: Patriarchy & Gender [in]Justice

4. Patriarchy, Power, Paradox

...the very project of the welfare state itself has constituted the “state subject” in a gendered way that is essentially male in its capacities and needs... The notion of citizenship focuses on the way the *state* acts upon the *individual* and does not address the problem of the way in which the state itself forms its political project (Anthias & Yuval-Davis 1994 p. 312, emphasis original).

The effects of modernity, through colonialism or state sponsored modernizing projects, that gained momentum in late 19th century have intimately touched – and forever transformed – the traditional gender relations and status quo in much of the world. By choice or by force beyond their control, women have moved to the public space and into the work force, particularly in the post-industrialized world, thereby throwing into chaos the “safe haven,” and the “little commonwealth” that was once the family. Far-reaching changes have disoriented both men and women, but have

¹² For a full discussion of gender justice in India and Sri Lanka refer to the many excellent essays in the volume edited by Bhandare 1999. For Pakistan, see, Mehdi & Shaheed 1997; Zafar 1991; D. Ahmed 1994; Khan, Saigol & Zia 1994.

been particularly disturbing to men, who as the representatives of the patriarchal order see their power, privileges, and control over their women and children slipping out of their hands quite uncontrollably.¹³

Within the contexts of such fundamentally transformative social changes in South Asia, the “woman’s question,” whether Hindu or Muslim, continues to be problematic and “cannot be treated in isolation from the Indian postcolonial nationalist riposte to how the European colonizing powers constructed ‘Islam’ and the ‘woman question,’ as well as the history and the current conflict between Muslims and Hindus” (Rajasingham 1994, p. 234). Consequently, in Chatterjee’s analysis of India, in the entire phase of the national struggle against the colonial domination, Indian male elite and the middle classes had little qualms about imitating and adopting western norms, indeed they saw that as a necessity. But they did not allow any encroachment by the colonizers in the “inner sanctum,” the domestic domain. That, the Indian nationalists perceived was “tantamount to annihilation of one’s very identity” (1990, p. 239). Appealing to primordial images such as blood, kinship, soil and sexuality is not unique to the nationalist discourse in India. Many scholars have argued that indeed globally the nationalist discourse tries to imbibe the nation with the force of bodily self-interest (Breckenridge & van der Veer 1993, p. 11; Geertz 1994), in order to unite the nation under specific goals. And so, some fifty years after gaining independence from Britain, in postcolonial debates on citizenship rights in South Asia the “Woman’s question” is still left silent “precisely because nationalist discourses, Muslim and Indians, had failed to address, far less resolve, this vital issue” (Jalal 2001, p. 566).

In the aftermath of the colossal tragedy of the Subcontinent’s partition of 1947, it was the violated body of women that symbolically but poignantly marked the newly recognized international boundaries between India and Pakistan (east and west), as stated by Ayesha Jalal:

The gift of independence in 1947 came like a shroud of death for the vulnerable, weak and infirm.¹⁴ ...Women from the lower social classes were the primary victims of a horrific carnage in which Muslims, Hindus and Sikh men fell upon them as well as on each other with staggering brutality and murderous hatred. ...The reconfiguration of state and civil society, public and private space, as well as the individual and the community, was sought to be based on silencing and erasing the suffering of those women which bespoke of the inhumanity that had greeted the arrival of independence in South Asia. These women from the lower social strata remained on margins, if at all within sight, of a debate on citizenship rights which claimed to extend equality and dignity of life to individual members of the national community. (2001, pp. 564-65)

¹³ Men have always been taught to perceive themselves as the superior sex. It is this conditioning that makes them believe they have to control their wives, especially if they are considered disobedient (Jyotsna Chatterjee, director of the Joint Women’s Program, a women’s resource organization based in New Delhi). <http://www.womensenews.org/article.cfm/dyn/aid/1591>

¹⁴ As a retreating British government in 1947 hastily partitioned the Indian subcontinent into India and Pakistan (East and West), it set into motion one of the most violent and heart wrenching human tragedies of the 20th century; one that continues to hurt millions in South Asia, inflaming the communal hostility within and across the artificially carved boundaries, and militating against normalizing cross-border relationship between the independent and modern nation-states of India and Pakistan.

Wounds of partition have not healed in South Asia, and communal fighting – bordering on ethnic cleansing, as in the case of Hindu riot against Muslims in Gujarat in 2002 – receives the tacit and at times the explicit support of the provincial states and federal governments. “The rise of the conservative Hindu right in national politics has led movements to reclaim a true ‘Indianness,’ whose effect on rising class and caste consciousness, religious violence, and the status of Indian women is hard to determine” (Bhan 2001, p. 2). The issue of domestic and ethnic violence against women, and women’s right to citizenship in South Asia cannot be divorced from the age old communal animosities that have continued to plague the region.

If nationalisms gripped the newly independent states in much of Africa and Asia as colonial domination was waning, religious revivalism, or “fundamentalism,”¹⁵ emerged cross-culturally in the last two or three decades of the twentieth century, and with fury. Similar to nationalists’ desire to keep women at home to presumably protect them from “contamination” with the west, the fundamentalists used intimidation and violence to control women,¹⁶ restrict their mobility, and to contain their activities, all the while that they upheld women as symbols of purity and devotion. The rationale behind such functional, political, and spatial division of the sexes revolves around the three axes of “nature,” “divinity,” and “law,” meaning that men and women are perceived to be “naturally” different, and that the difference is sanctified by a supreme deity and legitimated by law. In this self-reinforcing structural narrative men are to be the authoritative mini gods and the head of the household, and women the selfless mothers, the obedient wives, and industrious homemakers. Once such an idealized and presumably normative system is disturbed, actually or apparently, resentment, confusion and chaos set in. Loss of control and power translates into a profound sense of identity crisis, incompetence, anxiety, and worse yet, fear of not being able to reproduce one’s own cultural value systems and meanings according to the traditionally patriarchal and scripturally prescribed gender roles, relationships, and reciprocal responsibilities (Riesebrodt 1993). Much of the fundamentalists attack on gender related social change and gender-based violence is based on the premises of deviation from the natural and the divine/sacred law as prescribed in the scripture and the tradition.

Some scholars and commentators have equated the term fundamentalism with “communalism” in India and defined the latter as the “belief that, because a group of people follow a particular religion, they have, as a result, common social, political and economic interests,” and that it applies “not only to rivalry and competition between religious groups but also between caste groups” (Cahndra, cited by Sahgal and Yuval-Davis, 2003, p. 44; see also Bhan on the rise of fundamentalism in India, 2001, p. 6). We would be remiss, however, lest we think that communalism and fundamentalism motivate men only. Many women, having internalized the “patriarchal bargain” (discussed below), may indeed mobilize under the communal flag, as is the case of some female members of the ruling Hindu right government in India, or the followers of Jamaat Islami in Pakistan. Both groups urge women to return to their home and fulfill their roles as wives, mothers and nothing else. Such behavior, Bhan argues, bring the notions of women’s empowerment into question (2001, p. 2; see Haeri for Pakistan 1993).

¹⁵ The terms “fundamentalism” and “fundamentalist” are treated pejoratively in the “secular media” with “any and every kind of orthodoxy within all the world religions (Pelikan 1990, p. 3). Martin Riesebrodt argues that the “general bias against religious phenomena” and the Enlightenment teleology have historically underestimated the significance of religion, regarding it as a past relic. He, however, challenges the view that approaches fundamentalism merely as a religious phenomenon (1993, pp. 2-34). Similarly, Bruce Lawrence views fundamentalism as an ideology and not theology, in spite of the devotees claim (1989).

¹⁶ In the United States an effective method of achieving their objectives, Carol Mason argues, fundamentalists have tried to move into the mainstream political institutions and to pass what she has termed “guerrilla legislatures” (2001).

Looking at the phenomenon sociologically, Riesebrodt describes fundamentalism as a reaction to loss of religious identity in the post-industrial world, and to the changing nature of gender and social relations in socioeconomic, political, and ideological spheres. The important point he makes, and one that I have adopted in my discussion in this paper, is that fundamentalism is patriarchal traditionalism becoming “reflexive,” and “self-conscious” of its increasingly marginalized situation – or perception of marginality – and has consequently become radicalized and mobilized into urban protest movements (1993, pp. 200-207). This sense of masculine besetment and perception of marginality – of which changing gender roles and caste relations are the most important in South Asia – I believe, is at the heart of fundamentalists’ backlash to feminism and feminist movements, and in the increase in violence against women in much of the world. What is noteworthy in South Asia, however, is that along with the gradual hardening of manifestations of patriarchy through religious expressions and exhibitionism, at the same time trends toward greater modernity, individuality, and women’s human rights is gaining momentum.

Added to the global *mélange* of nationalism, fundamentalism, and communalism, and accelerated by the thawing of the cold war, is the increasing worldwide militarization, particularly in South Asia. Both Pakistan and India have now tested nuclear weapons and are fighting wars of attrition in Kashmir and other parts of the subcontinent, with devastating effects on women and children, and the community.

The arms race that intensified between the United States and the USSR did not subside with the collapse of the Soviet Union. Indeed it seems to have provided a greater impetus for the nation-states – directly or indirectly – to procure more and more weapons to arm themselves against imagined or real “enemy,” much to the detriment of their citizens. Women bear the brunt of such global militarization, falling victims to wars, becoming refugees and being subjected to all forms of violations and sexual assault. Under such circumstances, men’s desire to control women and the domestic domain – as the last refuge – seem to have become of vital symbolic and actual importance.

Yet, given that many women across the globe are taking the lead in changing their roles and shaping their own destinies and that of their children, chances are great that some men try even harder to control their wives and children by inflicting greater violence in the domestic domain, through honour killing, rape, bride burning, dowry murders, *sati*, and the like. The huge social changes and globalization of all kinds – market, military, media, and yes that of disease and vice – seem to provide the context and the pretext for greater variations of violence against women.

5. Paradox of Patriarchy

In the previous pages, I briefly identified and described some of the manifestations of patriarchy and its variations and local expressions. What I would like to do in the next few pages is to highlight its paradoxes, ironies and some of its potentially benign attributes.

A few years ago, I met a woman professor at a university faculty party in the eastern United States. In the course of our conversation, she learned that I had just returned from Pakistan, where Benazir Bhutto had been democratically elected prime minister for the second time (1993). She asked, rather incredulously, “How is that possible? Isn’t she a woman? Isn’t Pakistan a Muslim society” (read patriarchal and religious)? “Yes, she is a woman,” I said, “and Yes, Pakistan is a Muslim society.” It does not automatically follow that because Pakistan is a Muslim society, no woman can be elected a prime minister or that no Muslim man will ever vote for a Muslim woman.¹⁷

¹⁷ Haeri, 2002, p. xxi.

Benazir Bhutto was of course in good company and in a long line of women leaders in South Asia, including those of her contemporaries such as Indira Gandhi in India, Shaikh Hassina and Khalida Zia in Bangladesh, and Chandrika Kumaratunga and the Bandranikes (daughter and mother) in Sri Lanka. The question, however, is what is culturally and historically specific to Pakistan and to South Asia that makes it possible for a young Muslim woman – in the case of Pakistan – to be elected prime minister? How is one to understand these women’s achievements and their promotion to such an exalted position in their highly patriarchal societies? What are the underlying mechanisms that enable some women to assume such powerful positions, while the vast majority of the population, women and men, live in abject poverty and powerlessness? What are the social and structural arrangements that constitute the common denominators in South Asia?

I suggest we look into the particular form that patriarchy has taken in South Asia, evolving historically in relation to the British colonial dominance, and then in relation to the postcolonial nation-states. The most dominant social structures in South Asia involve the highly intricate institutions of caste, feudalism and the patrilineal kinship systems, the *bradri*. Obviously, these institutions and systems respond to the immediate local experiences and enjoy diversity and difference, while at the structural level they also share many similarities. Literally meaning brotherhood (from the Persian word, *baradar*), *bradri* is an internalized sense of solidarity extended to its members, but denied to those outside of its limits. It is imbued with a sense of honour, *izzat*. Among Muslims *bradri* membership is ascriptive and “functions similarly to caste among the Hindus (Mann 1992, p. 44). These restrictive and superimposing social structures that snare landless and poor women and men into lifelong servitude and compounded poverty paradoxically also can be enabling to some women of feudal lineage. Perhaps the specificity of feudalism in South Asia (though serious attempt has been made to loosen the grip of feudalism in India) lies in its multiple capacity for extreme brutality and oppression of many women – and men – and for concentration of tremendous wealth, power, and authority in the hands of a few. Power and authority are drawn from land ownership, and women, by inheriting land, are placed in a position to exercise feats of national greatness and authority. The enabling mechanism, however, is not the ownership of land alone.¹⁸ It is also the strong and special relationship between a lineage patriarch and his daughter. His support recognizes her as an autonomous individual and bestows power and prestige on the daughter and legitimates her presence and activities in the public domain (Haeri 2002, p. 38). This cross-gender filial relationship, I argue is one of the prevailing, yet often invisible – to scholars – paradoxes of patriarchy.

Citing Carol Mukhopadhyay, Erin Moore offers a different explanation for the relative prevalence of women political leaders in India, one that sees religion as the prime factor. Mukhopadhyay argues that “because in Hinduism both gods and humans turn to powerful women for assistance, protection, and leadership, Hinduism legitimates – and the populace accepts – female exercise of power and leadership in domestic and extra domestic domains” (1998, p. 32). Her argument though plausible in the case of Hindus, leaves out Muslims and other non-Hindus whose cultural practices, as I have tried to explain, are structurally – and less myth logically – ordered.

Anthropological literature is rich in documenting, describing, and analyzing variations of father-son relationships in patriarchal and patrilineal societies. The oft-repeated emphasis on the significance of father-son relationship for the continuity of social structure has had the effect of reifying the relationship. Little information is therefore available on the intricacies of the relationship between a patriarch and his daughter(s), whom he may indeed favor over his sons, who are in a structural position to replace him by dislodging the patriarch from his position of authority.

¹⁸ Vahdat (2002) argues that Emmanuel Kant believed that women should be excluded from “citizenship” rights because they did not – and often could not – own property.

South Asian history provides a notorious example. By bestowing land, power, and prestige onto their daughters, powerful and prominent male leaders in fact groom their daughters – sometimes at the expense of their sons – to assume political or economic leadership. But this is not exclusive to prominent patriarchs and their daughters only. Many women in South Asia, and indeed in much of the world, form such caring and potentially powerful relationship with their fathers.¹⁹ Rethinking the relationship within the context of women’s development and empowerment, the father-daughter axes may have the potential to be utilized toward achieving gender justice.

Yet, another patriarchal paradox better documented and more acknowledged, is that of the role some enlightened and influential men have played in promoting the cause of women’s status; men who have dared to go against the grain of patriarchy, religious mandates, and cultural traditions to demand a change in women’s cultural, political and legal statuses. That their intentions may be ultimately or unconsciously self-serving is beside the point.²⁰ Indeed the origin of many women’s movements, particularly in the Middle East and North Africa, as well as that of South Asia, can be traced to one or more such men, individually and informally, or formally and institutionally (L. Ahmed 1992; M. Charrad 2001; M. Badran 1995; E. Sanasarian 1980). The point I am trying to make is that throughout history, but particularly in the modern times and as far as women’s movements are concerned, some men – in or out of political office – have supported, helped, and advanced women’s causes, and not just individual woman of the elite or royalty. In the words of bell hooks, reminiscent of the earlier stated Martha Nussbaum’s conviction, men who actively struggle against sexism should have “a place in feminist movements,” and they should be thought of as “comrades in struggle” (2001, p. 534).

In yet another ironic variations of patriarchal manifestation, Deniz Kandiyoti proposes an exploration of the concept of “patriarchal bargain,” by which she means understanding how patriarchies may function through “an analysis of women’s strategies for dealing with them” (1994, p.199). She further describes a patriarchal bargain one in which women from different class, caste and ethnicity may willingly conform to or subvert patriarchal ideal of womanhood, to uphold or threaten its normative model of gender relations and responsibilities. This is to say, many women themselves – given the range of options open to them – are reluctant to take advantage of their rights and barter their rights – knowingly or unknowingly – in exchange for security, protection, and provision granted them by the traditional patriarchal orders. Many women may perceive their men’s ability to provide for them as a sign of respect and distinction. They may stay in abusive relationships because of their children, because of social respectability associated with being married, because of the shame associated with divorce, or fear of cultural gossip surrounding an “unattached” woman, or a variety of other reasons.²¹ Broadly speaking, these patriarchal bargains “exert a powerful influence on the shaping of women’s gendered subjectivity,” and at different points of their life cycles, women accommodate to, subvert or resist particular patriarchal scripts (Kandiyoti 1996, p. 199).

The points I would like to stress here are that “patriarchy” does not work in a vacuum and many potential and actual patriarchs, *i.e.*, fathers, husbands, brothers, and sons care deeply for their women, and that many “patriarchs” may willingly enter into “bargains” with their women. It is the

¹⁹ See Haeri, 2002, chapter on “Legitimacy: In the Boots of a Feudal Lord,” regarding the case of a young feudal Pakistani woman.

²⁰ Kandiyoti argues that these men may be indeed motivated their own subordinate position vis-à-vis their powerful fathers, rather than by a genuine desire to change women’s position (1994).

²¹ In India, researchers have found that two of every five women in an abusive relationship remain silent about their suffering because of shame and family honour. The studies have also shown, nearly one-third of the Indian women experiencing abuse had thought about running away, but most said they feared leaving their young children and had no place to go. <http://www.womensenews.org/article.cfm/dyn/aid/1591>

potentials for gender negotiations and male caring that need to be tapped into and employed in exploring approaches to gender justice, to mending abusive gender relations and to changing gender violence²² in South Asia – and indeed in much of the world. It is this “ethical life” that is suggested and supported by Nussbaum. In her words, “No society can afford not to cultivate [emotions of care and sympathy], and certainly a society that is struggling to overcome a legacy of great injustice needs all the love and sympathy it can muster” (1999, p. 14). She disagrees with “many feminists” who feel that “it is politically valuable to call for the repudiation of trust and the refusal of sympathy and mercy” (*ibid.*). With that I concur.

6. Property, Person, Subjectivity

The cultural and legal rights, duties, and capacities of men and women and their reciprocal obligations have been historically based on the three interrelated axes of “divinity,” “physiology,” and “law,” with the first two being presumably deterministic and immutable. Reflecting on the Hindu and Muslim concept of person, I briefly consider the legally formulated and culturally practiced notions of manhood and womanhood within the context of the tri-structures mentioned above. What does being a man or a woman mean in a rigidly hierarchical culture area such as that of South Asia? How do the caste restrictions, class differences, and lineage solidarity affect the positioning of gender and the distribution of resources and privileges? By looking at marriage and its cultural practices – despite its tremendous diversity and variety – in South Asia among Hindus and Muslims, I explore briefly the concept of person in this highly pluralistic and fast transforming region of the world. For the sake of this presentation, I focus primarily on the cultural/legal traditions of marriage, which are more commonly shared in South Asia, though of course fundamental differences exist in the legal systems of South Asian nation-states, and between Hindus and Muslims – the two religions on which I have more or less focused in this paper.²³ By locating individuals within the structure of social relations and system of kinship and marriage we can explore the basis for culturally specific ideas of personhood and entitlement. Concept of person, in other words, is only intelligible with reference to a culturally specific set of categories, discourses and practices (Moore 1994), meaning that we have to acknowledge the different ways in which the categories of woman and man, and the discourses which employ these categories, are involved in the production and reproduction of notion of personhood and agency (*ibid.*, p. 139).

Authority is patriarchal and in the culture area of South Asia, marriages as a rule are patrilocal, with women leaving their own lineage, village, or town to live with their husband’s extended family, often under the direct control of their mother-in-law. For the Hindus, hypergamy and dowry payments from wife to husbands are the rule, whereas for Muslims economic “equality” of the spouses and bride price payment from the husband to the wife is the ideal. The variety of cultural/legal reciprocal transactions at the time of marriage consequently entitle man and wife to mutual legal obligations and duties that have different social implications, involving culturally and legally rooted ideas of gender hierarchy and marital relations. In both cases, of course, big gaps exist between ideal and reality and between rule and practice, and much cultural borrowing and infusion continue to survive between the Hindu and Muslim traditions. Nonetheless, in both traditions and according to the patriarchal practices, women in general and young women in particular are at the bottom of the age and gender hierarchies. They are not perceived as full-fledged individuals in their

²² See also Braithwaite & Daly, p. 223.

²³ For marriage and legal status of women in Islam see, Haeri 1986, 1989; Mernissi 1975, 1989; L. Ahmad, 1992; Altorki 1986; Badawi 1995; Balchin 1994; Badran 1994, Kandiyoti 1991; Najmabadi 1997; Shaheed 1984, 1989, 1992. For Hindu sources see, Fruzzetti 1988; Kakar 1989; Papanek and Minault 1982; Sizoo 1997, to give a few examples.

own right, and privileges that are accorded or denied them are done so in relation to their standing to particular men in their natal lineages or in their marital relations. Within such rigid communal organizations, gender hierarchy, and the accompanying cultural beliefs and practices, the idea of women's individuality is negligent – if non-existent – and their dignity and humanity are easily expendable.

Modernity in postcolonial societies of South Asia, however, seems to have muddied the already tense gender ideology. Women's identities are more contested than ever before because the autonomy and independence associated with their public activities disturb the traditional boundaries of public and private domains and hence of primordial values (Geertz 1994, p. 30; D. Ahmed 1994; Kishwar 1999) that are associated with female immobility, obedience, and chastity. At the heart of the contestation lie dilemmas of citizenship and honour. Perceived as individuals, as citizens of nations-states, South Asian women are accorded or denied certain rights, depending on the political orientation of the ruling regimes, i.e. democratic, nationalist, and military, etc.²⁴ As members of certain ethnicities, lineages, castes and classes, however, women culturally are perceived in relational terms and as embodiment of purity and honour. As the political and communal tension has increased within and between the states in South Asia, states have exerted greater ideological pressures to forge a national identity. They often do so in the name of religion. One of the concessions readily made by the South Asian states is to allow, directly or indirectly, ethnic groups to restrict women's rights and options in the name of "respect" for culture and tradition. The following two cases are exemplary. In 1985 the government of Rajiv Gandhi gave in to the demands of a radicalized faction of Muslim community, and rescinded the court ordered alimony payment of an old divorced Muslim woman, despite the constitutional guarantees of women's rights in India. Many progressive Indians – Muslims and non-Muslims, women and men – vehemently objected to Gandhi's decision but to no avail (Mann 1994, pp. 156-159). Likewise, in 1999, the Pakistani Senate refused to condemn the cold blooded murder of Samia Imran, a Pathan woman and daughter of a prominent family, who allegedly arranged for her demise when she requested a divorce from her abusive husband.

National identity for women – particularly for professional women – implies a series of added conflicts and tensions that ensnare them in further contestation of their aspirations. They are caught in national, cultural, and ethnic double-binds: between opportunities provided by the nation-state to be socially active in the public domain and the cultural meanings and symbolism of honour and purity perceived to be located in the female body. These conflicts are emblematic of larger socio cultural clashes between the expectations raised and opportunities provided or strategically withheld by the state and the ancient and well-entrenched customary codes of morality and honour which have become highly politicized by the emergence of feminism, fundamentalism and communalism.

Postcolonial South Asian societies carry their gender legacies through the cultural idioms of religion, caste and class, gender hierarchy and female purity. In the name of honour and purity, some men perpetrate crimes and violence against women. They do so often with impunity, knowing full well that in the eye of the many of their compatriots, some of whom maintain positions of influence in various state institutions, they are heroes and will be awarded according to the same honour code. In South Asia, many men take it upon themselves to punish "disobedient" – read autonomous – women, with the state looking the other way, and if they ever receive punishment, it is usually light. Whereas the state is expected to protect the rights of its citizens, women who seek justice usually are frustrated in their attempts, and those who try to help them often come under

²⁴ See various articles in Bhandre 1999; Kishwar 1999.

attack. The problem compounded is by the fact that those in power continue to be drawn mainly from traditional, feudal, and tribal backgrounds (Hussain 1990, p. 191; Malik 1997, p. 92).

In *Intimate Relations*, Sudhir Kakar an Indian psychoanalyst, mentioned above, writes that although the Hindu “hegemonic narrative” of gender relations, is “impelled more by hostility than tenderness or love,” the cultural conditioning and the social desire to reproduce itself, makes people unwilling to accept this fundamental hostility between the sexes, because the “Official spokesmen of a culture, the apologists and sentimentalists of its tradition, must necessarily hold up the affirmative models,” hence the model of blissful wife (1989, p. 142).

In short, women in South Asia are perceived simultaneously as a person and an object, upholders of men’s good name or destroyers of their honour. Women may be exalted as mothers on whom men may depend for affection, and wives who give sexual satisfaction, or are denigrated as “dangerous” and polluting, or worse are violated and abused as dispensable objects. Women’s autonomy and mobility, in other words, are real sources of threat to men’s sense of entitlement. South Asian women, however, are fast becoming a power group to be reckoned with.

Part III: Attaining Gender Justice

7. Women Mobilizing in South Asia

With international – and national – support and call to uphold women’s equality, dignity and respect by eliminating all forms of violence, many South Asian women, individually and collectively, have been active in identifying, diagnosing and addressing the individual and social ills (Joshi 1999, pp. 195-97). Presently, over seven thousand NGOs with a large degree of support work in the health sector in India, and a large number of them are organized by women (Bhan 2001, p. 24). Individual women, from urban and rural areas, likewise, have not remained unresponsive.

A case in point is that of some rural women of Andhra Pradesh who, fed up with being a constant target of their men’s drunken assault and battery, sometime in 1997, mobilized an anti liquor, or as it is locally known “anti arrack,” campaign. The money and resources that men spent on consuming alcohol deprived women and children from financing their modest livelihood. Demanding that the sale of liquor must stop in their village, the women started a ban on selling or drinking of liquor, and prevented the arrack van from entering their village. (<http://www.uohyd.ernet.in/sss/dhistory/arrack/proj3.html>).

These unschooled rural women rebelled against the police and the Government officials and pursued their cause all the way up in the hierarchy to the Home Minister and the Chief Minister, all of whom were making a huge financial benefit from the sale of liquor. The women sparked a village wide agitation, “which brought in total prohibition for some time and was responsible for the defeat of the existing Government and the victory of an opposition party which continues to be in power today” (<http://www.mail-achive.com/emvnet@un-instraw.org/msg00113.html>). The agitation of Andhra Pradesh women was home grown and spontaneous, but it galvanized thousands of women, spreading into the urban areas and turned into a movement.

No longer silent, women created a public space to connect and to unite with other women. In the process they became aware of their rights, their entitlement to a dignified life, and the decision-making power they potentially had, and they acted upon it. Women came together to publicize and to voice out the individual and social harm of drinking alcohol, and in the process they held their political leaders accountable, forcing them to take appropriate action. What is important to note is the help that some men gave women in making the protest a community wide issue rather than a “woman’s issue.” “The men came out in processions, attended meetings though most of the decisions were taken by the women and by and large it was a woman’s movement. Many men took

pledges that they would not drink, they even paid fines as decided by the women on breaking the vow. Domestic violence did recede during this period” (*Ibid.*). Being unschooled themselves, amazingly, these women struck upon an ingenious method to communicate their ideas and objectives to the public. They expressed their dissatisfaction, frustrations, anger, and “social criticism” through songs and dance, slogans and street performance. (<http://www.uohyd.ernet.in/ss/dhistory/arrack/proj3.html>).

I have seen similar performances and street plays by Pakistani activists and feminists in Lahore, that are led by NGOs such as Applied Socioeconomic Resource (ASR), and Ajoka (a street – or “popular” – theater group run by a husband and wife team), who travel to remote villages in Pakistan to let villagers – men and women – see, and hopefully to get a new perspective on the pernicious effects of male child preference, infanticide, wife abuse, and other forms of social prejudice and violence.

The anti arrack movement in India is but one indigenous yet effective means of addressing, and momentarily “resolving” a chronic conflict, *i.e.* abusive behavior toward women and children. The awareness reached, the knowledge of the self and the other gained, and the transformation experienced by these women and men and their communities, usher in a new – or different – possibility for gender relations, responsibilities and reciprocities; one that include gender respect, caring, and cooperation that can then be passed down the generation line or be communicated to one’s next door neighbor or village.

It is through the explorations of such spontaneous or organized movements to challenge the long established legacy of gender injustice and to bring about balance and gender justice that I would like to look at alternative approaches to the traditional conflict resolutions and retributive systems of dealing with violence against women, the subject of the next section.

8. Making the Balance: Restorative Justice

A radical shift of paradigm will be required: it will treat victims and offenders as citizens rather than as legal subjects, empower communities at the expense of judges, and confront exploitative masculinities with pro-feminist voices.

Braithwaite and Daly, p. 224

With the spread of economic marginality and displacement within the global village – owing to globalization – diversification of crime, and increasing of violence in general and violence against women in particular, it now appears that a shift of paradigm is necessary in the traditional legal system and in administering justice against perpetrators of violence against women. This is particularly important in cases of domestic violence.²⁵ Justice Sujata Manohar of India’s Supreme Court faults the Indian legal system for failing to deal effectively with violence against women as perpetrated by men, and for gender bias in the system that denies women credibility as witnesses. Women, states the Justice, repeatedly described their experience with court as ranging “from being humiliated or patronized, to simply not being understood” (1999, pp. 41-42; see also Bhandare 1999,

²⁵ On 8th March 2002, the Government of India (GOI) introduced the Prevention from Domestic Violence Bill No. 13 of 2002 in the Lok Sabha. We welcome that the State has recognised the existence of the rampant "domestic violence" in our society. However, the GOI Bill in its present form is a retrograde piece of law. For instance, as per the GOI Bill: If a man beats his wife to protect himself, his or another's property, it is NOT domestic violence. This will be taken as part of his right to defend himself - section 4 (2). It is NOT domestic violence if it is not habitual and makes the woman's life miserable. A woman who complains of domestic violence MUST undergo counseling (Manohar 1999).

p. 36). And so, when “human dignity is frequently violated on grounds of sex and sexuality,” asks Nussbaum, “what types of legal and political treatment are required to treat people as dignified and equal in the modern world? How... should we think about each other across the divisions that a legacy of injustice has created” (1999, p. 5).

Mediatory approaches such as Restorative Justice, Victim Offender Conferencing, Family Group Conference, and any combinations of such mediatory techniques, are thus explored with greater frequency (particularly in the democratic societies), and experimented as variations on the theme of local and “community justice,” where the objective of justice is a “restoration” of social relations, and creation of “balance.”²⁶ Restitution rather than retribution, equality rather than hierarchy, human dignity rather than humiliation, affection rather than hostility, and respect for women are at the core of such “alternative” systems of justice. The philosophy of replacing retribution with restitution, however, does not necessarily rule out punishment for the perpetrator, nor an ultimate appeal to the courts, though that is considered the last resort.

Restorative Justice is presently a controversial approach to domestic violence, because as it is argued, while it might be an attractive philosophy it may not be an effective alternative legal system, *i.e.* has little or no enforcing mechanism. It is also yet to catch on in South Asia. The idea and the practice of community justice and mediation, however, is not new, judging by its prevalence in many pre-industrial and small scale communities that are part of a larger nation state (Nader 1972; Starr 1978; Moore 1998), indeed as the anti-arrack movement exemplified in India. It is worth noting that before colonial domination and the superimposition of the “universal” and “univocal” British legal system (Braithwaite & Daly, p. 228), a complex local system of justice existed, though as other patriarchal institutions were/are controlled by men.²⁷ The panchayat system of “dispute settlement” and justice that has operated in much of South Asia since time immemorial is but one notable example of local governance and community attempt to make “balance and harmony.”

In this connection, Poonam Kathuria argues, the conventional justice dispensing mechanisms for women, whether statutory or social, face severe limitations in extending what is ‘just’ and ‘right’. “Extra-legal strategies and alternate platforms have often proved far more effective in aiding women in their quest for justice. Rooted in cultural and community norms, these alternatives actively engage women and the community in a dialogue on what is just and right. Such a process also helps to take the discourse to a higher level, challenging and, at times, even changing community norms.” <http://www.india-seminar.com/2004/533/533%20poonam%20kathuria.htm>

In the previous pages, I sketched a picture of social structural impediments, entrenched cultural practices, and moral codes of honour and gender discrimination that have become sharpened because of the emergence of feminism, fundamentalism and communalism that have in turn polarized and transformed South Asian societies. While all states have enacted legislation to improve the living conditions of women and to empower them legally and politically, violence against women in the domestic domain has not subsided. In this section I would like to consider the newly gendered panchayat in India as a model and a possible forum for addressing and hopefully redressing domestic and gender-based violence.²⁸

The panchayat has traditionally been used as a system of local justice in Indian villages, though “this does not imply some ancient democratic or egalitarian tradition” (Moore, p. 67).

²⁶ See Llewellyn, & Howse, 2003; Dissel & Ngubeni, 2003; Braithwaite & Daly, 1998.

²⁷ “Another important feature is that the conference approach is geared to a multicultural society. Anglo-Saxon liberal legalism has crushed the communitarian justice of the Celtic people, the Maoris, Australian Aboriginal people, native Americans, and Asian ethnic groups with a univocal imperial system that sacrifices diversity in problem-solving strategies to belief in equal treatment under one standard strategy” (Braithwaite & Daly, p. 228).

²⁸ For a description of panchayat and a discussion of a family dispute see Erin Moore 1998.

Derived from a Sanskrit root, meaning five, a panchayat is any gathering of five or more men for any reason, *i.e.* a neighbor's funeral feast, a stolen goat, or a marital dispute. As recently as 1992-93, women were not admitted to panchayat (Moore 1998), though in fact village women often gathered in the margin of the meeting and even took part in the ongoing village negotiations and mediations (Video documentary, Law's Patriarchy). Traditionally, the panchayat was an oral tradition, involving a series of meetings and consultations between different members and with different degrees of privacy and different leadership, and the elders who gather to mediate disputes were/are usually related to the aggrieved (Moore 1998, p. 67). "As a dispute becomes hotly contested it may move from a lineage – or village-level hearing to an appeal to wider circles of influence" (*Ibid.*, p. 69). Interestingly, in contradistinction to the discourse of the court in India, which is held in contempt by the villagers, the panchayat discourse is warm and encouraging, and no speaker or mediator needs to take an oath to speak the truth, for as the village saying goes, you are a fool to lie to the panchayat (p. 70). After independence in 1947, "The indigenous system was characterized as providing easy access to inexpensive justice in a way that was best comprehended by the villages. Village forums had a reputation for honesty, informality, and flexibility as well as for oppressing minority castes. It was hoped that the introduction of an elected leadership and the idea of 'equality before the law' would make the committees a reflection of the 'new India': modern, secular, and following a statutory law" (Moore, p. 74). Gender equality, needless to say, still remains out of the reach of a majority of Indian and South Asian women.

Perhaps spontaneous movements, such as anti-arrack, would not have happened had it not been for the fact that some few years earlier the government of India had passed watershed legislation in support of women's political participation and local governance. The major change to the panchayat system, that exclusive bastion of male control and governance, came in 1992, when to many Indian women's delight the government of India enacted the 73rd Constitutional Amendment. It envisaged a uniform three-tier system of local government for the rural areas, at the apex of which was the district level body; at the intermediate level, the block level body; and at the village level, the panchayat or village government"²⁹ (http://www.kit.nl/gch/html/india_projects_.asp). The Law mandated that "at least 33 percent of the total seats at the three tiers of local governments – both rural and urban areas" must be reserved for women (Mohanty 2001, p. 1).³⁰ This Amendment directed all state legislatures to amend their respective panchayat legislation to conform to the Constitutional Amendment, within one year. States complied and adopted new panchayat legislation by 23 April 1994. By April 1995 all the states were expected to complete decisions on new panchayats – and those who delayed ran the risk of losing central government assistance, as announced by the prime minister. <http://magnet.undp.org/events/gender/india/VYASULU3.htm>.

²⁹ In the urban areas the municipal councils and corporations were to be reformed. The constitutional amendments referred to aimed at (1) setting up elected local self-government institutions (2) devolving decision-making power for development projects to these bodies (3) providing for a 33% quota for women for the elections to local government institutions.

³⁰ **Panchayati Raj Institutions** 15.1 The 73rd and 74th Amendments (1993) to the Indian Constitution have served as a breakthrough towards ensuring equal access and increased participation in political power structure for women. The PRIs will play a central role in the process of enhancing women's participation in public life. The PRIs and the local self Governments will be actively involved in the implementation and execution of the National Policy for Women at the grassroots level.

While the word panchayat has been retained for use after the 73rd amendment to the Constitution, its meaning is now a formal one referring to a body – not of five persons – elected according to law (Poornima and Vinod Vyasulu 1999). The powers that these panchayats enjoy are enshrined in the laws enacted by each state, and, in India, there is considerable variation across states. Thus, this traditional word must now be understood in a thoroughly modern context. And this is quite recent. But this does not mean the traditional bodies had disappeared. What influence they wield at an informal level in the rural society, is another matter that merits careful study (*Ibid*, <http://magnet.undp.org/events/gender/india/VYASULU3.htm>).

The seeds of gender justice and entitlement were thus sown in the minds of a vast majority of Indian women and men, though initially, many may not have been aware of it. By and large and despite all odds, Indian women have taken their political empowerment and their chance to participate in the local governance seriously (Mohanty 2001). Such enthusiastic and active participation of women in local politics has no doubt wide repercussions for gender justice and for achieving full citizenship rights in India (Devaki Jain 1996 <http://www.eldis.org/static/DOC6432.htm>).

Reframing the newly gendered panchayat within the context of restorative justice, and with trained facilitators, men and women can face each other as “victim” and “tormentor,” supported by the community, and safe in the company of their kin and kith. The concept of restorative justice though fundamentally concerned with social relationships and with establishing or re-establishing social equality in relationships does not mean a return to the status quo and asymmetrical relations (Llewellyn & Howse 1999, p. 2). Human dignity and social equality are at the heart of the concept of restorative justice, and as such demand that one must “attend to the nature of relationships between individuals, groups, and communities” (*Ibid*), and that the individual must accept responsibility and be held accountable to the community. Reworking the philosophy of Restorative Justice within the newly gendered South Asian panchayat system, it seems to me that the panchayat systems may in fact hold the key to “making the balance,” as it were (Nader 1972), and to engendering gender justice. Banishment of the guilty individuals, shaming them in the eye of the community, rather than their punishment can be effectively employed.³¹

By all accounts, women have well documented grievances against men as a group (many individuals, institutions, and states), and have taken this blatant injustice to the court of world opinion, demanding justice and redress. The international community and the donors, let us call them “agencies for mediation,” have responded genuinely and positively. But for the most part their clear verdict on behalf of women has left the other side of the relationship – despite the clear case of male transgression – in what may appear to many men as a “losing” situation (*e.g.* Grameen Bank, IDRC report). My point here is not to appeal for leniency for the perpetrators of violence, but to call for what Nussbaum has termed “sympathetic understanding” (1999, p. 13). It is to make men face their victims in the full view of the public and to take responsibility for their own action, while at the same time acknowledging their “story.”

In such cases, we may consider to look at gender-based violence as a bundle of “conflicts,” conflicts of incompatible rights-claims to scarce resources and privileges (actual and perceived), with many specific “plaintiffs” and “defendants” and their many supporters or detractors. Gender

³¹ Presently, however, some women may have reservations about taking their cases to the panchayat. For example, in one particular case Devaki Jain notes: ‘(Siddamma’s) strategy in dealing with the situation seems to be to let others know about her husband’s affair, so that gossip will control his behavior... She prefers this to seeking justice at the panchayat, for (this) would enable her husband to take her to task later for having made domestic concerns “public” (p. 94). <http://www.india-seminar.com/2001/505/505%20books.htm>.

“conflicts” often have a history, are complex, fluid, and messy; and not all women are on one side and all men on the other. It is well to remember the patriarchal bargain and the heterogeneity of both sides of the right-claim dispute. Once the issue of violence against women is viewed as a communal/social rather than a private conflict, involving a constellation of supporting individuals, families and communities, then the resolution and the remedy move into the public and to the larger community, where the agencies for mediation, the panchayat or panchayat-like local forums, attempt to arbitrate the gender violence in order to make redress and to restore justice. The panchayats, given the scale of their universality in South Asia, provide a culturally meaningful context for **reeducating** the public to issues of gender equality, gender justice and human dignity. With the help of trained men and women facilitators, the institution and the process could be used as a new framework for educating men and women to new ways of looking at each other, at their relationships, and so to introduce concepts and values of human dignity, respect, and anger management.

Given the well-established tradition of local justice in the form of panchayat in much of South Asia, I suggest, one way of attempting to reduce and gradually eliminate violence against women is by holding the group, the lineage, the tribe, or the community responsible for the action of individual wrongdoers.³² “Group members might be punished not because they are deemed collectively responsible for wrongdoing but simply because they are in an advantageous position to identify, monitor and control responsible individuals, and can be motivated by the threat of sanctions to do so” (Levinson, cited in NYT/wk 2/8/2004, p. 5).

9. Areas for further Research

In the previous pages, I have sought to achieve several tasks simultaneously. While situating the contestation for gender justice and entitlement within the cultural contexts of “sex and violence,” paraphrasing Sudhir Kakar, and gender “hostility and irrationality,” I sought to counterbalance that with concepts of “care and compassion,” which are of course not lacking in South Asian communities but that need to be tapped more purposefully and positively. Going against the grain, I focused on benign aspects of patriarchy in postcolonial nation-states of South Asia, suggesting greater collaboration and cooperation with “patriarchs” who are devoted to the cause of women’s development, gender equality, and gender justice. Following that, I suggested Restorative Justice, with its focus on reconciliation and respect between the feuding parties, as a methodological counterbalance to traditional punitive methods of dealing with the perpetrators of violence against women. The institution through which such experimentations may be fruitfully carried out, I proposed, is the customary panchayat system. With the passage of the 73rd Constitutional Amendment in 1992 in India, the panchayat system is expected to be more fully incorporated into the state’s experimentation with grassroots democratization, and particularly with providing an environment more conducive to women’s partnership in governance. The institution of panchayat can provide a fertile ground for experimentation with local democracies, women’s governance, and hence systematically challenging issues of gender-based violence and domestic violence. Such multi-prong approaches would create a more conducive environment for the development of not just women but of the entire community and society.

Although panchayat is envisaged as a grassroots political institution with the aim of introducing democracy and spreading democratic ideas, beliefs and behavior, it is underutilized as a

³² We must note here that “violence” is inherent in the very caste system that exists in India – and to some extent in the rest of South Asia. The very unequal distribution of power and privileges as represented in the caste system has consistently militated against movement toward caste, gender, and ethnic equality in India (Mazumdar 1999, p. 121).

powerhouse institution of collective wisdom and “local knowledge,” or as an educational system – in its widest sense. The panchayat could be used as a new “school,” introducing and supporting new “educational curriculum,” one based on highlighting and underscoring equality, gender justice and human dignity. The panchayats, in other words, may be utilized to challenge age-old notions of gender, caste, and class inequalities, while educating the public to women’s human rights, which is at the core of gender justice.

I would strongly recommend multi-prong and multi-disciplinary research projects on the panchayat systems and the exploration of means to utilize these wide spread local systems as mediums for gender justice and for community development. This is an undertapped research area – one that provides an excellent forum for observing the workings of grassroots democracies, for understanding gendered local governance, for rethinking the structure and function of a traditional institution, and thus reconstructing it into a modern forum for mediating of conflict and violence between genders.

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Points of View, from the Other Side...

Aruna Roy

The Slogan that defined a Campaign

It is now widely acknowledged that the Right to Information (RTI) campaign in India brought a new discourse to the issue, moving it away from esoteric debates towards the practical relationship of the issue with the right to live. The strength of the campaign emanated from the ordinary women and men who defined the parameters of the struggle. Sushila, was one of them.

Sushila braved social taboos to marry out of caste and has brought up intelligent and courageous children. She is a pillar of strength in any confrontation with injustice and has been at the centre of the struggles of the Mazdoor Kisan Shakti Sangathan (MKSS – a non-party people's process, working towards a just and equal society) in central Rajasthan for the people's right to information. She is fearless, outspoken and eloquent. The RTI Campaign owes more to Sushila, than people know. She was asked by the press in Delhi in 1996, what brought her – a semi illiterate woman – to Delhi, to ask for the *right to know*. She gave a simple, eloquent, and extremely perceptive reply:

“If I send my son to the market with 10 rupees, I ask for the accounts. The Government spends billions of rupees in my name, should I not ask them for their accounts? *Hamara Paisa hai, Hamara Hisab hai*, – (The Money is ours, and the Accounts are ours) – articulating and establishing a slogan that has come to define the Right to Information campaign across the country and beyond: “*Hamara Paisa, Hamara Hisab*” (*Our money, our accounts*).¹

From Migrant Labour to Fashioning Young Minds

Mangi, in her late fifties has grown from a rebellious migrant worker, to being the coordinator of a huge programme of alternative schools in the Barefoot College, Tilonia. She has been an inspiration and a great strength to many women in Rajasthan. She has a brilliant mind. If she had the opportunities that more privileged women have enjoyed, she would have been a logician or a linguist. Fearless, interested and curious she has brought to her work the joys of the mind. She was once asked in a condescending manner by a group of professors from Jaipur 25 years ago, if she was a propagator of child marriage. She admitted that though things were changing, there were still many more social ills that needed to be overcome. But, she said, “We are semi literate women, who do not know the law and are victims of social restrictions and taboos. But tell me how many of you, very literate people have either not given or taken dowry?” There was a very embarrassed silence. Then she said, “Friends we all have to look at ourselves, and you as opinion makers have to lead us to a better life?” There the questioning ended. Bravo Mangi.²

As Mangi, Sushila and I attended the International Women's Day public gathering in Village Khandach of Ajmer District on the 8th of March 2008, we saw a remarkable change. As we looked at seven thousand women with faces uncovered in front of the men of the village, we knew that a small revolution had occurred. The people of Khandach, including the men, saw value in celebrating women's day. It was an acknowledgement of the political power of women, as much as of the new found power in electoral representation.

¹ Sushila in a book entitled “Women who Dared”.

² Mangi finds mention in an article published earlier – “Redefining Gurus.”

Village women from places as remote as Mauritania, Bhutan, and other countries, had traveled miles to come to Rajasthan to become barefoot solar engineers. Their remarkable courage in coming to a different culture with no language or familiarity made it an “international women’s day,” in the true sense of celebration and solidarity.

These are two pen portraits, of the many women who have guided me to a better understanding of life, politics and taught me the immense patience we need to struggle against inequality. Amongst other things, I also owe them my continuing sense of humor, my love to dance and sing, just be ordinary and enjoy life.

Acronyms

- AAT** Ayo Aidari Trust
AIDWA All India Democratic Women's Association
ASR Applied Socioeconomic Resource
BC Backward Castes
BDO Block Development Office
CEDAW The Convention on the Elimination of All Forms of Discrimination against Women
CMSSRD Creative Manual Skills for Self-Reliant Development (*Srihaswani* in the Bengali language)
COMEST Commission on the Ethics of Scientific Knowledge and Technology
CRCI Cultural Resource Conservation Initiative
CSO Civil Society Organization
DCRCC District of Columbia Rape Crisis Centre
EWRs Elected Women Representatives
FRLHT Foundation for the Revival of Local Health Traditions
GaIDI Gender and International Development Initiatives
GDI Gender Development Index
HUF Hindu Undivided Family
HDI Human Development Index
HDR Human Development Report
ICRW International Centre for Research on Women
ICDS Integrated Child Development Scheme
IDRC International Development Resource Centre
JMI Jamia Millia Islamia
LETS Local Exchange Trading Systems
MKSS Mazdoor Kisan Shakti Sangathan – a non-party people's process, working towards a just and equal society
NABARD National Bank for Agriculture and Rural Development
NGO Non-Governmental Organization
OBC Other Backward Castes
PC & PNDT Pre-Conception and Pre-Natal Diagnostic Techniques
PHC Primary Health Care
PRI Panchayati Raj Institutions
PRIA Society for Participatory Research in India
RTI Right to Information
SAHR South Asians for Human Rights
SC Scheduled Castes
ST Scheduled Tribes
SHGs Self Help Groups
SEZs Special Economic Zones
SCSJ Standing Committee for Social Justice (SCSJ)
UNESCO United Nations Educational, Scientific and Cultural Organization
UNICEF United Nations Children's Fund
UNIFEM United Nations Development Fund for Women
UNITWIN University Twinning and Networking
UNDP United Nations Development Programme
UNFPA United Nations Population Fund

UNRISD United Nations Research Institute for Social Development
UNV United Nations Volunteers
USAID United States Agency for International Development
WFP World Food Programme
WHO World Health Organization
WISCOMP Women in Security, Conflict Management and Peace
WSRC Women's Studies Research Centre (Brandeis University)
WSP Women's Studies Program (Boston University)
WTO World Trade Organization
VAW Violence Against Women