Urdhva Mula

ऊर्ध्व मूलः

(Roots Upwards)

An inter-disciplinary journal focusing on women and related issues

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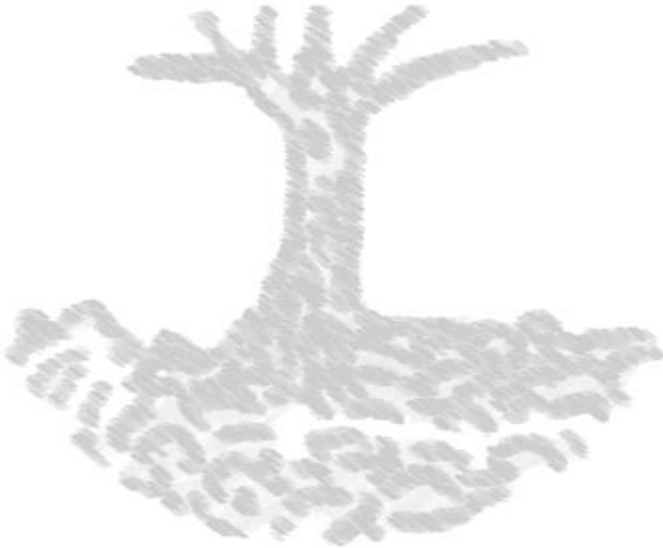
Urdhva Mula

(Roots Upwards)

An Interdisciplinary Women's Studies Journal

The motto "*Urdhva Mula*" i.e. roots upwards. Two simple words, which can instil hope and courage when one is faced with various challenges of life. (from *The Bhagavad Gita*)



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List of Publications of Sophia Centre for Women's Studies and Development

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EDITORIAL

The current issue of *Urdhva Mula* highlights some of the major concerns of the Women's Studies movement namely, the location of feminist scholarship within the knowledge economy and the location of Women's Rights in the overarching concern for human rights. This is of particular importance given that human rights in general and women's rights in particular are under attack from governmental and political structures, not only in India but globally. Resistance to this stance finds articulation through a number of broad-based and popular movements like the One Billion Rising, the MeToo movement, the open discourse around LGBTQAI and alternate sexualities, and women from the marginalised sections, such as farmers' widows in India, teachers in the US, industrial women workers in Latin American countries. In this bleak scenario the only ray of hope is the solidarity being established across diverse marginalities.

Maithreyi Krishnaraj's thought-provoking article on feminist research interrogates the way in which various theoretical strands of feminisms influence feminist research analysis.

Sujata Bhan's use of the disability rights discourse and pedagogy with regard to inclusive education and knowledge construction is nuanced with a constructivist approach that is informed by feminist scholarship. Angst over a related concern finds expression in the open letter to Major General Bakshi later in this issue.

Through critical reflections and feminist analysis of socioeconomic and cultural status of Devadasis in Karnataka, Ms. Lavanya brings to the fore how ritualised patriarchy controls the sexuality, fertility and

labour of women. She also critiques the limitations of the 'rehabilitation package' offered by the state.

The next three articles examine the exploitation and oppression of working-class women. In an insightful article on the implications of economic globalisation, Ruby Ojha shows the impact of macroeconomic policies on women in both sunrise and sunset industries and all sectors of the Indian economy. Ceena Paul depicts the measures taken by the trade union movement for empowerment of women in both organised and unorganized/ informal sectors. Nandita Mondal highlights the survival struggles of fisherwomen in Mumbai especially in the context of the entry and dominance of big players in the fishing industry. The same theme is echoed in the Book review by Dhruv Mankad of Aarti Prasad's book based on her research on much neglected theme of socioeconomic status on nurses in the health care industry.

The section on **Statements** centre around the violation of human rights in a number of fields. Controversy around the Supreme Court judgement on triple talaq and the feminist standpoint on the issue are captured in one. Another expresses outrage the way in which the surrogacy Bill further victimises the victim. Yet another militates against sexual violence, repressive state machinery, and the delay in rape investigations. A fifth is a scathing attack on the dismissal of women's entitlements through budgetary cuts in economic services, welfare services, social defence and social security for women. Aardra Surendra's review of the U N publication, "Women's Rights are Human Rights" carries on this motif, and responds to the demands of the day.

Urdhva Mula is committed to providing a democratic space for feminist scholarship and invites researchers in academic and research institutions, freelance scholars, public intellectuals and feminist activists to contribute research articles, book reviews, documents of historic and contemporary relevance and statements regarding women's studies and women's rights movement.

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ARTICLES

AN ESSAY ON FEMINIST METHODOLOGY[i]

- **Maithreyi Krishnaraj**

Introduction

It is easy to supply material from writings of scholars as photo copied material for students to assimilate. What happens quite often is without the critical ability to evaluate the material, students simply put quite disparate things together. In my experience of teaching Women's Studies, in my experience as a Ph.D. guide of many years, and my experience of research both empirical and theoretical, it is important for students to respond to material by what they accept, what they reject, what they find inadequate, what they find confusing etc. Hence this essay is a culmination of my own understanding. During my teaching abroad, learning material would be distributed to the class before the class session, so they can read and come to the class with their responses. They did not have to summarise the material but say what they found in the material. Hence, I am writing this with minimum citations as an illustration of what I have learnt. I have tried to keep the writing as simple and lucid as possible. A separate bibliography is appended for further reading.

Feminism and Research

The basic argument of this essay is that research is based on the theory regarding the particular aspect of society we wish to investigate. 'Feminist research' is keyed on to theory/or theories of feminism.

There are many questions that arise in articulating a 'feminist methodology' for research. First of all, what are we doing research for? What does the adjective 'feminist 'denote? Can only a woman be a feminist? Is Feminist Research different from 'ordinary' research? Obviously, we have to first uncover the adjective 'Feminist', derived from feminism. Do we have baseline definition of feminism/feminist? A working definition would be 'A feminist is one who holds that women suffer discrimination because of their sex, that they have specific needs which remain unfulfilled and that the satisfaction of these needs requires a radical change in the social, political economic order'. This is the minimalist view. Feminism is theory, method and practice. Its major premise is -: There is female subordination and male prominence in society. The task of feminist theory is to examine, understand and explain what makes female subordination possible and sustained. The theoretical questions relate to: is this subordination universal, historical, is it based on material circumstances only, what is the role of culture and ideology and is there diversity in how women's subordination comes into being.

Beyond the minimalist definition of feminism cited above, there could be differences in the way the problem is framed- regarding what women lack or want and why do they lack what they want or need. There is often no shared understanding of why a particular state of affairs exists or what can be done about it. Feminism is a set of ideas about women, now established as a field. It is inspired by an active desire for change, but the analysis of the causes for women's predicament varies. Feminism is itself an intervention in history, informed by historical knowledge. Concepts and categories through which we appropriate, analyse and construct the world have a history within which we ourselves are implicated. Feminism and feminist

ideas and propositions regarding what are the root causes of women's situation follow from the philosophical and political frame works used. Research then seeks to obtain, 'data' on those aspects which our theory places as significant for women. Fact is always theory laden. If I believe that women's suffering is due to economic causes, I would focus on finding out their economic status. Accompanying such a belief is the solution for relief from this inequality. One would then advocate more employment for women. What we have realised is attributing a single cause is not helpful. Hence a deeper study of feminist theory has to inform our approach - what questions we ask, what interpretations we assign to the answers. Secondly, the category 'woman' is an abstraction. Real women are not homogenous. Race, ethnicity, class, caste divide them and their experiences therefore vary.

Methodology pertains to the theoretical framework that underlies our quest. Often method and methodology are confused as one. Method refers only to technique of data gathering. These are common to social science investigations. Methodology pertains to what brand of feminism - that is the philosophical framework, we are adopting. There is no one framework. There arose different strands of feminism, each with a different perspective. There arose accordingly many versions of feminism: liberal feminism; radical feminism; socialist feminism; Marxist feminism; lesbian feminism; black feminism and now third world feminism. A brief explanation of these strands are in order if we understand what is the basis on which we proceed to do research, because the primacy given to different factors as implicated in women's subordination varies depending on the strand of feminism we are adopting. Liberal feminism drew its theory from liberal philosophy of the nineteenth century. It saw the individual as *prior to society*, standing alone, with independent preferences unconditioned

by society. Its main articulation is derived from the view about the relationship between the state and individual, where the state could not interfere in the affairs of the individual and had few roles to play. In the economy, it adopted the notion of 'laissez faire' –free enterprise. In social matters too, it saw the individual's condition as purely under the jurisdiction of society and the state has no business to interfere with their practices. Private enterprise was managed by the market where supply and demand would be balanced. In other words, the market exchange system would balance the multitude of individual choices. (the categorisation of our present socio-economic configuration is dubbed as 'neo liberalism' because it wished to diminish the role of the state and allow private enterprise full play.) Liberal feminism's main plank is equality of opportunity along with men *within the prevailing system*. It set store by reform through laws which would give women equality. Early western feminists in America and Europe espoused this philosophy. Within India the Social Reform movement was a follower of liberal political philosophy. A second strand developed with the emergence of Marxism. Marxism mounted a strident critique of capitalism. It saw the organisation of production as an evolutionary tendency, passing through different phrases from barbarism to feudalism to capitalism. According to Marxist theory, what led society to transit from one stage to another was class conflict and this conflict would **inevitably** lead to the overthrow of the then existing ruling class. At the time of Marx, industrialisation had made headway. Merchants who had surplus funds through trade (capital) began investing in Industry and over threw the feudal lords. The decline of peasantry with the commercialisation of agriculture created free labour which joined the factories as the industrial proletariat, who had no ownership of any productive means except their labour. Marx envisaged a revolution

whereby the proletariat will take power, just as capitalists (those who owned the means of production) overthrew feudal lords. Capitalism is based on the goal of making profits; but there are limits to this possibility. The worker has to be paid just enough to sustain himself. The output that is over and above is surplus which the capitalist appropriates. The workers will organise, throw out the capitalist class and establish a workers' state. All this will come about through a revolution.

Feminist objection to this formulation is the Marxist notion that conversion of all women from being housewives into paid workers will liberate women. They pointed out that Marx ascribed to ideology, merely as a superstructure based on the material base and hence when the material base changed the super structure: man- woman relation- too would change. Experience with the communist experiment showed that ideology can be persistent regardless of changes in the material base of production. Male dominance as an ideology, helped to retain the sexual division of labour by which women as solely responsible for housework and child care continued. Early documents from the former Soviet Union revealed this asymmetry. Both men and women worked as economic earners but the man would relax after work with his drink and Newspaper. Feminists in Germany and the USSR were vehement in their condemnation of the new regime as 'betrayal' of women under socialism. The Socialist Feminists attempt a unified theory by bringing, class, gender, together, by linking production, reproduction, material and ideological forces in society. The socialist feminists took the criticism of capitalism further than the Marxist-feminists by pointing out that while Marx talked only of production, he left out the unequal power between the sexes in relations of reproduction. A woman's sexuality and reproductive

capacity were controlled by men. Women suffered unwanted pregnancy. I saw a telling documentary of nineteenth century Britain. There were many women from the aristocratic class who wanted to terminate unwanted pregnancy. There was a midwife who helped them in secret. However, the tools she used were not modern (family planning methods were not known then or accepted till Margaret Sanger promoted the Birth control movement). A lady died when the midwife carried out an abortion. A case was brought in Court and she was sentenced and sent to prison. None of the ladies whom she had helped came forward to her defence. Today we have in India, medical termination of pregnancy as legal but this is not to favour women but to restrict population growth. The target was most often women while exonerating men's responsibility in impregnating women.

Over time, different feminisms indeed lost their rigid boundaries. The role of sexual relationship has been admitted as a necessary ingredient in male dominance from radical feminism; the sexual division of labour and the persistence of unpaid household-family maintenance as mandatory for women, control of female sexuality and female reproductive capacity echoes socialist feminism's perspective. Today it is customary to say: class- caste- ethnicity- sexual orientation (which includes lesbians- gay and transgender). These categories are still hyphenated but except for the link with gender and caste we have no adequate unifying theory. In much of the third world, there is still a large section of landlords and a revolution cannot be only with an industrial working class. So, the Chinese revolution included the abolition of landlordism and the communist party included peasantry. Communism (so called because it had the notion of a 'commune' where workers will manage all production and distribution). In Israel, the newly formed Jewish state made an experiment on communal care

of children called the kibbutz. Children were put in the kibbutz where they had care takers and parents could visit the children. The children could not get attached to the care takers as they were often changed. So, they built solidarity with their fellow companions. The experiment was dismantled later. Family seemed important for the emotional growth of children. The question is what kind of family? Socially oriented or individualistic?

India also had a communist movement, confined to the industrial working class before our Independence, but confined to pockets in the country - West Bengal, Kerala and Andhra. Both West Bengal and Kerala carried out land reforms, aimed at giving land to the tiller and abolishing absentee landlordism. In all these movements, though women were participants, they did not get any voice or leadership and there were feminist protests because women were used for carrying messages, under groundwork and making meals for the men. In other words, the sexual division of labour was intact. There were many splits within communist parties - the CPI (which followed the Russian model), CPI-M which followed the Chinese model, the Socialist party which did not espouse revolution but worked for equality and recognised class as an important division in society. Women participants in the parties, overtime brought in 'gender' as something to be addressed. Their agitation has resulted in these parties now including 'gender' in their agendas. Are all actions, campaigns prompted by or led by women feminists? Feminism can be seen as an active desire to change, a social movement. Many party women reject the label 'feminist' as implying anti-women or western, a misunderstanding of feminism. Within the Third World, feminists brought in the issue of colonialism in which white women were after

all complicit. In fact, when white women tried to 'liberate" Indian women, this was a sort of maternal imperialism.

Use of patriarchy as a tool for analysis

The theory of patriarchy as 'a systemic male dominance' developed over a period of time moved feminist theory forward. Initially seen as universal, progressive refinements made us understand that the way patriarchy operates depends on many things. The concept of patriarchy admitted multiple explanations and a range of components though these were not well integrated. The theory uses critical blocks, one of which is gender. 'Gender' explains that differences between men and women are socially constructed, only remotely springing from biological givens. Research in biology, psychology and anthropology has exposed the biases in these disciplines - in the selection of the problem, in the selection of evidence and interpretation of evidence.

How patriarchy works would depend on whether we are dealing with an advanced industrialised capitalist society, with predominantly nuclear families, where production and consumption is organised through market exchange or where are dealing with a not fully industrialised society with remnants of pre-capitalist forms of production, or a society where kinship categories have much salience or a tribal society where communal ownership is present. The constitution of the family also has a determining context. To illustrate, marriages in the West are largely contractual (except for Catholics) which can be terminated on the initiative of either spouse. The relationship between partners is different from the sacramental marriage as in Hindu India. In a Hindu sacramental marriage, the power of the grooms' family over the young bride is overpowering.

Here the patriarchal power is wielded not just by the husband but by the in laws who become the carriers of patriarchy. Leela Dube, a very eminent anthropologist of India summarised the asymmetry between bride takers and bride givers in Hindu marriages. Within India, regions vary in their strength or weakness of patriarchy. Research would then take these into cognisance. The same focus will not apply. Thus, some amount of prior knowledge would be needed to conduct a relevant research. You cannot put the same questions to, say a tribal woman which you would to a middle-class woman. Patriarchy is manifested in several sites: family, community, state institutions and media.

Patriarchy within the family:
It operates through (i) control of female sexuality through various restrictions on movement and on social interaction (ii) sexual division of labour that orders resource allocation, valuation of members contributions (iii) control over female reproductive behaviour (iv) differential socialisation of boys and girls (v) notion of masculinity and femininity [to this day female dress is a special target for impositions of modesty]

Patriarchy within the community: caste, neighbourhood, Church, religious organisations, kin network have surveillance powers to impose social norms on how women should behave. For instance, women can never gather around street corners and have an '*adda*' as men do.

The village panchayat often speaks in a male voice only. [You can recall many instances of their reinforcing male power-the Rajasthan Bhanwari case; the role of Khap Panchayat in Haryana.]

The State through its organs of power - police, military, bureaucracy, judiciary and governing bodies also undertake the maintenance of patriarchal norms though policies, and exercise of power. All these agencies enshrine practices, beliefs about female role, femininity, caste rights etc. The women's movement in India is partly successful in instilling gender sensitivity in these agencies and we still have a long way to go. Despite the Supreme court's ruling on sexual harassment at work place and the subsequent law against it, women in many places still suffer these hazards.

We are contending that there can be never a 'de-novo' approach. Nevertheless, informed by feminist theory, if we identify the major parameters of women's empowerment, we have a starting point. Apart from this kind of empirical knowledge of a society, feminist methodology has to anchor the basis of its epistemology (theory of how knowledge is obtained) and its philosophy of women's liberation. Does liberation imply agency? Does it imply autonomy? What is our notion of the desired state of being for women? What is our analysis of what causes constraints on women finding fulfilment, in being able to realise fully their potential, in being able to acquire the capabilities necessary to function efficiently, ably, wisely in individual as well as social matters. Feminism is not about just women - it is about *women in society*. Hence what kind of society will be beneficial for women is our problem. Will, what is good for women be also good for men and children?

Concepts like agency, autonomy are valued differently in different cultures. More recently the word 'empowerment' is used. According to Mishra and Tripathi 'Empowerment is instrumentally important for achieving positive development outcomes and well-being of life which lies in the doing and being what one value and have reason to value- that is - agency.' (p.1). The authors have followed Amartya Sen's formulation. Women's agency, autonomy, and empowerment are concepts widely used in development literature. They are rather ambiguous and fuzzy. While women's well being and women's agency is sufficiently distinguished from each other, there is large overlap between agency and empowerment and between agency and autonomy. How do we concretise these concepts at empirical level given male dominance? Will men agree to relinquishing their power? This is where women's collective struggle comes – seeking to change things through laws, through public policy and programmes, through getting political power to be in positions of decision making etc.

A signal contribution of feminist theorisation is the identification of the levers of power inherent in patriarchy- namely: control over woman's labour, control over her sexuality and control over her capacity for reproduction. Much of early feminist theory was devoted to trace the origin of patriarchy. Gerda Lerner's classic work on the creation of patriarchy, indicates its historical evolution; male dominance was never the universal norm existing through all of human history. Social and economic changes ushered in a more prominent role to men. Here again, why women became subordinate and why men assumed dominance have different answers as we saw in the earlier section.

There were many ways in which women tried to understand women's subordination which included inequality, exploitation and oppression. Inequality got manifested in unequal resources. Exploitation of woman lay in seeing woman as a sex object and use of her labour. Oppression is a psychic dimension indicating suffering due to absence of free will. Patriarchy in India is not all men versus all women - age and gender play a part, older women have more power than younger women in the Indian family in Asian societies. A caveat is in order here. With increased education of women and their entry into well paying professions, daughters-in-law now have more power than mothers-in-law in urban, middle class families. Given the class/caste configuration, patriarchy is not directly challenged by women here to demand an end to sexual division of labour and men to share housework and childcare as happened in the West - because the labour of lower caste /class women are available to upper and middle classes. [there may be some cases in urban India where this is changing but it is in a miniscule proportion of the population.]

A major advance of feminist theory is the introduction of the concept of 'gender' which facilitated our understanding of the relationship between the male and female human being. The common sense understanding of gender as a property of an individual, though socially produced is still seen to have an individual character. Gender is a process, not a thing, it is a linking concept. It involves traits attached to each gender, roles assigned.

The fundamental questions on methodology are:

1. How do we know what we know? (epistemology)
2. Is there an objective reality independent of the knower?
3. Are senses the only source of verification?

4. Do all sciences form a unity?

Feminist theory has drawn on existing critique of science and questioned its assumptions of (a) 'objectivity' where researcher is 'outside' his/her culture (b) that history is not relevant and therefore does not contaminate the results. (c) Feminist theory holds that paradigms (the image of the subject matter, the problems, questions that follow) are culture laden; and lastly (d) that human knowledge is relative. A strand of feminist theorisation propounded by Sandra Harding, known as the 'Stand Point theory' sees that women as the oppressed have a better view of reality. It entails a subjective approach to knowledge that privileges the experience of knowers as the source of knowledge without grappling with the complex questions concerning the validity of particular knowledge. The butler like Jeeves in P.G. Wodehouse stories knows the master's views as well as his own. He has a double vision. However, in looking at it this way, we forget the relationship between Jeeves and his master namely, the nature of aristocracy depicted in the story living an idle, ignorant but privileged life by virtue of property owned and the blue blood inherited by birth and Jeeves 's qualification being only superior knowledge and learning. Does a maidservant today have a superior double view? We cannot take as given, the relationship of experience as the truth of reality. Women's experience has historical and material grounds for that experience. By history we mean understanding the genesis of a subject's experience and subjectivity as it is shaped over time through cultural and material institutions interacting in a systematic and dialectical process. We need to not take women's experience as self evident but ask questions about the constructed nature of that experience. While experience simply exists and are experienced, a standpoint can emerge only out of a critical reflection of the experience. While all women have experience, not all

women have a feminist understanding of the experience. For a truly transformative politics, women's experience itself needs to be interrogated - 'why do women feel that way? and needs to be interrogated from a vantage point of equality and redistributive justice. There is the saying 'Fish do not talk about water'. There is the panchatantra story about the frog in the well, unable to comprehend the size of the ocean. Many women in our country attribute their exploitation and oppression as due to their bad karma not to the power of patriarchy and social reasons. It is feminist consciousness that makes them emerge out of this self chosen destiny. By relying upon women's experience as the ground of truth, feminist standpoint theory fails to do justice to the fallibility of human knowers, the multiplicity and diversity of women's experiences and the theoretical constitution of experience. Often third world women endorse this theory as developed in the West in a completely ahistorical and essentialist manner. Instead of using feminism as critical reflection on women's experience, women's experience *by itself* becomes feminism. We can avoid this trap by refusing to accept women's experience as a given; we instead ask why do women have this experience? While any one can claim a perspective, by opening their eyes, a feminist standpoint can only be an achievement, the end point of a struggle. The ability of women and other oppressed groups to name and describe their experiences on their own terms emerges out of and in turn aids the political struggles waged by feminism. But for women's description of their own lives and experiences to be transformed into a feminist standpoint, the liberatory possibilities of their lives has to be amplified through a critical perspective that feminist struggles provide. Thus, a feminist standpoint is what orders and interprets women's experience, but it cannot be reduced to that experience. The blind spot in standpoint theory is while they insist that the feminist standpoint is

socially constructed way of making sense of the world, they also pose women's lives as an empirical point of reference *prior to feminism*. The theory does not tell us what it is about women's lives, that leads to a feminist understanding of women's lives. Which aspects of women's individual and collective lives are epistemically relevant for feminist knowledge? By treating experiences as a set of pre-existing objective circumstances, that condition gender identity, which in turn defines self-interest, needs, and agency. This is caught in circular logic - 'experience explains gender difference and gender difference explains the asymmetry of male and female experience.' Materialist feminism accepts that subjectivities are constructed out of experiences which are made possible by available knowledges, and discourses in a culture. These cultural discourses however are bound by and operate within a totality of social institutions and material practice, which are hierarchically organised in all existing societies and hence will have to be studied within that social totality. To sum up what this amounts to: one cannot interpret women's experiences without some knowledge of the social institutions that govern their lives - family, community, legal rights, marriage forms, cultural codes access to critical resources for living a valued life and opportunity to participate in political decisions that affect them etc. - a whole range of conditions.

[1] An earlier version was a lecture at Bangalore University

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INCLUSION: A CONSTRUCTIVIST APPROACH

- **Dr. Sujata Bhan**

Abstract

Inclusion is about engendering a sense of community and belonging and encouraging mainstream and special schools to come together to support each other and students with special educational needs (Booth, Ainscow and Kingston, 2006). A con*structivist approach to inclusion would focus on three components: access, quality, and community participation. How do we get to school the huge number of out of school children? How do we ensure that all children are getting quality education? How can the resources from the community be utilized to make inclusive education successful? Many policies of the government, particularly, Sarva Shiksha Abhiyan (SSA) a flagship programme under Right to Education Act was aimed at implementation of Universalization of Elementary Education (UEE) and working to improve quality education of all children in the age group 6–14. However, a gap is observed in implementation of inclusive education practices. This conceptual paper throws light on the roadblocks to inclusive education and a constructivist approach in finding the solutions.*

Introduction

The 93rd amendment to the Indian Constitution passed in December 2001, affirmed the Government's commitment to Education for All (EFA) including children with disabilities. Right to Education (RTE) Act was passed in 2009.This Act was in line with the United National Convention on the Rights of Persons with Disabilities (UNCRPD), to

which India became a signatory in 2007. This was to fulfill the obligations on the part of India in terms of UNCRPD. Sarva Shiksha Abhiyaan, a flagship programme under RTE started in 2012 with aim to implementation of Universalization of Elementary Education (UEE) and working to improve quality education of all children in the age group 6–14. While the Government of India is making policies for inclusion at pre-primary level, the Scheme of Inclusive Education for Disabled at Secondary Stage (IEDSS) has also been launched from the year 2009-10. This Scheme provides assistance for the inclusive education of children with disabilities in classes IX-XII. The objective is to enable all students with disabilities, after completing eight years of elementary schooling, to pursue further four years of secondary schooling in an inclusive and enabling environment.

The most historic moment was when the Lok Sabha passed "The Rights of Persons with Disabilities Bill - 2016", now called the RPWD Act. In the new Act the types of disabilities have been increased from existing 7 to 21. Every child with benchmark disability between the age group of 6 and 18 years shall have the right to free education. Government funded educational institutions as well as the government recognized institutions will have to provide inclusive education to the children with disabilities.

With all these Acts and policies in place, can we say that we truly practice inclusive education? Is inclusive education about enrolling children with special needs in mainstream schools?

Inclusion means including children with diverse abilities in all aspects of schooling that other children are able to access and enjoy. It involves regular schools and classrooms genuinely adapting and

changing to meet the needs of all children as well as celebrating and valuing differences (Loreman and Deppeler, 2001).

Inclusion in education involves:

- Valuing all students and staff equally
- Increasing the participation of students in, and reducing their exclusion from, the cultures, curricula and communities of local schools
- Restructuring the cultures, policies and practices in schools so that they respond to the diversity of students in the locality
- Reducing barriers to learning and participation for all students, not only those with impairments or those who are categorised as 'having special educational needs'
- Viewing the difference between students as resources to support learning, rather than problems to be overcome
- Acknowledging the right of students to an education in their locality
- Improving schools for staff as well as for students
- Emphasising the role of schools in building community and developing values, as well as in increasing achievement
- Fostering mutually sustaining relationships between schools and communities
- Recognising that inclusion in education is one aspect of inclusion in society (Booth, Ainscow and Kingston, 2006).

Inclusion is about making schools supportive and stimulating places for staff as well as students. It is about building communities which encourage and celebrate their achievements. But inclusion is also about building community more widely. Schools can work with other

agencies and with communities to improve educational opportunities and social conditions within their localities.

Barriers to inclusion

Students with disabilities may be identified and enrolled in mainstream schools but giving them access may not guarantee their learning. These students may not be actively participating in activities that their non-disabled peers are engaged in. The mainstream teachers do not know how to manage students who have such diverse needs that can be addressed in the class. They have limited knowledge about pedagogy of special children. Due to lack of active learning, many students with disabilities either go back to special schools or simply drop out and do not pursue further education.

Parents of non-disabled children always have apprehensions that their child may acquire same mannerisms as those of a special child. They put pressure on school administration not to admit students with special needs in the school.

Let us understand the barriers to inclusive educational practices.

- **Organizational barrier**

Inaccessible and faulty design of educational institutes hampers accessibility of services and facilities. In some districts, students with physical disabilities are expected to attend schools that are inaccessible to them. In economically-deprived school systems, especially those in rural areas, dilapidated and poorly-cared-for buildings can restrict accessibility. Some of these facilities are not safe

or healthy for any student. Many schools don't have the facilities to properly accommodate students with special needs, and local governments lack either the funds or the resolve to provide financial help. Environmental barriers can include doors, passageways, stairs and ramps, and recreational areas. These can create a barrier for some students to simply enter the school building or classroom (Kaushik and Sankar,2017). Besides absence of barrier free environment there is also a lack of communication among administrators, teachers, specialists, staff, parents, and students in an educational institute. Open communication and coordinated planning between general education teachers and special education staff are essential for inclusion to work. If the administrative head does not believe in inclusion, he/she will not work towards creating an inclusive organization.

- **Attitudinal barrier**

There is interaction of discriminatory attitudes, actions, cultures, policies and institutional practices. There are stereotypes linked to disability. Prejudices against those with differences can lead to discrimination, which inhibits the educational process. Common misconceptions like disability is because of past karma, those with disabilities cannot achieve much, they can never be independent, the typical children will suffer if they have children with disabilities in their class, etc. There is under expectation from students with disabilities. The challenges of inclusive education might be blamed on the students' challenges that come with the disability rather than on the lack of will and inability of teachers, administrators, and policy makers in finding the solutions.

- **Knowledge barrier**

Teaching methods that don't recognize different styles of learning hinder the school experience for all students, even those not traditionally recognized as having physical or mental challenges. A rigid curriculum that does not allow for experimentation or the use of different teaching methods can be an enormous barrier to inclusion. Most teachers feel they are not equipped to teacher children with special needs in their existing classrooms of large size. Their training in teaching has not taught them the pedagogy of teaching special children. Many complain of experiencing barriers to access information and educational material. Very few show the eagerness to learn and empower themselves with knowledge and skills for teaching children with diverse needs.

- **Constructivist Approach**

It cannot be an either/or situation when it comes to inclusive education. It may not be possible for all schools to meet the needs of all the children with very diverse needs. Therefore, one can aspire for schools that meet the needs of most children. Increasing the enrolment of special children in mainstream schools is not the answer but a constructivist approach that ensures access to quality education alongside non-disabled students, active engagement of students with disabilities, social acceptance by peers and teachers and community participation is the pathway created inclusive education. A constructivist approach to inclusion highlights the mutual creation of an inclusive educational environment, garnered by the efforts of the government, of the community and of the service providers and the contributions of the students with disabilities themselves.

There can be three aspects to a constructivist approach.

1. **Producing inclusive policies**

There are policies of the government which are inclusive in nature and support diversity. These policies encourage the participation of students from the moment they join the school, reach out to all students in the locality and minimize exclusionary pressures. The Right to Education Act is anchored in the belief that availability of equal educational opportunities to children belonging to different social and economic background will reinforce the idea of equality enshrined in our constitution and ensure that children are not discriminated on the basis of social or economic background or any such criteria. Since its launch in 2001, SSA has infused substantial new resources into India's elementary education. But current schools are not delivering what is expected of them. With the hope that the new Rights of Persons with Disabilities Act (2016) a lot can be changed in the disability sector. What is required at this moment is to monitor the execution and implementation of these policies. Government should take steps to increase the awareness of inclusive education particularly in rural India. Media can play a very important role here. The policies and schemes of the government should be explained in local language which would empower the stakeholders. Government should work in collaboration with NGOs to bring in a systemic change in education system. Quality should be emphasized more than the quantity. SSA should facilitate a consultative process for developing the framework for the training programme with the inclusion of persons and institutions that have had experience of delivering such programmes. The government should provide the necessary equipment in the form of braille books, large print books, low vision devices, etc. as per the need of each child.

2. Evolving inclusive practices

One size does not fit all should be truly understood by the teachers. Therefore, they should learn orchestrating of learning according to the needs of the learners. No single teacher can achieve this task alone. What is required is a team approach and mobilization of resources. Teachers should identify material resources and resources within each other, students, parents and local communities which can be mobilized to support learning and participation of students with disabilities. The minimising of barriers to learning and participation involves mobilising resources within the school and its communities. There are always more resources to support learning and participation than are currently used within any setting. Resources are not just about money. Like barriers they can be found in any aspect of a school; in students, parents/carers, communities, and teachers; in changes in cultures, policies and practices. The resources in students, in their capacity to direct their own learning and to support each other's learning, may be particularly under-utilised, as may the potential for staff to support each other's development. There is a wealth of knowledge, within a school, about what impedes the learning and participation of students, which may not always be used to the full. Capacity building of instructional leaders, and teacher supervisors, teacher training support, curriculum design and development and pedagogical practices, student-teacher assessments, remedial education programmes and school management through school adoption are some of the measures to enrich inclusive practices.

3. Creating inclusive culture

United convention's Sustainable Development Goals 8 and 10 are to promote sustained, inclusive and sustainable growth with

employment creation for all, irrespective of age, sex, disability, race, ethnicity, origin, religion or economic status.

To achieve these goals an inclusive culture has to be developed where everybody recognizes, appreciates and capitalizes on diversity so as to enrich the society. Fostering a culturally inclusive learning environment encourages all individuals, regardless of their age, gender, religious affiliation, socioeconomic status, and disabilities to create secure, accepting, collaborating, stimulating community, in which everyone is valued and is given a life of dignity. In today's world a country is considered a developed nation only if it is inclusive to the core. Creating inclusive culture depends a lot on the education of our children in an inclusive learning environment. To create a culturally inclusive classroom environment, it is helpful if teaching staff reflect on their own attitudes, assumptions and instructional practices. To what extent do these attitudes, assumptions and practices promote an inclusive learning environment?

Conclusion

Inclusion has its roots in social justice and human rights. For inclusion to become a reality a constructivist approach of producing inclusive policies by the government, administrators and teachers evolving inclusive practices in the schools and by creating a cultural ethos of inclusivity in the community is essential. We have the mandate for inclusive education. A will to change and accept the differences is required to create an environment of inclusion in our society which will be reflected in schools as well. Together we construct ways to travel this road which seems difficult now but with collaborative and cooperative efforts will not be a distant dream.

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SOCIO-ECONOMIC STATUS & LIVED EXPERIENCES OF REHABILITATION OF FORMER DEVADASIS IN BELGAUM DISTRICT OF KARNATAKA

- Lavanya Shanbhogue Arvind

Abstract

The study is a qualitative examination of the lives of former Devadasis in the Belgaum district of Karnataka. The study was centred around three questions: a) what are Devadasis who were rehabilitated as part of the state-sponsored Devadasi Rehabilitation Programme of 1991 currently doing? b) How did the Devadasis experience the process of rehabilitation? How do they make sense of their past, their everyday lives and the future? c) How can we contextualise such rehabilitation within the mainstream discourse that emphasises the notion reintegration into society? This research paper seeks to provide answers to the questions of the study. This paper is divided into three sections. Section I will contextualise the Devadasi system looking at both the historical milieu as well as the system in contemporary times. This section will critically engage with caste operationalization within the system. Section II will detail and analyse the Devadasi Rehabilitation Programme set up in 1991 under the aegis of Karnataka State Women's Development Corporation in conjunction with MYRADA, an NGO in the region. This section will also focus on the manner in which rehabilitation was brought about, strategies employed, the lived experiences of rehabilitation of the women, and an analysis of what these women are currently doing. Section III will focus on the process of collectivisation of former Devadasis and the

formation of their own membership organization called Mahila Abhivruddi Mattu Samrakshana Samsthe (MASS); this section will provide analysis on how this collective agency proved to be an empowering experience in the entire rehabilitative exercise. The continued efforts by former Devadasis has led to the eradication of the practice in the Belgaum district and there are no second-generation Devadasis in the region currently.

SECTION I

The term Devadasi is a portmanteau word that combines the words 'Deva' meaning god and 'Dasi' meaning slave or servant. Colonial attempts to classify data on communities that dedicate their women to temples for a lifetime of religious, cultural, sexual and ritualistic labour brought about the pan-Indian Sanskrit word 'Devadasi'. In Belgaum and the districts surrounding Belgaum, where this study is spatially located, girls as young as twelve were dedicated as *Basavis* or *Jogatis* as (Devadasis are known there) to the Yellamma temples mostly in Saudhati and Athani districts of Karnataka. Though the dedication of Devadasis is banned by law in Karnataka since 1982, the tradition had continued in the region owing to low socio-economic conditions faced by some families as well as a lack of law enforcement from the side of the Government. Dedication is a process by which a young girl, on attaining puberty, is committed to a temple. This young girl then spends her life in the temple, praying, performing rituals including dancing to and singing of devotional songs and also executes other services necessary for the spiritual well-being of the patrons of the temple as well as for the larger good of the village. In Karnataka, Devadasis so dedicated were expected to spend a lifetime in the service of Goddess Yellamma performing rituals that have a

ceremonial quality. In addition to their roles as ritual specialists, they often performed a lifetime of sexual labour for the upper-caste men and priests in the village. Thus, a Devadasi is a religious prostitute and the application of the term 'sacred prostitution' is to emphasize the sexual identity of the temple woman as an ideal cast by Hindu religion (Vijaysri, 2004). When the Devadasi system is divorced from its cultural context and neutralised of its origins, the Devadasi becomes a commercial prostitute. With the dilution of all original religious and cultural assertions on religious art forms and a reduction in need for their cultural preservation woven in with the abolitionist discourse in the context of social reform, the line between commercial prostitution and a religious prostitute is very thin. Since the Devadasi system enjoyed religious sanction for the longest time, state and society was very wary of any sort of interference. Over the years with the fall of patronage to the temple economy usually from rich and landed patrons, the Devadasi practice has been conflated with prostitution. Owing to her perceived "readiness" for sex work, the Devadasi subject had been vulnerable to trafficking and was susceptible to turn to commercial prostitution. From being a ritual specialist who had rights within the temple economy to having to resort to commercial prostitution for livelihood, the Devadasi has been a subject of much debate, activist intervention and even exoticization.

What needs special attention is the fact that all girls so dedicated to the Devadasi tradition are Dalit women. In the Belgaum region particularly, it was found that there existed the practice of an oppressive form of adverse selection in which only Madigas and Kambles were dedicated as Devadasis. Extensive literature exists to show that usually it is poor Dalit girl children as well as girls from other lower castes that are dedicated as Devadasis to the temple.

According to the Karnataka State Women's Development Corporation, nearly 95% to 98% of the women dedicated as ''Devadasis' in Karnataka are from scheduled caste communities. (Karnataka State Women's Development Corporation, 2015). Unlike traditional commercial sex work that begins at a point of illegality, the Devadasi system enjoyed religious sanction and therefore had to be abolished through a series of systemic interventions targeted at not only conservative groups that spoke the language of cultural preservation and protectionism, but also the legal ecosystem that would pass the laws necessary for such abolishment.

Despite the abolishment of the Devadasi system it continues to persist in the poorest parts of the country that are riddled in superstition and caste politics. Current day feminist scholarship argues that the system has been subsumed under a rubric of prostitution. As late as February 2016, the Supreme Court directed all States to check the "undesired and unhealthy" practice of forcing young girls to serve as Devadasis. This direction from the apex court came in the light of the fact that Dalit girls were dedicated as Devadasis in the Uttangi Mala Durga Temple in Davanagere district in Karnataka. [1]

Caste Operationalization

All Devadasis in the region are from two communities and both are Dalit communities. They are mostly Madigas but Kamble women also get dedicated. No upper caste woman has ever been dedicated as a Devadasi in the Belgaum region. For years, feminist scholarship has been rightly pre-occupied with the caste question in not only sexual

[1] See "Act Against Devadasi System, SC tells States," 13th Feb 2006, http://www.thehindu.com/news/national/act-against-devadasi-system-sc-tells-states/article8229560.ece

economies but also other kinds of visible public cultures that are painted with deep sexual undertones. Whether it is the lavani dancers of Maharashtra, the courtesans in kingly courts of the Vijayanagar empire, thumri singers, the *tawaifs* of Lucknow or the Devadasis, the hegemonic appropriation of the sexuality of the lower caste woman by the upper caste man is neither new nor is it an aberration (Rege, 1995). Feminist scholarship has interrogated the "disposable" nature of the sexuality of Dalit women that has been appropriated by upper caste society for generations.

The Madigas are spread across the rural hinterlands of Karnataka, Kerala, Andhra Pradesh and Tamil Nadu. Categorized as Scheduled Caste, the traditional occupation of some Madiga men consist of making leather footwear and other ancillary work in the leather industry. They work as either cleaners or processors of animal carcasses or as tanners; these are jobs considered 'polluting' in nature. Other Madiga men earn their living as drummers in their respective villages. From feasts to grand village festivals or anything that calls for a loud public announcement, Madiga men are required to participate and complete such village ceremonies in their capacity as drummers. Despite their involvement in village gaiety and many other constitutional safeguards that are in place, Madigas are considered untouchables. (Singh, 1999). The Kambles, on the other hand are part of the sub-caste of the parent Mahar caste. Although Mahars were socio-economically placed above other Dalit caste-groups owing to their traditional roles in village administration, they were considered a low caste group. They lived on the peripheries of village borders and occupationally they were engaged as village watchmen, village police, messengers, wall menders, adjudicator of boundary disputes, street sweepers and removers of carcasses of dead animals apart from other

occupations that were considered polluting in nature. In return for these services, the village administration granted them a *watan* or certain rights to small pieces of land so that they could do their own cultivation (Kulkarni, 2000).

While the occupational roles of Madiga men & Kamble men are well-defined, grounded and routinely performed by them in the village economy, our attention must turn to the women. For these women life takes a rather devious turn. These are the women who are considered the "chosen ones" and who have been, for over 200 years, dedicated to the Yellamma temples in Karnataka as Devadasis. The reason for this adverse selection is a legend involving Parashuram, an avatar of Vishnu. It is believed that Parashuram beheaded his own mother Renuka at the behest of his father who granted him a boon. He asked for his mother to be resurrected and when this was granted he gave her the head of a Madiga girl. Although the goddess Yellamma is worshipped by all including Brahmins, the dedication of girls is found only among the lower castes. Many poor Dalit families with too many daughters were often targeted and it was these families that dedicated young girls to the system. Therefore, caste conflicts and caste marginalisation are all recurrent elements in the devadasi's experiences and accounts.

Mary E. John in, "The Problem of Women's Labour: Some Autobiographical Perspectives," says, "If there is a distinctive quality to the degradations of (male) Dalit labour, this quality attains a new register when the labouring body is that of a Dalit woman." This is because the labouring body is "sexed", where the lower caste woman's body is considered sexually available for men, especially, upper caste men (John, 2013). Kalpana Kannabiran argues that when upper –caste

men appropriate the body of a Dalit woman for sexual services or violence, whatever be the reason or guise (religion or otherwise), the intent is a double-edged insult. It shows the power of the upper caste man over the lower caste man as he appropriates the other's woman and by such appropriation, it castrates and emasculates the lower caste man, owing to his powerlessness in such situations (Kannabiran & Kannabiran, 2002)

The fourth burden of the Dalit women in Sexual Economies:

Feminist scholarship has asserted that Dalit women face, what is being referred to as the triple burden or three-way oppression, in their daily lives. The first kind of oppression they face is the caste-based oppression under the hands of both upper caste men and women in the public sphere. The second kind of oppression is the class-based oppression. Usually upper and middle castes form the bulk of landholding castes and many Dalit women work as landless agricultural laborers. In the present-day situation, many old and aging Devadasi women too work as agricultural labourers. The third kind of oppression faced by Dalit women is the gender based, patriarchal oppression faced in their own household and often at the hands of the men of their own caste (Manorama, 2006). It is the assertion of this paper that the Madiga and Kamble women dedicated as Devadasis face a fourth burden or a fourth level of oppression and this is stigma.

Many caste theorists have already argued that caste & occupational stigma are closely interrelated, caste being a complex system and deeply rooted in the traditional Hindu society. This study finds that that this stigma gets amplified further and serves as a fourth burden when the Dalit woman in question has been a part of a sexual economy despite the cultural forces that has served as a justification for her

presence in such economies. The operation of stigma because more difficult for Devadasis who exited the practice post the state-led rehabilitation to make a life for themselves.

It is in this context that the rehabilitation as an exercise requires scrutiny. Rehabilitation is a long-drawn process and there have been many efforts made by different institutions including the state and other bodies in the voluntary sector. Rehabilitation is often looked upon as an exercise that is viewed through a lens of finality. That women have been rehabilitated is therefore, in itself conceptualised as an end goal. Further it is seen in a simplistic manner, as an economic and a material exercise involving vocational training and skill development. The entire process needs to be understood as an emotional one as well.

SECTION II

The Karnataka Devadasis (Prohibition of Dedication) Act was passed in1982 but the practice continued well into the 1990s. To combat this phenomenon, the Devadasi Rehabilitation Programme was set up in 1991 under the aegis of Karnataka State Women's Development Corporation in conjunction with MYRADA, an NGO in the region. In 1991, while the state rehabilitated close to 23000 Devadasis, twenty-five years later (where this study is temporally located), there arose a need (i) to assess whether this exercise was adequate and (ii) to interrogate what lies on the other side of the exit from the Devadasi practice.

This study is qualitative in nature and the research participants are all Dalit women aged between 40 and 70 who were dedicated as

Devadasis. These women have spent anywhere between twenty to forty years living as *Basavais* or *Jogatis* as they were called in Karnataka. Currently, they have lived outside the Devadasi practice for at least fifteen to twenty years and work in the informal sector. As part of the rehabilitative exercise the women underwent vocational training but when none of those avenues for livelihood worked, they had to eventually collectivise and start their own self-help groups. This study also therefore focuses on the formation of the Mahila Abhivruddhi Mattu Samrakshana Samsthe (MASS) a membership organization of former Devadasis that has brought about complete social transformation by eradicating the Devadasi practice in the Belgaum district of Karnataka. MASS is also engaged in other welfare activities for the former Devadasi community, their families and other Dalit communities in the vicinity.

Using semi-structured interviews and focus group discussions as methodological tools and using the testimony of former Devadasis themselves, the researcher provides an analysis and commentary that looks critically at the women's experiences of rehabilitation and their lives. The researcher travelled to the Belgaum district and interviewed the Executive Officer of MASS as well as interviewed several former Devadasis. The researcher also conducted Focus Group Discussions so as to present the experience of rehabilitation as experienced by the women themselves. This enabled the researcher to understand the complexities of interpersonal relationships and their views as members of a group rather than an individual. Dialogue became the component of analysis. The study uses feminist principles of research and analysis. One of the aims of research that is deeply feminist in nature is to develop an acute perspective that questions the dominant narrative, contextualises female oppression by positing questions that

are meaningful and whose answers will contribute to producing knowledge that women can themselves use.

Lived Experiences of Rehabilitation

The Karnataka Devadasis (Prohibition of Dedication) Act of 1982 brought about an immediate abolishment and an overnight criminalization of what was considered to be a legitimate source of livelihood in the religious economy. The Act was passed in 1982 but the state-sponsored Devadasi Rehabilitation Project was set up only in 1991 and MASS was established in 1997. Between the years 1982 to 1996, rehabilitation was carried out by the voluntary sector in an indiscriminate fashion with very arbitrary contributions by the state. Vimochana Devadasi Punarvasathi Sangha (VDPS), an organization working towards the eradication of the Devadasi practice and untouchability was established in 1985 and this organization brought respite to 1000s of women and their children and continues to work for their benefit. However, the number of women in the profession was estimated between 25000 to 40000 women. This was an informal estimate and it was difficult for the state and the other non-state actors to correctly identify the exact numbers because of the clandestine nature of the operation. Women would simply claim that they are not in the profession. Interested parties would state that women outside the Yellamma temples are in fact nothing more than informal vendors of flowers, camphor and other offerings who participated in the temple economy. Therefore, until the formal setup of a rehabilitation cell by the state was available and this was complemented by tie-ups with the voluntary sector, rehabilitation was an uninformed and indiscriminate process involving NGOs, small autonomous women's groups as well as self-regulated exits from the practice.

The Devadasi Rehabilitation Programme 1991

This programme was setup in 1991 by the Karnataka State Women's Development Corporation in collaboration with the NGO MYRADA to eradicate the Devadasi system in Belgaum district. The programme began with the organising of women into groups so as to provide opportunities for women to understand the shared nature of their distress. The women went through a range of training programmes including financial literacy, learning about savings, maintaining small funds; a range of vocational training initiatives and income generating activities were carried out. Further, others form of eradication practices were targeted. These included ex-Devadasi women acting as spies, education about the nature of social evil that the practice was, awareness about superstition and other cultural forces that persisted in keeping the system alive.

In 1997, around 3600 women dedicated as Devadasis organised themselves to form a formal large-scale organization Mahila Abhivruddhi Mattu Samrakshana Samsthe (MASS) that worked towards the eradication of the Devadasi practice in the region. The organization called MASS also assisted the Dalit community in the region by providing loans and subsidies for livelihood and education as well as any other legal support required by the community.

Bringing About Rehabilitation

In 1997, when MASS was established, the Devadasi practice was still prevalent, this despite the abolishment in 1982. However, the process was not easy and MASS's efforts were met with a lot of resistance. Women expressed that it felt like a pointless exercise to even meet NGO workers. The women were afraid that they would be married off

to some men against their will. They had heard about state schemes that gave men money if they married Devadasi women.

Feminist research scholar, Chhaya Datar views rehabilitation of the Devadasi with some cynicism. In a research supported by the Tata Institute of Social Sciences titled, "Reform or New Form of Patriarchy?" she reviews some of the welfare provisions of governmental rehabilitation schemes such as the government gift of Rs. 10,000/- for any man who marries a Devadasi. She argues that such schemes amount to the transfer of women from one patriarchal institution to another and does not really amount to emancipation. She further writes, "As a part of the process of integration, she is losing her traditional self-image and feels humiliation at the hands of the elite section of society, the men and also the reformers. She is confused at present is gets submerged in cultural modernization." (Datar, 1992). Yet MASS persisted and came up with all sorts of plans to reach out to the women. Reproduced below are the words of Triambika Jodatti[1], Executive Officer of MASS.

Two strategies were employed by MASS to bring about a change in women's outlook towards the exercise. These were: a) Raising of Consciousness and b) Forging Female Solidarities through Collectivisation (which will be dealt with in the next section about formation of MASS).

Consciousness-Raising

One of the strategies used by MASS to be able to gain the trust of women and build an ongoing dialogue and consensus was raising of

[1] Name changed to protect identity

their consciousness. Conscious raising is often used as a tool in activism as one that raises awareness or posits questions about discriminatory attitudes and experiences. The birth of feminism itself is one that has risen out of raised consciousness. MASS used a range of conscious-raising activities to convince women to exit the Devadasi profession. One of them was a question of caste. In the words of the Executive Officer at MASS, "We then asked why only your caste is dedicated. So many people pray to Yellamma but only you people are dedicated. Devadasi women then spoke about how they have some abnormality or the other. We tried to explain that these are superstitions and that abnormalities affect all communities even Sastris (Brahmins) and that those people are not above physical deformities."

The narrative of research participant Priyamvade Santhappa Halcheri[1] is useful to analyse how raising caste consciousness was an important strategy.

"She made us think. She asked us why only your caste people are made to this? Why not other castes? Then she said why can't other caste people also do this? This made us think, made us realise. Then we thought why aren't other caste people doing this? Why only we are following this? Listening to her I first stopped dancing outside the temple. Then I stopped going for sex work. I would only do coolie work which I was anyway doing because sex work won't give me money. I would tell men that now I am not Devadasi. I have left the profession and sometimes they would laugh but they stopped coming to me later on. "Now we want to ask the upper caste people. Will you allow your women to dance and be like this? Would you like your

[1] Name changed to protect identity

women to stoop as low as us? Let us see if you will be disgusted or not."

This narrative is proof enough that raising of individual consciousness and increasing awareness about one's present condition and the unfairness and injustice meted out to an individual for no fault of their own is enough to bring about the desired change.

Another of MASS's strategies in the process of rehabilitation was collectivisation. Through the process of consciousness-raising women were convinced that they had to exit the practice. They began to look at the self as a subject that was at the receiving end of a discriminatory practice that had stripped them of the means for an education and a livelihood as well as a means to a normal life. For them, normal meant to be able to live as one man's wife, within the confines of marriage, raise children and experience their femininity in a respectable way.

Years of being a Devadasi had left them on the peripheries of society, dependent on different men at different points in time, outcast owing to their caste status, stigmatised owing to their occupation and holding on to the familiarity of the Devadasi practice because it was the only thing they knew. This shared familiarity, shared history, shared oppression was instrumental in forging solidarities amongst them. MASS believed that the common experience of oppression and common anxiety, grief and the pervasive uncertainty of it all would bring the women together and they were right. The women who were previously running away from the NGOs began to listen to what the organization was trying to tell them. As more and more women became convinced to exit the Devadasi practice, MASS began to plant the idea of creating self-help groups and furthered the cause of

collectivisation. They truly believed that these women must come together, learn new skills and help one another out.

Initially MYRADA facilitated these small self-help groups as they thought that they would be a feasible option. However, given the volume of women, over 3800 Devadasis in the region, a larger, more nuanced organizational structure became the need of the hour. After many meetings and discussions amongst Devadasis in the region, 509 villages that were part of Belgaum district and towns around the region, the membership organization MASS was registered in 1997. The membership fee was set at Rs. 500/- and this turned into a corpus for other women to withdraw money from. MASS was not a federation of self-help groups but as an organization in which any former Devadasi could join in her individual capacity. The sole reason for the existence of MASS is to prevent more dedications, to completely curb the practice as well as to ensure financial and other kinds of assistance to former Devadasis and her children (MASS, 2017).

Present Day Lives of Rehabilitated Devadasis

While these women have exited the oppressive Devadasi practice and while the state has documented this rehabilitative exercise as 'successful' it becomes necessary to interrogate what the women are currently doing. After exiting the Devadasi practice, the women all set-up female headed households, one that feminist scholarship has often referred to as "poorest of poor." Further, all of them work in the informal sector, one that is characterised by lack of social security, lack of protective labour laws, seasonality of business and lack of other forms of regulative protection.

The initial first choice of vocation was the tried and tested tailoring. However, women felt that these vocations were not sustainable because they were illiterate and had no means to market their produce. They lacked entrepreneurial skills and confessed that they were often intimidated by the marketplace. Also, on account of their caste status and occupational stigma women found themselves unable to immediately overcome these difficulties. All of them were united by a commonality of low caste, vulnerable class status, abandonment by the men they were attached to while they were in the practice, lack of economic resources, low levels of literacy and lack of other employable skills. All of these factors forced and constrained women to find work in non-traditional, informal, exploitative professions including sex work. When women exited the Devadasi, practice taking their children along with them the resulting households were all female-headed d households and the economic burden of the family fell entirely on them.

An important finding was that vocational training cannot be synonymous to rehabilitation. Adult illiteracy also posed a problem at the time of vocational training. Adult literacy was not combined with skills development as part of the rehabilitation programme. It becomes necessary to combine functional literacy with vocational skills. Illiterate adults also need skills development but are faced by institutional limitations. Since all technical and vocational institutes, both in the public and private sector, require a matriculation qualification for admission to various courses, illiterate adults are automatically excluded (Malik, 2011). Therefore, although the women were rehabilitated by a state sponsored exercise, they have had to fend for themselves and continue doing so.

Livestock keeping was not the immediate first choice for these women. However, it has become a major source of livelihood post their exit from the profession. The Food and Agricultural Organization (FAO) consider livestock keeping as a sustainable livelihood option for women who make up 70% of the world's poor. The role of livestock for the rural poor is crucial and complex. Apart from providing income to poor families, the FAO has identified other functions that livestock keeping serve. Animals serve as movable property during droughts, floods or other calamities, and they can be encashed in times of emergency. Further livestock represent a store of assets that are reserved for use in the future (Köhler-Rollefson, 2012).

Some of the women work as landless agricultural labourers alongside making ancillary income through ownership of buffaloes, goats and poultry. The rehabilitative efforts by MASS included giving everyone some form of livestock management training as well as loans to procure these animals. However, women stated that the income was not sufficient to cover their needs. The women also lament the death of animals as well as well as the fact that the village economy is a small one for even if they make something through their tailoring efforts there are very few takers in the small economy. As argued earlier, caste operationalization too affected the outcomes of rehabilitation for some of the women stated that stigma serves as an obstacle in their economic liberation for nobody wanted to employ a former Devadasi.

Despite having exited the Devadasi profession there are no rags to riches stories here. The fact remains that women have found sources of income and livelihood in another vulnerable sector, the informal economy. The informal sector is characterized by lack of regulation and presents number of open avenues for exploitation. As low-income

earners in the informal economy, the women continue to occupy vulnerable economic spaces and this contributes to the issues of occupational vulnerability. The reasons for their vulnerability maybe identified as (a) seasonal nature of coolie work (only non-monsoon months) leading to low economic status, (b) little or no bargaining power, (c) need to balance paid work with care for children (d) little or no access to institutional credit, training and information, and (e) lack of adequate social security (Mohapatra, 2012). Further, when MASS began the long-drawn process of rehabilitation, they faced many challenges. One of them was assisting women in procuring good housing and helping them set up households along with their children. All these households would be female-headed households. Feminist scholarship maintains that women's lower average earnings compared to men, less access to remunerative jobs, and productive resources such as land and capital contribute to the economic vulnerability of female-headed households. However, there was no other visible, pragmatic alternative in sight.

The first thing they speak about is governmental apathy and the difficulties they face but they also speak about the help they receive from the organization. The Devadasi pension of Rs. 1000/- is too little for sustenance and often they have to make multiple trips to the governmental offices to receive what is due to them. MASS was aware that women, who are usually the bread winners in female-headed households, face gender discrimination with respect to education, earnings, rights, and economic opportunities. Further with the added stigma of having worked in sexual economy women were in an even more vulnerable situation both economically as well as socially.

Counselling provided by the social worker helped to lift their morale and boost their confidence. Some women have moved on from the model of the self-help group around ten years ago. At the time of exiting the Devadasi practice, they did utilise loans and subsidies given to them. Usually this money was invested in the purchase of livestock. Most of the women (over 50% of those who were rehabilitated by the programme) have all found their own means of sustaining themselves and no longer turn to MASS or the self-help groups. Some of them work as coolie labourers and this income is supplemented with income from buffaloes that they own. Some sell fruits and vegetables, some do tailoring work while some others are too old now and are happy to be supported by their children, usually daughters.

SECTION III

Women's Collective Agency

One of the largest contributions in terms of grass root level reach and support came from MASS and what was special was that the organization was formed entirely of Ex-Devadasi women.

The project began with creating awareness about the Devadasi practice. Through strategically placed signboards and banners that mushroomed around many districts, towns and villages of Belgaum, many villagers became conscious about the practice especially the ill effects of dedicating young girls to the practice. Gram Sabhas which included local people including members of the panchayat were mobilised to spread this awareness to the community at larger. The role of the community in this eradication was not a small one and this aspect was sufficiently understood. Awareness campaigns were

organised in front of the Yellamma temples in Saudathi during temple fairs. Handbill and pamphlet distribution was followed by performance of street plays; these contributed to the development of a questioning attitude amongst the villagers, who although until then did not pay too much attention to the plight of Devadasi women but contributed to the process of their stigmatisation. 96% of these women were illiterate and those who were literate could only write their names or read with some difficulty. None of them could even perform simple arithmetic calculations. Ex-Devadasi women were asked to act as spies and to prevent further dedications.

The involvement of MASS brought about the creation of various self-help groups. Members then contribute small regular savings over a few months until there is enough capital in the group to begin lending. The biggest benefit of this model is that there is no collateral needed and since the members belong to the same community, often living a few yards away from each other, members assist one another to pay back loans borrowed. This type of lending is often called solidarity lending. This type of lending was pioneered by Nobel Laureate Dr. Muhammad Yunus who set up Grameen Bank in Bangladesh. He states that, "Because the group approves the loan request of each member, the group assumes moral responsibility for the loan. If any member of the group gets into trouble, the group usually comes forward to help." (Yunus & Jolis, 1999)

Close to 23000 women were rehabilitated through this programme in the districts of Belgaum, Bagalkot, Raichur, Koppal, Dharwar, Haveri, Gadag, Bellary and Gulbarga in Karnataka. Each of these women was given unique identification numbers. There existed 3600 women in the district of Belgaum alone. The rehabilitation programme involved an

exercise in financial inclusion. Bank accounts were opened for women and they were made aware about welfare schemes that they could avail including pension schemes as well as bank loans to start income-generating activities.

While it's to the credit of the state that close to 23000 women were included as part of the Devadasi Rehabilitation Programme some lingering questions persist. When does rehabilitation end? For instance, did the state anticipate that these 23000 odd women would, owing to their illiteracy levels combined with their caste and class location, be invariably absorbed into the informal sector, one that the state itself has been trying unsuccessfully for years to bring under the ambit of regulation and social security? Did the state anticipate that the women so rehabilitated would be setting up female-headed households? For years feminist economists have been pre-occupied with the devaluation of women's labour and the wage-gap in the both the formal and informal market place thereby making female-headed households a more economically vulnerable space.

Current membership of MASS is 3628 ex-devadasi women. Its primary membership was and continues to be the Devadasis of Belgaum district. There are multiple requests from the Devadasis of other neighbouring districts appealing that they should be allowed to enrol as members as well, but so far this has not been considered. The process of the formation of a large-scale membership organization through a democratic and participatory process in itself was an empowering experience for the women. Therefore, MASS felt that other Devadasis in the region will benefit from the experience of starting their own membership organization. Hence, MASS has been readily sharing its processes of formation with people and institutions

of other districts also. The process, MASS believes, enabled them to forge female solidarities thereby consolidating the collective consciousness and strengthening the shared agency of women. At the individual level too, the exercise of creating their own organization helped to increase their self-esteem. They speak with a sense of fierce pride; they now believe that they have discarded the 'victim' tag and identify as survivors of system violence who have navigated difficult circumstances and have rebuilt their lives against all odds, together, as a collective. The continued efforts by former Devadasis has led to the eradication of the practice in the Belgaum district and there are no second-generation Devadasis in the region currently.

CONCLUSION

The Devadasi system was abolished in 1982 in Karnataka but owing to a variety of reasons including low socio-economic factors, wide-spread beliefs in superstition and caste operationalization, many young Madiga and Kamble girls were dedicated to the temple. The Devadasi Rehabilitation Programme was setup nine years after the abolishment in 1991. This interim period between legislative extinguishment and a state-sponsored rehabilitative exercise was an era of uncertainty and anxiety for the women who had lived for most part of their adolescence and all of their adulthood as Devadasis.

Many questions arose throughout this study and possible answers are presented below as key findings

1. **Is vocational training synonymous to rehabilitation? Is it enough?**

In 1991, the Karnataka State Women's Development Corporation requested the assistance of MYRADA, an NGO in Karnataka to

help implement the rehabilitation programme. The focus of the programme was to train Devadasis in skills and assist them with subsidized loans so that they may take up income generating activities. The rehabilitation programme was primarily a programme on vocational training in which women were taught activities like tailoring and handloom weaving.

Women stated that owing to the inadequacy of vocational training and skills enhancement leading to a sustainable livelihood, the women had to collectivise and therefore created self-help groups that eventually turned into a grassroots' movement and resulted in the formation of MASS, a membership organization of Devadasis which enables them to assist one another.

The women themselves expressed that the village economy is a small one and villagers won't choose to spend on things such as tailoring or handloom here and they have no resources or capabilities to take their produce to a faraway market place in the city. The vocational training provided lasted for about 3 months, a period that is too short to turn illiterate women into entrepreneurs. The vocational training provided to the research participants were in the areas of handloom weaving and tailoring. In the village economy, these were looked as luxury goods that people would buy if they had extra monies. With no support to market their produce and lack of seed money, women had to turn to the model of self-help groups, solidarity lending and other viable options like the sale of necessities namely milk selling and egg selling for their livelihood. Therefore, the notion of vocational training as a magic wand that will aid rehabilitation needs further thought and engagement from the state and the NGOs so involved.

2. **What does vocational training need to be combined with?**
   Adult illiteracy also posed a problem at the time of vocational training. Adult literacy was not combined with skills development as part of the rehabilitation programme. It becomes necessary to combine functional literacy with vocational skills. Illiterate adults also need skills development but are faced by institutional limitations. Since all technical and vocational institutes, both in the public and private sector, require a matriculation qualification for admission to various courses, illiterate adults are automatically excluded (Malik, 2011)

3. **Is Rehabilitation Simply a Material Exercise? How does caste Operationalization prevent full rehabilitation?**
   The answer is no. Rehabilitation must be conceptualised as an emotional exercise as well. Women have suffered great traumas while they lived as Devadasis. After exiting the practice, they faced a lot of stigma for their past profession.

   Caste is a dominant system of social stratification in India. Caste theorists have argued time and again that there lies a close, unequivocal link between caste and occupation especially the association of specific castes with specific occupations which then leads to the ranking of castes into a hierarchy. The nature of hereditary membership into a caste group and by extension an occupational category applied to the Devadasi practice. Women have spoken about how their own families treat them like second-class citizens for having been Devadasis. Coupled with the question of stigma this has been theorised as a dent in Dalit pride. The research participants

have themselves articulated that stigma is often a disabler and even within their own families, they face devaluation. Without the erasure of stigma, women feel that rehabilitation is incomplete. This finding therefore is a deeply confrontational, qualitative subjectivity. Given the embeddedness of stigma in social institutions, the "at least we have our honour" rhetoric is crushed by societal forces and prevents women from full rehabilitation. Rehabilitation needs to be perceived as not just a material exercise but an emotional exercise as well.

Caste operationalization also comes in the way of material fulfilment for it prevents access to resources. All these factors have to be considered when framing a rehabilitation strategy.

4. **Finding oneself in the greyness of the Informal Sector: Is it a really a better life?**

At various points in time this study has wondered if the state anticipated that women so "rescued" from the Devadasi practice would be eventually absorbed into the greyness of the informal sector, one that is devoid of regulation, social security and a minimum guarantee of economic autonomy? Did the state anticipate that the Devadasis would set up female headed households, households theorised as the "poorest of the poor" by feminist economists who have provided this verdict based on the gendered nature of wages that is characterised by market diktats of lower wages for women?

Women have expressed fear over a death of a buffalo and anguish over the never-ending nature of work with no retirement date in sight. Then, is this what a "better life" is all about?

This research argues that this is a harsh reality and is part of the larger discourse on the informal sector itself. Given the tough choices that women had when exiting the practice, women have made the best possible out of the circumstances that greeted them.

The Devadasi subject has been drawn into a complex web of many discourses. From prostitution to the Devadasi's role in cultural and ritualistic labour, from the realities of caste operationalization to her increasing presence in the informal sector, from the appropriation of their sexuality to debates on trafficking and state interventions, from the Devadasi being a subject of the reformist agenda to the all-pervasive, ubiquitous, moral lens, the voices of women themselves is missing from the dominant discourse. What lies in its place is a one-dimensional story of victimhood, poverty and immorality. This study has attempted to present the multiple dimensions of the story. The biggest victory is the fact that there are no second-generation Devadasis in the Belgaum district thanks to the fact that women themselves collectivised, founded their own membership organization and reclaimed their lives.

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PREDICAMENT OF WOMEN IN THE POST GLOBALIZATION PERIOD

- Dr. Ruby Ojha

1. Introduction

Experience shows that investing in women with respect to education, health, family planning, access to productive resources, etc. and supporting a stronger role for women in the process of development contributes to reduction in poverty and leads to higher productivity. Yet, women face many barriers in contributing to and benefiting from development. Within the past two decades, lives of women in developing nations have changed to a great extent as a result of globalization. Globalization may be denoted as a process of increasing economic, political, cultural, and geographic interdependence, interconnectedness and integration to such an extent in which the mobility of capital, organizations, ideas, discourses, and people takes transnational form. However, as this process is not similar throughout the world. An event in one part of the world does not affect people in other parts in similar manner which leads to conflict and loss of cohesion.

From a gender perspective the theory of globalization assumes that women's participation in the labour market is constrained by the intermittent nature of their natural childrearing roles or mothering. In 2000, the Beijing+5 Document, while reviewing progress made since the 1995, states that globalization makes opportunities available to some women but generally marginalizes working women, especially

in the informal labour sector. It results in poverty to many other women through loss of traditional sources of income.

Under these circumstances which emerged after globalization, increase in informal, contractual and decentralized processes of production has transformed the labour markets across countries. In the process, social security and statutory protection to workers have been dismantled. Free play of market forces have made majority of women more vulnerable in labour and product markets (Patel, Vibhuti 2007). This has often led to their relative invisibility in work and labour market. Though the outcomes of globalization with respect to women seem to be contradictory, yet women's increased access to labour markets seems to explain some women's positive perception of empowerment and greater opportunities for economic independence (Ganguly-Scrase, 2003). According to Chineze J. Onyejekwe (2004), women's experiences with this process are extremely complex and diverse - both positive and negative.

2. Positive Experience

A report on '*The Realisation of Economic, Social and Cultural Rights: Globalisation and its Impact on the Full Enjoyment of Human Rights'*, presented to the United Nations Economic and Social Council's Sub-Commission on the Promotion and Protection of Human Rights, highlights:

"Among the distinct groups of society upon whom globalization's impact has been most telling, women clearly stand out. Women have entered the workforce in large numbers in states that have embraced liberal economic policies."

Globalization has undermined the traditional role of women in homemaking, farming, livestock, animal husbandry, handicrafts, handlooms etc and has resulted in relatively better employment opportunities for women. Women have become more active in areas generally reserved for men, have played a more prominent role in society and not just restricted to the household. Thus, reduction in gender inequalities is likely to have positive effect on women's empowerment in the socio-economic context.

In terms of employment, for example, women have benefited from this process. The Oxfam report of 8 February 2004 states that trade liberalization has created employment for millions of women who now occupy between 60-90% of jobs in the labour-intensive stages of the clothing and food supply chains. In Kenya, 75% of factory workers are women, in Sri Lanka 85% and in Cambodia up to 90%. In China's Guangdong province, four out of five people working in the garment sector are women under 25 (there are 26 million migrant workers in the province). A significant number of the women workers in other countries include: 48 percent in India, 74 percent in the Philippines, and 80 percent in China. IT industry also has opened tremendous opportunities for women with advantages like working from home, flexi hours, less burdensome physically, good ambience etc. In this regard, economic globalization has opened up niches for women to create opportunities, particularly for their livelihood.

3. Negative Experience

According to a United Nations Development Fund for Women's report, over the past two decades the process of globalization has contributed to widening inequality within and among countries. Despite the benefits, labour market regulations based on the neo-

liberal ideology negatively impact on women. Under globalization women have been the first victims of downsizing and rationalization. Their subjugation and exploitation have increased through retrenchment, unemployment, and increase in contract/subcontract work and loss of livelihood. Indicators such as declining workforce participation rate, casual employment status, growing number of women in unorganized sector, all point to the marginalization of women (Ghadially, 2007). Globalization has increased the number of low paid, part time and exploitative jobs for women.

Male migration from rural to urban centers has put the women under triple burden of home making, farming and job in rural sector. At the same time, migration of women for economic reasons has led to increased exploitation including sexual exploitation and trafficking. Globalization has also increased women's unpaid work due to the withering away of the welfare state and privatization of social services. Owing to their many roles, as would-be mothers, as mothers responsible for the day-to-day needs of their children and families, as working women at home and outside, women have to suffer exploitation in terms of low wages, poor working environment, instability of employment, and denial of right to representation.

Laissez Faire in the labour market has threatened the employment opportunities of the adult married women. During the last one decade, there has been drastic increase in the girl child labour. Globalization rides on the back of cheap labour of women and children. Landscape of urban and rural informal sector in dozens of South Asian (India, Pakistan, Bangladesh, Srilanka, Nepal) and South East Asian (Thailand, Indonesia, Philippines, Malaysia) countries, Indo-China

(Laos, Kampuchea and Vietnam) and China is flooded with sweatshops, Ghetto labour markets and stigmatized migrant workers. (Vibhuti Patel, 2003). These impacts include among others, the feminization of labor, low-income, and the feminization of poverty.

4. SEZ, EPZ, EOU and FTZ

Special Economic Zones (SEZ), Export Processing Zones (EPZ), Export Oriented Units (EOU) and Free Trade Zones (FTZ) are geographical regions where production takes place for export purposes. In these geographical regions export promotion takes place through economic laws which are more liberal than a country's typical economic laws. There have to be tax breaks, highly subsidized land and little or no compulsory worker protection to encourage private investment. And this strategy is increasingly presented as one of the chief instruments by which a country can achieve rapid industrialization through exports. (Jayati Ghosh, 2008)

In April 2000, the Government of India announced the introduction of the Special Economic Zones (SEZs) policy for the country to enhance foreign investment, promote exports and ensure upward mobility of domestic enterprises and manufactures to compete globally. The SEZs received legal sanctity after the enactment of the SEZ Act 2005 by the Parliament in May 2005. The Act received Presidential assent on the 23 June 2005 and came into force in February 2006. Since then a large number of SEZs created (in addition to the existing EPZs and EOUs) continue to expand and the share of international trade flows and the number of workers employed are increasing.

SEZs are tax havens. Indian SEZs need not pay income tax during the initial five years and have to pay only 50 per cent of their tax

liabilities for the following two years. The new policy also provides them with a tax holiday for a ten-year period. Under the Act, the incentives offered to industries help them making profit at the cost of local people, food security, environment and the real development of the country. (Editorial, Labour file, 2008)

A major problem with SEZs in many countries is that they propose to relax or even do away with many laws relating to labour protection, for the purpose of attracting investment into these zones. The SEZ rush is a unique war among Third World countries to win more and more foreign investments from and more and more share in exports to developed countries. It is unique because victory depends on another war — with its own people, its own working class. The victor is the one who is able to suck more blood from its own labour. In this cut-throat competition, the capital of one country flourishes at the cost of other. Whatever the outcome, labour in all countries faces inhuman hardships. (Pratap, Surendra, 2008)

It is an almost universal phenomenon that in SEZs/EPZs labour laws are either not applicable or even if applicable; these are moulded to give a free hand to capital. All over the world, export zones have a history of blatant labour rights violations and the instances of labour exploitations. In India also, the situations are not any different. In India, prior to the SEZ Act 2005, theoretically, all factory and labour legislations were applicable to the Export Processing Zones (EPZs). In spite of that, trade union activities were practically absent and the entry of non-workers was restricted. Indulging in any union activity invited extreme forms of punishment, including physical attack and loss of jobs. These unfair practices are on the rise after the SEZ Act, 2005. In India, the government initially tried to grant SEZs complete

freedom from labour laws. Though having failed in this broad aim, they declared SEZs as public utility services, which have paralyzed union activities in these zones.

It has been found in the studies that a major share of the workforce in SEZs is women. These women are highly exploited with forced night shifts, no conveyance, no maternity leave, termination of jobs when pregnant, sexual harassment, denial of right to organize, no scope for collective bargaining and low wages. Since, SEZs are not bound by laws, the minimum wages paid for both men and women are lower than those paid outside the zones. (Editorial, Labour File, 2008)

Shalini Sinha (2008) establishes that because the industries are export-oriented and the emphasis is on minimizing production costs to price the product competitively in the international market, women workers, who constitute 70-90 per cent of the workforce, bear the brunt of the competition in SEZs.

Evidence from a number of countries has shown that export-led growth has created wage employment for women in substantial numbers. Their income, quality of life and status have improved. However, gender parity in terms of wages and other benefits has not got better (Swamy, 2004). Besides, poor working conditions put women's health and safety at risk and directives against unionization weaken employees' bargaining power (Ghadially, 2007).

The feminization of the workforce is a common feature of SEZs/EPZs all over the world. Unmarried women are preferred though they face a high risk of sexual exploitation. They are mostly new entrants to the labour market and usually do not wish to take the risk associated with

organizing activities. A major section of the workforce is composed of casual and contract workers. They have no job security. This makes them extremely reluctant to support any unionization efforts. Workers are mostly in the age group of 16- 28 years. They work 10-12 hours daily and do not even receive minimum wages. The workload is such that one can work only when young. Child labour is also reported in some zones.

Evidences also indicate that during the 1990s employment of adult women decreased and employment of adolescent girls and child labour increased. Women were and are given underpaid and less skilled jobs. FTZs and EPZs thrive on young women's super exploitation. The employers overlook occupational health hazards (Patel, 2003). It is also observed that since there is no dearth for job seekers, the SEZ management prefers to replace a sick worker with a fresh healthy worker than to provide the workers with facilities. Thus, the focus on profit driven growth has taken away people's right to a decent livelihood.

5. Business Process Outsourcing (BPOs) and Knowledge Process Outsourcing (KPOs)

Globalization has aggravated pre-existing occupational segregation by gender, and in this shifting occupational structure, while educated English-speaking women have benefited with the opening of new jobs in the Information Technology (IT) software sector and IT enabled services sector but this again is confined to a sub-set of urban women. (Ghadially, 2007)

On the same lines, Sujata Gothoskar's (2006) observations regarding women's role and status in the information and communication

technology (ICT) sector is discussed in this section. It reflects that with the increasing use of (ICT) in the 1990s and 2000s, the spotlight was also shared by this new technological revolution. There is an increasing body of research on the ICT sector and its impact on different aspects of the workforce. There have been studies which argue that technology frees women to participate in public spaces as technology dissociates paid work from hard manual labour. Earlier discussions on the aptitude of women and women's brains being less developed, in terms of dealing with technology and fields like mathematics, seem to have happily fallen behind. In the case of IT, its dependence on different time zones has increased the demand for women working at night. Many women/girls work at night in call centers.

There is definitely no doubt that IT has opened avenues for women, especially young women in some countries of the south. Very few sectors of the economy are offering employment but the IT sector is one of them which generate employment opportunities. In this sector, however, the labour market is a very specific one. Women and men from the educated strata, basically urbanized English-speaking people, who belong to the privileged classes and castes are the ones who are more likely to reap the immediate fruits of the IT revolution. When we look at the impact on gender balance or gender justice we also need to look at the impact on women of the deprived sections of developing countries. Thus, the impact of IT on gender equations is class, caste and country specific.

6. Impact of Globalization on Women in Clothing and Textile Industry

Data compiled by CTFL SETA (Clothing, Textiles, Footwear and Leather: Sector Education and Training Authority) shows that 66.7 percent of workers in clothing and textile industry are women. If we consider clothing sector alone out of clothing and textiles, this figure is as high as 82 percent women who dominate as the primary manufacturers of clothing.

There are many reasons for women to choose to enter the textile and clothing industry. One of these reasons is that both employers and workers accept that this sector suits women as it utilizes women's natural home-making abilities. Because stitching, sewing and mending of clothes are perceived as feminine activities by many cultures, there is no pressure or obstacle created by the society if women take up these jobs. Because of these reasons, women do not face much competition with men in this sector. Also, women often become the preferred workforce because they are perceived as "docile, easily manipulated and willing to do boring, repetitive assembly work." Employers claim that their "natural patience" and "manual dexterity" makes them ideal workers. These skills, employers feel, are intrinsically present in all women often and are not acquired easily through cultural traditions or workers' training. This gender specific influence of hiring of women in clothing and textile factories is prevalent all over the world.

The Marxist feminist explanation for gender inequality is that "by demeaning women's abilities and keeping them from learning valuable technological skills, bosses preserve them as a cheap and exploitable reserve army of labour." This kind of gendering of jobs in

various sectors turns out to be a lucrative business for those who are able to treat women poorly. As a social structure, gender specific roles not only divide work in homes but also in economic production, "legitimizing those in authority to discriminate and justifying exploitation of the women." Organizations in the clothing and textile industry are the best example of this gendered structure that rests on exploitation. This cycle means that even if corporations and leaders don't intentionally look to exploit women, it is increasingly difficult to escape the pressure of the industry to do so. In other words, the organizations are victim to these self-fulfilling cycles because women are such a profitable workforce (Tager, 2016). Approximately, there are 60 to 75 million garment workers in the world, more than 75 percent of which are women. According to the producer of the documentary film The True Cost, "this is not an accident."

Gender influences labour practices in many ways – from the amounts of wage to frequency of payment and to the terms of the job like - lack of a proper contract, denial of maternity leave, no right to organize, no pensions etc. to the conditions in which the workers are working. This long list of ways of discrimination is led by gender-based socially acceptable norms and varies in different locations and situations. However, there are striking common features in this kind of gender discrimination at work place in different parts of the world.

The first tangible element of women's labour in the global garment industry that is influenced by gender is wage. Extremely low wages plague the clothing and textile industry, which is one of the lowest-paying industries in the world (Tager, 2016). According to Edward Page, an officer of the Merchants' Association of New York "customary or habitual rate of wages which prevails in the group to

which the working man belongs and which is usual in the industry under consideration… is by far the most important factor in the determination of wages."

Therefore, when it comes to women, custom plays a significant part in the determination of the wage. Because in many cultures women are seen as intrinsically performing less-skilled work or needing less money as opposed to men who are viewed as family supporters, it is acceptable to pay them less.

These stereotypes similarly categorize individuals as performing "less skilled work" or not deserving of the same amount of compensation as the majority or "superior" race. Even in industries where many women are supporting a family on their own, wages are still low because of this perception of lower-skilled work due to feminization.

According to Alice Kessler-Harris (1990), the "'woman's wage' decisively relegates females to a plateau of citizenship that cannot be equated to that of men." Because women occupy most of the jobs in the garment industry, this justification for low wages affects the industry as a whole because managers look to hire women that can be paid less, but also can more easily be controlled.

Women in the clothing and textile industry are not only subject to the influence of gender on their wage, but also have to battle with the constraints of living and working in a developing economy. Many multi-national firms from the United States and Europe have come to see countries such as South Africa, Bangladesh, India, the Philippines and Mexico as sources of cheap female labour. The first scholars to discuss this gendered outsourcing phenomenon were Annette Fuentes

and Barbara Ehrenreich (1983). Although their research was published in 1983, many of the concepts they highlighted are still relevant today. They identified young women as the new 'factory girls,' providing a vast pool of cheap labour for globetrotting corporations. Behind labels such as "Made in Taiwan" or "Assembled in Haiti" is "one of the most strategic blocs of womanpower." These multinational corporations have come to rely on women around the world to keep labour costs down and profits up. Women have become the "unseen assemblers" of garments from designer jeans to hospital uniforms. This "unseen" aspect of Fuentes and Ehrenreich's argument stems directly from Karl Marx's vision of the exploited worker. He saw workers as alienated or estranged from their labour because they were not making products they would ever buy or see again. He also saw consumers as alienated from their purchases as they are unaware of the origin of the product. The process itself is invisible, allowing for industry pressure for lower costs to squeeze wages.

Another key characteristic of the global garment industry that is influenced by gender is job terms, which includes both job security and benefits. Job insecurity is a key characteristic of the global garment industry, and this is mostly due to unstable waves of demand from multinational corporations, but also the perception by factory management that workers can be treated as temporary employees. This perception is influenced by gender because management utilizes women's secondary status to justify layoffs during slow periods. Often, when demand is low, women are forced to take shorter work weeks (and smaller paychecks), while men are kept on as full-time employees. Employers are qualifying women's employment and careers as not as vital or important as men's (Tager, 2016).

7. Conclusions

It is evident that the present trend of globalization works in the opposite direction of what was envisaged as subsistence approach (Dietrich, Gabriele, 2007). Any development initiative can only be sustained when there is a sense of ownership by the peoples through effective participation. It is argued that as per Kuznet's U turn hypothesis there may be a rise in work participation rate among women, but in reality, the employment opportunities for women continue to be very unsatisfactory. Due to structural reforms, women are working under hazardous conditions with a lot of insecurity as a result of casualization and individual contracts and low wages. Women can be empowered through intervention aimed at building entrepreneurial skills. There is a need to develop a mechanism for access to credit, markets, information and training. Information and Communication Technology (ICT) should be considered a priority for women in developing countries women because these have the potential to integrate women with the process of development.

Neo-liberal economics emphasizes efficiency and growth but it has often failed large segments of the population, particularly women who have largely borne the negative impacts of these policies. In this process, there is the need to institutionalize regulations and structures that will provide for women's welfare and empowerment.

The process of globalization should focus on rural development, education, health and child care to make women capable of taking advantages of the emerging opportunities due to globalization in India as well as developing insurance cover so as to minimize the risks they endure. In the long run it is imperative to reduce negative consequences of globalization by enhancing women's skills and

innovations. Merely enacting legislation will not help. What is required is its proper implementation. This calls for direct interventions so as not to marginalize a very important section of society in the race for economic development and empowerment.

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WOMEN AND TRADE UNION

- Dr. Ceena Paul

Introduction

Trade union, primarily a voluntary organization of workers as well as of employers is formed to protect and promote the interest of its members. The genesis of which, can be traced back to 14th Century in England (Varghese, 2010). However as an organized movement, trade unionism originated only in the 19th century in Great Britain, Continental Europe, and the United States (http://www.britannica.com/) and in India trade unionism has known a history of over 100 years. Despite a history of over 100 years and significant share of female in the India's total workforce - 24.5% in 2017 (https://data.worldbank.org) the participation of Indian women in the trade union movement has been historically low. Their share in trade union membership is only 37.5% in 2010. (Koodamara,2016) This phenomenon is not Indian centric, it exists all over the globe cutting across developed and developing countries. Susan Hayter and Valentina Stoevska (2011) in their study on Statistical indicators on trade union density of 77 countries and statistical indicators on collective bargaining of 62 countries cites that in most of the countries in comparison to women, more men are members of trade union. Another worldwide study was carried out by ILO and ICFTU (2000) on all ICFTU members and International Trade Secretariats at the end of the 1990s. The report also reproduces the same facts that the percentage of women joining trade unions remains generally lower than the percentage for men. Not only is the women's share in trade union membership low but also the participation of women in the

decision-making bodies of trade unions is low. Various studies have confirmed these facts. To cite a few of them, A cross-national study undertaken by Queen Mary, University of London (2012) found that in both the UK and the US, women still have fewer top positions in trade unions despite growth in overall female membership. The result of the study indicated that among UK's 10 larger unions, only four women are serving as general secretaries. In USA, even though women's representation has increased since the 1970s, men continue to take up the top and most powerful positions in the trade union. In nine major US unions with significant female membership, women comprise only 24 percent of top leaders, but in none of these unions does the female proportion of leaders reflect membership rates**.** Walloon Sociology Group (1999) carried out a study among the various organisations affiliated to the European Trade Union Confederation. The report indicated that despite an increase in the number of women in decision-making bodies between 1993 and 1999 there is a gross under-representation of women in trade union decision-making.

Another interesting fact noted is even in trade unions in which women make up a majority of union membership they are underrepresented in the union leadership. Education International in 2009-2010 conducted a survey among its member organisations (member organisation of Education International are organisations of teachers and other education employees across the globe). The survey report indicated that almost two thirds of the unions that responded to the survey had between 50 to 80% of female members but the percentage of women who were holding leadership positions in the period between 1995-2010 was less than 36%. Also, the pattern of "more power – fewer women" was visible in all regions of the globe, and the pattern was strongest in Africa and Latin America, where the percentage of women

in the membership is twice as high as the percentage of women in executive boards. The study conducted by ILO and ICFTU (2000) also conferred that there was no proportional representation for women in trade union managements. The study emphasized that women held less than a third of senior decision-making posts in over 60% of the trade unions. The situation is no different in India for instances Sarkar and Bhowmik (1998) studied 157 workers working in the plantation industry of north Bengal to ascertain the involvement of women workers in trade unions. They observed that though women form half of the workforce in the plantations they have remained marginalised in the trade union of plantation workers. Of the 157 women workers only, 17 percent women regularly attended union meetings and participated in the meetings and only 17 women hardly ever took part in negotiations with employers or conciliation before government machinery.

This absence of gender democracy in the trade union membership and decision-making bodies has a negative impact on bargaining agendas and outcomes. The study conducted by feminist writers confirms that women issues are not adequately addressed by the traditional male-defined trade union during the time of collective bargaining (Dickens, 2000). Similarly, women issues are with ease neglected or ignored by unions when women are not a force to reckon within trade union decision making bodies. When women are present in large numbers in the trade unions, trade union agenda becomes more gender sensitive. For example, Kirton and Heally (1999) investigated the nature of the increasing involvement of women in the decision-making structures of Manufacturing, Science and Finance Union UK (MSF), the fifth largest UK union through a study of senior women union officials. The study concluded that senior union women officials, operating

within a feminist paradigm, balanced both transformational and status quo objectives and thus working more towards union survival and renewal. Likewise, Heery and Kelly's (1988) cited by Kirton (2006) study of British paid woman officials shows that female representatives do make a difference to the conduct of trade union work because they prioritise issues such as equal pay, childcare, maternity leave and sexual harassment in collective bargaining. Conversely, where there is continued neglect and subordination of women issues, women become alienated from their union and lesser participation is reinforced. Furthermore, gender democracy in decision-making positions brings in benefits such as balance to the union, positive contribution and energy to the union, provides important women role models and enhances union democracy and the union's external image (Pillinger , 2010).

Problems of women in Trade Union

The questions which arise from the above facts is why do only few women enroll as trade unions members and even fewer women participate in the decision-making bodies of trade unions. A large range of factors have caused poor participation of women in the trade union activities, to cite a few of them -

a) One of the prominent factors which acts as a stumbling block for women's poor participation in the trade union activities is the male dominated nature of the trade union activity (Jain, 2002). The fact that trade unions are dominated by male oriented culture is seen from the following instances

- The trade union activities are not restricted to normal working hours, but many a times union activities such as settling individual problems, attending interprofessional meetings, spread beyond the

stipulated working hours. In such situations trade union activities encroaches on the time generally set aside by women members for their private life.

- Meetings are held at odd hours and some times at distant places. These factors restrict the mobility of women members
- Usage of union jargon and improper language also acts as a dampener for women members
- Informal male structure (old boy's network) also creates hurdles for women members (Singh, 2008)
- Trade Unions are less enthusiastic on taking on women's issues in their agenda (Singh, 2008)

b) In India and across the globe generally women have to shoulder higher family responsibilities in comparison to men. She is expected to rear the child, cook food for the family and perform all other household duties. Given this situation a woman who is active in her trade union usually has the triple burden of family responsibilities, her work and trade union activities.

c) Cultural taboos and inhibitions make it difficult for women to break into male environments. This is because women are often socialised to play a subordinate role to men, which can result in a lack of confidence among women when it comes to assuming public and leadership roles (Jain, 2002).

d) In the workplace, women are often employed in subordinate positions under the supervisions of men in power. The occupational segregation in union structures creates barriers for women's advancement. The fact that large numbers of women are found in just a few occupational groups results in only a few women being

represented on committees and bargaining teams. Also, it is difficult for women in a low status job to represent workers in higher grades (Singh, 2008).

e) Fear of retaliation from employers is another factor which holds back women from participating in the trade union activity.

g) Women's lack of knowledge about the benefits of trade union membership, her lack of interest in trade union activity and her attitude of staying back in the background at work also prevents her from taking a devoted interest in trade union activity (Walloon Sociology Group ,1999).

Measures to Improve Gender Sensitivity in a Trade Union

From the above discussion it is clear that participation of women in the trade union activity helps to address women related issues more effectively. Few of the steps which can be implemented by the trade unions to overcome the obstacles that prevent women from joining trade unions and sharing power and improve gender sensitivity in a trade union are gender - segregated statistics, creating awareness about the benefits of trade unions, leadership development programmes and mentoring, convenient location and timing of the meetings, special women-only structures like committees and working group, gender mainstreaming and union commitment to gender equality

a) *Gender Disaggregated Statistics*

One of the main obstacles identified by unions when they have to implement gender mainstreaming is the shortage of gender-segregated statistics. Thus, for better women's representation in the trade union the first step which the trade unions should initiate

is to collect gender-segregated statistics. Such a step would help the union to analyse the current representation of women members and monitor their increased visibility. Examples of few trade unions which have already initiated the act of collecting gender-segregated statistics. The European Trade Union Confederation (ETUC) carries out the 8th March annual survey to assess the progress in reducing the gender representation gap and highlighting successful gender mainstreaming activities. In the United Kingdom, the Trade Union Confederation conducted two Equality Audits between 2003 and 2007 to survey the union's structure, policies and services (OECD, 2014).

b) *Creating Awareness about the Benefits of Trade Unions*

It is seen that that many a times, women workers are not often very clear how joining a trade union can help them. Thus, efforts should be made by the Unions to inform potential female members about the benefits of unionization (Dean,2006). The benefits which women enjoy on being a member of a trade union includes: (http://www.uniglobalunion.org)

- Earn more money and more job protection than other non-unionised workers in the same job
- Enjoy better benefits, such as health benefits; pensions; paid maternity leave; parental leave; flexible working time
- More protection against arbitrary management decisions
- More educational and training opportunities than non-unionised members
- More protection against discrimination and harassment of workers on the basis of sex, race, ethnicity, sexual orientation and disability

c) *Leadership Development Programmes and Mentoring*

To overcome the inabilities faced by women such as her lack of confidence, poor communication skill and lack of experience within the trade union, the unions can arrange the following programmes which aim to prepare women to carry out trade union activities

- Specific training can be parted to women to prepare her for taking up leadership roles. Leadership training can include negotiation skills, speaking skills, knowing how the union works, confidence building skills, team building skills etc.
- A programme of mentoring could also be introduced to ensure that potential women are identified and supported to take on leadership roles and positions of responsibility. The role of a mentor for potential new women can be assumed by the internal trade union leaders. Alternatively, potential new women could be mentored by women trade union leaders in other unions. (Pillinger ,2010)

For example, Teacher's Union of Ireland arranges specific training courses for women members to improve their confidence level and also build capacity in negotiation and speaking skills. Also, a mentoring programme is initiated by the Union to ensure that the potential women candidates are identified and supported to take on leadership roles and positions of responsibility. Solidarnoæ – a trade union from Poland also organises a training programme called Leader that consists of a 2.5-day seminar for educating future leaders. At least 20% of those attending must be women. Another example is the National Union of General and Municipal Workers, UK has set up a number of training activities to encourage more women to take an active role in the union in

order to promote equal opportunities. The training courses tackle issues of direct relevance to women such as:

- Stress management
- Sexual harassment
- Communication and negotiation in the workplace
- The importance of collective agreements

Similarly, National Association of Schoolmasters Union of Women Teachers (NASUWT) (UK) has introduced trade union training. The training targets women members with the aim to increase the participation of women members within the union. Training has included assertiveness training for women, which teaches women assertiveness skills in the context of school, college and the trade union. This has been particularly useful for women seeking career progression within the trade union office (Homa, 2006).

d) *Convenient Location and Timing of the Meetings*

One of the difficulties which have been highlighted by various studies on women and trade union is the inconvenience faced by women members in attending union meetings on account of the inappropriate timing of union meetings and the location of the meetings. To overcome these issues, unions should ensure that activities/meetings should take place during the office hours which makes easier for women to attend them. Further attempt should also be made to curtail the number of meetings held and new technology should also be utilised more effectively, for example, meetings can be held through teleconferencing.

e) *Gender Equality Quotas*

Gender Quotas directly improves women's participation in decision making bodies. Such policies help in having a minimum level of women's representation in a committee which can be either be fixed or proportional. Many trade unions have adopted this route to improve women's participation in union decision making structures. For e.g. German Unions have adopted constitutional provisions to establish quotas for proportional representation in leadership. Similarly, Irish Congress Trade Union (ICTU) from Ireland has also reserved seats for women on its Executive Council. The ICTU has amended the Constitution to take account of these provision and states that the election of members to the Executive Council"…must result in the selection of at least 8 women members in accordance with Standing Order Rules on the Election of Executive Council and Method of Voting (26); as well as the requirement "…to ensure that at least one of the Vice-Presidents must be a woman" (28). In practice, now more than 8 women are elected onto the ICTU Executive and this direct measure has created a positive impact on Irish trade union culture and the visibility of women in the trade union movement of Ireland (Pillinger, 2010).

f) *Special Women-Only Structures*

Special women-only structures is another measure to raise female participation through activism and leadership as opposed to integrating women into existing structures within unions. Examples of women's structures include specially formed committees, working groups, commissions, advisory groups and departments. ILO (2001) has identified following role for women-only groups

- Provide women with effective representation within a union

- Give women the chance to raise issues which affect them
- Create wider awareness about women's issues
- Help enhance the visibility of women in unions
- Launch efforts to achieve gender parity in all union activities
- Take responsibility for mobilizing and organising women workers
- Organise conferences for women
- Implement equality policies
- Monitor progress on implementation equality programmes and practices

ITUC Women's Committee- International Trade Union Confederation (ITUC) women's committee provides a unique voice for women; it helps women to sharing their experience, to bring out their hidden issues, to develop a collective voice and to build a gender equity policy. The women's committee carries out policy decisions in between Congresses. It develops action programmes towards:

- Gender equality at the workplace, the labour market and society
- The full integration of women into trade union organisations and their access to leadership positions
- Gender perspectives in trade union work, at all levels.

It also represents the voice of working women in the ILO, the United Nations (UN) and other intergovernmental organisations. The Committee has recently launched and coordinated worldwide campaigns against violations of women's rights, for maternity protection and on organising women into unions. The Women's Committee is a statutory body, which meets once a year. It nominates

eighteen members for election by Congress as titular and substitute members of the General Council and six members for election at the Executive. Similar committees also exist also at regional level (ITUC, 2008).

h) Gender Mainstreaming

Gender Mainstreaming is another strategy which can be used to better represent women's interest in union's decision-making bodies. Gender mainstreaming has been defined as the promotion of gender equality through its systematic integration into all systems and structures, into all policies, processes and procedures, into the organisation and its culture, into ways of seeing and doing. The strategy aims to make women and men in all parts of the organisation aware of the consequences of all their actions for both sexes and to prompt then to adjust their behaviour accordingly. Gender mainstreaming means integrating gender policy into the daily tasks of the mainstream union officers. All union work, including bargaining topics, policies, decisions and processes is analysed from a gender perspective to discover whether it creates inequalities (Kirsch Anja, 2013). Several unions in Europe have begun to implement this strategy, for e.g. Swedish Trade Union Confederation steering committee doesn't adopt a resolution which doesn't include a gender impact assessment. (Pillinger ,2010).

Gender Mainstreaming is a long-term strategy; thus, it requires sufficient resources for a longer period of time (Kirsch Anja, 2013). Consequently, without a budget in place to put the actions into practice and to finance the human resources little progress can be made in gender equality. Many trade unions have considered this fact and have

provided a budget for gender equality. Few e.g. of Trade Unions who have created a budget for achieving Gender Equity.

- CFDT France provides a specific budget line called 'insertion of women activists' to encourage female members to take up trade union posts. Under this budget childcare, domestic expenses or loss of wages can be reimbursed.
- LO Norway makes provision for the reimbursement of childcare costs.
- Finland has also realised there is a cost in reducing the pay gap so they have earmarked a specific budget to help close the gap.
- Solidarnosc Poland is one of a few unions from the new member states that has a fixed budget for gender equality actions and staff. (Homa, 2006).

i) Union commitment to Gender Equality

To attract women, unions must be seen as relevant to women. For which Unions need to formalise its commitment to gender equality and publicise their commitment to gender equality. To show women that they take its policy of gender equality seriously a policy framework should be drawn up with an action plan, a timetable for implementation, monitoring and reporting mechanisms in trade union activity.

Conclusion

Over the last few decades there is growing evidence of feminisation in the labour market all over the globe. Despite this, the share of women in trade union membership and their representation in trade union management is proportionally low. This absence of gender democracy in the trade union membership and decision-making bodies has a

negative impact on bargaining agendas and outcomes. Furthermore, gender democracy in decision-making positions brings in benefits such as balance to the union, positive contribution and energy to the union, provides important women role models and enhances union democracy and the union's external image. Few of the strategies which can be implemented by trade union to regulate the obstacles that prevent women from joining trade unions and sharing power and improve gender sensitivity in a trade union are gender - segregated statistics, creating awareness about the benefits of trade unions, leadership development programmes and mentoring, convenient location and timing of the meetings, special women-only structures like committees and working group, Gender Mainstreaming and Union commitment to Gender Equality

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COLLECTIVE AND EVERYDAY POLITICS OF LABOUR: KOLI WOMEN LABOUR CAUGHT BETWEEN THE NET AND MARKET

- Dr. Nandita Mondal

Abstract

The age-old Koli Jamat (Council, exclusively for Kolis) at Versova Koliwada, Mumbai, the absolute seat of power is still a male dominated forum of Kolis to settle down disputes of all sorts of issues related to their lives. Traditionally, women are allowed to discuss any issue related to fish selling but they were not allowed to be a member of this traditional Koli council till 2012.

Induction of two Koli women has been done with lot of brouhaha but a close examination revealed that one of them is engaged in the formal labour force since she is a graduate while only the other woman is actually involved with fish selling in current time.

Koli women's existence over the pavements as fish sellers through generations is marked with countless violations of formal provisions relating to use of city space. Again, fish being a perishable item, failure of complying with the hygiene regulations brings them under constant threat from the street level officials responsible for preservations of State order and authority.

As fishing is considered as an allied agricultural activity and is stacked as an informal activity to earn livelihood, hence organising

the women fish sellers was never given priority by the leadership of activists working in the labour movement in Mumbai. Kolis utilised their traditional Jamat (Koli Council) as the forum to settle down the issues with State where the wealthy male boat-owners snatch the prime focus. Women fish sellers were never given chance to take up the issues related to market infrastructure condition or the constant threat of eviction from Municipal authorities in organised manner.

Negotiating such myriad difficulties, Koli women experience everyday politics of labour at the level of State, market and community. This paper is an attempt to explore the history of existence of Koli women labour under the aegis of Koli Jamat (Collective) through oral history tradition.

1.1 Introduction

Off late, the conglomerate of workers in informal sector increasingly represents an existential challenge to the trade union movement in India. As an aftermath of globalisation on one hand, there has been a disintegration of formal sector while the workers in informal economy are increasingly being integrated into global production and marketing chains on the other. The current industry trend shows that the formalisation of informal economy as predicted in the past by the scholars is fast becoming a distant dream, rather informalisation is gaining the ground as the norm. Hence, invariably the absence of worker's rights and social protection of the workers involved in the precarious working situation are the issues looming large on the canvas to be addressed in the world of informal work.

Now, the question that looms large to the first place is any collective relevant in such a situation and how are they executing their roles

historically? Marx has time and again reiterated the importance of expansion of trade unions (Olson, 1971a). The underlying opinion is that individuals with common interests form groups and attempts to further those common interests. Dewey and Bentley (1949:130) and Truman (1951:235-42) suggested that individuals with interests would voluntarily work for group interests. However, Olson (165) in *The Logic of Collective* suggested that the individuals find it challenging to pursue group interests as compared to self-interest.

Nevertheless, trade unions being the major institutional representatives of the working class, until now, played the pivotal role in ensuring the workers' rights. But the recent situation of rapid informalisation of 'work' itself across the world put forth a massive challenge to keep such collectives beneficial and relevant. The changing scenario and lived experiences indicated that the path of organising the 'unorganised and scattered' mass of 'workers' in oblivion is full of hurdles. The question arises about 'how' would the trade union 'reach' such 'scattered mass' and in that 'process' what all 'issues' are to be addressed to ensure a safe working environment and ensure the justice to such fleet of workers. Again, informal sector is predominantly represented by the women in some of the sub-sectors like home-based piece rate work, domestic work and market trading (vegetable selling, fish selling etc.). The traditional trade unions had experiences working with 'workmen' in an establishment and organising them in a systematic manner on a regular basis. To get an 'access' to the 'workmen' was never a challenge. But, in present scenario, to expand the 'organisational' work Trade unions / collectives are challenged with organising women workers scattered and working from varied sites. And predominantly women are into the world of work keeping pace with the cultural norms that they are bound to follow. Moreover,

across India, patriarchy plays an important role in any type of collectives that the artisan, craftsmen and women are part of. Hence the second question that arises out of such situation is whether the traditional collectives formed by the indigenous communities could play the role as substitutes to protect the rights of workers under their wings irrespective of their gender.

Against such backdrop, I would like to unpacking the layers of traditional indigenous 'collective' that Koli community in Mumbai city belongs to and which is offering to pave a way to cater to the Koli community as a whole. The methodology that this paper based is oral history method. The first part of the paper would explore the historical view of Vesave Koli Jamat, the oldest of all Koli Jamats in Mumbai City and the second part would attempt to examine the role of such 'collective' critically to be able to offer an alternative way of addressing the organising mass of 'scattered and invisible labour'.

1.2 Historical account of Vesave Koli Jamat, Mumbai:

Koli Jamat is an organised social unit of the Kolis in Mumbai. Patil is the head of the Jamat. According to the system, Patil position was hereditary and goes by the male line of order. Patil is helped by a group of distinguished members of the Koliwada called 'Panch'. Patil's position and panch committee members' positions are held with very high regard within the community. Patil has to be present in all social function to give it an official sanction of the particualr Koliwada. Patil is given the honour first on almost all the festivities. The jamat fund is being drawn by marriage tax, Jamat fees, fines, contributions from the Koli household per head, per boat, per Chula, per net or all of them together as it would be decided as per the occasion in the respective Koliwadas.

Mansuba, is known as the meeting of Koli Jamat members. Patil and panch would decide the date of the meeting. Generally, such meetings are held at night during the neap-tide so that people can attend. Koli customs are the unwritten law. Patil along with the help of panch are supposed to dispense the justice along the line of such customary practices. The minutes are being recorded in the letter head of the Jamat. The decision of Jamat is final. If anybody ignores to follow such decision, then s/he along with entire family would be ex-communicated. Earlier days it was strictly administered. Now, according to Koli leaders from Versova, since the last two decades, due to proximity to urban life, the excommunication has lost its edge. At present, it is just a social stigma among the Koli neighbourhood, hence, people try to avoid reaching such a situation.

The issues that are generally dealt by the Koli Jamat are property related, stakes in family business of fish, conflict related to space for fish drying ground, problems related to high sea fishing, advocacy related issues with state machinery for the benefits of fishing community, petty fights, quarrels in neighbourhood, judicial separation between Koli husband and wife, cases of abortion, pre-marital pregnancy, conflicts related to extra-marital relationship etc.

Patil is paid the part of marriage tax that the people are paying to Jamat. Additionally, if the Jamat meeting is being called at the request of conflicting parties, then, the parties concerned would pay a Jamat Tax. Out of the Jamat Tax, Patil would be paid 1/4th of the share as his fee.

One of the local Koli leaders, Mr. Rajendra Tandel shared that the *Vesave Koli Jamat* was founded in 1929. At that point of time the

Koli residents of the Versova Koliwada used to donate one *tokri*1 of fish to facilitate the preparation of a temple of Shankar Mahadev inside the village. Patil, the head of the Jamat was entrusted with the duty to keep up the accounts of the Jamat, arranging religious function for local residents etc. While local Koli residents found irregularity in that they took the matter to local police and the Court at Thane respectively. The Court had given the verdict that the Jamat would not be governed by Patil anymore. The Court formed a committee comprised of Koli representatives as well as eminent people from other walks of life.

This committee advised to form a trust in 1934. The trust was named as *Koli Jamat Backward Community Trust*, Vesave. The members of the trusts were the representatives of then 7 Gallis (avenues or alleys) of the Versova Koliwada. During the era of Independence, the British law became outdated. In 1945, the change of name was proposed again in the Court. That time a lawyer who brought forth the case was a Marathi Brahmin. He proposed the new name as *Sri Kashi Ganga Jat Gotra Son Koli Jamat*, Versova. And that had been the official name of the Koli Jamat at Vesave.

Eventually, in 1952, that same Jamat got registered as a Public Charitable Trust and came under the Charity Commissioner. Since then, as the city grew faster, there were changes in the demography of the Versova Koliwada too. Original nomenclature of seven gallis opened up to welcome Khoja Muslim group of people who were mainly the purchaser of fish from the Kolis. Yeri Galli is the place which was occupied by this community. Simultaneously, the people from Sion Koliwada settled in Madh Island adjacent to Versova and that came under the Versova Koliwada too. In 2000, there was a

change that brought forth in the byelaws of the Jamat to include the new settlements. Now, there are finally eleven gallis that form the Koli Jamat of Versova Koliwada. Membership of the Jamat is drawn by birth for a male member of Koli family. But the contribution to Jamat to run its functions is drawn by the number of 'chula' that are present in each household. If a house of a Koli has people from one single clan, sharing the same roof but two to three or more 'chula' to prepare their food, then the contribution of the Jamat would be drawn on the number of 'chula' that are present in that particular household. Members from each galli would decide among themselves about who would be the representative of the members of that galli in the Jamat to form the 'panch committee' for the Koliwada. There were no representations of Koli women at all in the Koli Jamat of Versova until recently. As recent as in 2012, Versova Koli Jamat received two women as 'panch committee' members. Among these two women, *only* one lady is active in fish selling business. Among other two ladies, one is a service holder and other lady is in fish selling business currently.

The most conspicuous point here is while by birth a male Koli is entitled to be the member of traditional Koli Jamat ensuring an identity, women are deprived of such opportunity of ensuring their identity by their own community which they claim they belong to. Secondly, the contribution to Jamat is drawn by the number of 'chula' that are present in one household which means women have to pay for what traditionally is their responsibility (kitchen, which centred around a 'chula') to keep going. Koli male members are enjoying their social status as Koli sanctioned by the Koli Jamat ensured by the payment (*whatever meagre it may be*) coming from the 'labour' of Koli

women! Membership is a very masculine area where the koli women do not have any 'access' to throughout their lifetime!

The challenges that the women are facing in Versova area is shrinking space for drying fish. Long ago, they had easy 'accesses to the space along the beach to be used in an individualised way. Later, as the population grew, Koli Jamat is bestowed with the sole authority to distribute the 'space' for drying fish on the beach. Now, the population pressure is making it difficult to accommodate the need of 'space' for drying fish as the Koliwada itself is looked at as mere place of herding a group of subaltern people called Koli. Therefore, the cry for 'space' allocation for the requirement of livelihood activities of Kolis to the civic authority fell on the deaf ears. The reflection of such non-recognition is the recent MMRDA urban plan which does not even show the areas of existing Koliwadas in Mumbai on its map for Development of the city further.

Here the point that I would like to bring home that even if there is a 'collective' to take care of the fishing community (which includes Koli men and women) per se to look after the nitty gritty of their business and ensure the return on their 'labour' but it is highly selective on gender line! Women are deprived of 'membership' since it is the men who are eligible to get membership and that too traditionally, the execution of membership eligibility goes by the number of 'Chula' that a household is having. Ironically, the task to keep the 'chula' burning is part of Koli women's regime since traditionally Koli men are supposed to be on sea trips for long period and it is the 'women' that manage the business (from sea shore to market) on land and execute her reproductive duties to take care of home too simultaneously.

1.3 Locating Koli women in day to day politics as 'Labour'

1.3.1 Sea – an unfathomable entity in Koli women's lives

Sea has an enormous influence on the lives of the Koli men and women since their childhood days. While the koli boys would grow up learning the nuances of the fishing in the sea from their elders, young girls are introduced as part of the 'labour' brigade waiting on the sea shore to get initiated into their Koli identity. The tryst with the destiny unfolds before the young girl that 'restricts' the women from going to the sea as part of constructing the right kind of 'femininity' owing to 'koli culture'! Women are restricted from gaining knowledge utilising the 'resources' of the ocean which would be the source of her/their livelihood, invariably throughout her/their lives. Therefore, the activity central to the very community that they belong – *the fishing* – is always a faraway dream. She would always be on the sea shore as part of 'reserve army' (*of labour*, emphasis added) while the male Koli members would be back with 'catch' by defying the odds-on sea, a proof of his/ their masculinity that entitles him/ them to be a true 'Koli' in due course of time in his/ their life!

Among Kolis, the knowledge of fishing, a non-material means of production, the incorporeal property, consisting the transmission of specialised knowledge and skills in operating fishing gear, knowledge of fishing grounds, breeding habits of fish, navigation skill, astronomy, understanding waves, nitty gritty of a fishing boat and its parts, managing the labour on board, running between different governmental agencies to procure lisecense etc. are essential in utilising the natural resources of ocean. These 'skills' are transmitting only to the male members of the families with utmost care and hope to

create a demarcation line since beginning of lives of Koli men and women.

The acquisition of such specialised knowledge and skills in turn entitle the Koli men to obtain another component of incorporeal property: the rights to space. Although recently, the concept of sea tenure has been introduced in Indian Coastal regions, prior to this, Koli men were used to utilising the sea as a 'common property resources' on a purely individualistic way. Now, the sea tenure is defined on the status of social membership of their respective Koliwada – demarcating the space of laying the net, division of catch etc. Koli Jamat, the traditional Koli council, is the sole authority to decide and distribute such space among the Koli male members from the respective Koliwadas of Mumbai.

Here, there is a concept of cultural capital that Bordieu (1977) advocated that is governing the Koli male and female bodies by radically different rules and perceptions leading to unequal distribution of resources. There is a very prominent cultural differentiation between men and women from Koli community while they are accessing the same resource to 'produce'. The Koli women are excluded from certain spaces, mainly sea and sometimes even from the beaches. The onus is entirely on the women to maintain such separation from sea. Menstruating women are barred from even coming to the sea beach. The belief goes like if there would be menstruating women on the beach, the men would fail to get a 'catch' from the sea. At all four places, from where I collected my data, I found although girls attaining puberty is celebrated with great fervour in Koli household, women during menstruation, stayed back at home, never ventured to the 'beach'. Otherwise, the same women form a

'labour' brigade under the leadership of the oldest woman of the family when the catch reaches the shore to get those processed and to dry the same. Therefore, Koli women are restricted from utilising the resources of the sea, except through their relationship with male members. Eventually, the 'reality' is her identity as 'Koli' depends entirely on her relationship with her father, brother, husband and son! Astonishingly, for Koli women attaining puberty and joining the family 'labour force' happen almost simultaneously. Young girls join their mothers, aunts and grandmothers to learn the ropes of business on the sea beach only. They are under strict vigilance of older ladies to 'learn' processing of fish, salting and drying them. During peak season, there is hardly any leisure time for the entire brigade of ladies of the Koli household. However, while cleaning, grading, salting they enjoy singing songs, gossiping, sharing tea, having food together at the workplace only. A Koli girl irrespective of her religion she follows, is strictly being initiated into the proper 'koli' culture on the beach itself, away from the sea. Her 'rights to space' is always predetermined and never altered at any cost!

1.3.2 Fear of Uncertainty

On the part of Koli men, masculinity is attached to defying the odds-on sea and is celebrated yet there is a feeling of uncertainty which hangs on continuously. Fishing as an occupation is often punctuated by seasons, meteorology which varies on day to day basis, speed of wind, current underneath the water which may prohibit timely return to the shore etc. Moreover, finding a proper catchment area is also very important to get a good catch. Not only the economy of fishing but even the lives of Koli males on sea are always precariously located in the entire affair of fishing. Out of an age-old belief, Koli women often offer their green bangles from one hand to the sea in the hope of

long lives for their husbands. They believe that '*Samudra Devta*' (Ocean God) would protect their husbands while on sea.

Box No. 1

Saroja Xavier Patil, a 31 year old Koli lady from was busy putting her new born baby to sleep while I met her first after her delivery on a rainy afternoon. Saroja delivered the baby girl just two weeks back. She had two more children one son and a daughter. My two daughters started playing with them outside in a small covered balcony and I entered the house to meet the baby and Saroja. After initial brief talk about the new born I moved the discussion towards fishing, she joined in with her soft voice. We, me and another Koli lady from the neighbourhood were engrossed talking about the market situation as well as the supply of fish. The talk diverted towards the dangerous waves that the boats face while sourcing of the catchment area of fish. The other lady was explaining how she lost her young brother on sea during one such sea trip due toa natural calamity the boat faced and subsequent hardships that her natal family went through. Saroja was gently patting the baby and hearing us curiously with nodding her head affirmatively to support the lady's expression.

Suddenly she took up the baby from her cot and pressed her close to her chest by her arms and looked at me visibly embarrassed. Tears rolled down her cheeks. I touched her baby's head gently and tried to keep her cap at place to divert her attention. She got herself composed in a minute, looked at me straight and quipped, "I am happy with whatever I have in my life – my husband, my children, my house, all my assets that my husband and I created, but

somewhere I feel very hapless whenever he goes on sea. I know, we are Koli and fishing is our only occupation. More than the economic loss, I fear that he is can face any eventuality on the sea. Our life is always hanging by a thread ... no one knows what would happen in the next hour!" She kissed her baby's forehead and lowered her down on the cot.

We all three women sat quietly for the moment! The new born baby girl slept oblivious of the 'silence' that gripped us , owing to unravelling the 'reality' threadbare!

Juliana puts it, "... we believe that the one who is going to the 'sea' is not mine, the '*one*' (emphasis added) who is coming back on the shore with boat and catch are mine. I am always alert and ready to pick up the axe to care for my family on the shore." A 'cold but determined' voice of Juliana still rings in my ears!

Shantabai, 67 years old, a widowed Koli lady lost her husband while he was at sea. They didn't own a boat and he used to work as crew on someone else's boat from Trombay Koliwada only. She can only remember while her husband passed away, her youngest son was just 7 years old and she had two other sons and one daughter. Except her daughter none of her children are literate. Her daughter studied upto VIIth standard and she got her married off into a Koli family of Panvel. She along with her two older sons raised the family. Now, since the size of family increased they stay separately. She stays with her youngest son who got married two years ago. Her one room residence was just four feet by six feet place with no furniture but a small wooden temple structure having

Khandwa and Ekveera's pictures on it. A very small kitchenette and a tiny wash area were built at the entrance. Clothes were hanging on a cloth string that ran from one wall to another. Her elder sons worked as boat workers in the beginning and later they themselves got two country boats to fish in Vashi creek.

Shantabai sells fish in the Chunabhatti roadside area. This place was given to her by her mother when she lost her husband. Since she occupied her mother's place, she got her mother's customers coming regularly to her. Her sister in laws used to help her in the beginning by taking care of her children while she was away from home to sell fish. Later when her daughter grew up, she took charge. Once she was married, her daughters–in-laws took charge of home.

One Sunday evening I was enjoying tea accompanied with biscuits at their house while talking to Shantabai. Her youngest daughter in law was feeding her one-month old daughter, Manisha at one corner of the room. I was engaged with Shantabai in a discussion about her work-life, her feeling about life. She took a deep breath and softly murmured, "I had to go through lot of hardships to raise my children... can't explain what all I went through. Many days gone with only one meal a day with dry fish salon (watery gravy of dry fish) and kanji (rice with starch on). I had to be on my toes to get the capital flowing with loans from the wholesalers. Every day I had to haggle for money. I did whatever I could have been able to do. I was unable to educate my sons since they are the ones I had with me to overcome bad times. They slogged along with me. Manisha (her granddaughter)

should be going to school and finish her study as much as she would like and lead her life with head held high. At any cost, she should be equipped better than me to fight the uncertainty of life . That's the only wish I am left with now". Her twenty-three-year-old daughter in law, holding Manisha close to her heart stared at her mother in law with hesitant yet an affirmative smile on her face.

There is a constant fear of uncertainty always present in any Koli household yet the usual rhythm of life on shore goes on at the deft hands of these Koli ladies. While the 'labour' of Koli women on the shore keeps life going, the same Koli women are always at the receiving point of outcome of such uncertainty for the central activity of the occupation owing to their social membership in the Koli society. There is hardly any security measure that had been able to cover the grieving family on the shore. In case, the boat owners are at the receiving end of such fatal blow, there are possibilities that there would be some insurance cover obtained by the boat owners from the Insurance companies. But to realise that financial help one has to make rounds to satisfy different clauses and the 'babus' who are entrusted with the 'power' to implement such epitome of social policy geared to benefit the citizens of the country, leaving 'little space' to even mourn the death! Government of Maharashtra does not have any scheme yet to extend the help to its toiling boat owners and its family even if they do not leave a chance to boast about taking pride in having Kolis as original inhabitants of Mumbai. 'State' is oblivious of the 'condition' of 'labour'. Koli Jamat, according to the Panch Committee members of Vesave tried to do lobbying with State Officials but unable to 'move' them. Therefore, Koli women get themselves accustomed with the proverb peculiar to their community as it goes

'the man who goes for fishing is ''nobody'' but the one who comes back with boat and catch is the 'man' for the Koli woman'!

The reality that this proverb reflects is like the women get themselves detached with the 'men' while they set out for sea trips and welcome home their 'men' while they are back with boat and catch only. The state, the community and the family – all institutions that the Koli women are associated with leave them at large to deal with the 'uncertainty' that they face.

1.3.3. ***Market – tryst with 'space' and 'credit' – everyday struggle for Koli women***

Koli women are selling fish in 61 Municipal Markets across the city of Mumbai. Not even a single 'Bazaar (market) Committee' has a woman member from the users (mostly women). Hence, the issues of hygiene and sanitation, inadequate sheds to display wares, water point, cleanliness around the market area, clearing the waste etc. are always being neglected. Moreover, ICSF (International Collective is Support of Fishworkers) study conducted in 2012 showed that most of the time, the Koli women were given the corner place deep inside the market with only one water tap facility to share among many. Previously they used to put up their wooden plank free of cost to display their fish for sale but recently the municipal authority introduced the fee to the tune of Rs. 50 per month per plank.

A close social network is built over the decades between wholesale fish market and retail fish market in the city of Mumbai. Earlier the Koli men and women had the entire control over the pricing and weight of fish basket in wholesale and retail market but since Mumbai is a destination city from every corner of India, such slew of control

slipped out of the hands of the Kolis. And the rapid urbanisation and massive infrastructure erected along the coastal line became the spoilsport. The catch size along the coastal line dropped over the decades and hence, the control of market slowly had gone to the cash rich migrant players who have enough capital to invest to get the mechanised trawler to get huge catch from deep sea and get the other type of fresh water fish transported from neighbouring states of Maharashtra to cater to the neo-rich buyers. Many of male members of the Koli households in Vesave switched to another profession. The impact of such diversion of profession is crucial for the ladies of the Koli household. Rather than sourcing the catch from the family, the Koli ladies have to make a beeline at the landing centres of the city to take part in daily auction of fish being held by the wholesalers. Here, they get trapped by the cash rich sellers. Once they take the credit, they get into the vicious cycle. They are bound to pick up the basket of fish even if those are of inferior quality until the credit gets over. Often the wholesalers use foul language with the ladies and haggle with them.

1.4 Koli Jamat - a collective – can it be useful to address the issues?

All the above exploration brings me back home to examine whether the traditional collectives like Koli Jamat would be a forum for the labour to ensure their rights irrespective of their caste, creed and gender. While the historical accounts gave us the hint of transformation of traditional Koli Jamat into a bit of democratic forum where women members get their berth as late as in 2012, the question of representing the issues faced by the Koli ladies for debate and advocacy at the policy level remains unanswered. The lived experiences of Koli ladies with state, community and market show that

negligence is being meted out to the Koli women labour, day in and day out.

The conspicuous point here is that the same Koli women are being called to take part in the rally to raise the voice against the price hike of diesel to cater to the male boat owners. Their consciousness of resistance does come under the focus with such actions. The level of awareness about the non-recognition of such labour force itself should be questioned first. By treading the path of transformation and ushering the women members in Koli Jamat may be considered a very small step towards the change.

1.5 Concluding Remarks

Koli Jamat, a traditional Koli collective, at present does not produce agency to resist the age-old economic and cultural injustice that the Koli women labour are facing in their day to day lives. In strengthening the Koli women's capacity to achieve quality within the political economy of fishing, there is an urgent need for change in institutional base in public sphere.

Even if Koli women are 'petty producers' as per Marxian explanation, the entire brigade is marginalised within their own community since their belonging is characterised by their 'relationship' with Koli male members who are leading the Koli Jamat. And hence, Jamat, essentially supposed to be the 'collective' of the Koli 'labourers, pay less attention to the Koli women, leave aside respecting their 'dignity' as 'labour'. Here the picture is really marque. Even if a woman would bring forth the issues related to the fishing business, the decisions are being taken by the "Panch" who are essentially 'male'.

To activate the Jamat as a forum like a trade union in a true sense, organising the Koli community irrespective of the 'gender line' is a must. Organising in such an informal sector would take shape where the traditional labour movement intersects with the broader civil society. Once the idea of labour organising would be treated as essentially a human rights issue – irrespective of its constituents' members, gender, caste or creed – that it ensures the human dignity as workers at the basic – perhaps the collective action in form of trade union could be possible.

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STATEMENT

January 15, 2017

AN OPEN LETTER TO MAJOR GENERAL G.D. BAKSHI

We disabled persons and their representative organisations are aghast at the deplorable manner in which a decorated soldier like you conducted himself on a TV show.

While you were participating in a discussion on a news channel, consequent to the Supreme Court order of January 9 disposing off a petition in the matter of our national anthem, you sought to cast aspersions on, or rather doubt the patriotism of a disabled person, Arman Ali, who is a wheelchair user and a disability rights activist. You not only made a brutish attempt to shout him down but also asked him whether he can prove his patriotism by keeping his hand on his heart while the anthem is played. We are clueless of who has prescribed this new form of display of one's patriotism and love for the nation? Sadly, you were not even willing to listen to his point of view.

With all respect to the army/military, serving and ex-soldiers, their courage, valour, sacrifice and service, such uncalled-for shouting against and humiliation of a disabled person cannot be tolerated, least of all from a person who had acquired such a high position in the army. Such contempt for a fellow citizen from an ex-soldier unfortunately shatters our faith in the very institution you were part of. You would be informed that the Supreme Court while modifying its earlier order and not making the playing of the national anthem at

cinema halls before the commencement of a movie mandatory has held that its order granting exemption to certain categories of disabled persons from standing up/being attentive while the national anthem is being played, stays.

This intentional shaming of a disabled person, you will appreciate, is a violation of the Rights of Persons with Disabilities Act, 2016. Section 92 says:

Whoever -

> "intentionally insults or intimidates with intent to humiliate a person with disability in any place within public view …. Shall be punishable with imprisonment for a term which shall not be less than six months but which may extend to five years with fine."

Given the fact that there are many misgivings/misconceptions surrounding disability it would be in the fitness of things if you would be receptive to the idea of being sensitised on the diversity of disability. There are things that a person with a certain kind of disability would be able to do perform while another with the same disability or another disability would not be able to perform. This doesn't arise because of the lack of any desire to perform any given act, let alone insult.

We strongly feel that the least that should be forthcoming from you is an apology.

Signatory Organisations

1. National Platform for the Rights of the Disabled
2. Delhi Viklang Adhikar Manch
3. Differently-Abled Welfare Federation, Kerala
4. Gujarat Viklang Adhikar Manch

5. Haryana Viklang Adhikar Manch
6. Jharkhand Viklang Morcha
7. Karnataka Rajya Angavikalara Mattu Palakara Okkota
8. Lakshadweep Disabled Association
9. Platform for Rights of Disabled, Odisha
10. Tamilnadu Assn for the Rights of All Types of Differently-Abled & Caregivers
11. Tripura Rajya Prathibandi Sammelani
12. Paschim Banga Rajya Prathibandhi Sammelani, West Bengal
13. Vikalangula Hakkula Jathiya Vedika, Andhra Pradesh
14. Vikalangula Hakkula Jathiya Vedika, Telangana
15. All Kerala Association of the Deaf, Kerala
16. Yes, We Can, Delhi

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STATEMENT BY WOMEN'S MOVEMENT

Five years since Nirbhaya, and nearly as long since the Justice Verma Committee report, amendments to the Criminal Law Amendment Act 2013, and the National Guidelines and Protocols on Medico legal care for Survivors of Sexual Violence by the Ministry of Health and Family Welfare (MoHFW) 2014, we, concerned individuals, women's groups, health organizations, ethicists, academics, urgently demand the attention of the governments - central and state - to the continuing injustice, violations and discriminations against survivors of gender-based violence.

While these progressive legal amendments, as well as protocols, mandate a comprehensive understanding as well as response to

gender-based violence, towards enabling survivors'access to healthcare, as well as other critical support services and legal justice, evidence indicates otherwise.

Currently, only about seven states in the country (Chhattisgarh, Delhi, Madhya Pradesh, Maharashtra, Meghalaya, Odisha, Uttar Pradesh) have issued orders for the implementation of the MoHFW protocols released in 2014. This continued inaction by the governments (central as well as state) and even subversion of these mandates exemplified by the recent Kerala Medico-legal Protocol for Examination of Survivors of Sexual Offences (henceforth Kerala Protocol 2017), is appalling and extremely concerning.

The willful ignoring of the MoHFW protocol by the Kerala government is unfathomable, paving way for a version that is in outright violation of the legal and health rights of the survivors. The MoHFW protocol is consistent with the legal amendments on sexual assault/rape, intends a comprehensive health care response to survivors and excludes gendered biases, and attempts to promote ethical practices. It iterates the healthcare system's preparedness in attending to the survivors, ensuring dignity, privacy and informed consent of the survivor, while dispelling the hitherto existing gender-biased practices such as conducting 'finger test' or commenting on the past sexual history of the survivor.

On the contrary, the Kerala version is in clear contravention of the MoHFW guidelines to safeguard the health and legal rights of the survivors and focuses disproportionately o n the forensic role of the healthcare system. For example, it focuses excessively on recording genital injuries and describing the hymen (which is unnecessary) and

sidelines the therapeutic role of doctors including the psychosocial care and support. It also seeks other irrelevant details like 'history of psychiatric illness or any such mental disability in the past'. Psychosocial support or referrals, and other critical guidelines for care of vulnerable groups that find space in the MoHFW protocol are conspicuous by their absence, indicating a very limited and biased protocol. While efforts by the states to comprehensively address GBV and respond to survivors are appreciable, any compromise in the standards set by the MoHFW protocol is completely unacceptable.

However, a mere order for implementation of the protocol in the absence of systematic efforts to equip the healthcare system with quality infrastructure and human resources to implement them in a manner that is meaningful to affected individuals is grossly insufficient. For example, even some states which have adopted the MoHFW protocols have not made printed copies available in health facilities, to be used. The implementation is mostly confined to a few urban tertiary level facilities. The focus has disproportionately been on forensics – on examination and evidence collection. Access to services for other health - physical and psychological needs continue to be inadequate or completely absent. Despite the MoHFW protocol, the healthcare system routinely undermines the narrative of the women survivors, is preoccupied with genital injuries, and the absence of injuries is frequently equated with the absence of assault and denies their rights and autonomy. The implementation of the MoHFW protocol true to its letter and spirit thus necessitates an empathetic, efficient and accountable healthcare system to prevent survivors being denied healthcare and justice.

Moreover, alongside a comprehensive response to sexual violence, there is an urgent need for the health system to respond to domestic violence. The MoHFW should urgently initiate development of a protocol for a health system response to domestic violence and ensure its implementation. Several examples of public hospital-based crisis intervention centres as well as models of capacity building and engagement with the health sector already exist in various states; lessons learned from these existing initiatives and models responding to sexual and domestic violence in the health sector can substantially inform the protocol.

The implementation of protocols must be supported by training of all health care providers to recognise the impact of gendered violence on health and provide necessary care, support and referrals to other requisite services.

Other efforts like setting up of One Stop Crisis Centres (OSCC) by the Ministry of Women and Child Development (MWCD) in the premises of public hospitals have been initiated. Where OSCCs have been set up, they are not always integrated with the functioning of the hospital. It is important that the public health system proactively builds these linkages and the MOHFW provides a directive for this to the hospitals. Moreover, such services need to be available and functional in their true spirit in every district; merely a few in every state is grossly inadequate.

Finally, we reiterate our demand that the Kerala protocol is immediately revoked, that the MoHFW protocol is implemented by all States without further delay. Information about the protocol must be disseminated widely and publicly towards accountability and ethical

implementation. Delays in the implementation of the protocol as well as in enabling health systems imply a gross violation of the human rights of survivors, denial of healthcare and justice; such delays must be urgently addressed.

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STATEMENT ON TRIPLE TALAQ

Date: January 1, 2018

To,
Members of Rajya Sabha,

We are concerned with the manner in which the bill criminalising instant triple talaq, "The Muslim Women (Protection of Rights on Marriage) Bill, 2017" was introduced and passed in the Lok Sabha on 28th December, 2017. Responsible editors have also commented adversely on the unseemly haste in which this bill was rushed through. It is likely to be presented in the Rajya Sabha soon.

When a bill such as this, which has grave ramifications for the entire Muslim community, is being introduced, it is necessary to examine its content and intent closely and scrutinise the adverse impact it may have upon the rights of Muslim women, for whose benefit the Bill is ostensibly being enacted.

Utterance of the words "talaq" three times or communicating it in any other form has already been invalidated by the Constitutional Bench ruling of the Hon'ble Supreme Court in August, 2017. The effect of this ruling is that even when such words are uttered or communicated in any other form, the marriage remains intact. At the most, such utteranceor communication in any other form can be considered mental cruelty for which Muslim women, like all other women, have a recourse in law both criminal and civil i.e. under Section 498A of IPC – cruelty to wives and under the Protection of Women Domestic Violence Act, (PWDVA) 2005.

PWDVA secures the rights of all women facing domestic violence to maintenance, residence, protection from violence and to custody of their children. This is a well formulated statute which provides for speedy remedy. Muslim women who have been deserted by their husbands, subjected to physical or mental violence, deprived of their maintenance, and those whose husbands have pronounced instant and arbitrary triple talaq and deprived them of their right of residence or custody of their children, are entitled to claim reliefs under this Act.

Instead of encouraging to take recourse under the provisions of this Act, which already has a well-oiled machinery in place, Muslim women are being pushed towards a new statute with criminal provisions of incarcerating their husbands with ill formulated provisions of "sustenance and child custody".

Our concern is that the current Bill has many contradictions and anomalies. It gives power to a third person to file criminal charges even against the wishes of the wife. If the husband is sent to jail for the mere act of pronouncing triple talaq which does not dissolve the

marriage, the chances of an enraged husband pronouncing divorce in the accepted form over a 90-day period will actually increase. This will lead to abandonment of the wife and children, which will result in destitution.

Though ostensibly the Bill aims to protect the rights of Muslim women, it is likely to cause more harm to them if it is passed in its present form. Opinion must be sought from a wide section of people working closely with Muslim women on the kind of provisions required and the implications of different provisions, so that the aim of securing gender justice is truly achieved.

We, the undersigned, therefore urge you to send the Bill to a select committee to discuss its pros and cons in the true spirit of democracy.

Adv. Flavia Agnes, Women's Rights Lawyer, and founder of Majlis
Prof. Dr. Nasreen Fazalbuoy, Retd Professor of Mumbai University
Prof Apooranand, Delhi University and social activist
Ms. Uzma Naheed, Director Iqra Foundation and former member of Muslim Personal Law Board, Mumbai
Prof. Farida Lambey, Retired Prof of NirmalaNiketan, Mumbai
Prof. Dr. Vibhuti Patel, Chairperson, Advanced Centre for Women's Studies, School of Development Studies, Tata Institute of Social Sciences, Mumbai
Ms. Audrey D'Mello, Director, Majlis Legal Centre, Mumbai
Ms. Sujata Khandekar and Ms. Mumtaz, CORO for Literacy, Mumbai

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ALL INDIA DEMOCRATIC WOMEN'S ASSOCIATION

NO. 2253- E, SHADI KHAMPUR, NEW RANJIT NAGAR, NEW DELHI-110008
Ph: 011-25700476, 25709565; E-mail : aidwacec@gmail.com
26th August, 2016

PRESS RELEASE

A much-delayed Bill to address the issues surrounding surrogacy has been reportedly cleared in a cabinet meeting of the present NDA Government on 24thAugust 2016. There has been a long-standing demand from many organizations and groups for a separate law to ensure that women, especially from the poorer sections are not exploited by the increasing pulls and pressures of this multi-million-dollar medical industry. AIDWA concurs with the ban on commercial surrogacy introduced in the Bill, as it will contribute to contain and regulate this proliferating business. We are opposed to commercial surrogacy not because we think it belongs to an ' alien' culture, but because we are of the view that it is a form of exploitation of poor women who have neither any economic option nor medical or legal protection.

However, we are concerned with its underlying conservatism, which excludes single parents, live-in partners, same sex couples, etc from altruistic surrogacy. It displays a regressive mindset that makes negative value judgements about certain categories of citizens, thereby violating their fundamental Constitutional right to be treated equally before the law. The same conservatism is expressed in confining

'altruistic'surrogacy to the same caste and community. It is also not clear why couples who already have a child have been excluded.

Moreover, the Bill does not pay adequate attention to the protection of the surrogate mother even in 'altruistic' surrogacy. Providing appropriate safeguards, insuring her against long term consequences on her health and well being, etc should form an intrinsic part of the Bill.

If it has to succeed in its objective, the law will require an effective implementing and monitoring component. These sections will have to be carefully drafted taking into consideration the stiff resistance from commercial interests that have already been expressed. To achieve any degree of success, the NDA Government would do well to undertake a larger consultation which includes women's organizations that have been active on the ground, before placing and passing this Bill in Parliament.

Sd/-
Malini Bhattacharya
(President)

Sd/-
Jagmati Sangwan
(General Secretary)

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STATEMENT ON THE TRAGIC COST OF DELAY IN RAPE INVESTIGATIONS

Women against Sexual Violence and State Repression (WSS)

January 23, 2018

The suicide of the minor dalit girl in Kunduli of Koraput district in Odisha on 22 January is a moment of reckoning for everyone fighting against the heinous crime of violence against women. She had accused four security personnel of gang rape on October 10, 2017. Very typical of an incident of sexual violence where the accused happen to be police, army or security forces, this incident of sexual assault too went through the usual round of inordinate delays and denial of gang rape. The suicide of the young victim who was very keen to pursue her studies but was never able to get out of the raging controversy and heightened media publicity is a bitter reminder of the continued impunity of rapists in uniform, and of the brazen collusion of the state in denying justice to those who, like this young girl, refuse to remain silent.

Getting justice for survivors of sexual assault has always been uphill in this misogynist and patriarchal society. It becomes even tougher when the state machinery itself puts formidable barriers to protect the accused. In this case, the Odisha government and district administration did exactly that.

Let us have a look at the series of events that went against the complaint of the girl.

The Human Rights Cell of the government on November 7 ruled out the possibility of gang rape due to lack of evidence based on the medical report in their possession. After 17 days of the incident she was kept in the district child welfare committee (CWC).

The girl had repeatedly expressed her distress at not being believed to journalists and others who visited her in the hospital. There was no action taken to identify the culprits from her description or the fact that the accused were in uniform. Instead the police picked up four boys from the same village for interrogation who were beaten up too. The police had also forcefully taken one of them for a lie detection test to an undisclosed location in Bhubaneswar. The DGP had listed the matter under the red-flag category and initial statements by the police even blamed the Maoists. The demand for withdrawal of security forces by local organizations and the community involved went completely unheeded.

The denial of gang rape by the police and administration in the absence of a thorough enquiry and the long delays accompanied by constant media publicity deepened the distress and anxiety of the family and the community. One can only imagine what it can do to a young girl.

The girl first attempted suicide on November 18, 2017 when she swallowed an overdose of iron tablets and was rushed to SCB Medical College hospital in Cuttack. Her mother made a complaint of forceful detention and she was finally discharged from the hospital on November 27. If there has been no gang rape, there was absolutely

no need for the police and administration to confine her to the hospital under heavy security.

The Chief Minister ordered a probe by a district judge on November 8. The judicial commission was constituted on January 6. The enquiry was under way.

In end December the girl once again went on record saying that she was being bribed by senior police personnel to withdraw her case. That perhaps was her last public statement. Her suicide note is in the hands of the police as media reports suggest.

WSS expresses deep grief at the death of the girl and stands in solidarity with her friends, family and community. It is indeed the cruellest of times and the cruellest of societies where a 16-year old puts an end to the ordeal by using her own scarf to hang herself and end the fiasco of seeking justice. Even as we write this statement we cannot do away with the foremost thought on our minds – who is responsible for this suicide?

WSS demands that the Odisha government follows the investigation to the end and punishes the guilty. We also demand stringent punishment be meted to all those responsible for delaying the investigation process.

WSS demands that the Odisha government withdraws all security forces from the area. Women and girls are never safe in such areas. The deployment of security forces and army by no way implies de facto impunity to rape at will.

WSS appeals to all democratic and progressive forces in Odisha and elsewhere to strengthen the struggle for a society free of sexual violence. Let's work towards a society where those violated do not have to choose the noose in future but are able to live with dignity and with courage. Sexual violence is not only a women's issue. The culpability of a patriarchal culture where sexual violence is the everyday norm involves entire society at large.

Ranjana Padhi, Pramodini Pradhan, Sudha Bhardwaj, Kalyani Menon, Shobha Raghavan, Rinchin and Madhuri Krishnaswamy

For Women against Sexual Violence and State Repression
Women against Sexual Violence and State Repression (WSS) is a non-funded grassroots effort started in November 2009, to put an end to the violence being perpetrated upon our bodies and societies. We are a nationwide network of women from diverse political and social movements comprising of women's organizations, mass organizations, civil liberty organizations, student and youth organizations, mass movements and individuals. We unequivocally condemn state repression and sexual violence on our women and girls by any perpetrator(s).

wssnet.org // againstsexualviolence@gmail.com

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NO 'IMANDARI" TO THE WOMEN OF INDIA

N F I W PRESS RELEASE ON UNION BUDGET UNION BUDGET-2018-19

The National Federation of Indian Women (NFIW) expresses its strong objection and disappointment over the fact that the women, who constitute almost 50% of the population, are criminally ignored in the budget.

While the BJP led NDA, government boasts about its support for justice and empowerment of women it was not translated in the form of budgetary allocation for women particularly women who are in the unorganised sector. The union Budget did not treat women as citizens but as 'weaker' section.

Even with unprecedented increase of violence, including institutional violence, this year's budgetary allocation for the implementation of the so called 'women friendly' legislations is almost nil. There is no proposal either to stop diversion of 'Nirbhaya fund" or any sort of monetary support to the victims of communal-caste violence and to the victims of state violence.

There is no mention of strengthening PDS by increasing the quantity of grain and by including all essential commodities like pulses and dal and edible oil to give relief to the people who are reeling under inflation and price rise.

India is facing a very serious issue of malnutrition. With a malnourished human resource, no country can achieve the desired

development. NFHS 2015-16 shows that 38% children under 5 yrs are stunted and undernourished. The current Budget did not address this issue. The budget announces setting up of 1.5 lakh 'Wellness Centres' but the allocation is only 1,200 crores. It is nothing but a joke.

NDA govt's double standard on job creation is very well seen in the budgetary allocation for MGNREGA. This year's budget allocation to this labour-intensive Act is the same as last year ie, Rs. 55,000-crores. In almost every State majority of the workers are women and it really helps them in their economic empowerment.

It is ironic to note that the salary and allowances of MP's will be indexed to inflation. But an NREGA worker will not be given State minimum wage indexed with inflation.

While explaining the steps taken by Modi Govt. for job creation, there is a mention on maternity leave of 26 weeks. In reality only 3-4% women labourers in the organised sector benefit from it. What about the 96% women labour force?

The NFSA provides for maternity entitlement. Women were able to access it for two deliveries. But on 31st December 2016 while speaking to the people through media on the gains of demonetisation Prime Minister Narendra Modi announced that from 2017 maternity entitlement will be universalised and every pregnant and lactating mother will be given Rs. 6000/-. However, following this announcement, the Central government announced a policy which restricts the maternity benefit only for the first child birth. 2017-18 Budget allocated only 2,700/- crore for this which itself was only about 30% of the actual requirement from the Centre. The present

Budget reduced this already insufficient allocation to Rs. 2,400/- crore. It is nothing but a betrayal.

In the neo-liberal era, the new form of exploitation of women is 'voluntarism". The women who work as Anganwadi workers and helpers, ASHA Workers or MDM Cooks will not be given the status of worker but a 'volunteer' and thereby making the exploitation legal by the government. The Budget is silent on regularising ICDS, ASHA, Mid-Day Meal and other scheme workers with minimum wages, pensions and social security benefits.

NFIW demands that the Finance Minister should take note of these aspects and make adequate allocations particularly to health, education and employment so that a real 'New India' can be created with truly empowered women and children.

Annie Raja
General Secretary

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BOOK-REVIEW

Who Cares? Socio Economic Conditions of Nurses in Mumbai

by Aarti Prasad, Himalayan Publishing House, 2014, Mumbai,

a book-review by Dr. Dhruv Mankad

"Nursing is a practice discipline and a political act" – Canadian Nurses Association[1]

One of the key problems in India's Health care services is an acute shortage of health workers including the nurses. India had 1 nurse per 1,264 of population in 2004 and 1.3 nurses per 1 doctor[2] as against recommended by High Level Expert Group[3], as 1 nurse per 500 population and 3 nurses per doctor. The second and an important problem is human resource for health policy in the public and private sector. Absence of human resource recruitment, retention, training, management and social security policies and practices causes both a physical and mental drain on the workforce which is in already in great shortage. Their inter-state, intra-state and international migration is one of the results.

Nursing as a profession is a highly women dominated workforce[4] without engendered policy in its budgeting, work placement and

[1]https://www.cna-aiic.ca/~/media/cna/page-content/pdf-en/nursing-leadership_position-statement.pdf?la=en

[2]Government of India, Report of the National Commission of Macroeconomics and Health, Ministry of Health and Family Welfare, New Delhi, 2005

[3]uhc-india.org/downloadpdf.php? link=VinodPaul...pdf

[4]Table 3b, p 13, Occupational Gender Segregation in India by *Sonali Chakraborty*, Research Journal of Economics, Vol. 1, No. 2 December 2013 ISSN 2347-8233

practices. Also, 80% of the nurses are employed in urban settings, mainly in the private sector. The book under review, (Who Cares? Socio Economic Conditions of Nurses in Mumbai by Aarti Prasad[1]) focuses on the socio-economic profile and working conditions of the nurses employed in health care facilities including those in public and private sector in Mumbai with a gender perspective.

Aarti Prasad has covered in her study the linkages of health and development: health for increasing productivity which leads to poverty reduction and increase in accessing health care services leads to higher capability of the workforce. She also covers the history and the process of engendering the nursing profession and the trends during the planning phase including the globalization period in India. The book is based on a doctoral study she had conducted in Mumbai and it shares the objectives, the methodology, the literature review, the analysis and conclusions of the study.

Some of the key findings of the study conducted in the municipal and private hospitals as well as nursing homes in 2 wards of Mumbai Municipal Corporation reported are:

1. There is a predominance of nurses in the age group of 17-35 years in the respondents and most are women.
2. Christian nurses from Kerala are predominant in private hospitals and Hindu nurses from Maharashtra in the municipal hospitals.
3. Parents of unmarried nurses in the 17-24year age range were less qualified than the spouses of married nurses.

[1]Aarti Prasad, Associate Professor in SIWS College, Mumbai

4. Most of the nurses employed in nursing homes and several employed in private hospitals are not qualified nurses and therefore not registered in nursing councils. They are not members of the union also.
5. Employment conditions and economic profile of those working in municipal hospital are covered.
6. Poor working conditions and heavy workload was the main cause of attrition. They were:
   a. While most nurses employed in municipal corporation were 'confirmed', many working in private hospital or nursing home were on an 'ad hoc' basis
   b. Remuneration of those in municipal corporation was higher than those in private hospital, with wages as low as Rs 1000 per month in a nursing home.
   c. While increments and provision of allowances like HRA was consistent with municipal corporation hospitals, it was mostly absent for those in private hospitals.
   d. Other facilities and services like food allowances, uniform allowances, medical services, interest free loans were inconsistent.
   e. Provision of leave was available for confirmed staff, but difficult to those not yet confirmed particularly in private hospitals. Light duties were available for pregnant women in both municipal and private hospitals.
   f. Restrooms, crèche and transport facilities were not available in any hospital, no entertainment facility too was available.
   g. Except for large private hospitals there was no induction process in place, however, advanced training and computer training was available there and at times even in municipal corporation's hospital.

h. Grievance redressal system seems to be ineffective particularly in municipal corporation and issue specific in private hospital.

Prasad has rightly recommended that all these identified gaps should be filled in, which includes improvement in budget allocation for nursing education, in regulation of nursing education of nurses employed in private nursing homes, in working conditions both in municipal and hospitals – remuneration, allowances, workload, social security, welfare measures etc. An important recommendation is uniform application of rules and availability of facilities in all municipal hospital in the city and not limited to specific hospitals. Another important recommendation is greater participation of nurses in decision making.

In all, Aarti Prasad has pointed out the key areas which are deficient in basic requirements affecting the health of the nurses themselves who are supposed to take care of the ill and the aged. The surprise that the book gives us that even the municipal corporation hospitals although better in its working conditions are not able to cope up with the crisis of nurses due to overall shortage of nursing staff but also because of heavy workload. This situation is quite contrary to the welfare of its employee being a goal of a tax-based run health care system. Cost cutting, under-costing the value of an important service providing segment by recruiting less than required staff, employing non-qualified staff, long working hours and workload on the existing one is a routine path of profit making private hospitals as the Prasad's study points out.

Such a situation is generating low quality of services (not necessarily due to the nurses' performances as the study records the various complaints against nurses) at low cost to the patients with higher

remuneration to the nurses in a municipal corporation simply due to overburden of the patients. It can be improved simply by increasing nurses and hospitals.

In the private hospital, high quality performances of nurses can be linked to higher remuneration, because in absence of which the growth in the hospital performance and the return in investment is jeopardized. As the study points out that in India, it is expectation of high quality of services from the nursing staff at high cost to the patients with a low remuneration to nurses. In a market economy, it is clearly seen that cutting cost of quality of service in fact reduces the return particularly in health care. A white paper by Washington State Nurses Association states, "Over the past three decades, much of the focus on nursing's economic value has centered on issues of adequate staffing, particularly in hospitals. These issues came into focus in 1983, following the implementation of the Medicare inpatient Prospective Payment System (IPPS). Many hospitals initially responded by reducing their RN staffing. This situation reversed itself in fairly short order, however, as hospitals found that shorter hospital stays—the key to financial health under IPPS—required a greater intensity of RN services. "[1]

It recommends that "Nursing Organizations should

- Continue efforts to identify and define the economic value of nursing. They should disseminate relevant research findings and conduct initiatives to educate nurses about nursing's economic value. However, these initiatives should present the

[1] Mapping the Economic Value of Nursing by David M. Keepnews, Ph.D., JD, RN, NEA-BC, FAAN, Approved by WSNA Executive Committee June 6, 2011 Updated April, 2013

economic value of nursing within the broader context of nursing's social and economic value.

- Target their messages on nursing's economic value based on distinctions in the economic, business, scientific and political cases for nursing care quality."

Considering these recommendations and those by Prasad, one clearly sees that there is contradiction in the previous welfare (both of nature of nursing and of remuneration) in mindset and in market economics on reality. In the era of globalization and liberalization of economy, the advocacy strategy has to be realigned at three levels:

1. Advocacy at the government level:
    a. For the nurses employed in municipal hospital – improved implementation of the rights and welfare of the nurses as employees
    b. For the nurses employed in private hospitals – legal provisions for occupational safety, regulation of their training along with punitive action on hospitals not complying with implementation of their rights
2. Advocacy at the private hospitals: Regulation and monitoring of their quality of services with short stay as an indicator and quality of services to the nurses as a way of increasing their "economic value."
3. Advocacy at the level nurses themselves: Organize, Educate and Agitate – whether 'confirmed' or ad-hoc, high qualification or untrained, in municipal corporation or in private hospitals/nursing home for their rights as health workers and as women.

In a nutshell, Aarti Prasad has done a comprehensive study of the working conditions of nurses presented as a book in a gender-based economics perspective from a social viewpoint. It can generate further thinking from a political and economic viewpoint considering the political economic value of nursing in health care.

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Women's Rights are Human Rights, 2014
Geneva: United Nations

book-review by Dr. Aardra Surendran

In 2014, the office of the UN Human Rights High Commissioner released a compendium of human rights provisions for women ratified under various international conventions and covenants with the intention of providing an overview of the state of affairs on formal and legal commitments to the issue. The book, titled Women 's right are Human Rights, traces the historical trajectory of significant provisions in women's human rights, charts out the role of the United Nations in influencing many international agreements on these matters, and provides an assessment of the current status and outlines the magnitude of the work to be done in the future.

This brief compendium begins by pointing out the relevance of the collection in contemporary times and introduces a central conceptual thread that runs through the volume, namely, the inextricable links between the elimination of all forms of discrimination against women and the idea of human rights. In pointing out that the achievement of human rights for all citizens involves a comprehensive assessment of

state systems, political traditions as well as socio-economic conditions, the volume pays heed to feminist scholarship that argues that the realisation of rights, particularly for women, necessarily involves the task of critically reviewing extant structures of domination and distribution. In following this central thread, the first and second chapters provide an outline of international and regional human rights instruments as well as important global commitments that are relevant to the matter. There is also a brief section on the United Nations bodies whose work is related to the areas of intervention outlined in the first two chapters. The core of the book, and its significant contribution, is laid out in chapters four and five, which entail a discussion of key theoretical concepts that have animated the discussion on gender and rights and evaluate the implications of the human rights framework in practice in this light. The fifth chapter thus chooses to evaluate progress and chart out the path ahead on seven aspects of women's rights, namely women's participation in public life, health and reproductive rights, right to an adequate standard of living, protection from violence, migration and displacement, conflict and crises and issues of access to justice. Each aspect is examined in the context of both existent provisions, status of implementation/ratification by member nations, as well as the magnitude of work that needs to be done in achieving the targets identified by the UN. This chapter is also the longest and considers in some detail the various layers of rights provisions as complicated by specific regional and political contexts and provides case studies to illustrate the same.

That the significance of this volume lies in its effort to invoke the insights (however preliminary) garnered from feminist scholarship in a contemporary discussion of not only the implementation of the rights

framework, but an evaluation of the framework itself in the light of gender relations, merits reiteration. Such an undertaking, by its very nature has the potential to produce valuable insights. The key details of how the volume achieves this task are summarised below.

The volume begins the task of familiarising the reader with basic international and regional instruments through an introduction to the history of post war conventions and covenants on human rights and the adoption of the Universal Declaration of Human Rights by the United Nations. Three covenants are considered in some detail here – the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW). The change in approach on the role of the State with respect to prevention of human rights violations in the private domain is signaled here. In addition, the chapter introduces several regional instruments like the African (Banjul) Charter on Human and Peoples' Rights (1981), Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women (Belém do Pará Convention) (1984), and the European Convention on Human Rights and Fundamental Freedoms (1998.

Chapters two and three provide an overview of important world conferences on women, their policy outcomes as well as UN bodies that are significant to the achievement of the task of gender equality. Chapter two outlines the historical context and contributions of the four world conferences on women (Mexico City 1975, Copenhagen 1980, Nairobi 1985 and Beijing 1995). The context of the adoption of the slogan women's rights are human rights at the world conference on

Human Rights held in Vienna in 1993 is also outlined and the significance of the declaration underscored:

> *The human rights of women and of the girl-child are an inalienable, integral and indivisible part of universal human rights" (para. 18) and placed particularly heavy emphasis on eliminating all forms of gender-based violence. Importantly, the Programme of Action also called for "the eradication of any conflicts which may arise between the rights of women and the harmful effects of certain traditional or customary practices, cultural prejudices and religious extremism* (para. 38). (p.13)

The third chapter introduces the work of three UN bodies, the Human Rights Council, the Security Council and the Commission on the Status of Women, in providing an overview of the organisational framework within which the UN intervenes in issues of women's rights. The integration of feminist scholarship into the discussion of human rights commences in chapter four, which introduces some of the key concepts that are relevant in understanding the uneven history of the implementation of human rights provisions for women. It is important to note here that this chapter does this in the light of the earlier acknowledgement of the need to see women's rights as an extension of human rights. The concepts introduced in the discussion at this stage take the above-mentioned extension a step further by arguing that any gender-blind consideration of human rights or its treatment as a realm of exception, will necessarily fail to understand the structural and routinised nature of most violations against women:

> *Effectively ensuring women's human rights requires a comprehensive understanding of the underlying societal structures and power relations that define and influence women's ability to*

> *enjoy their human rights. These power structures have an impact on all aspects of life, from law and politics, to economic and social policy, family and community life*. (p. 25)

Thus, the discussion in this chapter addresses and empirically demonstrates patterns of normalisation through six key concepts, namely the public-private divide, universality of human rights, equality between men and women, equity, gender and intersectionality.

The significant submission in the discussion on the public private divide is the transition in the understanding of the role of the state in intervening on issues of human rights violations. The negative and positive obligations of states – in terms of both refraining from human rights violations like killing, torture and arbitrary detention as well as protecting rights holders from violations inflicted upon them by private entities in private spaces are highlighted, leading the way to a wide-ranging discussion on matters as diverse as customs, practices, cultural practices or societal norms that infringe upon the individual rights of women. This aspect is further highlighted in the section on universality which discusses the crucial relationship between culture and gendered human rights violations. Practices like son preference, witch hunting, female genital mutilation and others that receive cultural sanction have been highlighted as deserving urgent attention from the principle of universality. The section also cautions against cultural relativist positions that tend to valorise traditional norms by pointing out that cultures are subject to change. The challenge then is to find a common ground between the preservation of cultural rights of communities while ensuring that individual women do not have to compromise on their basic human rights. The section on equality

identifies the crucial distinction between formal/de jure equality and substantive/de facto equality, and the necessary task of ensuring progress on both counts for women. It crucially identifies existent biases in legal frameworks across countries that hinder substantive equality by instituting 'gender neutral' policy and makes a strong case for context and history specific interventions to address structural imbalances against women. The difference between direct and indirect discrimination is also explored in legal and policy contexts. The discussion on equity takes these arguments forward by pointing out the crucial role of justice in understanding equality, while understanding the role of fairness in understanding equity. Thus, while the equality principle may require identical treatment of men and women, the equity principle demands that we take historical and structural disadvantages into account while drawing up provisions for the protection of human rights. Thus, the onus is on the state to actively draw up policy and law that positively discriminates in favour of women, while also being mindful of their differential location along the lines of class, caste, race, ethnicity etc. The importance of understanding the socially located nature of conceptions of gender is highlighted in the section that points out that men and women experience discrimination and oppression differently:

> *It highlights and explores hierarchical and unequal relations and roles between and among males and females, the unequal value given to women's work, and women's unequal access to power and decision-making as well as property and resources*. (p. 36)

The section refers to the idea of gender mainstreaming as the process of identifying the differential needs of men and women in terms of human rights and the ability of policy to address these concerns in an

effective manner. Considerations of gender identity and sexual orientation also become significant in this paradigm as crucial determinants of access to rights and dignity. The section on intersectionality highlights the need on the part of states to identify multiple forms of discrimination and their compound effect on women.

All sections refer to relevant provisions and articles in the CEDAW declaration, International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Vienna Declaration and Programme of Action, the Universal Declaration on Cultural Diversity and Human Rights Council resolutions.

The fifth chapter of the book applies the concepts introduced in the previous section in empirical contexts under seven specific heads - public and political life, sexual and reproductive health and rights, the right to an adequate standard of living, violence against women, migration, conflict and crisis, and access to justice. The volume identifies education and family context as universally relevant variables in evaluating any empirical situation. In continuation with the emphasis on substantive/de facto equality, the chapter elaborates on the onus on states to ensure the elimination of conditions which may prevent access to education and protect women from familial structures that perpetuate human rights violations.

Equality in political participation remains a distant dream, even with several states legally providing women the right to vote. Based on data available with the Inter Parliamentary Union (IPU), it is pointed out that the proportional representation of women in legislative bodies continues to be skewed against them, with the highest rate in the

Americas and Europe still being under 25 per cent. In addition to discussing provisions for quotas and other forms of protective discrimination, the discussion also extends to a broader understanding of public participation including activity in local organisations, trade unions, civil society organisations and other forms of local collectivities. In this connection, issues like the crucial role of women as decision makers in peace building processes and as human rights defenders along with their ability to claim nationality and citizenship rights are discussed.

These take many forms, such as denying access to services that only women require, providing poor-quality services, subjecting access to third-party authorization or performing procedures without the woman's consent, including forced sterilization, forced virginity examinations and forced abortion. Women's sexual and reproductive health rights are also at risk when they are subjected to female genital mutilation and early marriage. (p. 51).

Key components of these rights, including women's access to information regarding sexual and reproductive rights, access to services and medicines, the issue of consent and the right to a safe and healthy pregnancy are dissected in the light of empirical instances of violations from different regional contexts. The key role of cultural norms and conventions in abetting a number of these violations is also highlighted. The question of rights to decent life and livelihood are discussed under the heads of rights to land and property, access to food, water and sanitation and right to decent work and social security. Under each head, the discussion centres on provision within international covenants as well as the challenge of realising these provisions within the constraints of customary practices. Thus,

understanding of traditional roles of women have a wide-ranging impact on their access to land titles, which in turn affect their ability to generate incomes, access credit, or even utilise publicly provided services or government schemes. The discussion on violence against women highlights violence in the context of family, community as well as the state. Gender specific dimensions of disappearances, torture, human trafficking etc are discussed along with empirical examples, while crucially highlighting that states themselves are not immune from gendered practices of violence against women. Intersecting inequalities are invoked throughout the discussion on migration and its impact on women. The differential impact of trafficking, migration for domestic work and all contemporary forms of servitude are heavier on women, as several case studies in the volume indicate. The condition of women refugees and internally displaced women leads to the evaluation of the questions of women's rights in situations of conflict and their access to justice. The section sharply points out the exacerbation of existing patterns of violence during a conflict situation, leading to the conclusion that the provision of human rights is not a matter of acting under exceptional circumstances, but one of consistent vision and vigilance:

Conflict exacerbates pre-existing patterns of discrimination based on sex and puts women and girls at heightened risk of sexual, physical and psychological violence. The underlying causes of violence both in peace and in conflict are the same: historically unequal power relations between men and women, systemic or structural causes such as gender-based discrimination and a patriarchal value system. (p. 93).

The relationship between this discussion and the issue of access to justice is made apparent in the context of cases of human rights

violations on conflict zones across the globe, where most women are denied justice owing to their unstable or unrecognised legal status. Problems within formal mechanisms of justice, including under representation of women from all social locations in judicial bodies as well as conceding informal forms of reconciliation and pitfalls within are highlighted here.

Chapters four and five thus form the core contribution of the book in two central ways – first, they outline the significance of theory in considering and reconsidering notions of rights and equality. Second, they display the application of concepts in evaluating the performance of states and points out significant lacunae within policy and legal conceptions of equality.

A significant thread that runs through the volume is the urgent need to evaluate cultural, community and traditional norms from the point of view of women's rights. The volume takes a distinctive position in favour of women's rights while acknowledging the right of communities to cultural autonomy by arguing that cultures are not static entities and can be changed for the better. The emergence of women from several communities across the world as change agents for reforms within community norms is a positive and progressive development in this regard. The volume would have benefited from an empirical illustration of the same.

Education is identified as an important determinant of outcomes in terms of rights as well as development in the volume. It further provides two major insights which are of relevance to educators - first, that the add and stir or gender-neutral approach to women's rights is ineffective in addressing the structural nature of deprivation and

violation of human rights that women face. This is a crucial consideration in the design of policy at all levels of education administration. Second, the acknowledgement of cultural patterns that perpetuates restrictive notions of gender roles and restrictive possibilities of education need to be corrected at the level of institutions by encouraging diversity across streams. Third, issues of access to education at all levels need to be addressed using the principle of substantive equality and the implementation of protective discrimination policies at all levels. Finally, the volume reveals that concerns of violence and abuse are not far removed from women of any strata and has a significant impact on most kinds of attainment in women and demands urgent attention from educationists and university administrators.

The volume presents a useful catalogue of the trajectory of interventions made by the UN and its agencies in bringing the debate on women's rights into the international platform. However, the nature of the organisation and its constituent agencies is such that larger questions of political economy are left unaddressed, even while concerns of conflict, war and international relations find frequent mention. While there is a historical trajectory of the interventions made by the UN, the larger political context within which considerations of trade, aid and development operate, and the role this has to play in influencing policy making is left out of the discussion. Feminist scholarship on visions of development in the post war years has elaborated upon this relationship in great detail, and theorists like Martha Nussbaum have elucidated the limits this places on the very conceptions of freedom and development. Thus, while the significance of considering structural features is central to the project

of securing women's rights, the examination of structure cannot be complsete in the absence of large historical shifts.

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