

Urdhva Mula



उर्ध्व मूलः

(Roots Upwards)



An inter-disciplinary journal focusing on women and related issues

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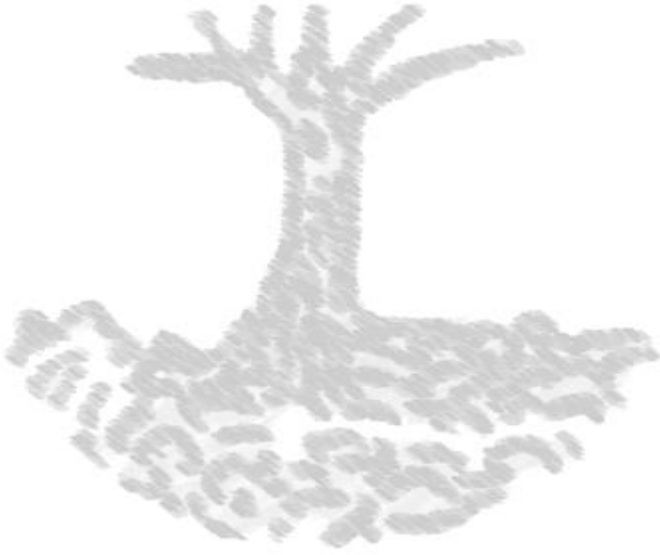
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# *Urdhva Mula*

(Roots Upwards)

An Interdisciplinary Women's Studies Journal



The motto “*UrdhvaMula*” 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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## **EDITORIAL**

The whole world is shaken by the brutal gang rape of a 26-year-old veterinary doctor in Hyderabad on November 28, 2019 by 4 young men in their twenties. Public outcry all over the country resulted in the Hyderabad police killing the 4 rapists in an encounter killing on 6-12-2019. This has raised major concern about how we raise our boys, symbolic protests and erosion of due process of criminal justice system. Popular support to the police action of ‘instant justice’ shows helplessness, restlessness and frustration of common people in response to increasing sexual harassment, stalking and brutal sexual violence of women in the streets and public places.

In a neoliberal world marked by cut-throat competition, individuation and private greed, patriarchal control over women’s sexuality, fertility and labour have been intensified in an unprecedented manner. This is wiping out the legacy of collective endeavour and collective wisdom of women’s studies. In this difficult time of women’s studies as an academic discipline, veteran scholar Maithreyi Krishnaraj’s article serves as a conscience keeper and reminds us of discipline-wise construction of knowledge done by the pioneer women’s studies scholars. She shows the way the Indian philosophical tradition assigns subordinate status of women.

Dr. Sarla Santwani’s well researched article provides an analysis of Transgression versus Transcendence in the Indian Epics such as *Rāmāyaṇa* and *Mahābhārata* with regards to women’s sexuality. She critically reflects on double standard of sexual morality for men and women by deconstructing several plots and subplots of these two epics.

Priyanka Dwivedi’s article is based on ethnographic research and semi structured interviews of women in Information Technology service businesses in Bangalore focuses on gender-based discrimination of women working in the IT sector and remedies to create an ecosystem for their empowerment.

Linda Lane, in her article reflects on the promise of #MeToo movement for reporting and preventing sexual harassment (SH). The article engages with definitions of sexual harassment and theories of whistleblowing dialogue with

illustrative #MeToo narratives to discuss why reports of SH take long time to surface and why they may remain unreported and unaddressed.

Contribution of socio-cultural factors in crime against women in India is examined by Jasmine Damle with special focus on Nirbhaya gang rape in Delhi (2012), Shakti Mills gang rape in Mumbai (2013), Kopardi gang rape Case in Maharashtra (2013 Gang rape of a Dalit girl in Khairlanji, Maharashtra.

Tauseef Fatima and Shafey Anwarul Haque’s article is based on paid and unpaid work of women and brings out nuances of identities and negotiations between women Householders and domestic workers in select areas of Aligarh.

Workplace discrimination against women in the formal sector in the Metropolitan India is profiled in the article by Sampriya Biswas that suggests that the women need to be given way more meaningful work which is rich not only in intrinsic rewards that is self-satisfaction but also in extrinsic rewards such as promotions from the company, higher pay, opportunities for enhancement of skills.

The review of Vibhuti Patel and Radhika Khajuria’s book, *Political Feminism in India An Analysis of Actors, Debates and Strategies* by Dr. Shital Tamakuwala captures current discourses marked by intersectionality in the women’s movement in India.

Damyanti Sridharan has reviewed an edited book by Pamela Philipose and Aditi Bishnoi on Women’s Employment: Work in Progress that provides a kaleidoscopic view of women’s work in different sectors of the rural, urban and tribal economy in India.

This issue has also included statements by AIDWA and FAOW on SC judges in matter of Complaint of sexual harassment against CJI.

We invite authors to send their original research-based articles, book reviews, statements, poems, obituaries of women studies scholars and women activists for publication in this peer reviewed and globally circulated journal.

Vibhuti Patel



## ARTICLES

### **Women Studies in Academic Disciplines: Disciplining the Disciplines**

- Maithreyi Krishnaraj

Let us relook at different disciplines in specific ways to note how women's Studies (WS) intervened in interrogating established disciplines and in modifying them.

Disciplines are domains of inquiry that share objects of study, problems for investigation, values, terms, concepts, methods and assumptions, governed by a general set of rules and categories guiding the pursuit of knowledge. Many feminist scholars are trained in one or the other of academic disciplines and work within their disciplines. Within its own limits, each discipline, recognizes true or false propositions. What feminist scholars have done is to push back the acknowledged territory of a discipline beyond its conventional borders. This has resulted in a process of destabilising the informal boundaries between disciplines. Anthropology, cultural anthropology, sociology, economics, politics and social psychology have been drawn upon in varying ways. The form this has taken is to open up new and substantive topics (for example, the issue of dowry in economic analysis) where they were hitherto considered outside the discipline. Real inter-disciplinarily implies not simply the use of more than one discipline to solve a problem or analyse an issue but also the integration of disciplines to create a *new epistemology*, to rebuild the prevailing structure of knowledge by creating new organising concepts, methodologies, skills and a reciprocal assimilation of disciplines. We have made forays but not arrived at a well-defined and integrated realm. WS began by critiquing why established disciplines had fault lines with regard to portrayal of women. The following are some of these inconsistencies:

- Taking what applies to males as equally applicable to females
- Make 'Man' stand for human disregarding 'woman'
- Recording the experiences of men only
- Regarding the experiences of men as more important
- If including women, to do so from the point of view of men
- Women not having had a chance to build theories



In other words, omission, bias, distortion in the representation of social reality characterised existing disciplines. (Allen and Kitch, 1998; Armstrong ed. (1992)

In a single essay one can neither deal with all disciplines nor examine each in detail. I propose therefore, to point out the major departures that have given us a better understanding of society. We take up social sciences like anthropology, sociology, economics, politics and psychology and among the humanities philosophy, history and literature briefly. We include some new feminist investigation of science. Finally, we take note of some important methodological departures that spring from epistemological dissent.

### **Anthropology**

Anthropology has had a significant influence on women studies because its cross-cultural studies yield material for verifying whether general propositions of universal women's oppression are true; if some societies are better at according status to women, to identify factors that contribute to 'better' status. Sanday (1981), Leacock, (1981, 1983), Ardner (1986), Reiter (1982), Dube (1986. 1988. 1993, 2001)

These pioneers have enriched our knowledge of gender in different cultures and have given us not merely a perspective but some conceptual categories Dube showed how the symbolism of seed as male contribution and earth as woman's contribution in reproduction gave primacy to male role in reproduction. Sanday argued how what determines status is the public role of women. Leacock dismissed the idea of male dominance by citing the important role women who as food gatherers played a significant role. Ardner Historically, women were the property of men (Hierschon, 1984). Various factors that have been identified are: systems of marriage (monogamy, polygamy, polyandry) and inheritance (male or female line); economic participation of women, distinction between private and public, and symbolic articulation of the relative importance of male-female contribution to reproduction. Sanday (1981) seeks to answer why there is a power difference between men and women. Why is it that in some societies women seem to play a more prominent role than in others? She notes that some clothe sacred symbols of creative power in the guise of female while others do so as male. Where the forces of nature are sacralised, according to her, there is a reciprocal flow between the power of nature and the power of women. The control and manipulation of these forces are left to women. The mother goddess symbolism of early societies can be explained in this association of the sacred with feminine power. Environment, the type of human subsistence activities

and sex difference provide the clue to shaping peoples' conception of creative power and their orientation to nature. Sexual division of labour is formed by peoples' adaptation to their environment in pursuing the necessities of life. This in turn leads to a cultural configuration giving rise to masculine or feminine creators, an inner or outer orientation. Where there is inner orientation (subsistence production) there is female control of goods, group decision making. In outer societies (extended production) female secular power is dependent on practical circumstances giving women access to scarce resources or giving them a role in ritual. Male and female power rules are cast when people create their sense of 'people-hood' which implies a shared sexual code of behaviour, not only in relation to each other but also in relation to valued scarce resources. Sanday argues that there is a link between religious thought and degree of female power. Others have expounded the symbolic representation of reproduction as enforcing relative male-female power. For example, Dube (1986) shows how the notion of the human male as the seed giver and woman as the soil, buttresses the male as the 'active' fundamental principle and woman as mere receptacle and passive element in Indian thought.

Patriliney carries the idea further. Caste purity is strict on female chastity but loose on male morality. Gender is sustained by caste, Chakravarty (2003) argues, because marriages take place within castes in India. When an upper caste man marries a woman from a lower caste, she gets incorporated in the upper caste but the reverse does not hold. Kinship studies of anthropology by Palriwala, (1993) Ganesh (1994), Risseuw and Ganesh (1998), and Uberoi (1993), have given us valuable insights on how gender works within kinship in India by examining on the ground, social practices regarding sharing of woman's labour between natal home and conjugal home, reciprocity in gift giving and women's status and membership in the two settings-natal and conjugal. All these determine the degree of woman's power and autonomy. Work on Kerala by Saradmoni (1992) demonstrates the process by which matriliney disintegrated. Under the influence of colonialism and the rise of new professions, gender relations underwent change. She captures this by drawing on several sources and combining different methods. The anthropological categories are now integrated in any economic analysis of the 'domestic' economy or household. Economic analysis is willing to incorporate the findings of anthropology and admit the play of 'ideology' and culture in sexual division of labour or distribution of social product but still not *centrally* in the theory but more as externalities. Chowdry (1995) shows how questions of inheritance of widows were contested in colonial India.

Habermas (1941) depicted how structural transformation of the public sphere took place under capitalism. The bourgeois public sphere was transformed by industrialization, the rise of mass consumerism and reintegrating and entwining of state and society. That resulted in modern welfare society. This shift according to Habermas was brought out by larger dialectic in which political changes designed to save the constitutional liberal order had the contrary effect of destroying the bourgeois public sphere. Mass communication, commercialisation, consumer culture and public relations thwarted rational, critical public debate because even political parties undermined parliamentary politics. Feminists critiqued his notion of public sphere which included only people with property and education and that it was an exclusive public sphere. Bordieu (1979) was a French sociologist and anthropologist who was concerned with the dynamics of power in society. He defined his concept of “Habitus” as a system of dispositions, and acquired schemes of perception, thought and action. This refers to learned, fundamental, deeply founded, unconscious beliefs, values taken as self-evident universals that inform an agent’s thought and action. What you believe in, creates the field. The categories of understanding and perception that constitute the ‘habitus’ is congruent with the objective organization of the field. The social world is perceived as natural, taken for granted and commonsensical. Habitus contributes to social reproduction because it is central to generating and regulating practices that make up social life. Individuals learn to want what conditions make possible for them and not to aspire to what is not available to them. By participating in the field, agents incorporate the field. Habitus manifests the structure of the field, mediates between habitus and practices.

“The Fish do not speak of water’ sums up the concept (Bordieu, 1990). This theory explains why women who live in families reproduce the values of families. Women want to have a son because that gives them the status in the family and they collude in eliminating unwanted female babies. It is only when they gain through their education, own earnings some of them can step out and live on their own, marry whom they choose. But this capacity is not available to the majority of women who abide by the customs of the society they live in. Thus, social structure is reproduced by agents who accept the structure as what they know, what they take as given.

Giddens is another well-known sociologist who elaborated on how individuals shape social reality. Though people are not free to choose their own actions and their knowledge is limited, they are nonetheless the agency which reproduces

the social structure. The connection between structure and action is a fundamental element of social theory. People make society, but at the same time, are constrained by it. Action and structures cannot be analysed separately as structures are created, maintained and changed through actions; while actions are given meaningful form only against the background of the structure. (Giddens, 2003). Structure can act as a constraint on action but it also enables action by providing common frames of meaning.

“A person’s identity is not found in behaviour nor important though this is – in the reaction of others, but in the capacity to keep a particular narrative going. The individual’s biography, if she is to maintain regular interaction with others in the day to day world cannot be wholly fictive. It must continually integrate events which occur in the external world and sort them into the ongoing story about the self” (p22) (Giddens, 1991)

Social structures are both constituted by human agency and yet at the same time are the very medium of this constitution. Most western theorists devote their analysis to advanced capitalist societies and had little to say of societies that were in transition and retained considerable 'pre capitalistic' features. Feminist anthropology's contribution was to bring to light what were salient in societies other than the West.

To sum up, anthropology has had a notable influence on WS because it offered a cross cultural as well as a historical perspective. Among the various factors that either strengthened or diluted patriarchy, the following were seen as important: i) systems of marriage - monogamy, polygamy, polyandry ii) inheritance patterns-whether through male or female line iii) lineage- i.e. naming though male or female line iv) economic participation of women v) distinction between public and private vi) symbolic representation of women – for example the ‘Mother Goddess’ as the expression of generative capacity of the female. In ancient times according to Bacohofen (1981) and Briffault (1927) there was sacralisation of female generative power. In agricultural societies this symbolization had a particular resonance. Unfortunately, continued worship of mother goddess in contemporary India does not any more signify real female power for real living women. A puzzle that is hard to explain. Perhaps, unlike the Madonna, the Mother goddess in India is not with a child. She is a *metaphysical icon*, signifying the protective, nurturing aspect of female principle. Ganesh (2010), Krishnaraj (2010). In the real world, female power is contingent on her access to scarce resources.

However, much females in the family might hold some power, based on age and kinship, this too can be overturned if the economic resources of a daughter in law for example are superior to the mother in law; or her earning through outside work gives her more clout. In many homes today where women are earning through well paid jobs and are highly educated, the mother in law becomes a baby sitter for her daughter in law in urban middle-class homes. With son or daughter employed in foreign countries this is often the tragic transformation of a reverse kinship tie. Kinship as a determinant of relative power is subject to historical economic circumstances. Yet by and large, it is a class phenomenon. In rural working classes, such disparity does not exist. In fact, among the lower classis's bride price must be paid by the groom to marry a woman. In North East India, in some communities matriliney still prevails in some form. However, a recent study Kelkar & Krishnaraj (2013), noted how even these societies are undergoing changes; with the onset of modernization, male migration to low lands for paid jobs takes place due to a general decline of cultivation and insufficient produce from land. In other parts of India, historically women were not mere chattels as the history of Coorg reveals (Poonacha, 2010). In Coorg, the bride's clan could negotiate with the groom's clan to extract an undertaking, of fair treatment of the bride, and if failing in fulfilling the contract, she would return to her natal home. In tribal societies too, there are no strict controls over a woman's sexuality. Nonetheless, even in tribal societies women did not have power over political decisions and tribal councils were usually male dominated.

### **Sociology**

Sociology has undergone a transformation too in the areas of study and in interpretation of existing social phenomena through challenges posed by women studies. Some of its basic theoretical formulations particularly in family studies, stand discredited. The 'family' stood for the nuclear family of advanced capitalist societies. Father-Mother-Children is the proto-type used even in India which has many different forms of family. Sociologists in India were of course aware of other forms but were obsessed with joint family/nuclear family types and were concerned with how one identifies one or the other when families undergo changes over a life cycle. (Desai1998). Secondly, to women studies we owe the criticality of the distinction between household which refers to residence and family which is a matter of membership which is culturally sanctioned with obligations and rights, whether the members stayed together or not. This has advanced considerably our analysis of gender relations. (Krishnaraj, 1989). It is through their commitment to the concept of the family

that people are recruited to the household and enter into material relations of production and consumption; they marry, beget children, work to support dependents, accumulate, transmit and inherit cultural and material resources. Decisions of members of a household or family are not individual. They also affect the collectivity of the unit but the experiences of women are different because of their differential location within it. Barrette, Michele and Mary Mc Intosh (1995) proposed that the family as it stood was anti-social in so far as its loyalties were confined to the nuclear family. This proposition does not apply to India where extended family loyalties still are strong, especially in rural areas. Even in urban areas, elder adults live with their married sons. More recently it has become acceptable for widows or widowers to live with a daughter, son in law and her children. Patel (2016) has given an excellent exposition of feminist challenges to sociology which is worth repeating here, even though part of it is covered in my own analysis above. According to Patel, feminist studies posed theoretical and methodological challenges at four levels:

- i) “Feminist theories have argued that institutional and non-institutional forms of power flow through all forms of economic, social and cultural relationships
- ii) Given that in India these inequities were organised during the colonial period, they assert that an interdisciplinary approach is imperative for the study of the ‘social’
- iii) These positions outlined a theory of intersection that explored the way economic and cultural inequalities were organically created and
- iv) They suggest a need to complicate the notions of agency and experience, given that actors/agents can and do represent both dominant and subaltern positions in their life cycles.” (p30)

According to Carol Upadhyay (2007) the 1960 to 1970 were years of engaging in a critique of social sciences harbouring male centric knowledge. Feminist politics had led to a search for a grand theory of patriarchy and gender equality. One of the main themes was to show how gender was linked to social factors but the distinction between biology and culture actually got blurred in work on embedded sexualities. In so far as gender became a primary category in sociology and anthropology, there was sweeping critique of androcentricity in mainstream disciplines. The political approach of feminist methodology stood at variance with academic discipline that claimed value neutrality. Whatever the feminist contribution, it nowhere disturbs the central core of major theories of Giddens, Habermas and Bourdieu. Let me briefly recollect the main theories

of these famous anthropologists/sociologists. The British Sociologist (Baron) Anthony Giddens who wrote 34 books but he is most well-known for his theory of ‘structuration’ (1971). This theory of his has been summarised in earlier pages of this text and accords well with feminist perspective. Women’s position within the family and society, we realize are the structures within which they have to function and yet by their confirmation of this background by acting within its boundaries, they perpetuate the very condition they are trapped in. Else why is it that the mother in law oppresses the daughter in law even though she was once the daughter in law? In Hindi it is said “*Saas bhi ek din Bahuthee*”. The mother in law status gives her the power in the structure of the family. Woman’s sense of her identity agrees with this theory. A woman is a part of a family, and part of community and derives meaning only through this link.<sup>1</sup>

Habermas’s famous book “The structural transformation of the public sphere’ (1947) though analyses capitalism in western societies, the changes as we know about state and society in our own times in India are relevant. In India before the launch of adult suffrage we also had these conditions for membership in elected bodies. Today we talk of Civil Society’ as the public sphere-disconnected from the state. It is the aggregate of non-governmental organisations and institutions that manifest interests and will of the citizens. Civil society emerges with the resurrection of the public sphere when individuals and groups can challenge boundaries of possible behaviour and or speaking against the regime or demanding government response to social needs. Feminists today are part of civil society demanding response from the government to their needs or even more critically voicing their protest against actions of not only governmental organizations but protesting against other groups in society who are misogynist. The challenge has been to what extent women form part of civil society as active agents. This requires that they be included in institutions beyond the private units like the family and community. Where their own interests and rights are submerged in the community to which they belong exercising its authority, they have to appeal to the state for arbitration. Thus, simplistic notions of civil society have to yield place to a broad-based understanding of democratic rights. Unfortunately, religious groups with hold freedom to challenge their anti-women policies.

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<sup>1</sup> Giddens explores this further in his “Modernity and Self Identity in late Modern Age. Polity Press 1991

Pierre Bourdieu (1990) had propounded a very interesting thesis ‘habitus’ which explains a great deal of how the learned, fundamental, deeply founded unconscious beliefs and values, taken as self-evident universals that inform an agent’s actions and thoughts within a particular field. The social field is assumed to be natural. Habitus contributes to social reproduction because it generates and regulates practices that make up social life. Individuals learn to want what conditions make possible for them and not aspire to what is not available to them. The conditions in which the individual lives generate dispositions compatible with these conditions- including taste in literature, art, music etc- and in a sense are pre adapted in their demands. This inclines agents to make a virtue of necessity. The relationship between the dispositions (of the agent) and the field (the social background) is two way. The field exists in so far as social agents possess the dispositions and assets of perceptual schemata that constitute the field and imbibe it with meaning. By participating in the field, agents incorporate into their habits the proper know how that will allow them to constitute the field. Translated into non-technical language it implies, women take the social characteristics of family and its constitution as the given and adjust to it. They are born in a family, grow up in a family; learn its ways, adjust to its demands. In other words, the background like the family influences their ways of acting. The famous quote “fish do not speak about water” sum up what Bourdieu says. However, when changes take place and joint family living become fewer common women also readjust. How is the family conceptualized? In western countries, men and women once they marry live separately from parents. Here it is the parents of the son who live with him, his wife and grandchildren, despite this norm, in urban families quite often parents or usually the widowed mother, lives with her daughter and son in law. The field of Bourdieu here is itself changing. Even when members of an extended family live away, they are important constituents of the family and are invited for many occasions. The field in this case expands and contracts influencing allegiance.

In India too, sociology of gender is placed at the bottom of the hierarchy even though questions posed by women studies concern sociology and anthropology. Although patriarchy is most evident in kinship and family structure, the transformation of the discipline that occurred in the west was not replicated in India. The unresolved issues are: artificiality of sex-gender distinction; the need for a complex, multivariate concept of gender, the tension between universalism and particularism; the need to incorporate gender and feminist concepts into mainstream sociology and, finally, the need for thematic binding historical,



political and cultural perspectives. Feminist's fundamental critique was the artificiality of discipline boundaries. Knowledge was not a product. Methodologies underwent a change when non dominant groups influenced research. Upadhyaya (op. cit.) doubts whether women study itself developed a critical perspective. Perhaps, because this was voiced in the 1960-1970, it failed to capture subsequent developments in women studies. Modernisation in Europe ushered epistemological and methodological questions about sociological practices. In India, feminist studies in the guise of women's studies presented a theory of modernity which displaced existing views about tradition by arguing that tradition can often be invented. The women's question as understood was contested.

Women's location within the household extends to their placement in the society. Their subordination is reflected in inferior access to many social resources. Likewise, a woman's placement in the wider society shapes their fate within households and families -whether she lives in urban or rural settings and which caste, or community she belongs to. Within India there are now more studies that explore the inter connection between caste and gender. (Tharu, Chakravarty, op. cit.) demonstrate how gender constructs caste and how caste constructs gender in a two-way process. In the West, class and ethnicity are now domains of explorations for gender. Black women in the Anglo-American World have spelt out their version of gender experience within a racist context. This perspective reversed the popular notion that the 'family' was a haven, was harmonious and whatever rights and obligations existed within its members, were equal or equitable. Women studies drew accurate pictures of family life showing its contradictory faces-repressive and gender iniquitous and yet a support system. The support provided was premised on the condition of accepting the inequality. The troubling question of why women put up with so much oppression is partly answered by the realisation that not to do so, invites such heavy penalties that women hesitate to rebel. Only a broader social movement can challenge the system. Domestic violence which was never acknowledged was made a public issue. Wife beating sanctioned by custom was challenged. The myth of sex roles being 'complimentary' and equal was exploded and the hierarchical nature of sex roles and sexual division of labour was documented from many parts of the world. Sociological revelations of how gender socialisation takes place have led to attempts at educational reform and creation of alternate models. Feminists have criticised Marxist sociology for not extending economic concepts to relations of reproduction embedded in intimate, personal, affectionate relations. The Marxists saw the world of

material relations of social production and the domestic economy as unconnected where gender division of labour was only ideological. Feminist scholarship drew out the material relations deeply embedded in the sphere of the family. Women studies scholars of Marxist orientation showed how the labour market was not gender neutral; in fact, economists ignored women wage workers in their analysis of wage determination. Social reproduction in Marxism takes account of only reproduction of the labour force failed to theorise the reproduction of gender subordination. Linkages could be established with class and other hierarchies through such factors as control over property and women's labour, mechanisms of appropriation and transmission of the social surplus and the ongoing system of production. The mechanism of transmission includes systems of inheritance through kinship in addition to the distribution of the social product between land owners and tenants, capitalists and workers. Reproductive relations involve control over women's ability to bear children. Thus, control over women's labour, child bearing and sexuality are interlocked into particular class, caste and other configurations of subordination.

Talcott Parsons propounded the theory that women's domestic role and men's earning role were complimentary and functional - the man assumed the instrumental role; the woman did the affective role. This functional separation was conducive to the structure of capitalism (Parsons, 1954). Feminists exposed the limitations of the structural-functional theory. Initially sociologists presented the problematic for employed women as the difficulty of reconciling a new role which is employment, with a given social role namely, domestic responsibilities and expectations that went with those responsibilities. However, these theories take the roles as given and cannot integrate macro changes. The presence of role conflict indicates a fact; it does not offer any explanation of why different sex roles produce subordination. (Krishnaraj, 1986).

## **ECONOMICS**

All disciplines have a philosophical foundation in epistemology. Theory- that is, a generalised explanation of how a system works is based on its underlying philosophy. It is relevant to look briefly into the philosophical foundations of economics as a discipline before we review feminist critiques. Broadly, economics has three frameworks: a) Neoclassical- so called because it took off from classical economics founded by Adam Smith b) the Marxist School and c) Institutional economics. It is assumed that these three-frame works are not

comparable. Adam Smith's "Wealth of Nations" (1776) was the first attempt to describe the capitalist system, as by his time, industrial capitalism had got well established. Out of the self-interest of individuals ("to truck and barter") a social order was created by balancing supply and demand through market exchange. He mapped the field of inquiry as production, consumption and distribution by an 'invisible hand' as it were. Adam Smith's book went into five editions. He dubbed England as a nation of shop keepers. His treatise sought to replace the earlier theories of Physiocrats and Mercantilists. Mercantilism as an economic theory and practice was dominant in Western Europe during the 16<sup>th</sup> to 19<sup>th</sup> century. Its underlying theme was nationalism and enhancement of the power of the state. Manufacturing and industry which had military implications was a priority. Let us remember this was the period of empire building. High tariffs were levied on imports of finished goods while imports of raw materials were given preference; low or no taxes on exports of finished products while high taxes were imposed on export of raw materials. New markets were explored and use of foreign ships were forbidden. These policies naturally led to a positive balance of trade and a flush of bullion into the economy. The state was to rule in the economic realm. This was the age when Great Britain and other European powers colonized many countries in Asia and Africa. These policies resulted in economic oppression of labourers and farmers. This overwhelming attention to production completely missed any concern for consumption. How did such beggar my neighbour regimes hold out for nearly more than two hundred years? Isolated feudal estates gave in to centralized nation state as the focus of power. The development of shipping, assisted the expansion of European powers into new territories for trade initially but which led progressively to colonization. There were subsidies and monopolistic privileges to favoured groups. All in all, these were attempts to build an edifice of imperial state power. (Haye 2008).

Another economic theory that claimed attention during the Enlightenment phase in France was put forward by the Physiocrats. They argued that the wealth of nations depended on land development and agriculture. Agricultural products should be priced high and it was the productive power of the people that was the source of wealth. Thus, the physiocrats were the first to emphasize labour as the source of value in contrast to the mercantilist who contended that value was created at the point of sale. Perhaps these theories were the outcome of society at that point of time being largely agrarian. The Physiocrats upheld private property and landlords should get special dues from the agricultural surplus as otherwise they would take away land from cultivators. They also

recognized diminishing returns from cultivation that posed a limit to production Pierre Samuel du Pont de Nemours (1739-1817) was a prominent physiocrat. His book: *Physiocratie* expounded the theory of physiocrats.<sup>2</sup>

### **A New Beginning in Economic theory:**

Adam Smith's famous treatise 'An Inquiry in to Wealth of Nations (1776)' ushered in a departure from the Physiocrats and Mercantilists. He described wealth as the annual produce of land and labour of the society. His basic proposition was that individual self-interest through the mechanism of the market resulted in social good. His book provided the foundation for fellow economists, politicians, mathematicians and biologists. His pluralist use of supply and demand as applied to wages, rent and profit anticipated general equilibrium formulations.

When merchants had made enough money, they began to invest in capital goods. This process began with the enclosure movement in an agriculture which displaced the old feudal system where the owners of land had serfs to till the land. Capitalism replaced the older economic arrangements. Capitalism as an economic system is based primarily on private ownership of means of production, and production for profit. This led to capital accumulation, wage labour and voluntary exchange of labour, a price system and a competitive market. The decision makers were no more the state but the owners of factors of production. Prices and distribution of goods are mainly determined by the market. Hence capitalism is also referred to as a market economy. Displaced labour from agriculture moved to urban areas. It was also the period when factory production displaced old workshops. Women began to work in factories. With little protective services, there was high maternal and infant mortality. Meanwhile, the conquest of new regions, notably sub-Saharan Africa and Asia by Europeans, initially for trade but later colonised to become a part of their empires, draining them of resources- land, raw materials, minerals etc. India fell to the same fate where her older system of local industries were destroyed to make way for goods from Britain. Capitalism spread through most parts of the world. Its effect on different regions varied. The earliest study of women's work in India was published by Indian Statistical Institute Kolkata,

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<sup>2</sup> A search for his publication date and publisher could not be found in Wikipedia. What is mentioned is the collection of his papers 'Manuscripts and Archives Department at Haguely Museum library. However, in Henry William Spiegel (1983)'The Growth of Economic Thought. Revised, expanded edition, Duke university press, North Carolina mentions his contribution

(1982) titled “Women, Work and Society” edited by K. Saradamani.<sup>3</sup> The available studies on women’s work covered a group of themes such as the following:

1. The overall participation of women in the economy
2. Determinants of labour supply
3. Conditions of work for women
4. Impact of development on women
5. Methodological problems

Several economists had indicated the decline of women in economic activity between 1901-1961. Technological change reduced the scope for female employment in many industries. Others argued that the major factor in reducing female labour was the slow rate because they lacked the necessary skills. Various regional studies uncovered different reasons for women’s loss in the labour market. The documentation of women’s employment dealt with a) general survey of the economy as a whole b) specific sectors such as plantations and mines c) urban and rural sector d) what is generally referred to now as the unorganized sector.

Issues of methodology were raised and the general consensus was undercounting of women’s economic activity in the data system like the census. These critiques did provide a way of distinguishing different kinds of work that women do which have analytical significance: home production, market production, domestic work and leisure. Why is there persistent undercounting? One explanation is: only when women’s contribution is seen as equal to or more than the subsistence requirements of the family are, they seen as economically active. A bias in data was also caused by data collecting agencies usually approaching the male of the household under the presumption that he is the head of the household. More recent data indicates more than one third of households are supported by female earnings WS scholars had right from the nineteen eighties struggled with this problem. Even today the unpaid work of women in the household is not counted, despite its contribution to the welfare of the family. The UN system has tried to rectify this lacuna by suggesting the recording of market work, market substitute production and house work which relates to cooking, cleaning and child care. A major achievement of WS is drawing attention to the invisibility of women’s contribution to the economy.

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<sup>3</sup> In this volume, Maithreyi Krishnaraj has an article” Research on Women and Work in the Seventies’

To come back to Adam Smith's portrayal of the economy Basu (2010) puts a spoke in the wheel of this adoration of the market. Basu's critique of Adam Smith's touching faith in the invisible hand of the market reconciling individual self-interest and social good demonstrates that individual rationality is not pre-given but subject to what others do, to one's learning. He dubs Smith's treatise as methodological individualism. Apart from Basu's superb treatise, our experience of colonialism reveals that present system came into being not because of a conspiracy but aggrandizement by European powers to raid the resources of Asia and Africa. Not so much 'unseen hand' but it was the denouement of colonialism's 'open hand' on unsuspecting victims that led to exploitation of other countries. India's experience of colonialism proves this. A prosperous country till 16<sup>th</sup> century was reduced to becoming an appendage to the imperial power of Great Britain. Smith talks of self-interest but as Basu (2010) says there is in society a measure of altruism. He agrees that this noble virtue was limited to those who were part of one's social group which excluded others.

"If we want society to progress and economic development to occur, we need to nurture our sense of values such as altruism, trustworthiness, integrity and sense of fair play" (Basu p.119). An interesting variation to Basu's emphasis on Trust is given by Greber (2011). He says the questions we should be asking ourselves are: Why do we have an economy? What is debt? What is money? How could this be organised differently? What do we need to change? What do we need to keep? According to him, the logic of exchange is one of many ways that we ourselves think of the morality of distribution and transfer of material goods. Everything we do is not exchange. Most interactions with people we trust, people you need cooperate with on an immediate basis is a form of communism: from each according to abilities and to each according to their needs. Greber holds that capitalism is a bad way of organising communism. Debts between people whether poor or rich can be negotiated or forgiven but between classes becomes a matter of absolute morality. In other words, debts are 'obligations' when they are between classes. In India we have had a spate of farmer suicides when they were unable to pay their debts because of crop failure or crash in market prices of their crops. Neo classical economics has moved away from classical format and has taken to microeconomics. Kalpagam (1986) had raised pertinent questions about gender in Economics. How gender figures in Economic Theory and Philosophy was commented upon by Krishnaraj (2001). A brief recounting would be useful to reveal the deficiencies of Economics to take in gender. "As a discipline, it lacks even a fringe field

devoted to the study of women. The prestige of economics lay in its rigour- a clear formulation of background assumptions, a clear unambiguous statement through definitions of categories used with a method of abstraction that isolates the effect of particular social category (the *ceteris paribus* clause) with progressive relaxation of that abstraction by introducing associated variables step by step in neat geometric fashion. This process of return to reality is not perfect” (p1426, 2001). The most serious hurdle is the difficulty of incorporating gender within theory because of the limitations of theory and the paradigm it rests on. Women’s concerns fall outside as ‘externalities. However, no discipline works with one theoretical framework. Broadly we have three frame works: a) neoclassical b) Marxist c) institutional. The classical economics evolved by Adam Smith was the first systematic attempt to describe the capitalist system - what we now see as macroeconomics which mapped the field of inquiry which to this day remain as the basic categories in a beginner’s economic text book-namely-production, consumption and distribution. Then moving away from political economy, a narrower focus emerged to deal with allocative efficiency on the part of individual economic agent with given scale of preferences; and equilibrium achieved at the margin. What the additional worker produces, and what utility the additional unit of consumption gives, is harmonized by range of prices available. The underlying framework is positivism-confined to explanation of surface phenomenon without attention to the generative mechanisms that produce these surface phenomena. In addition, this theory relies on a notion of the individual as an atomized individual as a unit of social action. In other words, society is merely an aggregate of individuals. While the Marxist theory does give attention to gender, it fails to theorise women’s unpaid labour in the family, the sexual division of labour and the role of gender ideology which even when women move into paid labour does not disappear.

“Women’s Strength, women’s industry, women’s wisdom is human kind’s greatest untapped resource. The Challenge is to show how this resource can be effectively tapped in ways that benefits us all” Michelle Bachelet, undersecretary general and executive Director, UN women. (Feb. 2001, UN women)

Institutional economics is a compromise between the Marxist school and the neo classical school. Feminist have found the institutional approach more useful as it permits admission of multiple causation and not one unitary cause. However Institutional Economics is side-lined as it ‘lacks rigour”. Mill though

a progressive thinker, did not see the contradictions in liberalism under capitalism. Right up to the middle of the last century, neo classical approach informed economics as a discipline. The most fundamental critique of neo classical economics theory pertains to its assumption of rationality and the 'economic' man who is driven to maximise satisfaction. This excludes social influences and actions which may be altruistic. An international body has been formed for promoting feminist economics and a Feminist Economics journal has arrived on the scene. Critics of economics theory now find place in books (Krishnaraj and Joy 1993, Pujol, 1992).

Until development literature produced data on the negative impact of development on women and revealed pervasive gender inequality, serious women economists too avoided gender issues for fear losing academic prestige. The methodological preference in economics for positivism and a narrow empiricism, continued. The paradigm of neo classical economics has been challenge not only by feminists but by many others. If we do not care about why there is unequal distribution of wealth and income and its effect on economic transactions, we can blithely accept things as they are. Redistribution is left to political action at the least or to revolution at its best. Participants in the market respond to given price signals which embody all the information they need to know to make their choices under the assumption of perfect competition. In a perfectly competitive economy, no one can interfere with the market for others will defeat that intervention. The competitive market is an abstract mechanism which given individual preferences and technology yield equilibrium prices and quantities and so all is best with the world. In the real world there is no 'perfect' competition and this myth has been exposed by many economists to show how sellers (monopolist) and buyers (monopsonist) can get together to corner benefits. There is the assumption of a one to one relationship between the individual economic agent and her initial endowment and preference configurations. This can justify why women fare badly in the labour market. Welfare economics advocates taxes on the rich and subsidies to the poor and women to overcome this predicament. The state is seen as an unproblematic benign agent waiting to oblige, forgetting it all depends on who has power in the state agencies. The Marxist school focuses on the social structure and the conflict of interest within it. The feminists pointed out the failure of Marxist theories to the problem of unpaid labour of women and sexual division of labour. Earlier the family was private with respect to the State and now the market is private with respect to the state. Institutional economics, WS



practitioners feel offers better scope for ethical dialectical relationship., reasoning from probable premises to probable conclusions.

The contribution of WS in its combat with conventional economics has done the following: i) indicated the fallacies in many accepted theories of mainstream economics ii) showed how economics made no room for collective aspects, which pose constraints on individuals. iii) in other words, an individual is not a free agent. iv) Economics cannot deal with questions of justice, but can only address outcomes in an instrumental way.

For a long time, economic theory did not address a collective like the household where it assumed each member acted as if he/she was a separate individual making independent decisions. It was feminist economists and anthropologists who drew attention to the household and family dynamics. It was Sen who first conceptualized the household (1990). According to him we can look at it in alternate ways: as a glued together unit or as having a dictator who decided for everyone else. A household's members had to cooperate for gaining access to the resources of the unit and yet in so far as the decisions were not always favourable to one self, there was conflict built into the situation. So, he called it "cooperative-conflict". To what extent a woman could rebel or leave the unit would depend on her fall-back situation- the fall back is the maximum attainable levels of wellbeing attainable outside the relationship. The determinants of the fallback position could be women's skill level, other assets and non-wage incomes. The advantage of this model is that draws attention to external structural factors which create those unequal opportunities. Some attempts were made by mainstream to incorporate gender. Gary Becker (1971) offered a model of a household where he concludes that women doing housework and men doing paid work maximizes total utility because women have the expertise for domestic work and men have the expertise for paid work. So, women when they take up paid work outside the home do not farewell. It was the lack of prior training to women that led to less skill in the labour market, pointed out the Norwegian female economist OTT (1993). The same applies to man. If he is not taught how to look after a child or a home, he will not be good at it. Other innovations have been made like the bargaining theory where a woman in the household bargains with others on what she will accept and what she will forego for allocations of time and money.

This was approach derived from the game theory of Nash. In the competitive model, individual economic agents react to given prices. In this scheme prices

are unique and exogenous to actors where there is no room for strategic or conflictual behaviour. A reformulation by Nash proposed a different version (1951). He is credited with propounding ‘game theory’.<sup>4</sup> It is the study of mathematical models of conflict and cooperation between intelligent rational decision making. In an economic transaction between identifiable agents, each anticipates possible sequence of moves and counter moves and accordingly plans a strategy. One person’s gain result in losses for another. Game theory applies to a wide range of behavioural relations in climate change and in biology.

The bargaining model helped in analysing gender relations inside and outside the household. In the household, it can explain the division of labour and time between members; in the market worker–employer relation. However, the limitation of the model is that it takes bargaining behaviour as voluntary whereas action can be coerced either explicitly or through the weight of social sanctions. What one regards as important to oneself is also matter of perception, conditioned by social practice. A formalized model uses only objective functions, without qualitative, specific data to answer questions like what is bargained over, within what limits and what are the prescribed rules for bargaining. Some things cannot be bargained over – for example a mother’s obligatory responsibilities for the care of a child. In the model, individual members of the household are treated as *a priori* equal with only relative access to resources to distinguish their relative bargaining power. Gender has social meanings which does not create a perfect correlation between an individual’s economic contribution to the household and her decision-making power. Her social resources outside the household are limited. All said, economics, requires us to set the minimal structure or rules of the game, which cannot change endogenously. To clarify what the rules of the game specify are: who engages whom, whether agents can refuse to contractor not, what their reserve options consist of, what exactly is contracted between them or which of the opponents can make the first move are all framework conditions that have to be specified at the beginning of the analysis.

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<sup>4</sup> Game theory is illustrated by what is known as the Prisoners dilemma. This was originally framed by Merrill Flodd and Melvin Drester. Suppose two criminals are in jail in solitary confinement without access to each other. Each prisoner is given the opportunity to either to betray the other by testifying that the other committed the crime.

If A and B betray each other each serves 2 years in prison.

If A betrays B, but B remains silent, B will get 3 years in prison

If A and B both remain silent both will benefit with only 1 year in prison

Intra household analysis was a great step forward and became the subject of much empirical enquiry. (Bannerjee and Jain ed. 1985). Other studies followed on the differential allocation of resources between genders in nutrition, work burdens, health, mortality and so on which clearly established gender discrimination. Further such studies were undertaken worldwide to document the fact that development efforts either left out women or had a negative impact on them. Thus the major achievement of WS lies in: i) drawing attention to problems not addressed before ii) to point out how problems have been addressed are unhelpful or fallacious and lead to wrong conclusions iii) to critique theories and tools to expose their inadequacy or invalidity iv) to refine existing tools and frameworks to let in gender to discard old tools and seek new tools.

Feminism and feminist theories developed rapidly after 1960's under the aegis of international organizations. Some major issues that were taken up were: unequal treatment of women in the labour market, unequal access, ownership and control of productive resources like land, credit, technology education, skills, work burden and non-recognition and non-valuation of women's work and women's contribution to the household economy. 'Women and Home Divided' is an apt representation by Dwyer and Bruce (1988) of inequality within the household. Having fought for recognition of women's work and its contribution, systems of data were much improved. Long before economics emerged as a distinct inquiry, a need to understand what created the material resources for human sustenance did engage policy makers in running governments. A recent book on the history of economics by Jagannathan (2012) deals with this. An older book, Leo Huberman's 'Man's Worldly Goods' (1952) is a beautiful account of how class came into being. Karl Polanyi's 'The Great Transformation' (1944) traces how a market economy developed. Jagannathan does bring in the question of inequality under a free market where there are structural conditions. The poor do not have as much economic power as the rich whose decisions steer the economy. He also argues strongly for social safety nets for the disadvantaged. Basu in his 'Beyond the invisible hand' questions the assumption of human beings being addicted only to self-interest whereas there is plenty of evidence of altruistic behaviour. Unfortunately, while Jagannathan's analysis is insightful, gender does not figure anywhere in his book. To conclude, mainstream economists are male oriented and do not see the specific disadvantages for women in the economy as it is constituted. They assume economic theory is gender neutral.

Economics in theory and practice have influenced policies and outcomes in a major way. For many decades research on women's labour market participation got involved with questions like why it went up or down; documented discrimination in valuation of women's work by arbitrary criterion with no basis on any objective criteria like skill level or arduousness. There was no logical explanation for unequal wages for equal work. This resulted in legal reform of 'equal pay for 'equal' work. However, many fundamental problems remained like the sexual segregation of labour, so that there were women's jobs and men's jobs. In the Third World, the problems were compounded by the existence of large areas of the economy which had no wage labour. Many national level statistics left out women's economic activity because they used the definition applicable to advanced economies that 'economic activity' meant only those activities that created exchange value. What was produced for one's own consumption or needs could not figure in this calculation. In economies that undertook productive activities in the non-monetised sector, this led to gross distortions especially for women who tended to be hidden under the ideological blinker of 'domestic' work. There thus emerged considerable literature on this aspect of under counting and under valuation of women's work (Krishnaraj, 1990 and Agarwal 1985). Four main reasons were given for this deficiency: a) work is defined only that which obtains exchange value b) women's domestic work is perceived as having no value c) much of women's work tends to be within the household/family and is invisible d) apart from what is generally accepted as domestic work, women in rural economies do a lot of 'productive work' which covers collection of free goods, care of cattle and other livestock, repair and maintenance of dwellings, processing of harvested produce etc. which in other advanced economies are marketed. The highlighting of this anomaly spurred efforts to include these in GNP and in labour statistics. (Waring 1988, Goldschmidt (1987). The second big change came with the unpacking of the household to expose the unequal distribution of resources within it by gender, in terms of nutrition, health care, education, public participation and unequal property rights and access to productive means. Decisions regarding many areas are controlled by the household-collectivity which is gender biased like in family planning, migration, schooling, marriage and so on. As already mentioned, the rigidity and obligatory nature of sexual division of labour had consequences for gender relations in almost all areas of social life and had far reaching policy implications for development planning.

There is the assumption that the individual is a free economic agent in the household. Since the household is a collective, economics can conceive of it in

one of the following: as glued to together; or as a despotic head deciding for every one; or as a happy consensus. (Sen 1983) whereas household dynamics point to a more complicated and contradictory processes of both conflict and cooperation. In later formulation Sen (1990) further elaborated the notion of the family as a bargaining unit in which interactions between family members are characterized by both co-operation and conflict. Members of a household would co-operate where they find by cooperation, they are better off. Many outcomes are possible that could benefit both parties in the negotiation. However, each party might still have strictly conflicting interests. Which solution emerges to allocate goods and services between members will depend on the bargaining power of each member. The strength of bargaining power will depend on the fall-back position, should cooperation fail. Bina Agarwal (2008) adds a useful rider to this by calling attention to factors that determine the fall-back position. She recalls Sen's earlier 1981 essay where he had highlighted two factors as significant in determining a person's ability to command subsistence- endowments, that is what a person owns such as assets and labour power and exchange entitlements through production or trade. These will determine the consumption set available to a person with given endowments. For a rural female in South Asia, two most important assets would be arable land and ability to labour or command labour. Agarwal adds two additional factors that do not derive from private ownership or market exchange: traditional rights in communal resources and traditional social support systems. More importantly, are other over riding factors- social norms that govern division of labour and resources as well as social perceptions about different members' perception of the relative contribution of each member to the household, each person's abilities and needs and accordingly decide on what each deserves to receive from the family resource pool. Agarwal points out that the assumption of an explicit process of bargaining is un-necessary because social norms are powerful enough to restrict a woman's mobility, education, property or access to property whether owned or not owned. Sen also mentions self-perceptions whereby the outcome of intra household bargaining will be less favourable to a person, the less value she attaches to her own wellbeing relative to the wellbeing of others. Agarwal rejects this conclusion.

'The idea that women tend not to have a clear perception of their individual interest in societies such as India – that is they suffer from a form of false consciousness-in effect making them complicit in perpetuating their unequal position is debatable. Empirical evidence points to the contrary'. (p165) in Agarwal in Basu & Kanbur ed. (2008).

The overt appearance of compliance is a survival strategy in the face of patriarchal family-household. Women do articulate their resistance to the pervasive ideology that enforces women's exclusive responsibility on them for childcare and the power of family authority, social structure, male control over cash and above all domestic violence. [reading the news items nowadays we all see how the more women get economic and public power, the more male violence follows.] Even gender empowerment indicator by UNDP neglects critical dimensions such as property rights and freedom from physical and mental abuse.

Alger & Waibull (2008) put forth a rather strange theory that lacks gender sensitivity. Family ties vary across cultures and over time. According to this theory, the strength of family ties has significant effects on various economic outcomes such as labour market participation, the extent of home production and geographic mobility. Family ties also help in risk sharing and incentives. The insurance provided by the family is a good substitute for market insurance. If both coerced altruism and true altruism are present, the individual is better off than an individual who has access only to formal insurance. The empathy effect of altruism guarantees a higher risk reducing effect than for an individual living alone. Compared to market insurance, the benefit of moral protection outweighs the cost associated with sharing resources with a number of individuals in the family. The missing element in the authors' formulation is the fact that the individual who bears the cost is most often a woman. When male employment is absent or insufficient, the woman of the family steps in to support the family and is ready to undertake any kind of 'shit' work -domestic work or cooking for others. In the complex where I live, all the sweepers, cleaners are women while the few males employed are gardeners. In the case of women, I would hold that women face coerced altruism, because of the gender division of labour, and true altruism given their propensity to care for their children. I see all around me, women undertaking arduous work, just to be able to educate their children. The success of micro finance, the authors of the article argue relies on true altruism but do not explain how. Our studies suggest that what women self-help groups do is to support families. The group guarantee for repayment ensures the compliance of members. A member who fails to repay is assisted by another.

To go back to the notion of altruism in the household, some recent empirical investigation gives further proof, that resources in the hands of women within the household is used invariably for overall family welfare and hence it is a good

strategy to give women decision making power, whether the earnings are self-earned or not.( Dasgupta and Mani 2103). Countries like the U.K., Mexico, Sri Lanka have implemented policies where food coupons for the household are given to women. India's recent step making women the head of the household for food distribution follows this logic. It seems to me that we have once again used women's proclivity for self-sacrifice. Their altruism is good for the household, but what about their own needs? Food distribution within the household by women, it is shown meets men's and children's needs first and women eat last. Enhancing women's role in the household as the primary decision maker is well intentioned. Men might fritter away their earnings on drink, beedis and gambling etc. Why not develop a little altruism among men for a change? Must women at all times, continue to bear all the responsibility for others' welfare? Gender discrimination often comes home to roost with the use of medical technology to meet son preference by eliminating female foetus. This has led to gross sex imbalance that there are fewer brides available for men as in Haryana.

Prices, wages, costs are assumed to be gender neutral where as they are in reality gender specific. Theory behaves as if the market was non-discriminatory. In current environment debates we see how different resources are used by men and women; how costs are different. When forests are destroyed, women bear the costs as their subsistence activities depend on them. When girls are sent to schools, mothers bear the cost of losing help at home. Examples can be multiplied of the irrationality of concepts like costs, efficiency that exclude many types of human costs and loss of natural resources. Some attempts at reformulating theory through the use of institutional economics and new home economics have been made. This is discussed in the booklet' Feminist Approaches to Economic Theory by this author. (Krishnaraj, 1995).

Thanks to these efforts, we have a better understanding of the processes that distribute resources both material and ideological- within the family by age and gender. One can specify the incomes earned by different members; their entitlements to productive means for producing these incomes (example, education, capital, skill, technology etc); their contribution to the common pool; their appropriation of a portion of the income earned for personal purposes; the share of resources of consumption from the common pool to each member. Women and girls come out in this process with fewer entitlements. A part of the problem of the household dynamics is the perception of women themselves of their lesser importance; they undervalue their own contribution. They are

afraid to exercise the threat point as they identify their own welfare totally with the welfare of the family. <sup>5</sup>

Thus, some part of economics has come grudgingly to accept the role of culture and social in what was seen as the boundary lines of economics. (Basu ,2010). Sen in his many works has been instrumental in promoting the legitimacy of this development through his enormous academic prestige. His bringing back morality and ethics in social theorizing, holds great promise for gender integration in economics.

### **Economics and Ethics**

A serious shortcoming of mainstream economics is that it lacks an ethical theory. Broone (2008). I draw from his proposition but add my own. Economics by and large aims to account for the behaviour of people and institutions in the economic arena. The focus is on practical applications in finding better ways of running the economy, or restructuring the economy or deciding when and how to intervene to make suitable corrections. Why should it have an ethical theory? Neither business people nor doctors, for example need an *explicit* ethical theory but they conduct themselves in the way they ought to, provided they have moral awareness and sensitivity. On the other hand, moral sensitivity or our old fashioned ‘virtue’ plays little part in the professional life of economists. A basic question is: what is good for individuals? Our economist would say, this is to be judged by their preferences. If a person prefers A to B then choosing A is right for her. Is it really as simple as that? A person’s preference is derived from her belief. Many of our preferences are shaped by our beliefs, conditioned by our customs, our social expectations. Our preferences, no matter what economics might say, are not rationally determined. Preference theory cannot indicate anything about values. There is inherent in the theory that the goodness of a society is an aggregate of people’s well-being. Broone cites some examples. In health policy, do we give relative priority to attend to the young rather than spend on treating the old? What priority should we give to saving people’s lives to improving their lives? I can mention a paradox we encounter. Our infant mortality has been reduced, but the general health of children leaves a lot to be achieved. Some decades ago, death rate and birth rate kept a sort of balance in population size. Today while death rate has

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<sup>5</sup> While travelling in the local train to work in Mumbai, I came across women who would buy fruits on the way and eat these before going home. They said, once they went home, other members get priority and they do not get their share. It is also well-known women often put away small change in kitchen canisters to use when need arose.



been drastically reduced due to modern medicine and improved health practices such as better hygiene, our birth rate is more difficult to reduce as this latter depends on “individual preferences’. Everyone would like to live longer, experience absence of disease. But the impact on society is not a cumulative well-being as age related breakdowns like arthritis etc. make demands on the health system that compete for resources. So, on what grounds do we make decisions? People’s preferences are only one side of the picture; the other side is *forming people’s preferences*. A society has to decide through democratic discussion and debate what choice it should make. Should one promote longevity? If the cost of maintaining the non-working old escalates and the working population is unable to meet the cost, should it promote euthanasia? Or like it is told, in ancient Nagaland, the inactive elderly will jump off a cliff. Or as in our ‘ashram’ concept, when one reaches old age, the old should take to the forests and fend for themselves. Unfortunately, we do not have many forests left! Economics based on the notion of individual preferences cannot give us a solution to such complex decisions that need an ethical resolution. The role of economists in a democracy is to advise politicians, business people, brokers and other participants in the economy. Their role is within the process of discussion, debates and education and not much in direct decision making.

### **Political Theory**

In politics and political theory, women studies scholars have shown the short comings of conventional theories of citizenship. They have analysed the relation of state to gender construction. They have documented the relative participation of women in political struggles and in political activity apart from formal elected positions. They have lobbied for greater share of political representation to women. These efforts by women have borne fruit in some ways but are also resisted by male hegemonic pressures. Women Studies has drawn attention to social and institutional factors that impede public participation of women and argue for a variety of forms of citizenship in national political life. Citizenship should primarily function as a term that reminds us that we are not merely private individuals but participants in a shared national life, members who have a collective as well as individual stake in the decency and humanness of our public arrangements. There is a reciprocal relationship between the citizen community and the individual citizen rights and these rights require a supportive political culture. (Narayan 1997) While these are what feminists would like to see happening, they have no clear-cut theory of citizenship. Liberal theory has clear cut formulations though their assumptions are indeed questionable. There are five basic tenets in liberal

theory of citizenship: a) it regards human beings as atomistic, rational agents whose existence and interests are ontologically prior to society b) society should ensure the freedom of all its members to realise their capabilities c) the ultimate worth of an individual is expressed in freedom where the individual can act unobstructed by others d) there is a clear separation between the private and public e) the individual is rational and competitive in maximising his gain. Feminist criticism has pointed out that this formulation is riddled with contradictions. On the one hand there is the notion of 'autonomy' which carries within it an idea of subject-hood and agency; there is also the notion of private which means freedom from control by the state. (Davis 1997). The problem is the assumption that all members within the private sphere have agency, when it is free from state control. In India discussions on uniform civil code, reservations etc show that the defence of the 'private' really amounts to men being free to exercise their power within the family. Disillusionment with competitive capitalism and liberal double speak leads some to espouse 'communitarianism' as an alternative ideal. Feminists contend that the ideal of the community privileges unity over difference. The individual in liberalism is a self that is solid, self-sufficient unit, not defined by or in need of anything other than itself. In the notion of the community, on the other hand, there is fusion of the self with other selves, a sharing of subjectivities and have sympathetic understanding of each other. However, there is a lack of opaqueness. Young (1990) points out that there is here a notion that face to face interaction eliminates 'alienation' produced by impersonal intermediaries mediating one's experiences in modern society. If by alienation we mean a situation in which persons do not have control either over their actions or the conditions of their actions, due to intervention of other agents, then the community also 'mediates' though it may be face to face. The whole politics of identity which extols 'the community' suppresses difference within it, especially gender difference (Krishnaraj, 1998). Current debates in India on discussions about the women's representation bill and the experience of Panchayati Raj have regularly appeared in journals and newspapers. Similarly debates about different interests of Dalit women, lower caste women, women belonging to religious minorities have raised questions about the kind of politics that will ensure justice and voice to these groups. These debates have pressed the need for fundamental re thinking on several fronts- that of rights of individuals and groups, of citizenship, of polity, of democracy and of notions of justice.

## **History**

History is another area where feminist critique and scholarship have impacted on historiography. History is the past record of peoples' experiences. What is accepted as history is what is preserved in stone, drawings, writings or other artefacts and the rest is confined to prehistory for which one falls back on fossil evidence. Yet such confident assertions are made about gender relations in by gone ages which duplicate contemporary pictures like the cave man being the hunter responsible for all food while the cave woman merely cooked and reared children. [Even Discovery of India Exhibition in Nehru Centre, Bombay, has an installation which propagates this view. They refused to change it when I appealed for a truer picture]

The critique of conventional history writing draws attention to the following faults: a) it invisibilised women and behaved as though women did not exist b) ignored their contributions c) if mentioned, did so in a biased way d) if included did so by selective presentation of elite women as it generally focused on elite classes e) inordinate emphasis on events and discrete occurrences like wars and invasions than socio-historical processes. How peoples' lives changed, how new traditions came to be established in many fields of endeavour, and how new groups emerged are submerged in this kind of history.

Now history writing has changed by attention to social processes and has moved away not only from preoccupation with dynasty but from colonial misrepresentation. Feminist have brought in a focus on women. It did so by filling in women's contributions; by tracing historical changes in the condition of women; by questioning periodization; by reinterpretation; by questioning the selectivity of sources used; by adding issues and areas not included as proper material for history. Thus, feminist history writing covered women's collective struggles in the past; effects of major historical changes on women like the industrial revolution, social reform, wars, birth control, migration and changes in codes of behaviour. Women historians showed how women were economic and political agents as much as victims; they used new material sources like autobiographies of women, diaries, oral histories as testimonies or documentation of individual lives, and folk lore as records of peoples' views and metaphors of gender construction. They read the between lines those messages hidden in women's writings. In the USA, stories of frontier women's experiences, of black women under slavery became better recorded. In the UK, working class women's lives found space in history. Significant movements like birth control were studied more carefully. The burning of women declared as

witches in mediaeval Europe was linked to male attempts at hegemony in medical practice. They drew attention to how modern gynaecology belittled the role of midwives who had handled child birth and how modern gynaecology was instrumental in displacing them. However, in India, while hospital births are on the increase, the majority of births are at home assisted by midwives. There are new initiatives in public health in India to promote hospital delivery through volunteers. In recent times though-public health has taken a back seat and private institutions have a heyday. The history of women's organizations, which were previously not a subject matter became an important area of study. Not only do we now have a more nuanced version of women's lives but by reading events from women's point of view have yielded a better history. (Krishnaraj 1999; Shah KK (2005); Shah K.K. and Single Meherjoti (2005).

In terms historiography in India, Uma Chakravarty and Kumkum Roy have done pioneering work to correct the popular impression that the status of women in ancient India was 'high'. They looked at the evidence used and concluded that only some stray facts were used which told us little about the majority of women who were 'dasis'-servants/slaves. (Chakravarty and Roy, 1988). Others have analysed epics and other literature to establish the patriarchal over tones in all of them, the exclusion of women from public life and the use of women as 'commodities'. The moral disapproval of sacred prostitution by middle class intellectuals had failed to distinguish between sacralised version and modern brothel. Feminist historical studies on Devadasis and the debates for their abolition by different sections removed the 'moral' over tones and investigated it as a social phenomenon. Women in these occupations were highly accomplished in the fine arts and had property rights though they had to serve their patrons. Similarly, feminist studies analysed the value changes in many cultural activities which became vulgarised under a decadent feudalism e.g. the 'lawani' in Maharashtra. (Rege, 1995). The social history of ideas regarding gender during colonial times has engaged many scholars of history in recent times. The caste/class nexus and their connection to practices like the treatment of widows is illustrated by Chakravarty (1995).

A new preoccupation with cultural studies along post-modernist lines dissociates culture from material conditions and veers dangerously close to cultural relativism. They claim that 'modernity' is a colonial construct that makes us see our culture through western eyes. We must see 'our culture' on our own terms. Nationalism according to them was the creation of colonial sensibility. These claims are problematic. It denies any criteria by which we

can evaluate what is 'good'. Feminists are unhappy with this trend though some among them subscribe to it. The defence of culture, more or less means pulling the rug of gender from under your feet and justifying practices which in today's context are not defensible - like sati or dowry or confinement of women under purdah. Women studies contributed to reinterpreting disciplines and promoted interdisciplinary scholarship. Socio biography became common especially by Dalit women. Their biographies do not celebrate difference but critically analyse religion, family and the modes of oppression. categorised as Dalit feminism, these tracts should be read as emancipatory politics. Woman as victim is a cultural script that evokes sympathy without changing the hierarchical social structure says sister Shanti (2007). Feminists used street theatre, puppetry and various folk forms to depict women's situation in the 1970's and 1980's especially in Maharashtra.

### **Psychology**

Coming to psychology, feminist scholarship developed more in the west. Beginning with criticism of Freud's views on women they have moved to creating new parameters for judging mental health. Work in India has begun only recently in looking at theories. Penis envy and castration complex as describing psychic states of women and men mistake symbols for reality. Women may envy men not because they possess particular genitals but because men have power. Women, according to Freud are masochistic. Stories of incest which women narrated to Freud, he dismissed as fantasy. The psychological theories of Freud like the Oedipus complex, are exposed as invalid for all times - a theorization based on a particular historical experience of western capitalism and nuclear family. As earlier mentioned, Juliet Mitchell (1975) and Nancy Chodorow (1978) postulated theories of women's subordination. Mothering by women was reproduced through daughters and boys were separated and forced to deny their bond with mothers because of 'father rights'. Within India, Sudhir Kakkar offers a post Freudian approach to the intimate son-mother bond as the problem in Indian family that prevented men emerging as independent adults and as explaining mother-in-law, daughter-in-law conflicts. (Kakkar,1980) Yashodhra Bagchi (2017) on Motherhood deals with the conflictual position of Mothers as having power and yet powerlessness.; of the joys of Motherhood and the pain one has to bear, not only labour pain but the agony that arises in its being embedded in social structures. Feminist understanding of motherhood according to her has been central to the unfolding of Indian society from the moment of its insertion into the global capitalist system. Her agency is not an unfettered one but a constrained one. The colonial regime raised the question

of treatment of women in Hindu society to justify their civilizing mission. The social reform movement was an answer to this which was followed by nationalist phase. The deployment of Mother goddess arose in the act of nation building. The call to save “Bharat Maatha” (Mother India). She argues that the ideology of motherhood served to delineate the gendered class, caste and ethnic border of the growing middleclass consciousness. The paradox was the potent contradiction of glorification of motherhood as Shakti (power) on the one hand and the actual everyday reality. The ideological use of motherhood served to keep the family as the regulating and regulated social order but ended up confining women to the home and denied them access to the outer world. As the mother of sons not daughters she was the door keeper of caste society and patriarchal order. As the mother of sons, she kept the clan and kinship, alive by conserving tradition. The working-class mother however was seen as inadequate to fulfil her role and had to be given lessons in ‘mothercraft’. The 1980’s and 1990’s were when motherhood became the subject of research when mothers were seen as a subject, person with her own needs, feelings and interests. The symbolism of reproduction where the male was the seed giver and the woman were merely the recipient soil as illustrated by Leela Dube (2001) devalued women. Uma Chakravarty (2006) in her every day histories beyond kings and Brahmins brought in a needed corrective to the prevailing upper caste hegemony. Some recent studies on styles of parenting give a different view on the Oedipus complex. In joint families in India there are many women and men who ‘mother’ the child. This makes the child have a more diffuse, relational ‘self’ (Kurtz, 1992). Some of us grew up in joint families where we had many aunts and uncles who had equal authority over us and could take care of their brothers’ or sisters’ children. When my mother was ill and died, I was left with an aunt for some years. It was often common in India for children to be left with grandparents.

Admittedly, that there are differences between male and female human beings in their physiology. Generally speaking, women tend to be more nurturing but this does not imply that biology is destiny. Nature has a strong influence in sex specific behaviour but experience, practice, and interactions with others modify neurons and brain wiring. Brain research has established that the hard wiring of the brain which is inherited from birth is not a static entity but undergoes change. The fact that women and men have different brain structures does not imply that women cannot do philosophy. Both sexes have potential for both. Individuals are shaped by the society in which they live and also shape it. From infancy boys and girls become aware of their bodies. Distinct sexual identities

are built by dress, language, symbols, myth, culture and family. This promotes distinct perceptions, beliefs and values. Feminist were concerned with how these differences lead to inequality in social life. If there are differences in things that women value and the public sphere has other values are the women's values inimical to public life? Why caring and nurturing values get pushed to the private sphere?

Preoccupation with gender differences in psychology has obscured the range of gender similarity. Sandra Bem's (1993) work challenged the traditional ordering of traits associated with 'masculinity' and 'femininity' as polar opposites. She suggested that these traits were really in a continuum and men and women had recourse to both depending on the context. Men's aggression, and women's passivity were not a fixed trait but had much to do with socialisation and what was valued for each gender. Mental health for each gender was a combination of both traits. This idea triggered a search for 'androgyny' a state of being both masculine and feminine. (Krishnaraj 1996).

In different periods and in different civilisations these ideas have been current. For example, yin-yang concept in China or purusha-prakriti in India. Jean Baker Mill (1987) argued that the psychology of women was different, not because their bodies/minds were different but because they experienced subordination and the subordinate adjusts behaviour to cope with the existence of the dominant partner. More recently, Davar (1995) analysing data from mental health studies in India was struck by the remarkable differences by gender- in the nature of illness, in the age group that suffered from them and in the response to afflictions. Married women had experienced most stressful situations. In our society and culture, marriage marks a major transition for most women and the burden of psychological adjustment lies heavy on them as they are transferred from their parental home to the marital home except in matrilineal societies in the North East and South West of India.

As for sexual division of labour, cooking continues to be seen as the special accomplishment of women who serve men and men are joyful consumers. Despite fast food and restaurants, in most families at least one meal is taken at home. In many cases, the working woman and men even carry home cooked food to work. For women festivals mean extra labour in the kitchen. "Regardless of being housewives, maids or employed women, the patriarchal and social expectations of domestic, conformist female who patiently caters to the needs of their men and children continue to prevail in our society". (Divya

N., 2017). Divya argues that kitchen needs to be transformed into equal participation of men and women. Media's representation of festivals abounds with visuals where males and elders joyously approve the culinary skills of wives and daughters. For example, advertisement for ghee or a particular brand of oil or wheat flour, show the men applauding the 'wise' selection of the brand by the wife or the mother in law appreciating the cooking of the daughter in law.

### **Feminism in literature**

In literature there is a lot more interest in women writers, analyses of their style, their themes and how women are portrayed in men's writing. The monumental "Women's Writing in India' ed. by Susie Tharu and K. Lalita (1994) is an extraordinary accomplishment. Recently, feminist literature publications, in many regional languages have been numerous. Feminism has taken roots primarily in literature. Hans (2013) refers to feminism as a literary movement. The goal of feminism is to be given the same political, social and economic rights as men. Patriarchal order has throughout the world denied women their basic rights and masculine meanings and masculine desires get imposed on women. When a girl becomes a woman, it is not her anatomy that changes, but social conditioning ensures her conforming to accepted modes of femininity. Twentieth century has witnessed a growing awareness among women about their own desires, self-definition and sexuality. It is the work of women writers that significantly encouraged and shaped women's struggles to gain their rights in society. As Hans remarks, there has been a noticeable shift in literature from portraying women as victims to their resistance. Feminism in Indian literature was not a unified theory but recorded the perceptions of individual women as well as mass of women; in general feminism in literature attends to their practical efforts to transform society. The legend of creation by Brahma of women as companion for men along with this adage "She will serve you lifelong and if you cannot live with her neither can you live without her". I recount a brief summary of Hans's discourse. After western education, reformist movements, emergence of women's institutions, the freedom movement that brought women into public sphere, a new woman had emerged. Bengali literature underwent a renaissance. Female characters in several notable authors emerged - Trasaankar Bandhyopadhyay, Bankim Chandra - in their novels women fight for justice. Mahasweta Devi wrote about under privileged tribal women and a heroic clash with the establishment. Hans asserts that though Indian writing is varied nevertheless it upholds a unique Indian vision and version of a way of life. The heterogeneous feature of literature reveals multiple level patriarchies. By and large feminist writers tend to uphold womanhood.



Hans mentions in this context authors like Amrita Pritam (Punjabi), Kusum Ansal (Hindi); Sarojini Sahoo (Oriya), Rajeswari Sunderajan and Leela Kasturi (English) Sharmila Rege and Vidyut Bhagwat (Marathi). The coverage of Hans is partial and she omits the extensive writing in the Southern languages - Tamil, Telugu, Kannada and Malayalam where women despite being dominated by men, not only hold their own but exhibit a life of hope. Gwynne (2011) in her book examines the difference between western Feminism and Indian feminism and looks at some contemporary women writers in India who published their work in English. The Four authors examined are: Kamala Markandeya, Nayantara Sehgal, Anita Desai and Shashi Deshpande. Indian feminists are seen as aping the West and alienating women from their culture and religion. Indian women face the difficult option of either accepting patriarchal structure or be dubbed as betraying Indian cultural heritage. Sati, female infanticide, child marriage, purdah and restrictions on female education and mobility are major issues confronting women. Despite laws prohibiting these practices, unfortunately, they continue to prevail. In the Indian context, sexuality is discussed only in relation to marriage and monogamy. Much earlier Gupta (1993) had examined the nature of feminism displayed in Indian literature. The old ideal of total allegiance to husband was extolled as the ideal woman hood and woman's suffering for the sake of husband and family was praised as noble sacrifice. Sita, Savitri, Ahilya were icons. Feminism seeks to interpret from the point of view of feminine consciousness which meant i) re-examination through creative literature the role and status of women which does justice to her identity as an individual ii) reinterpretation and re-evaluation of literary texts, old and new from a woman centric view. However, many modern writers in some regional languages and in Hindi continue to extol traditional roles. Feminism grew steadily with Bankim Chandra Chattopadhyay and Rabindranath Tagore. Many critics do not approve of Bankim's celebrating the nation in Mother image. Gupta sees Sarat Chandra's sympathy for women bordered on the romantic but he was immensely popular and his work was a televised serial on the national network. An exception that Gupta mentions is that of Jainendra Kumar in Hindi where he portrayed bold, vigorous, unconventional women. Among the unconventional approach Ismat Chughtai and Rashid Jehan are others mentioned by Gupta. Western Feminist writing had a wide readership and influenced Indian writing. There has been a transition from pre occupation with sufferings of women towards women with greater self-consciousness. In this context notable authors are: Bisham Sahni, Shankar Shesh, and Vijay Tendulkar Mrinal Pande and Kamala Das. All of them saw women as wronged by men. The body and physicality were no longer avoided. Gupta thinks modern Indian

literature's feminism is descriptive rather than critical. Feminist literature in the Southern languages has been omitted by Gupta – a pity. The title should carry the subtitle that he is dealing with North Indian literature mostly. There is abundant feminist literature in Marathi, examined by Baranita Bagchi (2012). She sees intricate interweaving of conflicts and dilemmas around education, domestic work, public work, sexuality, marriage and socio-political involvement.<sup>6</sup> As this essay is not specifically about Literature as such, detailed references to published work has not been included. Mention of authors and their work is more to illustrate feminist concerns and feminist articulation of these concerns.

### **Feminism and Science**

How gender operates in science is linked to how gender operates in society. Science is a part of society and though science has a universal language, it does not escape class, caste locations and gendered perspectives (Krishna 2015). Stree has undertaken to publish two volumes “Feminism and Science. Changing Perspectives in India” ed, Sumi Krishna and Gita Chadha. The first volume is out and the second is on its way. The conventional critique of the scientific establishment focuses on how women scientists fare in scientific organisations with regard to their career progress and the discrimination they face as well as how family responsibilities limit their devotion in terms of time and energy to research. Facilities for married women are non-existent as the establishments are designed for the male. Hence most go for teaching. (Krishnaraj 1991). Scientists are social beings who view nature through social lens. What the feminist and empirical sociological analyses have in common is the view that the social organization of the scientific community has a bearing on the knowledge produced by that community. An excellent critical review of how science is very much implicated in social organisation of it is given by the Stanford Encyclopaedia of philosophy (2015). This is documented by women scientist like Evelyn Fox Keller. Gender relations which feminist called attention to, went unrecognized by scientists, pursuing either micro or macro sociological research programmes. The award a scientist seeks is credit and citation of his or her work by others. In one study it was found that if the name was recognizably that of a female, it received less citation and where the authorship was ambiguous its merited citation. The most significant intervention by feminists is not only on differences in the analysis of

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<sup>6</sup> Any course in women studies even if it is dealing only with social sciences benefit by including excerpts from literature for critical evaluation of women's position in society. Some of us teaching Women Studies, did this. Women Studies is by nature interdisciplinary

philosophical concepts like objectivity, rationality and truth but the significance of context. Given that values play a role in scientific inquiry, socially progressive values ought to play a role to shape not only decisions about what to investigate but also the process of justification. Since the 1980's there is a growing interest in developing philosophical accounts of scientific knowledge that incorporate the social dimensions of scientific practice. The Philosophers of science hold that scientists are persuaded by what they regard as the best argument, what is the evidence most indicative of the truth by their lights and in holding that argument and evidence as the appropriate focus of attention for the production of knowledge. Helen Longino (2015) shows how there is a semantic gap between statements describing data and statements expressing hypothesis or theories to be confirmed or disconfirmed by data. This gap according to Longino is created by the difference in descriptive terms used in the description of data and the expression of hypotheses. Scientists have institutionalised some critical practices like peer review. We do not have institutions that satisfy the conditions of effectiveness in qualifying science as being objective. It is well known-to concur with Longino - that buddy relationship does enter the picture or the mentor – protege relationship matters as to whether one's work will be acknowledged. Longino further says, after all, cognitive processes of science such as observation, reasoning are social process. Community norms extend to not just the validity of assumptions underlying the piece of research but the constructive processes of research as well. Who gets funding, what are treated as priority areas of research decide on what gets accomplished? A lot of research gets tied for example to military uses because they fulfil the state's defence needs. Important social needs like investigating disease, ensuring clean water, sanitation etc will figure low on expenditure and support. Especially in reproductive technology, women suffer being objects of invasive research geared to population control. The pertinent questions about gender in science are not just about how many women are in science and get recognition but basic epistemological issues as pointed by Longino and others. We have to admit as Krishna says that the cognitive culture of scientific disciplines reflects and reinforce existing social, biases and thereby shape the knowledge, attitudes and practice of the natural sciences in India. (Krishna, 2012).

### **Feminism and Philosophy:**

Philosophy has in the main three groups of questions.

- i) Questions about human knowledge and human reason. How do we know what we know? What is the relation between the knower and

the known? What is the relation between human knowledge and human desires?

- ii) Questions about human nature. What is it that distinguishes us from other living beings? How can we distinguish true knowledge from false belief? What human potentialities are most desirable?
- iii) How do we define the wellbeing of individuals and of society? In so far as most philosophers have been male, does philosophy reflect the male point of view only?

Philosophy is the parent of all human sciences. In fact, in an earlier era, there were no discipline boundaries. There is no one school of feminist philosophy. Feminist have practiced both analytical and other continental traditions. Feminist epistemologists have questioned traditional ideas of how we know things by challenging male ideas and assumptions that ignore women's perspectives. Feminist phenomenologists indicate how both cognitive senses (thinking, interpreting, remembering, knowing) and the construction of normativity within social order combine to shape an individual's reality. In the study of phenomena, they seek to understand one's awareness of self, of others, of one's own experience and how one embodies their intentions and actions. Feminist philosophy attempts the following: i) how bias against women and assumptions about gender are embodied within philosophical writing. They discover the work of many female philosophers whose contributions have been forgotten and reconstruct the field in the light of their critical enquiries. ii) drawing on philosophical concepts and theories they arrive at certain political perspective iii) issues of identity such as race, socio economic status, sexuality, ability and religion are theorised.

Some well-known women philosophers (among many) who are cited often are Simone de Beauvoir, Luce Irigaray, Alison Jaggar, Juli Kristeva, Judith Butler and Uma Narayan. Susan Hack and Camille Paglia are ardent critics of conventional philosophy. (Gates, 1991). Judith Butler (1990) questioned the coherence of the categories of sex, gender and sexuality. What appears as natural is culturally constructed through the repetition of stylized bodily acts and through such repetition establishes an ontological core. She argues that the performance of gender, sex and sexuality is not a voluntary choice. The frameworks of intelligibility and disciplinary regimes decide in advance what possibilities of sex, gender and are socially permitted to appear as coherent and natural sexuality. Showing gender and sex as socially constructed offers a critique of both terms. Feminists according to Butler made the mistake of trying

to make 'women' a discrete, ahistorical group with common characteristics which reinforces the binary view of gender relations. She suggests that instead what we should be doing is to focus on how power functions and shapes our understanding of womanhood, not only within feminism but also in society at large. Gender is performed without our being conscious of it. To take seriously one's opacity to oneself in ethical deliberation implies that we should critically interrogate the social world in which one comes to be human in the first place which remains what one cannot know about oneself. Ethical practice must engage with social and political critique.

American Philosopher Martha Nussbaum has alleged that she faced tremendous discrimination in Harvard, including sexual harassment and problems of getting child care. Women in general are under-represented in philosophy. Feminists ask: is it because they are uncomfortable with the cold, analytical method of the subject and where nature and humans have been eliminated? In India at the moment we do not have adequate information about women philosophers in Universities in India. However, philosophy as traditionally practiced has met its end. Today, philosophy does engage with human questions. Stanford Encyclopaedia of Philosophy has raised questions about under<sup>7</sup> representation of women philosophers.<sup>8</sup>

Indian tradition in philosophical thought dates back to 200 BC – the approximate date of the Rig Veda. Indian thought developed indigenously. It was indifferent to personal histories of its great men. So, we do not have names of founders of various schools of philosophy until much later after, the tenth century A.D. Religion and philosophy were not separated. Philosophy sought the central meaning of existence. The two elements common to all Indian thought was liberation from mundane existence and there was an emphasis on the ascetic spirit as conducive for its attainment. There were several systems formulated that had propositions about the relationship of the human soul to the universal spirit. As what is dealt with here is whether there were female philosophers contributing to this, it is not pertinent here to go into the different systems of philosophy very ably discussed by Hiriyantha (1993). In the desire

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<sup>7</sup> In India, there were six systems of philosophy. By and large they dealt with human being's relationship to the universe and the nature of human consciousness.

<sup>8</sup> Stanford Encyclopaedia has cited: Warnock, Mary ed. (1996) *Women Philosophers*, London. Dent

to transcend finite being, one has to arrive at the ultimate truth.<sup>9</sup> Among the different systems, the one that came closest to our everyday life is that of Ramanuja's "Vishistadwaita". Ramanuja contended that practical activities of life do not require a complete knowledge of our surroundings. It is enough if we know them approximately. There is no need to appeal from the individual to some common consciousness. He recognised only three ways of knowing: perception, inference and verbal testimony. His basic difference from 'Advaita' of Sankara was that the obligation to perform 'karma'-obligatory duties must continue even after one has become devoted to God. He proposed a practical creed Iswara (god) is in the nature of spirit or intelligence but the term stands for the entire universe. He proposed a practical creed which any one can, irrespective of caste or rank attain. He thus opened a doorway to all for spiritual advancement. Unfortunately, while Vaishnavas adhere to Ramanuja as their guru, they have not given up caste prejudices.

Simone Weil who wrote from 1938 more mystical and spiritual tracts was attracted to the Upanishads, Bhagwat Gita and Mahayana Buddhism. She had both an intensely personal drive towards spirituality and at the same time an engagement in social philosophy. She rejects any general theory of human truth production because one can never really give a proof of the reality of anything. Reality is not open to proof; it is something established. It is established just because proof is not enough. It is the enigma of language - indispensable and yet inadequate. What marks off the self is a method, it has no other source than ourselves; it is when we employ the method that we begin to exist. Weil's approach can be summed up thus: both self and world are constituted only through informed action upon the world. (1952)

Having very briefly touched upon Indian philosophical systems, the point to note is there is no feminist critique or contribution to further these expositions available as of now. The only exception being Uma Chakravarty who disputed the nationalist claim that women had a high status in ancient India solely on the basis two names mentioned – that of Maitreyi and Gargi; that there is mention of dasis (women slaves) in the Rig Veda. Maitreyi and Gargi are mentioned as debating with Rishi Yagnavalkya on what are the ultimate ends of life. The major problem is that much of knowledge that pertained to ancient India was oral. As for Buddhism, when written records become available, women who joined the monk's order as nuns complained that they were still chained to pestle

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<sup>9</sup> The systems of philosophy are: Vedanta, Nyaya Viseshika. Dankhya, Poorva Mimasa, Advaita, Vishistadwaita.

and mortar. There are number of women saints in India who composed songs in praise of God and had surrendered themselves to the path of devotion and forsook family and kin. As such they were respected. In other words: only when they renounced family life and took to asceticism did, they gain respect. Gender equality is available only in the renunciate stage. Even this too was denied to Meera whose devotion to Krishna as her god, and abandoning the Royal household was not tolerated but there was attempt to poison her. The stories vary in different contexts and different regions. Feminist philosophy and feminist critique in India was not articulated in textual depositions but expressed in matters of choice about what they valued most in life- the social respectability to adjusting to patriarchal family or stepping out of it altogether. In the present day, a woman has the option to leave her husband through legal separation. Yet family oppression continues in most cases if the woman is not educated or does not have the means to live alone. Even here child custody matters can dog her footsteps. Demands for dowry has been another deterrent to women's liberation despite a law banning dowry demand.

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## Transgression versus Transcendence An Analysis of Dynamics of Women's Sexuality in the Indian Epics *Rāmāyaṇa* and *Mahābhārata*

- Dr. Sarla Santwani

Human sexuality may apparently seem to be biologically determined but human psychology, culture, politics and ethics are equally important determinants which make understanding of human sexuality more complex and challenging. The understanding of human sexuality therefore, requires syncretistic and multiple approaches of inquiry. Kenneth Plummer writes, “While the body and the mind are necessary terrain of sexuality, they are given meaning only in social relations.” This is very true as more than pure human ‘desire’ or ‘sexual urge’, it is social, cultural, political and ethical factors, which determine the expression of human sexuality and the options available to channelize and actualize it.

This paper attempts to analyse the dynamics of the sexuality of women characters in the two Indian epics, *Rāmāyaṇa* and *Mahābhārata*. The patterns of the sexual behaviour of women characters as portrayed in these great Epics not only help in understanding the socio-cultural and political ethos and norms, which shaped the sexual behaviour of women of that historical period but also serve as indices of the social reality in which the women lived and the moral code Indian society had evolved to regulate and judge women's sexuality. There is no specific attempt to correlate it with the *dharmasāstras* (moral codes) except that moral codes are treated as part of culture.

Transgression means those kinds of sexual behaviours, which violate the existing social and cultural norms and the moral code prescribed by the society. The transcendence means adhering to the prescribed social, cultural norms and the existing moral code governing the sexual behaviour and rising to a higher level of human consciousness through sexual experiences.

The wide range of patterns of female sexual behaviour in the Indian Epics *Rāmāyaṇa* and *Mahābhārata* can be broadly categorized into two: conformist versus deviant or transgressive versus transcendent. However, not all the characters may fit neatly into these categories all the time. The characters such as *Sāvitrī*, *Kausalyā*, *Sumitrā*, *Urmilā*, *Māṇḍavi*, *Anasuyā*, *Gāndhārī*, *Ambikā*,



*Ambālikā*, *Subhadra*, *Uttarā* etc. belong to the conformist or transcendent category whereas characters such as *Satyavatī*, *Kuntī*, *Draupadī*, *Śakuntalā* and *Ahalyā* belong to the deviant or transgressive category. *Ġangā*, *Hiḍimbā*, *Tāṭkā* and *Śurpaṅkhā* too manifest a deviant sexual behaviour but whether one can apply the same moral criterion to judge their behaviour poses a question as they belong to the different subcultures. *Ġangā*, being a river Goddess belongs to a higher realm than the normal human world and *Śurpaṅkhā*, *Hiḍimbā* and *Tāṭkā* belong to non-Aryan (the ‘other’) societies governed by a different set of norms and moral standards. The values affirmed by the characters belonging to the conformist or transcendental categories are purity, virginity, chastity, abstinence and ascetic self-denial, withdrawal from the normal affairs of human world and sublimation. One must not forget that the world of the epics is a patriarchal world therefore these values are considered as ‘higher’ and ‘transcendental’ because it suits the patriarchal society and work in favour of men. Such cultural ethos and moral code are bound to be discriminatory, judging women harshly for their moral lapses but condoning even more severe moral lapses of men. Since the power is in the hands of men, women are compelled to follow the dictates of such a society willingly or unwillingly because the consequences of not following the dictates of such a patriarchal set-up may endanger their survival. Although, *Manusmṛtī* and other *Dharma Śāstras* were later texts, their beginnings can be clearly seen in the Epics. *Pāṇḍu*, while persuading *Kuntī* to beget children by invoking the Gods through the *mantra* given by *Durvāsa* tells her that previously women were not governed by any sexual moral code.

“In the olden days, so we hear, women went uncloistered, my lovely wife of the beautiful eyes; they were their own mistresses, who took their pleasure where it pleased them. From childhood on they were faithless to their husbands, but yet not lawless, for such was the law in the olden day.” (MBH, 1(7)). 113. 5).

*Pāṇḍu* goes on to narrate the story of *Śvetaketu*, son of the great seer *Dirghātma*, who laid down the following rule, when he saw his own mother being dragged forcefully by another man to satisfy his lust, in the presence of his father.

“From this day on, a woman’s faithlessness to her husband shall be a sin equal to aborticide, an evil that shall bring on misery. Seducing a chaste and constant wife, who is avowed to her husband, shall also be a sin on earth. And a wife who is enjoined by her husband to conceive a child and refuse shall incur the same evil.’ (MBH, 1(7)).113.15).

By quoting the same law, *Pāṇḍu* is able to put *Kuntī* in a situation wherein she cannot refuse his demand to procreate sons by copulating with another man. He says, ‘Whatever a husband tells his wife, by Law or against the Law, she must do it, especially if one, himself deprived of the power of progeny, is hungry for sons, as I am, flawless *Kuntī*, longing to set eyes on a son.’ (MBH: 1(7). 113. 5-15)

The irony of the situation is that *Śvetaketū*, indignant at seeing his own mother’s helplessness on being forcibly dragged by a man other than her husband, formulated a law, which helped in establishing an individual man’s ownership on a woman but not granting any ‘agency’ or ‘will’ to a woman in the sexual relations. The dominant values prescribed, enforced and upheld high for women, according to the injunctions of this law are Virginity, Chastity, Purity, abstinence, austerity and renunciation.

**VIRGINITY:** This was the value prescribed for young girls until they were married. A maiden was expected not to indulge in sexual intimacy with any man but wait for a man who would be her husband. Unlike young boys who had to observe celibacy in order to concentrate on their studies, a maiden had to remain physically unsullied so that she can present her intact body as a gift to her husband. It is stated in *Śāntīparvan*, “the maiden who spills her virginity incurs three-fourths of the sin of *Brāhaminicide*, while the man who knows her incurs a sin equal to a fourth part of that of *Brāhminicide*.” (MBH: 12.159.40). The responsibility of safeguarding the virginity of young girls rested with father of the girl. If the daughter, in any circumstances transgressed and lost her virginity, his prestige would be lost. This necessitated early marriage of girls because the father wanted to become free from this responsibility as early as possible. There were restrictions enforced on the mobility of young girls and they were expected to seek consent of their fathers or elders before moving out in public sphere or mixing with members of opposite sex. The girls always lived in a kind of fear of reprimand from their fathers. In *Mahābhārata*, we can see such a fear of young maidens, when men expressed the desired intimacy with them. *Yayāti* tells *Devyānī* that he would accept her in marriage only if her father gives her away. (MBH: 1.76.25). *Satyavatī* tells *Parāśara* ‘O holy one! Know that I am a maiden under control of my father.’ (MBH: 1.57.61). In the stories of *Satyavatī*, *Kuntī* and *Mādhavī*, we see them regaining their virginity after indulging in coitus. The modern readers may find this improbable but it surely indicates the high value attached to virginity. *Satyavatī* and *Kuntī* both prior to consenting to the demands of their suitors, put a condition that after the

coitus, they must regain their virginity. Some later scholars interpreted virginity in a different manner because a popular exhortation in India refers to *Ahalyā*, *Kuntī*, *Draupadi*, *Tārā* and *Māndodarī* as virgins and prescribes that regular recitation of this *śloka* cleanses one of one's sins. These five women are referred to as *Pānckanyās*.

‘*Ahalyā Draupadī Kuntī Tārā Māndodarī tathā Pānckanyā smaranīyam mahāpātaka nāśakā*’ Pradip Bhattacharya explains why in spite of committing sin of fornication, *Kuntī* is considered as virginal, a *kanyā*, ‘It is *Surya* who tells the adolescent *Kuntī* while responding to her summons, that the word *kanyā* comes from “*kan*” meaning “to be satisfied, or pleased, to shine, be liked, or wished for, to strive after, desire, wish” denoting one who is radiant, desired by all, satisfied and pleased with herself. Because the *kanyā* is empowered to choose her partner, says *Surya*, she is independent (MBH: IV.303.10; & 304.13). While giving her the boon, *Durvāsa* had explained that anyone she summoned, whether he wished it or not, would be bound to satisfy her desires (MBH: IV.305.98). According to Bhattacharya, the virginity here does not mean ‘a physical state but refers to an inner state of the psyche that remains untrammelled by any slavish dependence on another, specifically on a particular man.’ He defines *kanyā* as “one-in-her selfness,” a woman who is not mentally dependent on any man or even patriarchal norms. We see that in the two epics, these women stand out amidst many other women as powerful, fiercely independent and having courage to defy the prevailing social norms. In spite of having multiple sexual relations, none of the men with whom they had sexual relations defined their lives. They were true to their own inner selves.

**CHASTITY:** A highly prized value associated with the sexual behaviour of married women was chastity. An ideal wife, single mindedly devoted to her husband was called *patīvratā*. A *patīvratā* was supposed to acquire immense power equivalent to the *tapas* accumulated by the yogis. With this power, a special kind of awe and aura surrounded her. The curses and boons granted by *patīvratā* were infallible. We find an example of this in *Mahābhārata*, in the character of *Gāndhārī*, wife of *Dhṛtrāṣṭra*. She was truly devoted to her husband and had never contemplated about any man other than her husband. As a *patīvratā*, she did not want to enjoy any pleasure, which her husband was not able to enjoy therefore as a wife of blind *Dhṛtrāṣṭra*; she blindfolded herself throughout her life. By strictly following the *patīvratā* dharma, she had acquired such power that after the destruction of her clan in the great *Bhārata* war, she cursed *Kṛṣṇa*, whom she considered responsible for the war, that his

clan too would perish and it did come true after some time. *Sītā* is the perfect embodiment of purity and chastity. She had never contemplated a thought of any other man before or after her marriage to *Rāma*. Because of her adherence to this *patīvratā* dharma, such awe surrounded her personality that *Rāvaṇa* never had courage to force her into marrying him. She had no existence apart from *Rāma*. For this reason, when the time came for *Rāma* to go to the forest for fourteen years, she was adamant that she too must accompany him. Because as a *patīvratā* woman, she did not want to enjoy the luxuries of the palace, when her husband was facing the hardships of forest life. *Rāma* had to eventually agree to her demand and allow her to go to forest with them. In the *Aśokavana*, we see her all emaciated with the pangs of separation from her husband *Rāma*. There is not a moment when she is not remembering him. *Sāvitrī* is another epitome of a chaste wife who accumulated so much merit on account of her *patīvratā* that she could even bring back her dead husband *Saṅyavān* back from the clutches of *Yama*, the God of Death. *Urmilā*, wife of *Lakṣmaṇa* does not appear as a major character but we know that she too suffered separation from *Lakṣmaṇa* for fourteen years without any complaint. *Draupadī*, though married to five brothers did try to follow the *patīvratā* dharma diligently. On being asked by *Satyabhāmā*, how she manages to keep all five husbands happy describes the duties of a *patīvratā* woman such as get up from bed before the husband and sleep after he has gone to bed, cook and do all sorts of things to satisfy his personal needs, serve his kith and kin etc. The main obligation of a *patīvratā* was to beget sons for her husband and his family who would continue the patriarchal lineage.

However, to interpret chastity from a feminist perspective would mean loyalty or fidelity not only to an individual man but to the whole set of patriarchal values. The term used for a *patīvratā* was ‘*Satī*,’ which means true to their *patīvratā* dharma. It can also be considered as ‘true’ to patriarchal values. Such women in the feminist terminology are known as ‘female patriarchs.’ These women unquestioningly accept and follow the patriarchal values. Women like *Kauśalyā*, *Anasuyā*, *Subhadrā*, *Sumitrā*, and *Urmilā* fitted easily into the patriarchal social structure. In fact, sometimes one might wonder as to whether they lacked the intelligence to comprehend the discrimination present in the patriarchal system. They did not have their own goals. Their lives were submerged in the lives of men in their lives, their husbands and sons. They lived in the reflected glory of their husbands and sons and found meaning of their lives through them. On examining their sexual behaviour, they appear rather asexual or at least never express their sexuality explicitly. It is interesting

to observe how their suppressed and thwarted sexuality is channelized. In *Rāmāyaṇa*, it is evident that King *Daśaratha* was enamoured by the younger wife *Kaikeyī* and ignored the senior wives. This leads to jealousy and intrigues or ‘harem rivalry’ as discussed by Sutherland who writes, ‘One of the most common and universal themes of love in literature and myth is that of the rejected wife.... Perhaps the best-known version of the rejected senior wife and beloved younger wife in the Indian context occurs in the *Rāmāyaṇa* story.’ *Kauśalyā* gives vent to her frustration when *Rāma* announces the news of his exile. She says, ‘How their words will break my heart, the many, painful words I shall hear from those junior co-wives.’ We see her seeking compensation of her thwarted sexual urges either in austerities, observance of religious vows or waiting for her son *Rāma* to be crowned as a King. She lost to *Kaikeyī* in the competition of getting attention from King *Daśaratha*. In compensation to this, she aspires to win over *Kaikeyī* by becoming a *Rājīmāta*. On *Kaikeyī*’s side, we are told that aged King *Daśaratha* was captivated by young and attractive *Kaikeyī* but we do not know *Kaikeyī*’s true feelings. Later after *Rāma* was exiled and *Daśaratha* was on deathbed, *Bhārata* in his rage blurted out how the aged *Daśaratha* had almost purchased *Kaikeyī* by paying a handsome bride price to her father and on a condition, that *Kaikeyī*’s son would inherit the throne. This was also an example of how women were used as pawns by men for their own profitable business or royal deals. Women, in turn learnt to use sexuality as a weapon against exploitative men. *Kaikeyī* knew *Daśaratha*’s weakness and ‘uses sexual blackmail (among other things) to force *Daśaratha* to put her son, *Bharata*, on the throne instead and send *Rama* into exile.’ One can very well imagine that if asked for her choice, *Kaikeyī* would not have agreed to marry an old man like *Daśaratha*. One can also understand that she must not have been sexually fulfilled with an aged man like *Daśaratha*. Her frustrated sexuality is expressed in her behaviour as a spoilt young wife, who throws tantrums. Alternatively, one can also consider her as a clever politician. She did not claim the two boons granted by *Daśaratha* immediately but kept them in reserve for the best opportune time to be utilized to her maximum advantage. When the time came, she fully exploited this opportunity to get what she wanted. One can hardly blame her. These are the kinds of compensations a woman may seek for what she misses in her life in a patriarchal society, the actualization of or even full expression of the erotic and sexual dimensions of her personality. Women imbibe patriarchal values of greed and power and act like clever politicians, exploit men on their weaknesses. Sexuality in such patriarchal structures is employed more as bribe, an exchange gift, a weapon

rather than for genuine gratification of desire or for emotional and psychological fulfilment.

Another way, this thwarted sexuality is expressed is a kind of oedipal obsessions these mothers develop with their sons. Sally Sutherland writes, '[W]hat becomes manifestly clear in all the stories, regardless of the configuration, is that the real emotional energy of all the women involved is tied up with their sons and not their husbands, and this energy reflects and expresses an emotional, or at least perceived emotional reality of Indian women.' We can see this in the behaviour of *Kauśalyā* and *Kaikeyī*. There is hardly any rivalry between *Rāma* and *Bharat* but their mothers are antagonistic against each other on the issue of whose son should be crowned as a king. This is because *Kauśalyā*, an older wife perceives that *Kaikeyī*, the younger and attractive co-wife as her rival in winning King *Daśaratha*.

**ABSTINENCE, ASCETICISM, RENUNCIATION:** In the two epics, we come across some women characters, who have completely withdrawn themselves from any kind of sexual behaviour. A few of them are engaged in ascetic practices and a few have renounced from the active life of the world. According to Dhand, they are following the *nivṛtī* dharma instead of *pravṛtī* dharma. Dhand discusses various categories of women who have withdrawn from sexual activity for various reasons. These are *Brahmacāriṇīs* (female celibates), *Tapasvinīs* (female ascetics), renouncers, and *Bhikṣuṇīs* etc. The *Brahmcraya*, as stage of life was prescribed only for men but the daughters of the renowned sages, who lived in the ashrams, due to environmental influences sometimes; they are seen in the *Brahmācāriṇ* garbs and behaving like the other disciples of their fathers. *Śakuntalā*, daughter of sage *Kaṇva* and *Devyanī*, daughter of *Śukrācārya* are two such examples. However, society of that time did not recommend any tapas greater than *patīvratā* for women so we know that these girls are *Brahmācāriṇīs* only for a short time.

As for women ascetics, there is reference to *Diśa*, the aged ascetic whom *Aśṭavakra* encountered in the *Anuśasanaparva*, who is described as “an old and highly blessed ascetic, who lives in observance of a *dikṣa*” (MBH: XIII.21.20). There is also a character called *Śandilī*, who makes brief appearance in the *Udyogparva*. She is a Brahmin woman who lives alone on a peak of Mount *Ṛṣbha* doing solitary acts of *tapas*. She is a *Siddhā* who has magical powers. However, among all of them the most interesting character is that of *Sulabhā*, who is evolved to a very high level of spirituality. “In the age of dharma, there

was a mendicant woman named *Sulabhā*, who wandered over the whole earth practicing *yogadharmas*.' (MBH: XII.308.7). *Sulabhā* wanted to test the spiritual power of renowned King Janaka so with her magical powers, entered inside his body. King Janaka objected to this and doubted her efficacy as a spiritualist since she was a woman. He also advised her that the real dharma for a woman was to marry and procreate but the text says, 'She has excelled beyond the stage of sexual temptation and is unconfounded by the riddles of sexual ethics. In her lengthy discourse with the king, she pronounced what may be the last word on sexuality in the ideals of the *nivṛittī* tradition: that the differences between genders exist only at the level of lower worldly knowledge. A truly enlightened person knows that there is no essential basis for prejudice between male and female, for both are of the same stuff.'" She outwits Janaka with her rare intelligence and spiritual powers.

We see more women as *Vānprasthinis*, women who retire to forest in their old age, sometimes with their husbands and sometimes alone. Since this was the third *āśrama* prescribed by Hindu social order, many men and women retired to forests. Here they led a renunciant life and tried to improve their death by engaging in the meritorious activities such as reading and listening to scriptures from the forest dwelling sages, visiting places of pilgrimages, doing charity to poor forest dwellers and so on. *Kuntī* and *Mādrī* both had retreated to forest with *Pāṇḍu* when he decided to renounce after his curse. Generally, widows retired to the forest lives, if they chose not to become *satīs*. It is mentioned about *Kuntī*, *Satyavatī*, *Ambikā* and *Ambālikā* that "They performed extraordinary austerities and at last the ladies gave up their bodies, and went the chosen path." (MBH: I.119.12) *Kuntī*, after the *Vārnavata* episode had already assumed the garb of an ascetic. *Mādhavī*, daughter of *Yayāti*, is said to "choose the forest as her husband." (MBH: V.118.5). These women totally abstained from sexual activity, even if their husbands were with them. According to *Vānprasthadharma*, it was expected of them that they lead ascetic lives. The exceptional incident is that of *Mādrī* engaging in sexual relation with *Pāṇḍu*, which costs him his life. This trio had not yet reached the actual age for *Vānprasthaśram*. They had to go to the forest prematurely due to *Pāṇḍu*'s curse that if he ever indulged in a coitus, he would die. *Pāṇḍu*, thinking that forest life would help him to avoid physical temptations, retired to forest. His wives too joined him as it was according to *pativraṭā* dharma. In an inauspicious moment *Pāṇḍu* could not resist the beauty and charm of his young wife *Mādrī* and in spite of her reminding about the curse indulged in coitus with her and succumbed to death. We also have some incidents of women indulging in

sexual relations. These are those women who are forest dwellers. Two major examples are *Ahalyā* and *Reṇukā*, which will be discussed in the next section about transgression. What we see here is that some women are trying to rise beyond sexual desires as it was also valued by the Hindu dharma ideals. *Ahalyā*, after being cursed by *Gautama* to retire in forest and lead a life of self-denial until *Rama*, the savior came and rescued her. *Āmbikā* and *Āmbālikā* after becoming widows in their prime led lives of abstinence and self-denial except the levirate with *Vyāsa*, which was forced upon them. *Śakuntalā*, after being abandoned by *Duśanta* was forced to lead an ascetic's life in a hermitage where almost all her youth is spent. Women in general were believed to be purified by such austerities. We also have a unique example where a woman who was leading an ascetic life, decided to lead a worldly life. This was *Lopāmudrā*, the *Kṣatriya* wife of Sage *Agastya*, who cleverly challenged *Agastya* that if he wanted to enjoy the pleasures of worldly life with him, he must provide her all the comforts, which she was used to as a *kṣatriya* princess. She also clearly told him that he must hurry, as they must enjoy the sensual pleasure before she aged.

**TRANSGRESSION/DEVIATION:** There are some women characters, who have dared to defy the existing cultural norms and moral code of the then society. Some of them deviated due to compelling circumstances, which compelled these women to deviate. In the Epics such transgressions are, are portrayed as instances of seductions, fornications, adultery, levirate and polyandry.

**FORNICATION:** In a society, which prized virginity of a maiden so highly, the fornication was a sin. However, some female characters in the epics committed this sin and rose above it. The very first instance is that of *Satyavatī*, the fisher-woman whose beauty and charm enamoured Sage *Parāśara* who wanted to instantly unite with her. She refused and gave reasons for the impropriety of such an act but Sage *Parāśara* was insistent. Taking advantage of the situation, this clever woman, agreed to his proposal on two conditions: Her virginity should be restored after their physical union and she should be cured of the foul smell of fish oozing out of her body. The love smitten Sage *Parāśara* agreed to both her conditions and she begot a genius child *Kṛṣṇa Dwaipāyana Vyāsa*. *Satyavatī* was able to show such boldness because she did not belong to the two upper classes but to the lower social class wherein the sexual moral code for women was permissive.



Another woman character who violated the moral code of the society was *Kuntī*. She committed the sin of fornication during her adolescence. Appointed by her father in the service of the irascible Sage *Durvāsā*, *Kuntī* discharged her duties diligently. On being pleased with her, the Sage granted her miraculous *mantras* as boons. With these *mantras*, she would be able to invoke any god she chose and have a child by him. Out of an adolescent curiosity, *Kuntī* experimented with a *mantra* and invoked god *Surya*, who readily appeared to her and forced her into sexual intercourse. As an outcome this encounter with *Surya*, she conceived and gave birth to *Karṇa*. This miracle *mantra* turned into a nightmare for her as in a patriarchal society it was impossible for her to live as an unwed mother. She had no option but to abandon the new-born baby and conceal the secret in her heart throughout her life, until the end of the *Mahābhārata* war when she disclosed to her sons that *Karṇa* was her own son, born out of wedlock. Unfortunately, *Yudhiṣṭhīra*, instead of empathizing with the pain and anguish his mother had to undergo through the separation from her firstborn, cursed her and the whole womankind that no woman would be able to keep a secret henceforth. Although, hers was not a sin committed wilfully but still her mistake was judged very harshly by the society including her own son, who was an epitome of patriarchal dharma.

**ADULTERY:** One character, which immediately draws attention in connection with adultery, is *Ahalyā*, wife of Sage *Gautama*. Her father had entrusted her in the care of sage *Gautama*. Pleased by his care, he married *Ahalyā* to him without bothering to find *Ahalyā*'s own wish. *Ahalyā*, the most beautiful woman was condemned to live with an elderly ascetic husband, who had no interest in the finer things of life such as lovemaking or eroticism. Yet *Ahalyā* served him unflinchingly with full devotion. *Indra*, who had since long harbored the desire to have *Ahalyā* approached her in the disguise of her husband *Gautama* and engaged her in adultery. Although *Ahalyā*, with her womanly intuition could sense something amiss, decided to cast all her inhibitions to wind and float in the moment of pleasure and satisfy her long suppressed sexual desire. *Gautama*, on return caught *Indra* escaping. He insulted *Ahalyā* in harshest possible words and condemned her to a vegetative stone like existence until she was purified by the divine touch of Lord *Rāma*. *Ahalyā*'s story appears in both the Epics. In the *Rāmāyaṇa* of *Vālmiki*, *Gautama*'s cursed on *Ahalyā* is described in these words, "You will feed only on air, far away from the public eye' sleeping on ashes for years on end, and expiate for your self-willed sin by penance and asceticism.... Only after that *Rāma* will appear and redeem you." In *Mahābhārata*, *Gautama* forgave *Ahalyā*

but in *Rāmāyaṇa Ahalyā* had to pay a very high price for defying the norms of a patriarchal society. The epic writers show no consideration for her deprivation, which might have led her to the transgression. Bhattacharya rightly states, ‘That as years of perseverance and ascetic contemplation is needed for salvation, so also to commit sin long years of deprivation, agony, conflict, protest and resultant morbidity are responsible. Like redemption, sin too is no less dependent on practice, perseverance and circumstances.’ The epics, as a mouthpiece of patriarchal values, do not acknowledge her inner transformational process. How through such a transgressive experience followed by repentance, introspection and inner emotional psychological processes she rose to a higher level of consciousness is of no interest to the patriarchal society! What the epics have to loudly proclaim is that a male deemed to be an incarnation of God, with his mere touch was able to rescue her and free her from the curse inflicted upon her by her husband.

‘Another example of adultery can be seen in the story of *Reṇukā*, wife of Sage *Jamdagnya* and mother of *Rāma Jamdagnya*. In this case, it was a mere contemplated adultery but not actually committed. Sage *Jamdagnya* had a doubt that his wife *Reṇukā*, contemplated about another man. This was enough for him to order his sons to kill their mother. The elder four sons refused but *Rāma Jamdagnya* agreed to obey father’s command, such an important patriarchal value, more important than life of a woman, one’s own mother.

**POLYANDRY:** Polyandry perhaps was practiced in some of the indigenous matriarchal cultures of India. Even though *Draupadī*’s marriage to five husbands may be attributed to the influence of the indigenous cultures, it has been adapted to suit the patriarchal structure. Firstly, it is not through her consent that she married the five *Pāṇḍava* brothers. It was Mother *Kuntī* who unaware of what prize *Arjuna* had won, asked them share it as they had shared everything so far. It is also hinted that when *Draupadī* came home and was sitting in a room, all the five brothers were looking at her at the same time with lot of interest in their eyes. Probably, *Kuntī* recognized that this would lead to discord among the brothers in future so she as a mother commanded that *Draupadī* be the wife of all five brothers. We are given a glimpse into this polyandrous marriage. She had to spend a year with each brother by turns. This gave a couple perhaps sufficient time for procreation of a child and to be sure of the paternity of the child. After the stipulated year, she had to purify herself by entering into fire and then start afresh with the next brother. We also know that like *Satyavatī* and *Kuntī*, her virginity too was restored after completion of

her time with each *Pāṇḍava* brother. Whether the purificatory fire-bath was voluntary on her side or she was forced by the patriarchal moral code, no clue is given. But being born of fire, she was immune to fire, which could not burn her. She was an extremely beautiful woman with a lot of sex appeal but whether she was sexually fulfilled as woman, no clue is given in the epics. We can, however, infer from the unfolding of the great saga. One can imagine *Yudhiṣṭhira*, giving lectures on dharma instead of making love to her, when in bed with her. *Arjuna* was too self-absorbed in his achievements as a warrior and *Nakula* and *Sahadeva*, still unwanted babies who required her to mother them. It was only *Bhīma*, who was her true match not only because of his virile physique but also like her; he had boiling blood, which would stir him into action at the slightest injustice. During the episode of dice game, the *Pāṇḍavas* watched her being humiliated passively except *Bhīma*, who vowed to avenge her humiliation by breaking *Duryodhana*'s thigh. It is with him that she gets some opportunities to actualize her femininity. It is not a wonder that in the end *Draupadī* asked *Bhīma* to promise her that in the next life, he would be only hers. The patriarchal moral code expected her to love all the husbands equally, but the same code allowed each one of the brothers to marry other women. *Karṇa* addressed her as a 'whore' and *Duryodhana* invited her to sit on his thigh. In spite of all her enviable beauty, her beauty had hardly ever been appreciated. She was used as a sexual object, as a pawn for staking in the dice game. As if this was not enough, in the end when they were going to the forest, she was the first one to fall down for death. Here too *Yudhiṣṭhira*, readily declared that the reason of her death was that she failed in her role as an ideal impartial wife because she loved Arjuna more than the other brothers.

**LEVIRATE (*Niyoga*):** This was a custom wherein a woman was impregnated by a man other than her husband. This was practiced when the husband was dead or was impotent and unable to impregnate a woman. In *Mahābhārata*, we can see this practice, first in the case of *Ambikā* and *Ambālikā*, who are pushed into the situation of *Niyoga* with *Satyavatī*'s son *Vyāsa*, born out of wedlock from Sage *Parāśara*. First *Satyavatī*, tried to convince *Bhiṣma* to bear children on the widows, *Ambikā* and *Ambālikā*. This decision was taken in favour of the royal throne. No one was concerned with willingness or otherwise of the widows. On the contrary, they were criticized for not co-operating fully during the *niyoga* and held responsible for *Dhṛtraṣṭra*'s blindness and *Pāṇḍu*'s paleness. *Ambikā* had closed her eyes during the intercourse with *Vyāsa* as she could not bear his ugliness and *Ambālikā* had turned pale out of fear during the intercourse hence her son *Pāṇḍu* was born pale, which shows their

unwillingness but they were mere wombs to procreate the heirs to the throne. In the next generation, also *niyoga* was forced on *Kuntī*, when her husband was unable to procreate due to the curse incurred by him. When *Pandu* came to know about *Kuntī*'s boons granted by Sage *Durvāsā*, he forced her to beget sons against her own will. *Kuntī* thus begot *Yudhiṣṭhira*, *Bhīma* and *Arjuna* by invoking celestial beings, *Vāyu* and *Indra*. *Pāṇḍu*'s greed for sons was not still not satisfied and he urges *Kuntī* to beget more sons but *Kuntī* boldly refused and kindly allowed *Mādrī* to beget the twins by using *mantra*, earned by her. The same *Kuntī* had begotten *Karṇa* by invoking *Surya* but she could never claim him, as it was against the prevalent patriarchal norms wherein to some extent her own will along with adolescent curiosity was exercised. It is the same act but now it had the patriarchal stamp, which determines whether the act is ethical or unethical.

**FEMALE SEXUALITY AND SOCIAL CLASS:** It is interesting to observe how expression of female sexuality in the two epics is closely tied with the social hierarchy of Indian society at that time. There are female characters in the epics who fully express their sexuality but these characters belong to either the lower social ranks or the non-Aryan cultures. *Ambikā* and *Ambālikā*, indoctrinated in the patriarchal moral code, are so appalled by the indecent looks of *Vyāsa* and the fear of committing sin that they are unable to get fully involved in the sexual union with *Vyāsa*. However, the *Dāsī*, *Ambikā*'s slave who was sent by her as her proxy, is able to fully enjoy the blessed opportunity. The child born out of this fulfillment is an exceptionally good human being *Vidura*. *Ambikā* and *Ambālikā*, who engaged in the act half-heartedly, produced sons, who were lacking something. It was a very common practice among the upper-class males to employ *dasīs* for their sexual pleasures. Sometimes, they even begot children on these *dāsīs*. *Vidura* is one such example. *Dhṛtraṣṭra* had an illegitimate daughter *Duśalā* born of a *dāsī*. *Bandhaki* was the lowest category of female slaves, who had to provide sexual services to more than one man. *Karṇa* insulted *Draupadī* in the *Sabhāparva* as a *Bandhaki*, after she was lost in the dice game by her husbands. This sheds light on another important fact of the cultural ethos of that time. Women were treated as property of men, who could be exchanged as a gift, pawned, staked or even sold. *Mādhavi*, the daughter of *Yayātī* was thus exchanged for horses to three men. When *Yudhiṣṭhira* referred to *Draupadī* as a 'Jewel,' he was not praising her beauty but indicating that she was his property, which could be used at any time.

In comparison to the dominant Aryan culture, the non-Aryan Native Indian subcultures granted more freedom to their women as these cultures were largely matriarchal, where women enjoyed more freedom and were allowed to express their sexuality openly. *Śurpaṅkha*'s libidinal personality is emphasized when she blatantly and abrasively tried to seduce *Rāma* and *Lakṣmaṇa*, she tells *Rāma*, 'I am prepared to defy them all [her brothers], *Rāma* for I have never seen anyone like you.' 'The overt sexuality of *Śurpaṅkha* is permitted by *Vālmikī* because she is outside of the human world. It is this overt sexuality that leads to her disfigurement by *Lakṣmaṇa* and *Vālmikī* clearly sends a message to his audience that aggressive sexual behaviour is not only non-human, but can and will have devastating results.' The feature of *rākṣasa* otherness, next to violence, most decidedly excludes them from the human universe of *Vālmikī*'s poem is their intemperate and aggressive sexuality.' She is punished by *Rāma* not so much in accordance with a primal urge toward "the unsexing of the bad mother," but because it is *Rāma*'s duty as a king to exert punishment in general and specifically punishment for infringement of the sexual code.

Similarly, in *Mahābhārata*, we encounter character of *Hiḍimbā* who explicitly expresses her attraction for *Bhīma*. She expresses her attraction to *Bhīma* by saying, 'We shall dwell forevermore in the mountain fastnesses-be my husband,' she exclaimed, compelled by the bodiless god that moves within our bodies" *Kuntī*, persuades *Bhīma* to marry her, though *Bhīma* initially gets angry with her unashamed declaration of love. It is worth noting here that whereas for *Hiḍimbā*, it is purely a sexual attraction; *Kuntī* considers this alliance from a political perspective. *Kuntī* cleverly envisions that this can turn into a profitable alliance in future. The innocent *Kuntī* who invoked *Surya* out of curiosity has now become a female patriarch. Experience has taught her practical lessons. She did not think of taking *Hiḍimbā* and *Ghatotkac* to *Hastināpur* and live with them but solicited a promise from them that since *Ghatotkac* now belonged to their family, he must help *Pāṇḍavas* in future whenever they needed help. Being non-*Āryans*, they did not get any rights but must help the *Aryans* in propagation of their supremacy.

The other group of women who could freely express their sexuality and display their physical charms were the *Apsarās*, the heavenly courtesans, who lure ascetics from their austerities and spiritual pursuits. They too had to provide sexual services to men. "Described and conceived as femme fatales, *Apsarās* had no other role than seduction; they were sent as sexual baits to trap ascetics. In their success Indra triumphed since he was the one who sent them to seduce.

They are displayed for the gaze and enjoyment of men. Not only are they denied any autonomy as to their desires but are consciously used as an inert tool for scoring victories in the battle amongst males.’

Last but not the least it is important to note the passages in the epics, which describe female sexuality in negative terms. For example, in *Nārada Saṁvāda*, (*Anuśāsanaparva*), it is said, “Just as fire is never satisfied by wood or an ocean is never filled up by rivers, or death is never satiated in its hunger, so are women never satiated even when they come in contact with very many men” (MBH: 13.38.25)

A woman is made to feel degraded for her bodily functions i.e. her menstrual aspect, which was treated as a taboo. Sexual intercourse with a menstruating woman was forbidden. A *Rajaswalā* was impure and evil and was forbidden from all religious activities. The epic declares that ‘after menstruation a woman becomes pure like a utensil cleaned with ash therefore if a man is doubtful about his wife’s conduct (sexual) he should not have an intercourse with her till she has her periods, “This according to the law is an incomparable means of cleansing the women, O Duśanta, for month after month the menstrual blood takes all the evils in them away.” (MBH: XII.36.27). Female sexuality as a menace to male ascetics. Women are “intrinsically full of passions”; they are in fact eternal embodiments the senses (MBH: XII.206.9)

What was considered most important in a woman was her reproductive ability. “Woman symbolized *kṣetra*, the world, the field of multiplicity and action, while man symbolizes *ksetrajña*, the knower of the field, whose intrinsic wisdom penetrates through the diverse charms of *prakṛtī*. (MBH: XII.206.8). That a woman was nothing more than a womb is repeatedly proved in the epics. For the epic writers, woman seems to live her entire life through her uterus. In *Mahābhārata*, *Mādhavī*, who had a boon of begetting *Cakravartīn* kings, was bartered so many times by various kings for their greed for getting *Cakravartīn* kings. She was reduced to a breeding machine and is alienated from her own sexuality and reproductive capacity.

In conclusion, one can reiterate what Ranjana Kumari stated, ‘The concept of femaleness in Hinduism presents a duality. On the one hand, the female is seen as divine, creative, nurturing and supportive and on the other hand, she is considered to be the epitome of the dangerous, carnal and evil and, therefore, in constant need of control and subordination by man.’

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In your house,  
 While cleaning and arranging your personal belongings  
 And keeping them properly where you wanted them to be kept;  
 I realized that  
 I have no right to decide to dispose them off.

Everything is yours and only yours  
 Nothing is ours.

In your paraphernalia  
 I am also the properly kept thing  
 You may call it useless, worthless, collection, antic.

To be part of that is not acceptable to me.

- Poem by Prof. Chitra Lele (Originally in Marathi)  
 English Translation by Prof. Vibhuti Patel

## **Women, Work and Empowerment: A Case Study of the IT Sector**

- Priyanka Dwivedi

### **I. Introduction**

Paid employment has been identified as one of the most effective channels for ensuring empowerment of women. Despite the widespread assumption that paid employment leads to empowerment of women, there has been very little empirical research to establish this relationship. Studies<sup>10</sup> have revealed that women who work have a greater likelihood of higher empowerment than those women that do not, but the strength of this relationship is dependent on the context. The conditions under which employment takes place are significant in determining whether paid employment leads to empowerment. Research by Assad et al (2011)<sup>11</sup> has highlighted that the relationship between employment and empowerment is not a linear one. The barriers that stand in the way of women's control over their lives and equality are too complex to be overcome by paid work alone. Many a times, structural factors like poverty push women into low skill, poorly paid work options that afford no security and no scope for empowerment. Thus, it needs to be examined when and how paid employment would lead to empowerment of women and when it would not.

In sociological research, resource dependency<sup>12</sup> states that women's socio-economic resources determine her intra-house negotiating power. Fewer economic opportunities and multiple socio-economic constraints limit women's intra-household negotiating power, hence their ability to mitigate or defend themselves from domestic violence.<sup>13</sup> Kabeer (2011)<sup>14</sup> introduced a distinction between objective and subjective independence, with objective independence largely coinciding with economic independence. With the bargaining position

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<sup>10</sup> Upadhyaya, Carol and Vasavi A.R, Work, culture and Sociality in the Indian IT Industry: A Sociological study, Report submitted to Indo-Dutch Programme for Alternatives in Development, NIAS, Bangalore, 2006.

<sup>11</sup> Assad, R., H. Sholkamy and C. Krafft (2011) Is Work Empowering for Women? Evidence from Egypt. Mimeo .Social Research Centre, Cairo.

<sup>12</sup> Kabeer, N., S. Mahmud and S. Tasneem (2011). Does Paid Work Provide a Pathway to Women's Empowerment? Empirical Findings from Bangladesh. IDS Working Paper No. 375. Institute of Development Studies, University of Sussex.

<sup>13</sup> Kandiyoti, D., (1988). Bargaining with Patriarchy, Gender and Society, 2(3)

<sup>14</sup> Kabeer, N. (2011). Contextualizing the Economic Pathways of Women's Empowerment. Findings from a Multi-Country Research Programme. Pathways Policy Paper. Institute of Development Studies, University of Sussex, Brighton.



that women obtain on account of economic independence, it gets translated into empowerment. However, the caveat is that ‘choice to work’ or ‘compelled to work’ are contexts that demand reflection before inferring that work delivers economic independence and empowerment.<sup>15</sup> Resorting to paid employment on account of structural factors such as poverty and family needs or being forced to undertake employment by a dominating spouse or family members will not result in economic independence as there is no scope to exercise control on the earning and income. Thus, work will yield empowerment only when work is taken as a choice to earn an income and when she is able to exercise her control on her earnings. This will engender a sense of economic security as her access to resources and bargaining position is in part determined by her economic security.

My research is set in the background of Information Technology industry in Bangalore. Acclaimed as the poster child of arrival of New Economy, IT industry is considered to be non-discriminating and an equal opportunity employer for men and women, minorities and handicapped all alike. It is characterised with several distinguishing features such as high degree of integration into the global economy; distinctive and apparently employee friendly human resource policies; women-friendly work environment and attractive option for female graduate engineers. The emergence of Information Technology industry in mid-1990s has unveiled a potential employment opportunity for women in this sector congenially befitting their job environment and offering, in principle, least gender discrimination.<sup>16</sup> Its employment potentiality provides inspiration to female students to take up technical and professional courses with an eye on the job market. This is evidenced in the participation of women in the IT industry which has been rapidly growing as compared to other sectors of the economy. The increased business requirement, diversity of skills and competencies has posited IT sector as a major job creator with handsome pay packages.

With the onset of globalization, values of Gender Inclusivity, Diversity and Equality became the buzzwords in the corporate world coupled with an increased awareness that women are equally talented and competent in performing the jobs professionally. IT industry best represents the ethos of globalization wherein the values of equality, inclusivity and diversity have

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<sup>15</sup> *ibid* Assad et al. p 16

<sup>16</sup> Nayyar, Deepak, Globalisation: What Does It Mean for Higher Education? *Economic Political Weekly*, 42 (50), 2007.

actually become a business imperative. However, this story is not all fair as it seems. According to NASSCOM-Mencher (2009) report,<sup>17</sup> there are large differences among companies while adopting the inclusivity measures. Most reviews reveal that, notwithstanding overall satisfactory gender-neutral pursuit by this sector, an optimal level of gender inclusivity is still to be achieved, especially at the senior level. Gender inequalities and discontentment are very much present among the women employees in this sector along with the gender-based social constraints. Even with more and more women graduates entering into the workforce, it is noticed that the Information Technology is still a male-dominated industry, a result of masculine culture developed over the years that tends to exclude or marginalize women. The women employees are considered important and most suitable to fill the shortage of talent, for cost advantage, for brand building, for better understanding of customer requirements and to realize higher profit margins. This kind of segregation and classification has led to a 'Feminization' of certain category of jobs and imposition of 'Glass ceiling'.<sup>18</sup> The intersectionality of working conditions and work timings, family and societal obligations also present many hindrances to women when compared to men.

This implies that it is not naturally obvious that economic independence will translate into empowerment for women. It is acknowledged that the growing role of IT in India's economy and the focus fold with which the industry is driving around is in part owing to the fact that they are accommodating more women in the workforce. The Indian IT industry has set benchmarks and has been the initiator of pioneering work culture for women employees, more than any other industry in India; it has also launched several initiatives which are tailored to women in their workplaces.<sup>19</sup> With these characteristics, IT industry is a befitting field to study the relationship between work and empowerment. Understanding women's participation in IT industries is important for understanding how women are participating, then just how many are participating.

In this background, this study aims to explore the lives of women IT professionals and investigate whether their work empowers them to act in their

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<sup>17</sup> NASSCOM-Mencher, Gender Inclusivity in India: Building Empowered organisation. New Delhi: NASSCOM, 2009.

<sup>18</sup> Arfken, D. E., S. L. Bellar, M. M. Helms, The Ultimate Glass Ceiling Revisited: The Presence of Women on Corporate Boards", *Journal of Business Ethics*, 50 (2), 2004, 177-86.

<sup>19</sup> *ibid* 8

own agency. The study investigates whether women IT professionals are able to break the glass ceiling that they invariably confront at the workplace. This question is well placed to test the effectiveness of the HR policies of inclusion and gender parity in this sector. The study further explores where do women locate themselves in the opportunity structure of IT industry and probes into why very few women are able to move up the ladder and reach top management positions in the IT sector despite the 'equal' space that it represents in all aspects.

## II. Literature Review

Shanker's study (2008)<sup>20</sup> asserts that the IT industry is the destination of the privileged- young, educated, urban and upper caste with middle class family background which constitutes the majority of the workforce. The study of Carol Upadhyay (2006)<sup>21</sup> has drawn inference that a flexible labour market in this high-tech sector improves women employees' financial autonomy, greater mobility and gives them a larger social acceptance in a male dominated society. She further observes that women professionals are able to enhance their social status in terms of having 'economic capital (high income, foreign travels), social capital (role model and greater prospects of marriage) and symbolic capital (prestige attached to profession)' by working in the IT sector.

Kelkar et al (2002)<sup>22</sup> in their research stated that direct opportunity for career advancement offered by IT sector enhances the agency of the women. Very often on their jobs, they are required to take instant decisions and make strategic choices that help in boosting their agency. Women are able to augment their family income which enables them to enjoy a better bargaining power within the households. This can be evidenced in the flexible division of labour and the decision-making power that women exercise within the household. Kelkar *et al.* 2002<sup>23</sup> have observed that women working in this sector become socially mobile to live in other cities away from their male relatives and families for availing job opportunity. They no longer constrain themselves to opt for jobs which are near to their home town alone.

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<sup>20</sup>Shanker, Deepika, Gender Relations in IT Companies: An Indian Experience, Gender, Technology and Development, 12 (2), 2008,

<sup>21</sup>Upadhyay, Carol, Gender in the Information Society: Emerging Issues" in Gurumurthy Anita, P. J. Singh, A. Mundkur and M. Swamy (eds.), Gender issues in the Indian Software Outsourcing Industry, 2006, (24).

<sup>22</sup> *ibid*

<sup>23</sup>Kelkar, G., G. Shrestha, and N. Veena, IT Industry and Women's Agency: Explorations in Bangalore and Delhi, India, Gender, Technology and Development, 6(1), 2002

The studies<sup>24</sup> in the same line further suggest that this achievement is however selective. It has not been possible for the women professionals in the IT sector to challenge the structural inequalities and gender relations respectively at both the work place and at home. They are in a constant internal struggle to challenge the embedded patriarchal relations and existing structural inequalities which restrict them. It, therefore, raises the question as to what kind of gender relations, women IT professionals face at the work-place, where gender neutral and equal opportunity policy are due to be followed as the protocol of Human Resource Policy.

With the acknowledgement that IT industry is a large-scale employer of women professionals, studies<sup>25</sup> have also underlined the fact that women workforce are majorly concentrated at the lower level of job ladder. A very few women work as Software developers, Architectures, Tech leads, Consultants or Project managers whereas a bulk of them work at the lower level as testers, programmers or quality assurances and such other low-end jobs. But at the senior level, women representation is only around 5 per cent. The report by NASSCOM–Mencher<sup>26</sup> echoed the same findings to the effect that women professionals were mostly concentrated at the entry and intermediate levels rather than climbing at the middle and upper ranks. Such clustering of certain service activities and consequential segregation has led to ‘feminisation’ in the IT sector.

This trend calls for an exploration into reasons of what inhibits the upward flight of women professionals. The questions of glass-ceiling, gender pay gap and discrepancy prominently surface here. NASSCOM surveys have underlined the existence of feminisation and glass-ceiling in this industry; since the women workforce gets concentrated mostly at the lower level of job hierarchy in the IT sector. Not only there is clustering of women professionals at the lower levels, they are also paid less and have fewer channels of growth and lesser chance of going abroad onsite. Culturally, there is prevalence of gender-biased stereotypes adopted by the management for its ‘ideological construction’ of women’s skills as ‘soft skills’. It is assumed that women are good at routine,

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<sup>24</sup>A.W. and T. V. Sekher, „Can Career-Minded Young Women Reverse Gender Discrimination? A View from Bangalore’s High-Tech (5) Sector“, *Gender, Technology and Development*, 11 (3), 2007

<sup>25</sup>Kelkar, G., G. Shrestha, and N. Veena, *IT Industry and Women’s Agency: Explorations in Bangalore and Delhi, India*, *Gender, Technology and Development*, 6(1), 2002, 63-84.

<sup>26</sup>NASSCOM-Mencher, *Gender Inclusivity in India: Building Empowered organisation*. New Delhi: NASSCOM, 2009.

standard and repetitive works. The notion shapes the recruitment and promotion practices<sup>27</sup>. The combination of three factors: stereotyped female professionals, personal sense of mid-career guilt and, glass ceiling that women confront acts as a sieve limiting the opportunities for women's promotion (NASSCOM-Mencher report 2009).

### **III. Research Methodology**

The study is based in Bangalore which had a population of only 800,000 in 1951, but had grown to 5.6 million in 2001 and is estimated approximately 12 million now. Today, Bangalore is one of the prime cities in India, the pace of its industrial and commercial growth being unparalleled across the country. Its success in attracting a large volume of software and IT-enabled service businesses Bangalore has earned the sobriquet of 'Silicon Valley' of India. Bangalore has emerged as a major hub for the IT industry and it alone contributes nearly 33 percent of the total Indian IT exports. The United Nations Human Development Report (UNDP, 2001) has also recognized it as one of the leading global hubs of technological innovation.

This paper is based on ethnographic research wherein semi structured interview was used as the main tool of data collection. Ten interviews were conducted from young women who were working in the IT sector. All the women were between the ages of 24 and 35; three were in their thirties and the rest in their twenties. Five of the women were married and the rest were single. Most of the women had been working for over four years and were looking for a long-term career in the sector. In the interview, the questions were focussed on the experience they have had working in the IT sector, skills they felt they have developed, their feeling about the economic independence that their work gives them, the amount of support their family was giving them, their income and how they utilise it, their future career plans, marriage and family options and what difficulties and negative experiences they had faced in their work life.

The method of obtaining the respondents was by referral from people whom I was able to contact through social networking site and then by snowballing from one reference to another. This method does not create a representative sample of young women in the IT sector. It instead allows an overview of the workforce that is fairly homogeneous in many ways. I do not claim statistical validity of any kind. The research is exploratory and purely qualitative study, initiated to

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<sup>27</sup>ibid

bring to surface some important questions and hypotheses that could be examined in future research.

#### IV. Discussion

Existing literature and surveys done on the career progression of women in the IT sector have shown that most of the women are concentrated in the lower and middle level ranks and have marginal representation at the top levels. The higher the career level, the lower is the female participation. A particular characteristic of the Indian tech industry is the high mobility of employees. IT workers tend to change employers frequently and build their careers in several companies and organizations along their professional trajectories, rather than staying in one company<sup>28</sup>. This mobility helps the employees to enhance their pay packages. Women employees face this constraint as their mobility is restricted due to family obligations. A promotional opportunity may demand a change of location with an attractive package. Such experiences are counted as 'on site exposure' and facilitate career advancement. Owing to family constraints, most of the women are not able to avail such an opportunity with ease unless there are mechanisms for social support in the family.

Vidya, 34, works as Delivery Manager in an IT firm. With 12 years of experience in the IT sector she has had two onsite opportunities. She had changed five companies in this duration, joining each on a higher package. Vidya lives with her in laws and credits her family for the continued support that she had received. "I have been very lucky to have such supportive in laws. When I had to travel and be away from my son for work projects for 6 months, I was assured my mother in law would take care of my son. They have been living with us since my son was born and it has been very helpful for me to continue my career alongside family responsibilities."

Job hopping is acknowledged as a prerequisite in the IT sector to avail handsome pay packages and quick promotions. Though there are monetary increments and promotions within the company, however, the same cannot be paralleled with the opportunities that one can avail with job change. IT sector is extremely dynamic wherein the employees need to regularly update their skill set to suit the new demands. This is possible only via on job training and/or opting for an online course. With the updated skill set, employees are better

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<sup>28</sup> Upadhya, Carol, Gender in the Information Society: Emerging Issues" in Gurumurthy Anita, P. J. Singh, A. Mundkur and M. Swamy (eds.), *Gender issues in the Indian Software Outsourcing Industry*, 2006, (24).

able to ‘negotiate the deal’ when looking for a job change. Women employees face this limitation as they are not able to update their skill set on job, especially in the initial few years after marriage. The work life balance theory comes into play wherein there are only a limited number of hours they can invest at work, which leaves no spare time for undertaking a course or training on a new skill set that is seeing recent demand. This creates a lag wherein they are forced to be stuck in the same company.

Shagufta, 32, works as a software developer in IT firm. She has changed two companies and has been doing well. However, post her marriage, she has not been able to change as she lacks the skills that are now in demand. “I am basically a coder; I have been working on ABAP: it’s a language. But now the demand is very high for HANA, SAP. I need to learn that thoroughly to be able to clear the interview as they ask very basic operational questions. After my marriage, I can’t find time after 9 hours of work at office. I know what I am looking for but I am unable to switch and I am stuck. I need to learn new language, there a lot of openings for that. It’s been two years and I have been planning to learn but it is getting badly delayed”.

Company parental policies also determine the retention and progression of women for career advancement. Policy measures especially targeted at supporting women to return to work after maternity leave are very significant here. This is one of the major challenges that Indian companies within the IT sector have been trying to fix over the past decade to ensure a gender inclusive workplace. NASSCOM report has revealed that the IT companies did not perceive the costs related to maternity leave as a constraint, but the key concerns were the low rate of return to work and managing the changes in working, that women returning from maternity leave might not be able to balance work and caring<sup>29</sup>.

Radhika, 29, was given maternity leave for three months. She has been working in the firm for 3 years and returned to work after her maternity leave. However, in the absence of any support system at her home, she had to resign and take to full time caring or her new born. “My mother left after 6 months; I had employed a nanny for my baby so it was going well. But, then, how is it with babies, I did not know, I had to take so many leaves. I was not questioned as I

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<sup>29</sup> Clark, A.W. and T. V. Shekher (2007): “Can Career-Minded Young Women Reverse Gender Discrimination? A View from Bangalore’s High-Tech Sector”, *Gender, Technology and Development*, 11 (3): 285-319.

had genuine reasons. But I was not able to concentrate in work or meetings, neither meet deadlines. I discussed with my husband. I had no option left but to take a break for two years until my baby grows up and can be put in a play school. I wouldn't have had to resign, had someone from my husband's family or my mother could have come and lived with us for a year or so, but that's not possible at all. So, this was the only option left."

It is a perception among the employees that networking is significant dimension that impacts career opportunities in the IT industry. Team outings, socializing and building network also determines promotional prospects. Failure on the part of women professionals to put up late hours to build informal networking debars them from getting information on career openings and promotions (Upadhyaya 2006). They are constrained due to distance from home, personal security or domestic responsibilities.

Priety, 24, has been in IT firm for last one year. She resides with her relatives in Bangalore and cannot afford to put up late in the team outing and parties which are frequent in her company. Her colleagues however spend quite a lot of time networking in these outings and have been able to get good referrals for new projects. "I was not aware of a new project in my company. I have been on bench for the last three months, as my project was over. I am still waiting to be included in the new project. Had I been socializing like my colleagues; I would have known and by this time been working on some new project. I would have immediately opted if I knew."

Wajcman et al. (2004) found that in Vietnam, IT employers' perception of women's 'skill' was nothing to do with ideological and social constructions but the technical competence that are possessed by men and not by women. This led to strong gender segregation in software work where women were concentrated in jobs that were considered to be less skilled such as testers and coders while jobs carried out by men are in design and specification. Consequently, leading to feminization of jobs and creating a gender gap in pay and training. She asserted that neither work experience nor technical qualification explained gender segregation here; rather it was employers' perceptions of women's vis-a-vis men's skills and their suitability for particular types of work. This reinforces gender-based stereotypes that creates a culturally and structurally defined glass ceiling for women.<sup>30</sup>

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<sup>30</sup> Abraham Margaret (2008): "Globalization and the Call Center Industry", *International Sociology*, 23 (2): 197- 210.



Patriarchal attitude sustains the expectation that women will bear the primary household and parenthood burden even when employed outside the house. This feeds into hiring discrimination in the IT sector when employers consequently see women as less reliable employees, prevents women from accumulating human capital at the same rate as men and has a cumulative hamstringing effect as women progress in their careers<sup>31</sup>. Gender pay gap is a reality in the information technology sector. With the same skill set, experience and training, women take home less than men. This is a widespread grievance among the women IT professionals. The pay gap widens from managerial level whereas it is more or less the same at the entry level positions. The ‘Monster Salary Index India IT Sector Report 2014 revealed that a male IT worker received a gross salary of Rs 359.25 an hour while a female worker received Rs 254.04 an hour.

Payal, 26, has five years of work experience and has recently changed her company. On her interview, she was questioned on her marriage plans and whether she will leave work in the wake of family obligations. Payal is an assertive young woman who chose to have career in IT as equated it with her identity and vouches to never leave her career. “I was asked about marriage and family, as they think women will opt out of work when they get married or plan to extent their family. I am looking for a partner that will share equal responsibility in each phase, working women should not be expected to manage home responsibilities single handed. Unfortunately, that is still he perception and that is why I offered a lower package than my batch mate as the interviewers perhaps saw no such constraints for him:”

IT industry characterises itself as a gender-neutral workplace. It needs to be examined whether ‘gender sensitivity’ needs to be replaced by gender neutrality. Moser (1989) has coined ‘Women’s Special Need Gender planning approach’ to take into consideration the different gender needs for men and women, as they play different roles in the society. Gender planning relates to identifying women’s triple roles (reproductive, productive and community) and distinction between practical and strategic needs. Women involved in participation of labour force are constrained by triple commitments (practical needs). Strategic gender needs involve abolition of gender division of labour, alleviation of the burden of domestic chores and control of male violence<sup>32</sup>.

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<sup>31</sup> *ibid*

<sup>32</sup> Moser, Caroline, Gender planning and development: Revisiting, deconstructing and reflecting. DPU60 Working Paper Series: Reflections NO. 165/60

Recognizing the triple roles that are played by women will provide methodological tools for planning to fulfil strategic gender needs. A noteworthy example is provision of off-peak transport facilities meets the practical needs, but 'Women only' transport particularly at night provides strategic gender need of countering male violence. Similarly, provisions of crèche, parenting workshops and women's forums can be adopted to ensure gender inclusivity. NASSCOM-Mencher, 2009 report has pointed out that a comprehensive and holistic policy needs to be formulated for greater inclusivity and empowerment of women that encompasses all the levels of ecosystem.

## **V. Conclusion**

It is intriguing that such bottlenecks are persistent in an industry that boasts itself as the highest employer of women workforce. Men and women start their careers in IT companies in at similar ages but women progress more slowly, so men at senior positions are often younger than women at a similar level. Reinforcement of gender-based stereotypes creates a culturally and structurally defined glass-ceiling.<sup>33</sup> Women workforce in Information technology sector face glass-ceiling and are not able to rise high after certain level of hierarchy as they fail to bargain for proper perks, stock options, pay scales etc.<sup>34</sup> Again, as a failure to upgrade their skills; they tend to remain attached to a particular company for a longer period rather than going for job change, thus sticking to immobility. Failure to put up late hours to build informal networking debars them from getting information on career openings.<sup>35</sup> The impression of stereotypical image for women employees on the part of recruiters, team lead and male colleagues results in marginalisation of women at the workplace especially during the time of project deadlines, other constraining factors include recruitment and promotion filters for selection of certain 'social types'<sup>36</sup> lack of mentors and want of network for women at higher position. Non implementation of women sensitive flexi-time policy further hampers promotional prospects of women software professionals. The sustained patriarchal norms in Indian society restrict the empowerment of women. However, women who were interviewed showed a zeal and enthusiasm to challenge these norms, taking social support as their very own right for career

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<sup>33</sup>Abraham, Margaret, Globalisation and the Call Center Industry, *International Sociology*, 23 (2), 2008

<sup>34</sup> *ibid*

<sup>35</sup>*ibid* Upadhyay 20016, p13

<sup>36</sup>*ibid* Shanker 2008, p 14

development. They questioned the practice of allocating ‘care work’ to women which limits their career progression.

In this perspective, this paper places some important questions that can guide future research. How does working outside influence the social position of women? How far is the “equal opportunity” practice of the IT sector effective in reality? What is the interaction of public private patriarchy and how does it impact the working women? To what extent has individualization of women at workplace liberated her from traditional gender roles? These arenas demand careful investigation for guiding policy action and policy course correction in future.



## MOON MISSED

If you live to be the woman who loves too much,  
Remember,  
That selfless deeds only exist in fairy tales  
And fairy tales are the untread escape of broken males

If you live to be the woman who loves too much,  
Remember,  
Cryptic boys and manly toys are the farce our men used to hold their guards  
up high  
Enough to hide their constant doubts and speechless droughts, coming nigh.

If you live to be the woman who cries too much,  
Remember,  
Our tears are not a symbol of weakness  
But the vessel that acts as arms and legs when our body is far too gone to  
help.

If you live to be the woman who talks too much,  
Remember,  
Every word you utter out loud to the universe could hold the voices  
Of every girl who couldn't.

The woman of my soul,  
The stranger of the night,  
Remember,  
Loving too much is not a blight on our happiness,  
Loving too much is the incessant magic we were blessed with but never  
learnt to control.  
Maybe one day,  
Ages from now,  
Every single one of them, doomed by our power will helplessly long that  
touch,  
And every single one of them will still hide, too afraid to give in too much.

Don't be afraid to live to be the woman who loves too much,  
But remember from time to time,  
To love the woman who lives too much."

- Manaal Siddiqui, FYBA  
Sophia College (AUTONOMOUS), Mumbai  
(this poem was presented at Genderlogue,  
Sophia College, Mumbai)

## The promise of the #MeToo movement for preventing and reporting sexual harassment

- Dr. Linda Lane

### *Abstract*

The purpose of this article is to reflect on the promise of #MeToo movement for reporting and preventing sexual harassment (SH). The article engages with definitions of SH and theories of whistleblowing dialogue with illustrative #MeToo narratives to discuss why reports of SH take long time to surface and why they may remain unreported and unaddressed. The empirical illustrations were gathered from Swedish newspaper articles, social media, radio, and television programs beginning autumn 2017. To set the stage, we begin with short presentations of sexual harassment and whistleblowing processes followed by three short illustrative cases. Our tentative findings show that when considering SH, organisation leaders have important roles in the whistleblowing process as they communicate organisational expectations, values and norms about acceptable behaviour. In the Swedish context, the explicit political stance to #MeToo taken by Swedish Government and Discrimination Ombudsman were crucial in starting and sustaining initiatives to support employees and their organisations in these efforts.

### *Introduction*

The #MeToo movement during autumn 2017 began with allegations of sexual misconduct and exploitation of actors in US film industry by the famous producer/director Harvey Weinstein. What started as a social media campaign to raise awareness of sexual assault and harassment by activist Tarana Burke in 2006, was revitalised in autumn 2017 when Alyssa Milano asked her blog followers to tweet *MeToo* if they had been sexually harassed. Via social media, the movement quickly spread to Europe and around the world. In Sweden #MeToo gained momentum when thousands of Swedish women manifested their experiences of sexual harassment under the *MeToo* hashtag. Organised by labour market sectors, profession, within trade unions and congregations, groups of women proclaimed their experiences of sexual harassment. To illustrate the Swedish #MeToo response the following table presents a few examples of the more than 80 groups whose members manifested their grievances and raised their voices under a variety of *MeToo* hashtags.

These mass media proclamations revealed that sexual harassment (hereafter SH) was a paramount and rampant problem in Sweden. The first proclamation,

“Tystnad tagning (Silence, action!)” narrated the experiences of Swedish women in theatre and film professions, was quickly followed by proclamations from opera singers, employees in restaurants, factories, health care professions, politics sports and social work. Narratives from patients, pupils, students and other groups revealed that SH was rife within professions responsible for society’s most vulnerable citizens. One of the more alarming proclamations revealed the prevalence and experiences of SH among girls in primary and secondary schools.

To illustrate the Swedish #MeToo response the following table presents a few selected examples from the more than 80 groups whose members manifested their grievances and raised their voices under a variety of MeToo hashtags. By end of 2017, more than 63000 women and girls had sent the message that SH had to stop. ‘This is enough, we will take no more of this behaviour,’ was the key message in these proclamations.

<b>Examples of Swedish MeToo proclamation hashtags</b>		
Proclamation hashtag	Number of signees	Group
#Silenceaction	703	Actresses
#Withwhatright	5 965	Lawyers
#inthehallsofpower	1 319	Politicians
#deadline	4 084	Journalists
#nopass	3 853	Teachers
#lastnailinthecoffin & #technicallywrong	5 811	Women in the building and technology trades
#withoutconfidentiality	10 400	Doctors
#thetruthwillsetyoufree & #ethicallight	1 818	Women in the church
#academicproclamation	2 400	Academics
#notnegotiable	1 501	Trade unionist

The public in Sweden was horrified and shocked as Swedish #MeToo proclamations alleged that a number of well-known and often respected men in cultural fields, the media, and sports -- in both public and private sectors – had sexually harassed their female co-workers and other women at work and outside

of it. In response to the *#MeToo* uproar and in an attempt to come to grips with the problem, the Swedish Government in January 2018 published a 10-point action plan for immediate implementation (Office of the Swedish Government *Regeringskansliet*, 2018). The goal of the action plan was to address support work environments that underpinned sexual exploitation of women in organisations. In conjunction with the action plan, the investigation by Sweden's Discrimination Ombudsman (DO) of municipal and regional health care organisations' routines and action plans to prevent SH in their organizations was extended to include private enterprises and organizations in mass media, culture, and government.

The Swedish Government's immediate action to address problems of SH raised by *#MeToo* attests to the strength of the movement in Sweden and to Swedish sensitivity to issues concerning gender equality. Sweden is among the most gender equal countries in the world and since the 1970s, gender equality has been a cornerstone of Swedish social policy (Jordansson and Lane, 2018). The country launched its Anti-Discrimination Act in 2009. The law considers SH a form of gender discrimination that is prohibited in workplaces. Notwithstanding legislative intentions, *#MeToo* narratives suggest that sexual harassment remains a significant problem in many sectors of the Swedish labour market.

The purpose of this article is to investigate the influence of the *#MeToo* movement for reporting and preventing SH. The article engages with theories of whistleblowing to explore various processes leading to whether SH offenses are reported. By analysing *#MeToo* narratives in dialogue with whistleblowing theories and perspectives, we aim to contribute to discussions of why incidences of sexual harassment take long time to surface and why they are not reported or addressed by victims of SH and their organisations. The article presents three cases based on empirical data gathered from newspaper articles, social media, radio, and television programs in Sweden since autumn 2017. To set the stage, we begin with a short presentation of sexual harassment and then link it to whistleblowing processes. The following section presents the cases and the article ends with a glance towards the future.

### **The emergence of sexual harassment as a topical issue**

It is safe to say that since the industrial revolution and the rise of factories where men and women for the first time were in intimate proximity to each other without the controlling eyes of families, women and some men have been victims of SH. However, it was in the USA as part of radical feminist grassroots

movements in the 1970s that the socio-legal recognition of SH took form. Working women demanded that behaviours involving harassment of a sexual nature or harassment on the basis of the sex of the victim be designated as ‘sexual harassment’ and be recognised as sex discrimination under federal anti-discrimination legislation (MacKinnon, 1979).

Since the 1970s, the term ‘sexual harassment’ has been adopted to characterize experiences, to ensure recognition of certain forms of conduct and seek to prevent a range of behaviours. SH is understood as one of a range of abusive or counterproductive workplace behaviours that have hierarchical power relations at their core (Thornton, 2002; Zippel, 2006). It has an explicitly sexual dimension and as such is distinguished from harassment based on race or disability in that the SH conduct may be and often is, excused as welcome attention (Samuels, 2003). SH behaviour includes some of the most flagrant behaviour prohibited by criminal law from rape, sexual assault to conduct which can, in certain circumstances, seem harmless as part of day-to-day interaction such as comments, jokes, physical contact (MacDonald, 2012; McCann, 2005; Rubenstein, 1987). SH can also be understood as a psychological construct whereby ‘unwanted sex-related behaviour at work that is appraised by the recipient as offensive, exceeding her resources, or threatening her well-being’ (Fitzgerald et al., 1997:15), or according to its legal definition, which varies by jurisdictional context.

Previous research in Europe reveals that millions of women suffer from SH in their working lives (see e.g. Latcheva, 2017; Markert, 2005; McCann, 2005). However, the same research shows that it has been impossible to reach a consensus on what constitutes sexual harassment. Furthermore, even when there is consensus for a particular definition, there is no certainty that agreed measures are enforced. For example, the European Commission observed that the Commission’s definition in the 1991 Recommendation Protecting the dignity of women and men at work, a code of practice on measures to combat sexual harassment (92/131/EEC, 1991), was not known throughout Europe, especially in southern EU Member States, nor was it accepted in all EU Member States (Latcheva, 2017).

Moreover, SH legislation may interpret SH behaviour in a broad or narrow way. Australia serves as an illustrative example, there SH was covered by the federal Sex Discrimination Act 1984 and by state-based anti-discrimination legislation. Australian courts have been found to take a broad interpretation in assigning vicarious liability, including off-duty SH, such as SH that occurs at Christmas parties and other social functions, external premises of the organisation such as



car parks, and at work conferences and on work-related trips. In France, SH is a criminal offence defined narrowly in terms of the use of coercion to obtain sexual favours where there is no vicarious liability provision (MacDonald, 2012). The tenuousness of definitions and the fact that depending on the country SH may be regulated under a range of legal principles including discrimination legislation, health and safety laws, or criminal law complicate possibilities for reporting. The multitudinous forms of SH activities experienced and the varying time-spans between SH experience and reporting it as portrayed in *#MeToo* narratives suggest that ambiguities concerning definitions of SH impact victims understanding of what constitutes SH behaviour and what kind of action is called for.

Swedish SH legislations fall somewhere in-between the broadly defined legislation in Australia the narrow definition in France. Swedish governmental proposition (Prop.1997/1998:55) formulated the first legal definition of sexual harassment, which was included in the Anti-Discrimination Act launched in 2009. The law was amended in January 2017, to regulate responsibility for reporting and compensation to victims. Recent research on SH in Sweden is relatively sparse. However, available studies-include studies of female military officers and soldiers (Eduards, 2007), blue-collar workers in the private sector (de los Reyes and Yazdanpanah, 2011), and students. A study of primary and secondary schools found female pupils experienced high incidences of SH perpetrated by both teachers and peers (Gillander-Gådin, 2012). The consensus among researchers is that incidences of SH are common, but is often interpreted as individual problems where shame, stigma, and fear of retaliation contribute to victims not reporting SH and perpetrators remaining unpunished (Carstensen, 2004; Pernrud, 2004).

### **Should I tell someone? Whistleblowing and sexual harassment**

A lesson from *#MeToo* that has reverberated throughout the movement is that reporting SH misbehaviour begins when the victim or an on-looker dares to come forward and report. Moreover, much of the scepticism about the *#MeToo* movement questions the authenticity of narratives from women and men who have come forward many years after the alleged incident took place. When an individual experiences SH, she/he is faced with three choices: exit, voice or loyalty (Hirschmann, 1970). Many circumstances influence the decision (Miceli, Near and Dworkin, 2008). For example, the victim may consider the seriousness of the SH behaviour, if there were witnesses to the incident, and the status and power of the perpetrator. As pointed out previously, the victims may fear retaliation and have feelings of shame and self-doubt (McLaughlin et al.,

2012; Carstensen, 2004; Miceli et al., 1991). To exit the organization is seemingly the easiest choice but will depend on whether the victim has alternative opportunities to compensate for loss of income, employment, status, and social networks. Understanding the processes involved is of central importance to reporting SH behaviour. Depending on these and many other factors, victims may rationalize the incident, even deny it ever happened and remain loyal to the organisation. A whistleblowing process will not begin if the victim decides to exit or remain loyal to the organisation. It is only when the victim or an on-looker ‘voice’ a complaint that a whistleblowing process can begin. This process of whistleblowing is defined as “the disclosure by organization members (former or current) of illegal, immoral or illegitimate practices under the control of their employers, to persons or organizations that may be able to affect action” (Miceli and Near 1985:4).

Miceli and Near (1992) developed a model of whistleblowing processes based on five clearly defined stages. The model organised around time, “attempts to follow the whistleblowing process stage-by-stage” (p. 51). The first stage is the triggering event, when someone experiences or observes SH or any other activity that is illegal, unethical or nor correct [and recognises that an illegal (and immoral) act has taken place. The second stage is when the victim or the observer decides to act on the triggering event. Discussions among colleagues, family, and friends will determine the strategy taken, to exit, remain loyal, or to start the third stage. In this stage, the victim launches a formal written or oral complaint. Then the process to investigate the validity of the SH complaint begins. Once verified, the organisational response to SH complaints will depend primarily on its responsibility to comply with Anti-Discrimination Laws. The fourth stage begins when others in the organisation gains knowledge of the complaint. The final whistleblowing stage looks at effects and consequences of filing a complaint from different positions in the organisation. Whatever the outcome of the SH investigation, filing a complaint will have consequences for both victim and perpetrator. At the team/group level, a complaint may cause conflict among members affecting team cohesion and productivity. Supporting a particular side in the complaint may result in social exclusion, bullying, or other forms of reprisals. At the highest level, organisational response to whistleblowing may be incongruent, i.e. organisations may comply with legal policies and laws, initiate policies to prevent SH in future, and create a good work environment or contrarily, internal actions may result in the whistle blower becoming a *pariah*, treated as disloyal and a traitor to the organisation (Hedin, Månsson and Tikkanen, 2008).

### **Narratives of SH in the Swedish #MeToo movement**

What became clear from narratives in the Swedish #MeToo movement was that many women had made SH complaints to their employers in accordance with the discrimination legislation. Several of the alleged victimised women had even lodged complaints with supervisors or human relation officers in their work organizations. However, in many of these cases, complaints were not taken seriously and no action was taken against the alleged perpetrators. Women who attempted to blow the whistle on SH were discouraged from filing formal complaints or were simply transferred to other work units, sometimes after personal request and in other cases at the request of HR departments. In others cases, fear of retaliation, silencing, and or exclusion from workplace social life led victims to quit their jobs. Below we present three illustrative examples of Swedish organisations responses to alleged SH behaviour before and during #MeToo movement.

#### **Case 1 “The journalist and delayed action”**

In the beginning of the #MeToo movement, a well-known and respected newspaper journalist was accused of having drugged and raped a young colleague after a party. The incident had occurred about 8 years earlier and was investigated by the employer. At that time the alleged perpetrator received an official warning but no legal action was taken and the journalist continued to work in the same job. Neither had the accuser filed an official police report. During the #MeToo movement the journalist was once again accused of sexual harassment and misconduct. Only this time, all of his accusers came forward publicly using social media to narrate their experiences. The accusations triggered a renewed interest in the 8-year old case as the accuser also made her accusations public. Change had also occurred in the newspaper leadership. The newspaper’s editor-in-chief, now a female openly declared in the media that she would not tolerate SH. Further, she made it clear that she interpreted SH as male sexual oppression and that it was her task was to protect her staff and create a healthy work environment. Initially, the accused journalist was asked to take “time-out.” He is now under investigation for several incidences of sexual assault and has resigned from the newspaper (sr.se/P1/Nyheter).

#### **Case 2 “Intimate photographs and male footballers”**

As a part of the #MeToo movement a female employee at the Swedish National Football Association (SNFA) described how she had received obscene photographs in her mobile phone from male members of the National football team. She also told the press that other female employees had received similar photographs but had not dared to report the incidences to their employer. This

behaviour had occurred a few years earlier and both the SNFA Chairman and members of the Board had been informed at that time. However, when the question was raised in interviews, the former SNFA Chairman replied that he had not heard of these accusations (or could not remember them) and did not believe them to be true (Expressen 22/10/17). However, in subsequent interviews, one of the accused team members confirmed the employee's accusations (Fotball Direct 26/10/17). The present SNFA Chairman has committed to starting an internal organisational investigation. The aim is to investigate both old and new complaints. The investigation will begin with personal conversations with each member of the national staff (Expressen 21/11/17). This case also illustrates the effect of the *#MeToo* movement on whistleblowing activities.

### **Case 3 “Cultural institutions and *#MeToo*”**

In early December 2017, directors of the three major national cultural institutions: The Royal Dramatic Theatre, the Royal Swedish Opera, and the National Theatre Company were called to the Ministry of Culture. They were ordered to investigate the situation in their theatres respectively and start a process of implementing changes for a healthier work environment without oppression and sexual harassment. This was the starting point for reforms not only in these institutions but in many other cultural organizations in Sweden. On 8<sup>th</sup> March 2018, Swedish Radio aired a program where three representatives for cultural organizations and two journalists (all women) discussed what has happened since the December meeting (sr.se/P1/Kulturnytt). One of the journalists reported that from interviews and conversations she was able to identify different types of action taken by employers. First employees had been invited – individually or in small groups to discuss the work climate with their employer. Complaints of SH within organisations were investigated and appropriate action taken, those found guilty were sanctioned in accordance with regulations, a few were dismissed and others were charged by the police. Second, employers began to scrutinise their written policies and documents concerning discrimination and sexual harassment. What had been done earlier? Could these instruments be developed further and be more useful? Third, some employers had implemented short 1-2-day courses to educate employees on important themes relating to gender discrimination and equality.

### **What have we learnt from *#MeToo*?**

Before the *#MeToo* movement, reporting complaints of SH behaviour, even when regulated by law, was capricious. Sometimes actions were taken but in

other cases complaints were ignored or not taken seriously. The *#MeToo* movement has called this type of behaviour into question. Victims of SH have found their voices and in all sectors of the labour market thousands of women have made it clear that women will no longer accept and tolerate SH behaviour in their workplaces. For men, the movement has served as a ‘wake-up call,’ to reflect on their behaviour in interactions with female colleagues. Moreover, due to mass media attention, organisations are realising that continued neglect of SH behaviour can be costly and damaging to both organisational image and reputation.

As the three cases illustrate, *#MeToo* opened an SH black box that revealed the seriousness of the problem in Swedish work environments. The *#MeToo* movement made it possible to talk about SH-incidents as a social and cultural problem in the work place. With narratives of their humiliating experiences, which clearly can be classified as gender discrimination and sexual harassment, women broke the culture of silence surrounding SH making it impossible to return to previous positions (Morrison and Milliken, 2000). *#MeToo* revealed how some forms of SH behaviour had become internalised as ‘normalisation of violence,’ tolerated and accepted in work places (Lundgren, 1991). The movement armed women and men with powerful knowledge of what constitutes SH, its different forms, and ways of addressing it. This includes empowering victims and on-lookers to report SH (Micela and Near, 1992).

*#MeToo* is not just about women a wide range of individuals, including queer men and women, and transgender individuals experience sexual harassment. Furthermore, insights from research applying intersectional frameworks, shows that gender identity overlaps with other forms of institutional power structures such as race, class and sexuality, which increases the likelihood of some individuals experiencing SH. Consequently, we cannot assume that an individual is more susceptible to SH simply because of gender identity, the issue is far more complex in terms of the way power is negotiated. What *#MeToo* narratives have shown is that power is the key issue. Sexual harassment is likely to occur more commonly in organisations where male cultural power and masculinity dominate (Knutagård ,2016; Hearn, 1998; Connell, 1995).

Women’s participation in the *#MeToo* movement also revealed the magnitude of failed whistleblowing attempts within organisations. Their experiences confirmed empirical studies showing that to report SH within organizations is difficult, and reports of wrongdoing are frequently suppressed or ignored (Miceli et al., 1991; Mesmer-Magnus and Viswesvaran, 2005). The three cases show that the *#MeToo* movement has created an atmosphere where taking

action on SH behaviour on both legal and ethical grounds has been legitimised by taking action, organisation leaders in the cases discussed serve as role models in communicating organisational expectations, values and norms. By taking ethical positions they set the tone for what is acceptable behaviour thereby creating the possibility of changing organisational attitudes (Buchanan 2014; Mayer, et al. 2013). In the Swedish context, the explicit political stance taken by Swedish Government and Discrimination Ombudsman were crucial in sustaining such efforts while supporting initiatives of employees and their organisations.

In addition, the *#MeToo* movement has shown that SH behaviour is usually-a sign of other problems in organisations, and that the freedom to talk about SH at work may lead to the discovery of other kinds of structural problems. An illustrative example is the current crisis in the Swedish Academy. Problems of internal power conflicts, personal animosities, blurred norms, friendship corruption and other forms of misconduct were hidden from public view until accusations of many years of sexual misconduct by the partner of an Academy member were raised in the *#MeToo* movement.

Nevertheless, there remains uncertainty about how deep and profound changes attributed to *#MeToo* will be. These are questions only future research can answer. In the meantime, we can observe that *#MeToo* has started a new type of social movement based on feminist ideals and the fight for citizen rights (Seim 2006). This is the beginning of a long process where conflicts will continue to arise, be discussed, and debated. However, despite many narratives of SH victims, the recent mass media backlash against *#MeToo* has shown that -dominant power structures are difficult to dismantle and that patriarchy is alive and well in many places of employment. However, the promise of *#MeToo* is that it is a rebellious social movement wherein thousands of women and men in Sweden and millions more around the world could shout in one voice, Basta! Enough is enough!

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## **Contribution of Socio-Cultural Factors in Crime against Women: With specific reference to the growing incidences of rape and molestation of young girls and women in India**

- Dr. Jasmine Damle

There is an alarming rise in the cases of molestation and rape in big cities which is splashed across all TV news channels, newspapers, magazines. Literally, not even a day passes by when such horrible news does not appear in the newspapers. On the one hand we are trying to make smart cities but this ugly phenomenon of rape crime is rising daily. After the tragic Nirbhaya case of December, 2012 a lot of cases are being reported in the newspapers and one is shocked to read that even small girls aged (2-8) years are being subject to rape and then murdered to destroy evidence. Even babies are not spared today!

Talcot Parsons in his classic work 'Towards a General Theory of Action' (1951) had elaborately explained the Social System Theory and had used the principle of cybernetic hierarchy – feedback and control. According to Parsons, the cultural system is the highest on information and lowest on energy. This system defines as to what is correct way to behave – socially prescribed patterns of behaviour i.e. social behaviour – moral values to be internalized by the person. In short, the cultural system's function is the legitimating of the society's normative order. The cultural value patterns provide the most direct link between the social and cultural systems in engineering the normative order of society. They define what is appropriate and what is not; (e.g. code of conduct, dress code etc.) Below it is the personality system which involves learning developing and maintaining through the life cycle an adequate level of motivation. So that individuals will participate in socially valued and controlled activities. Thus, it is through the process of socialization that individuals become social beings. Parsons also draws upon Sigmund Freud's concepts of ID, Ego and Superego. Id representing the basic biological urges Food, thirst-hunger, sex, sleep, ego- personality. Sigmund Freud while explaining the process of socialization had stated about the relationship of child with parents – e.g. baby son with mother thus the child seeks erotic pleasures by feeling of love – initiating the process of sexual desire which Freud termed as libidinal. The famous Greek tragedy of Oedipus is too significant to ignore. The crux of the issue is the imbalance of the feeling of love and hate towards the parents. The

boy child resenting the father – his growing affection to his mother. Thus, sex is exposed in the child as an erotic fantasy.

Parson in his masterpiece ‘The Social System’ has given us the concept of norm of deviance. If a person unknowingly violates a norm and realizes that he has been spared, he may indulge in the same act again. Social Conformity and Deviance are indeed two sides of the same coin.

As stated earlier sometimes during the process of socialization – a pathological adaptation can occur such as – crime, prostitutes, delinquencies. This pathological behaviour can result from frustrations, distress, mal-adaptation, insecurity. Thus, the desire for rejection of social conformity and an exhibition of anti-social behaviour appears. Many a time’s social perverts, rapists fit into this category of pathological mal-adaptation.

Robert Merton (1957) ‘Social structure and Anomie’ has talked that Anomie is the disjunction between cultural goals and institutionalized means. Merton had given a typology and classification of Modes of individual adaptation- the fourth category refers to Retreatism whereby a person adapts or mal-adapts in the society but not of it. Merton included the adaptive of psychotics, out courts, vagrants, vagabonds, tramps, cronies, drunkards and drug addicts. The person is well aware of cultural goals as well institutionalized means but very often uses illicit means for ratification of his bodily desires – sex – i.e. in Freudian terms use of Id. The beastly lust desires to harm the modesty chastity of a girl by use of naked force, coercion, force in raping a woman/girl to illustrate the point further the case of Jack the Ripper or Raman Raghav the serial killer or Nithari Punjab killings – Mr. Koli, the gruesome barbaric killings. His conversion to becoming a cannibal! There is often a collusion of interests – rejection of socially prescribed means vis. a vis. is illicit means. Sociologically speaking in the Pareto sense it would be a case of an action whereby the actor performs an action which is subjectively ratifying ‘Yes’ of bodily desires but which is objectively ‘No’ in terms of law – outraging the modesty of a women. The actor, in this case the rapist, has employed, a mean which is subjectively ratifying to him but legally condemned – for e.g. Jack the ripper of 18<sup>th</sup> century in UK used to rape prostitutes and kill them – a psychotic maniac often woman hater, hedonistic people often resort to such means. Hedonism, sadistic pleasure inflicting pain upon the victim and demeaning barbaric, erotic, esoteric pleasure out of the dastardly beastly act. The height of such heinous acts even goes to the extent of raping a dead corpse (Necrophilia).

The growing rise in the number of rape incidents is extremely alarming and hence the courses – socio- cultural need to be probed into.

The paper analyses four major cases that rocked India

- 1) Nirbhaya case
- 2) Shakti Mills Case
- 3) Kopardi Case
- 4) Khairlanji Case

The analysis will explore into different dimensions such as age, religion, caste, village (urban rural context, age of the rapist).

1) Nirbhaya Case: The sixteen December 2012 Gang rape case in Delhi of “Nirbhaya”, a Paramedical student in Delhi resulted in an uproar in India regarding issues of security/safety of girls and women in big cities. Due to the severity of the crime committed by the private bus cleaner/driver and his companions, it resulted in a strong heated debate; As to whether the Juveniles (16 to 18 years) should also be treated at par with adults depending upon the severity of crime committed by them and tried under the I.P.C.? In this case the young boy who committed this rape along with severe physical torture and mutilation of vital and sexual organs which consequently resulted in her tragic death. This resulted in setting up of the Justice Verma Committee to look into the heinous crime committed by the Juvenile who was six months short of attaining 18 years of age. This the Government of India started looking at the rectification of the Juvenile Justice Act and that depending upon the severity of the crime committed by Juveniles such as Rape or Brutal murder be tried under I.P.C. at par with Adults.

The ministry of Women and Child Development’s official source stated, “There is an increasing trend of offenders arrested for crimes like Gang rape, Murder seeking lower punishment on the plea that they have not reached 18 years of age”. Apart from Nirbhaya case “Mumbai Shakti Mills” case has stood out for the involvement of Juveniles in heinous crimes. However, recently the Parliamentary standing committee for HRD has rejected the provisions in the proposed Juvenile Justice Act (Care and Protection Bill, 2014) to try 16-18-year Juveniles accused of heinous crimes under the I.P.C. By stating that Juvenile justice system is not only reformatory and rehabilitative in nature but also recognises the fact that 16-18 age is an extremely sensitive and critical age requiring greater protection and hence need to be tried under the Juvenile Justice Act. This raging controversy along with a rising graph in the number of crimes

committed by youth aged 18 to 30 years makes one ponder upon the issue of youth crime especially in a big megalopolis “Maximum City” such as Mumbai as a case in point.

Today Mumbai amidst all its glitter, high rise sky scrapers, sea link, express ways, exquisite shopping malls, Bollywood on one hand and in stark contrast, slums/ squatters/ hutments the dark grim reality of an eternally increasing rate of crime. In the words of a well-known journalist, Suketu Mehta (2005) “Mumbai is indeed a maximum city where one finds religion, trade, sex, and death on the pavements.” The crime situation in Mumbai has worsened over the years and today crime is no longer considered to be for personal vendetta but has assumed an international, global dimension to it.

The Nirbhaya case (16 December 2012) and Uber Taxi rape case has led to a steady rise in the number of rape cases in big cities such as Mumbai. Uber taxi rape case in Delhi where the main male sexual offender Yadav from Mathura U.P. admitted to having been libidinous – sexually oriented pervert since his adolescence. And had even tried to molest girls earlier in his schools. He had also raped an NRI victim who now resides in USA. Thus, it is this beastly urge to repeatedly commit the heinous act. There has been 55% rise in Rape cases in the year 2014 as compared to 2013. The Mumbai Police statistics has revealed that there were 605 cases in 2014 as against 388 cases in 2013. There was a rise in number of cases of outraging the modesty of women/girls with 10459 cases being registered till November 2014 from 1161 cases recorded in the previous year. Every morning when one glances through the newspapers, one is shocked to read news of rape about innocent young girls and children aged as young as 3 years to 12 years. This heinous act committed against a young girl child is shocking and alarming. For example, a few days ago a young three-year girl was raped by a man in Worli area in Mumbai or the gruesome rape and subsequent murder of a five-year-old girl in Navi Mumbai. This has resulted in the volcanic eruption of these cases spilling over.

2) Shakti Mills Case – This occurred in Mumbai 2013, a young journalist girl (25-28 years) and her male colleague friend had gone there to do a photo shoot of the deserted Shakti Mills around (5:30-5:45) pm on a holiday in the evening. Just as they had entered the dilapidated structure some goons saw them and followed them and asked them to leave the premises. There were verbal clashes and ultimately, they overpowered both of them and started beating the man and the goon’s accomplices took her to the secluded spot and raped her.

The goons had consumed country liquor. The journalist and her photographer friend wanted to finish the photo shoot as there was a deadline. It was after sunset that the horrible incident took place. Often cases of looting have been reported there as it is an isolated spot and as nobody goes there, the goons use it to drink alcohol, drugs etc. There had been a quarrel, skirmish before the men including a juvenile committed rape. The journalist girl survived the gruesome attack, her friend too was injured. They both had gone there a bit late and did not realize as to how unsafe the place will be. Very often one finds in Hindi films too that the villain and his assistants kidnapping heroine and taking her to a secluded spot, demanding ransom. The girl was deeply traumatized and the pivotal issue of girls/women safety was once again raised. Often unemployment, vagrancy, bad companionship factor, drug/ alcohol addiction is found to be associated with crime- rape, loitering around, coupled with isolated, deserted spots makes a perfect social milieu for such crime to exist. The goons also damaged the photography equipment as they feared that if a film was taken, they would be exposed. They felt that it was a restricted area meant for them only and hence did not like any interference. Today we find that in many old structures like historic forts, people are not allowed to go beyond a certain time. The very attack on girls/women is considered to be an object of consumption i.e. sexual desires, use of force upon helpless girls/women.

3) Kopardi/Khapardi case-This case rocked Maharashtra in 2016. In a village in Ahmednagar district, there was a gang rape of a young girl belonging to a lower caste (dalit) he loved the girl but as there was no response from her side he raped her and then allowed his friends to do the same heinous act of rape and killed her to destroy the evidence (one sided love /infatuation for girl). The national award-winning film by Nagaraj Manjule – ‘Sairat’ (wild) showed the love story between a couple, both students, a Maratha upper caste girl and a lower caste boy who eloped, got married and had a baby, but both were killed by the girl’s brother as they resented their relationship. The girl’s father had pronounced her dead the minute she ran away. This film resulted in lot of uproar and the higher caste dominant caste Maratha did not like it. The Dalits too were uncomfortable about the way the film was shown. The caste dynamics and the asymmetrical society became evident.

Another case in Navi Mumbai- Nerul shook the state. A young teenager, a Maratha girl who had gone to attend a nature’s call was raped and killed by lower caste boy. Earlier the heinous act used to be committed by upper caste boy/men on lower caste girl/ women. Films such as ‘Ankur’, ‘Nishant’, ‘Aakrosh’ etc

depicted it. The higher caste men literally considered women to be objects, toys to satisfy their sexual 'lust-sex' and unfortunately very little has changed. Even today news about atrocities, rapes committed against Dalit girls/women are published in newspapers and in spite of laws for protection of women being there, such barbaric acts are still committed. A woman /girl is viewed as a public property tool to take revenge or create a scare in a community, are often paraded naked, molested, raped or murdered.

4) The horrible Khairlanji case of 1989-90 in Vidarbha, where an entire Dalit family was hacked to death and the two women raped, paraded naked and murdered by upper caste men over a land dispute. Mr. Bhotmange, the father was saved as he had gone to his field. The crux of these issue is that caste tensions have percolated to the lowest ebb of raping girls/women from lower caste and often killing them to destroy evidence.

Another crucial issue is that of male dominance and the belief that by molesting and raping women the male macho image is enhanced. This is further reiterated by passing lewd comments and molesting girls. The patriarchal attitude to treat women as objects of desire, lust etc., visits to red light areas bears ample testimony. After the Nirbhaya case, the mindset of men was exposed especially those of politicians. Recently Mr. Abu Azmi stated that way the girls dress leads to rape i.e. scantily, revealing clothes invite rape. He further stated that women should always be accompanied by husband, father and brother. The Nirbhaya Case and its aftermath resulted in many politicians and so-called spiritual leaders commenting upon girls going out at night.

The recently formed outfit by Mr. Mutalik in Bengaluru Sri Ram Sene which condemns women from going out to party, drink alcohol at pubs or discotheques Violent incidents have occurred in Bangalore pub/discotheque where members of Sri Ram Sene have physically assaulted women in such places. Bangalore is a cyber IT Hub and yet he and his accomplices entered the disco bars and brutally attacked girls in a public place? The growing incidents of assault on women in local trains, IT offices, houses, streets, acid attacks are very alarming too. The use of computers cyber technology, taking video films of naked girls who are intoxicated with drinks, use of Facebook and other social media to circulate shaming videos of women, creating fake identity on matrimonial sites like shaadi.com, bharatmatrimony.com, jeevansathi.com, skype, webcams etc to lure girls, subsequently blackmailing girls. At the Fab India outlet in Goa, a salesman kept a mobile in the women's changing room and took films of women

undressing, changing clothes including a union lady minister. Social perverts, psychic maniacs, libidinous men often indulge in such acts.

Sri Ram Sene is nothing but a modern avatar of Manu Smriti or Abu Azmi's statement. Manu had stated women should always be accompanied by father as a child, husband as youth and son in Old age.

A recent news revealed how mobile phone numbers of young girls who visited mobile outlets for topping up their recharge or to get new SIM cards were sold for Rs 50- 500 in Lucknow (UP) to potential stalkers by mobile recharge outlets. (Hindustan times, 4-2-17).

Apart from the gruesome act of rape; molestation cases are often reported such as touching a woman/ girl inappropriately, bottom or bosom pinching especially in crowded buses, trains, locals, masturbating in public places, fondling genitals, stalking, voyeurism (staring at girls), flashing genitals to attract the attention of girls at bus stops. This is at times is unfortunately considered as a symbol of 'manliness'. Sociologically speaking important variables such as caste have played a vital role except that earlier, prior to the Khopardi case it was always the upper caste men who used to rape lower caste women.

Class and caste are often co-terminus in villages as well as in cities. Often it has is the upper caste/class boys or men who rape young girls belonging to lower castes. The analogy of a person crushing a delicate flower can be used here. In villages especially, upper caste men often subject women to molestation and rape. The firm belief is that as they belong to a higher caste the lower caste woman can be used as a display of power that they can wield on lower castes especially young girls and women. However, we still find news about lower caste women being subjected to molestation and rape.

Socio-cultural conditioning or faulty socialization of the Indian boys, who are considered to be carriers of family name but are often pampered spoilt or considered to be prince of the family or '*ladla*' (pet son) as against sisters/ daughters – a case of gender differential treatment discrimination takes place since childhood – boys are given better food, clothes, toys as compared to girls. The boys are allowed to stay out until late and given money in villages, towns and even cities. A phenomenon on the rise has been seen in many places – for eg; in urban cities where rave parties, disco parties; farm house parties, *mujara* parties a symbol of *aiyashi* or what T. Veblen (1899) termed as conspicuous



consumption. The rural hinterland and rural migration – the creation of new towns, rural places in India. The over indulgence in drinking, gambling, drugs, parties – mingling with girls. Wine and women become freely available and often girls are victimized by lacing their drinks with intoxicants or spiking it with drugs and then the horrible incident of outraging modesty of girls or even brutal rape takes place – often spots such as farm house etc. are selected. The peer group pressure coupled with imitation, emulation of friends – and often this renders the negative effects or influence of alcohol or drugs/intoxicants followed by committing heinous crimes like rape. The Freudian concept of ID takes over or in Parsonian terms the biological system over turns the cultural, social systems and the beastly lust desire turns a man into committing barbaric acts.

Another component which is fast catching up with the generation X is premarital sex. Sociologically speaking it is a case of reference group behaviour (Robert Merton 1957) coupled with self-fulfilling prophecy i.e. if peers do it; it is a norm of behaviour and strong belief that it is the right way to behave and a classic case of becoming the Mertonian disjunction between cultural goals and socially prescribed patterns of behaviour. Love jihad too is another complex phenomenon catching up in India.

Another crucial aspect of socio-cultural factor contributing to crime against women is religion. In India during the partition period the amount of rapes that were committed were horrible and gruesome. The Hindus and Sikhs living in Northwest India i.e. new Pakistan had to leave everything behind and come to India the women; girls were not only molested but brutally raped by minority community. The barbaric savage heinous acts were so gruesome that many of the young girls/women committed suicide or their mothers gave the girls poison or they killed themselves. It was a classic case of Durkheimian Anomie and left a long-lasting imprint upon the minds of the survivors. The film ‘Train to Pakistan’ (based on Khushwant Singh’s book) illustrates the point aptly. The refugees living in Delhi were haunted by nightmares “The living was envying the dead”. Prior to partition, whenever the communal riots took place and the extent of atrocities committed on girls and women was unimaginable. Films such as ‘*Garam Hawa*’ or the stories written by Bhishma Sahani, Kisan Chandra and Yashpal bear ample testimony to this fact.

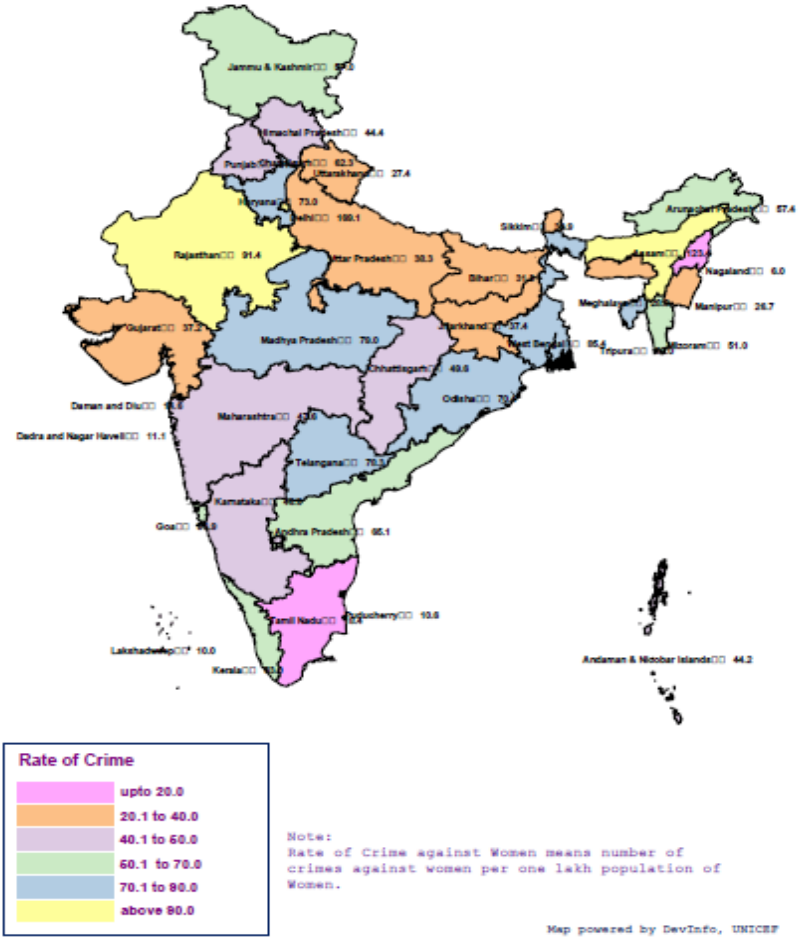
The rape victim survivors often face social stigma (Irving Goffman, 1963) or are socially branded (Howard Becker 1963) and treated as outcasts. Another

crucial factor is the factor i.e. recent cases from *Nirbhaya* case onwards has been the involvement of minors in the rape cases. It is often considered to be an act of heroism, machismo, peer pressure and most importantly that as they are minors; they can get away and only face probation in remand homes for juveniles. However, the recent verdict ensures that depending upon the severity of crime committed by juveniles such as rape or brutal murder if it is hard crime then their being underage were not help them and that they will have to face life imprisonment or gallows.

A major factor is anonymity, heterogeneity, density of population associated with assault on women is the unchecked influx of migrant workforce into the city who leave behind their wives in villages. Many such migrants visit red light areas but as money is needed to be paid to the sex worker hence, they find shortcut money-saving device like molestation – rape to satisfy the biological urge – sex – ‘Id’. A classic case of anomy occurs i.e. a disjunction between cultural goals and socially prescribed institutionalized means of attaining it. It is indeed a rationalization of deviant/ criminal behaviour and a complete rejection of legitimate means in favour of deviant one. The Mertonian concept of retribution which is mal-adaptation whereby – vagrants, outcastes, psychotics, and even rapists fit the category. Vilfredo Pareto spoke about logical and non-logical action. An actor whereby an actor performs the act/action it is subjectively ‘Yes’ – ratification of bodily desires but objectively ‘No’ in terms of law outraging the modesty of the women the rapist (actor) has analysed a means which is a Taboo or criminal act to rape a girl/women, which is subjectively ‘yes’ for him, but legally condemned and punished.

Hate crime is also a factor associated with rape ‘Hatred for women e.g. Jack the Ripper (1881) who used to kill prostitutes or perverts, maniacs having sex with girls and then killing them. Acid attacks, attacking girls, mauling them often resulting from one sided unexpressed love, films such as ‘Darr’ as a case in point.

**RATE OF CRIME AGAINST WOMEN DURING 2014  
(All India 56.3)**



Source: National Crime Records Bureau, GoI

## Proportion of crime against women (IPC) towards total IPC crimes

Sl. No.	Year	Total IPC Crimes	Crime Against women (IPC cases)	Percentage to total IPC crimes
1	2010	22,24,831	2,13,585	9.6%
2	2011	23,25,575	2,19,142	9.4%
3	2012	23,87,188	2,44,270	10.2%
4	2013	26,47,722	2,95,896	11.2%
5	2014*	28,51,563	3,25,327	11.4%

\*Number of crime heads have also increased from 11 to 14 in 2014 .

Source: National Crime Records Bureau, GoI

The year 2015 has witnessed a reduction in crime against women as compared to 2014. Recording a decrease of 3.1%, 2015 saw the registration of 3, 27,394 cases under the head of Crimes against Women as compared to 3, 37,922 cases in 2014, and show figures from the National Crime Records Bureau.

Cases of rape have fallen by 5.7% — coming down from 36,735 in 2014 to 34,651 in 2015. Incidents of gang rape too have shown a decrease from 2,346 in 2014 to 2,113 in 2015.

There has been a marginal increase of 2.5%, however, in other sexual offences against women. Under the category of “assault on women with intent to outrage her modesty”, 2015 saw 84,222 cases being registered across the country as against 82,235 in 2014. The category includes offences such as sexual harassment, assault or use of criminal force to women with intent to disrobe, voyeurism, and stalking.

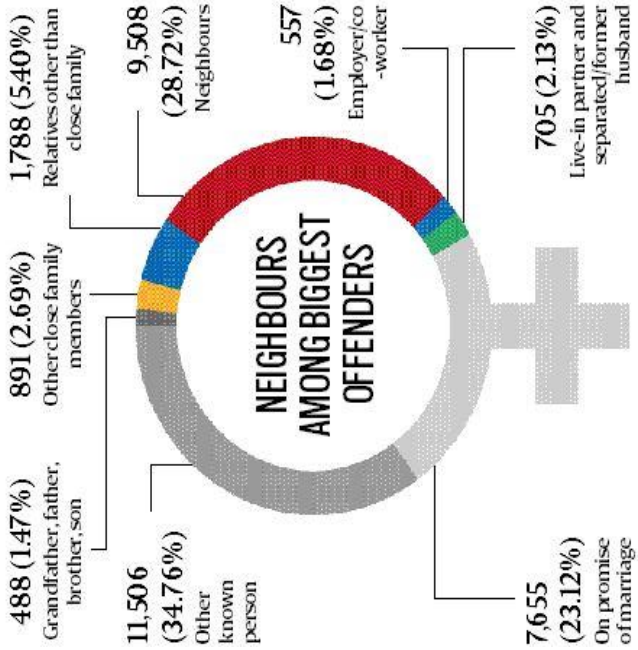
Kidnapping and abduction of women also increased in 2015 — to 59,277 cases from 57,311 in 2014.

Forcing a woman into marriage continues to be the chief reason to kidnap her. According to the data, in 2015, close to 54% of all abductions of women were carried out to force them into marriage. In 2014 too, this reason was behind over 50% of all kidnappings of women.

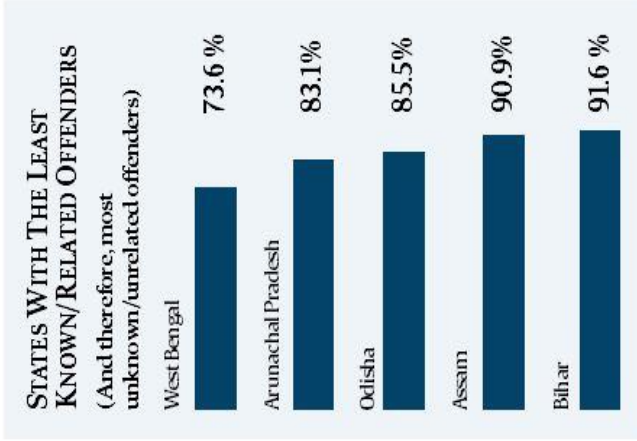
# Offender known to rape victim in over 95% cases

Total rape cases  
**34,651**

Cases in which offender known to victim  
**33,098**



Source: Indian Express



**16,966 RAPE CASES** involving women between ages of 18, 29 – 49% of all cases

**96.1% CHARGESHEETING RATE** in rape cases; 89.4% in overall crime against women

**STATES WITH THE WORST RATES, NUMBERS OF INCIDENTS**

State	Incidents	Per 1 lakh female population
Delhi	2,199	23.7
Chhattisgarh	1,560	12.2
Madhya Pradesh	4,391	11.9
Odisha	2,251	10.8
Rajasthan	3,644	10.5
Maharashtra	4,144	7.3
<b>UTTAR PRADESH*</b>	<b>3,025</b>	<b>3.0</b>

\*Surprisingly low rate suggests widespread non-registration of rape cases

**OVERALL CRIME AGAINST WOMEN**

Delhi tops rate chart, UP has biggest national share

State	Cases	Per 1 lakh female population	%age contribution to all-India total
<b>1 Delhi</b>	<b>17,104</b>	<b>184.3</b>	<b>5.2</b>
2 Assam	23,258	148.2	7.1
3 Telangana	15,135	83.1	4.6
4 Odisha	17,144	81.9	5.2
5 Rajasthan	28,165	81.5	8.6
6 Haryana	9,446	75.7	2.9
7 West Bengal	33,218	73.4	10.1
8 Tripura*	1,267	68.2	0.4
9 Madhya Pradesh	24,135	65.5	7.4
<b>10 Chandigarh*</b>	<b>463</b>	<b>64.8</b>	<b>0.1</b>

\*Fewer cases, but small populations raise the rate

Source: Indian Express, September 1, 2016

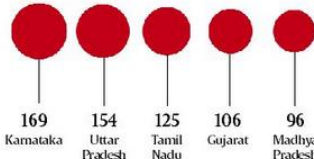
### RAPE OF CHILDREN

Neighbours the biggest predators

Relationship	Cases under POCSO Act Sec 4 & 6 (rape)	Percentage
Neighbour	3,149	35.78
Employer/co-worker	2,227	25.30
Grandfather/father/brother etc.	138	1.56
Other close family member	210	2.38
Relatives other than close family	581	6.60
Other known person	2,036	23.13

Total number of rape cases **8,800** | Only **251** cases under Child Labour Act | **449** children rescued

### MOST CASES OF ABUSE BY FAMILY AND RELATIVES



Karnataka	169
Uttar Pradesh	154
Tamil Nadu	125
Gujarat	106
Madhya Pradesh	96

### HIGHEST PERCENTAGE OF CHILD RAPE AT WORKPLACE

State	Number	% of all child rapes in state
Tamil Nadu	589	55
Gujarat	542	49
Madhya Pradesh	166	24
Karnataka	233	22
Uttar Pradesh	312	22

Only states with more than 500 cases of child rape considered

### WORST RATE AND CRIME NUMBERS UNDER POCSO

State	Per 1 lakh child population	Cases
Madhya Pradesh	11.9	1,480
Chhattisgarh	11.6	1,164
Karnataka	7.5	1,560
Odisha	6.8	1,416
Assam	6.1	731
Maharashtra	5.6	1,687

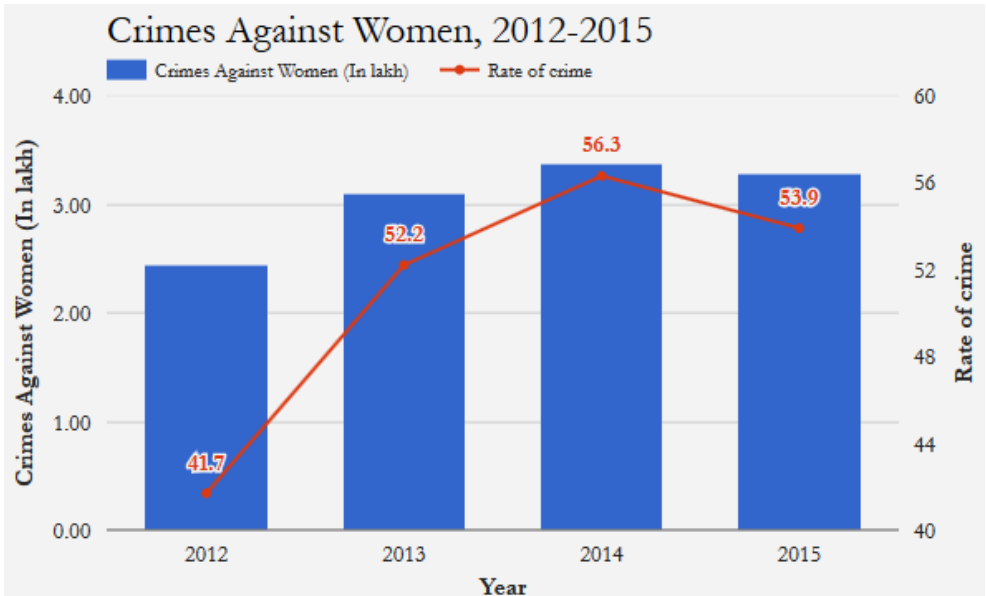
### CHILD TRAFFICKING DOMINATES ALL HUMAN TRAFFICKING

State	All human trafficking cases	Child trafficking cases	Percentage
West Bengal	1,255	1,119	89
Assam	1,494	1,317	88
Bihar	381	332	87
Haryana	275	200	73
All India	6,877	3,490	51

Source: Indian Express, September 1, 2016

Crimes against women increased 34 percent over the last four years to 2015, with cruelty by husbands and relatives being the most widely reported crime, according to the latest data from the National Crime Records Bureau (NCRB).

The rate of crime against women – defined as crimes reported divided by total women population – has gone up from 41.7 to 53.9 between 2012 and 2015.



Crime head-wise incidents of crime against women during 2010 - 2014 and percentage variation in 2014 over 2013

Sl. No.	Crime head	Year					Percentage variation in 2014 over 2013
		2010	2011	2012	2013	2014	
1	Rape	22,172	24,206	24,923	33,707	36,735	9.0
2	Attempt to commit rape*					4,234	-

Source: Crime in India, NCRB, 2014



# 55% rise in rape cases in Mumbai last year

**HT EXCLUSIVE**

**HT Correspondents**

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**MUMBAI:** Cases of rape rose by 55% in Mumbai last year as compared to 2013. The Mumbai police statistics, which HT has accessed, show 605 cases were registered in 2014 as against 388 in 2013. There was a rise in cases of outraging modesty of women, too, with 1,459 being registered till November 2014, a rise from the 1,161 cases recorded in the entire previous year.

Apart from increase in cases of crimes against women, cases registered under various sections of Indian Penal Code (IPC) also witnessed a rise, from 34,407 in 2013 to 39,903 in 2014. With 11,007 cases registered

WE ARE AWARE THE RATE OF CRIMES AGAINST WOMEN HAS GONE UP, BUT IT IS BECAUSE OF OUR DECISION OF REGISTERING EACH AND EVERY CASE RELATED TO SAFETY OF WOMEN.

RANJIT PATIL, minister of state, home

between Bandra and Jogeshwari, the western region saw the maximum reporting of crime followed by the central region (Nagpada to Kurla) where 9,150 cases were registered. The least cases — 4,862 — were registered in the south region (Colaba to Cuffee Parade to Nagpada).

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EXCLUSIVE

# 2014 saw more cases of crimes against women

**CHANGING DYNAMICS** Awareness among women about their rights, amendments to law, better policing also responsible for increase in crimes reported, say experts

HT Correspondents

**NMMAI** Although the Mumbai police stepped up their efforts to curb various crimes against women, which included formation of an anti-harassment squad and an anti-rapists' cell, the number of cases registered went up in 2014. Experts attribute the increase to awareness and growing independence among women.

Changing societal dynamics and increasing literacy by the day life is leading to rise in such incidents. "It has become an urge to society, women, children and senior citizens are targeted. Today's society has social class and income but not gender, hence people are protesting, because of which they are reporting the violent acts," said Dr. Harish Shetty, psychiatrist. "The growing independence among today's educated women is not acceptable to all men."

According to Florida A&M, advocate and women's rights activist, the increase means more women are becoming aware of their rights. "Earlier the police would turn away the complainant, and not register cases. More women are now coming forward."

to register cases

Former IPS officers said amendments to the law were giving women more courage to approach the police. "Changes in the Criminal Law (Amendment) Act, 2013, that makes a police officer liable for prosecution if he fails to register a case of sexual offence or harassment, has also changed things," said VP Shinde, former IPS-officer turned lawyer.

Section 30A was introduced in the Act, which said police must be informed from the first month up to two years if they fail to register a crime against women.

"What the police need to do is stress on preventive action against such criminals, and make a night vigil case that will show better results," said Shinde.

S. Subramanian, former IAS, Maharashtra, said a majority of rape cases, the women bring the complaint. "The police need to be careful about crimes that take place in public places," he said.

Former IPS

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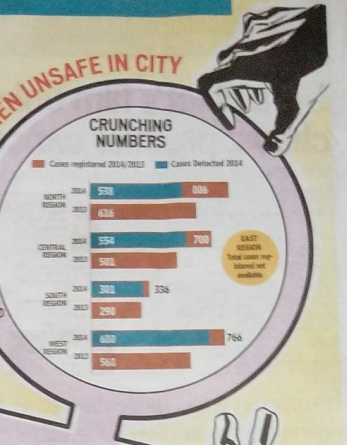
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# Rising crime graphic in city has a silver lining

HT Correspondents

**NMMAI** For the city police, 2014 was a year of mixed bag. While there was an increase in the overall number of cases registered across the 41 police stations in the city against pickpocketing, thefts, snatching, and vehicle snatch, the overall crime cases in the city increased to 30,811 in 2014, from 34,407 in 2013.

While attempt to murder cases dipped from 17 in 2013 to 17 in 2014, dacoity went down from 41 to 1 in the same period.

Although there is not a major drop, thefts went down from 1,400 in 2013 to 1,400 last year. Cases of pickpocketing also went down to 140 from 168 in 2013.

That of vehicle snatching with 5,474 cases registered in 2014, against the previous year's 5,739.

However, murders at the city rose from 179 in 2013 to 184, while robbery including chain snatching cases went up 600 from 679.

Former IP officer turned lawyer VP Shinde said with rising population, crime in the city was bound to increase.

HT Correspondents

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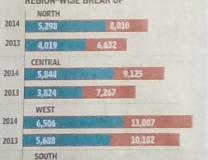
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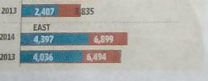
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HT Correspondents



HT Correspondents



# THEFTS DECLINE, BUT BURGLARIES SEE SPIKE

HT Correspondents

**WHILE ATTEMPT TO MURDER CASES DIPPED FROM 187 IN 2013 TO 179 IN 2014, DACOITY WENT DOWN FROM 41 IN 2013 TO 32.**

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# Thank alert cops for fewer chain snatchings

HT Correspondents

**NMMAI** The Mumbai police's concerted effort to bring down opportunistic, chain-snatchings, has borne fruits. From 1,278 incidents of chain snatching reported last year, the crime has seen a 74% drop to 346 in 2014.

The police officers said pickpocketing offences for mobile phones and watches have also gone down from 1,400 in 2013 to 1,100 in 2014.

"We realised the structure and identified an area where the police can concentrate their efforts. Now more people are reporting incidents, and a few more are being arrested. The police officers said pickpocketing offences for mobile phones and watches have also gone down from 1,400 in 2013 to 1,100 in 2014.

# DIP IN CHAIN SNATCHINGS INCIDENTS

HT Correspondents



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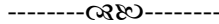
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CRIME IN THE CITY	2014 CASES REGISTERED	2014 CASES DETECTED	2013 CASES REGISTERED	2013 CASES DETECTED
<b>THEFTS</b>	1,067	290	1,107	369
<b>VEHICLE THEFT</b>	723	179	593	204
<b>BURGLARY</b>	553	239	550	227
<b>ROBBERY</b>	113	42	68	42
<b>EXTORTION</b>	48	42	43	40
<b>MURDER</b>	184	179	187	179
<b>PICKING POCKETS</b>	140	137	168	154

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## **Identities and Negotiations between Women Householders and Domestic Workers: A Case Study of Select Areas of Aligarh**

- Dr. Tauseef Fatima
- Shafey Anwarul Haque

### **Introduction**

In the post-globalization era, higher participation of women in the labour market resulted in the feminization and informalization of labour force. Generalizations cannot be made about the effects of globalization on women as there are contradictions and complexities. In one hand, women's 'cheap' labour is manipulated and exploited by the neoliberal model of development, whereas on the other, gender constructions and hierarchies are negotiated and often dismantled, as suggested by researches in the field. Participation in the labour market includes both formal and informal sector of the economy. Data clearly supports the fact that out of the total women work force; a vast majority is concentrated in the informal economy. Also, the emergence of global free trade and global financial markets with the international financial institutions exerting pressure on the individual governments for deconstruction of social welfare, and the corruption and exploitation at national level have contributed into further marginalization of the poor and poorest among the poor. Partial and in some cases complete withdrawal of state from public sector such as health, education and employment are evident, having its impact on the status of women.

In Indian narratives women have always been treated with great honour and dignity. Their role in the construction of family and society too is considered indispensable. However, in reality, condition is contrary to popularly held belief. Even in contemporary society though the women have strived for equality in different walks of life through their achievements and accomplishments, the gender construction of labour still govern their social position and association. Within the conventional notions of patriarchy, they are discriminated, harassed and often oppressed not only by their male counterparts, but by women who control power delegated to them, by the patriarchal construction, in different caste and class of the society. In different capacities, when we look at them, we will find that women in rural areas are more subjected to subjugation and community ridicule in comparison to women in urban areas as Arundhati Bhattacharya observes that rural women in India are less literate than rural men, and they suffer from both economic and

‘information’ poverty. She argues, ‘Rural women are vital and productive workers in India’s national economy. There is statistical bias in underestimating the role of rural women in development. Women work for longer hours than men and contribute substantially to family income, they are not perceived as productive workers.’<sup>1</sup> The changes ushered by the forces of liberalization and globalization have further undermined the avenues of productivity in rural economy. Thus, the present scenario has made condition of women more vulnerable and unrewarding in rural economy, who consequently migrate to urban areas in pursuit of better opportunities to work as domestic workers or daily wagers adding to the same category of women urban population living a miserable life largely below poverty lines. Domestic work is now becoming one important avenue of women’s employment in India, especially for unskilled and uneducated women workforce. The changes in the socio-economic norms in post liberalized and globalized economy in India has led to engaging more urban women in the process of production and profit making suitable to the forces of market. The changes in the family ethos giving way to the norms of nuclear family and reconstruction of social norms and social relationship has also created a better opportunity for women to be employed as domestic servants. Irrespective of their increasing requirement and number of these domestic servants, they are still deprived of social security and standard wage plan, making their position still vulnerable and miserable.<sup>2</sup>

Preet Rustagi estimated while using the poverty line provided by the planning commission expert group, that more than 300 million persons were poor in the country as a whole, with 220.9 million in rural and 80.8 million in urban areas—one half of them were women (110.6 million in rural areas, whereas urban poor women are calculated to be 40.3 millions) in 2004-05.<sup>3</sup> This estimate terribly increased nearly to 800 million people living on less than USD 1.90 a day in 2013, according to a report of the World Bank.<sup>4</sup> It will not be wrong to suggest that this increase in figure includes women working as domestic workers to earn their livelihood. According to a report published by the Economic Times, there were approximately 47.5 lakh domestic workers in India including 30 lakh women.<sup>5</sup> International Labour Organization states, “Domestic workers comprise a significant part of the global workforce in informal employment and are among the most vulnerable groups of workers. They work for private households, often without clear terms of employment, unregistered in any book, and excluded from the scope of labour legislation.”<sup>6</sup> It recognizes the nature of their work as cleaning the house, cooking, caring children, or elderly or sick members of a family, etc. which we also witness in and around our society. At the same time, these workers often become victims of physical, mental and

sexual abuse, and also endure restrictions on freedom of movement and excessively long hours of work but low wages. This kind of harassment is believed to be an outcome of existing gaps in national labour and employment legislation, and also reflects discrimination on grounds of sex, race and caste. Nidhi Tewathia defines this situation as an outcome of exclusion from the benefits of the economic growth, physical and social infrastructure, education, and income generation opportunities. She says, “The marginalised section which is part of the system, bears the effects of exclusion just because they have been incorporated into market systems.”<sup>7</sup> She relates it to Jayati Ghosh’s idea of interlinking reduction in the government expenditure to reduction in the access to various opportunities and public goods, and describes how neo-liberal policies adopted by various developing countries is more market oriented and subordinate equity and social welfare.<sup>8</sup>

In various states of India, even after various legal steps which labour and employment ministry promised last year, situation continues to remain unchanged and domestic workers still fall under the category of unprotected workforce. Moreover, in Uttar Pradesh, also there are no labour laws or separate boards unlike Tamil Nadu, Maharashtra, Kerala, etc. to safeguard them or to set out their service conditions. They are deprived of their basic rights, amenities and social security.<sup>9</sup>

In this context, underlining patriarchal construct of the society also deserves attention. It normalises the notion that primary identity of a women is attached to a household chores and responsibilities. It further creates pressure on working women with issues like dual burden, work-life balance etc. Women working in the formal sector with high income and comparatively secure jobs depend on care providers or domestic workers. Although there are existing debates regarding the definition of care providers or domestic workers, but the push factors for women workforce in informal sector are, as we discussed, poverty, economic insecurity, illiteracy, sexual vulnerability etc.

### **Objectives of the Study**

The process of neoliberal development has led to the informalization and casualization of labour and employment with its predominant features such as subcontracting, outsourcing, and shift of production from core to periphery. ‘The central plank of the ‘neo-liberal’ model was that growth and development depended on market competitiveness; everything should be done to maximize competition and competitiveness, and to allow market principles to permeate all aspects of life’.<sup>10</sup> The changing structures of market and production process have altered employment patterns and gender composition of workforce.

Although the labour market transformation intensified by the process of globalization has led to an increase in the numbers of working women, however, it has its own set of adverse consequences as well. These adverse consequences are marked by the increasing gulf between the rich and poor within and across countries, erosion of labour rights with almost no or less unionization, increasing job insecurity, vulnerability of the labour force and constant pressure to perform as per the 'expectations' of the employer etc. This changing scenario is not confined to the economic sphere alone; rather it has permeated to all spheres of life, and is constantly putting pressure on the thought process of people, cutting across the parameters of class, age, sex, region, religion etc.<sup>11</sup> The 'new media' is also contributing significantly in capturing the minds of the people and works in close connection with the forces of market. The state has also partially and in some cases completely withdrawn itself from the public sector such as health, employment and education; emphasizing upon the fact that interest of the market prevails over the interest of the people. The new media functions significantly in strengthening the capitalist economy where the central promotional idea transformed from 'saving' to 'earn more and spend more' and 'luxury' is being reconceptualised as 'need'.

In this pressing context, both husband and wife start joining the workforce to meet the familial needs. Along with the feminization of labour, phenomenon like feminization of poverty and migration also took place. Single women have also started migrating in search of generating better means for livelihood to different places within and across countries. Most of the time these women, specifically from the third world countries work as care providers in the first world countries or countries having better economic status. These women form an integral part of the global care chain, and provide 'care' services to women from the developed countries, where as their own families go through 'care deficit'. However, they work in such precarious conditions so as to come out of their persistent poverty and elevate their living status.<sup>12</sup>

This larger context explains it well how women's presence in the labour market has intensified either in the export processing zones or multinational corporations or women working as home-based workers, piece rate workers etc. The reliance on care providers seems a crucial issue in the context where one witnesses disintegration of joint family system, increasing presence of nuclear families, rural to urban migration etc. This paper aims to examine the negotiations and the identities that take place and get reconstructed around the interactions between women householders who work in the formal economy and domestic workers who are a part of the informal economy.

The study looks into existing class relations and family restructuring in an urban city where even the middle class are too dependent on care providers or paid workers. It basically involves women to women understanding of hierarchy and social structure.

The objective lies in examining the interdependence/reliance that exists between women who have different identities and lived realities within the framework of feminist standpoint theory. The aim is to understand the negotiations, hierarchies and power relations that exist between women belonging to different classes. Does it get reinforced and strengthened or do we find a departure and deconstruction of the same? The standpoint of marginalized holds special significance, as marginalized groups have better and critical insights into the condition of their own oppression. Feminist standpoint theory also asserts that the oppressed have a less biased and comparatively clearer understanding of social realities as they get less benefits from the continued existence of relations of oppression.

The study examines how the ‘domestic work done’ is perceived both by the domestic workers as well as householders who employ these women? It is well evident that domestic workers either live and work in the premises of a single household or get employed by multiple households on a part time basis, meaning thereby these women work in the domestic setting. Work done by these women is largely seen as undervalued, unskilled and poorly regulated with loose legislative protection. Therefore, it becomes crucial to examine how the two classes of women who are the receivers and doers of that work, perceive it?

Another issue to observe is how concerned are women who comparatively belong to a privileged position to the issues of deprivation and economic marginalization of domestic workers? At both the international and national level efforts are made for safeguarding the rights and interests of domestic workers such as better wages, decent work, weekly day off, insurance etc. This study aims to demonstrate the awareness and sensitization that women householders possess for the rights of the domestic workers employed at their place. It will also try to examine the awareness about the legal provisions regarding domestic workers

### **Research Methodology**

The study has been conducted in select areas of Aligarh which falls under northern state of Uttar Pradesh, 90 miles southeast from New Delhi. Selected areas include Civil lines, Doharramafi, Amir Nishan, Dodhpur, areas near Numaish Ground, etc. In order to describe the problems and conditions of

women domestic workers, both qualitative and quantitative framework has been used. It has also attempted to look into the relationship between householders and domestic workers and their acclimatization to the state of employer and employee. For the purpose of the study Women Householder has been defined as, 'Women homemakers/employers/recruiters who hire/recruit/employ maidservants/domestic workers/housekeepers through their personal contacts or any agency for undertaking household chores including cleaning, mopping, cooking, taking care of children or elders etc. in return of a fixed amount/wage monthly or annually, which employer and employee decide mutually.' And domestic workers as, 'Women/men who agree to undertake individual's household activities like cooking, cleaning, cleaning, gardening, driving etc. in exchange of a fixed wage/salary monthly or annually.' However International Labour Organization (ILO) defines domestic workers as, 'Those who work for private households, often without clear terms of employment, unregistered in any book, and excluded from the scope of labour legislation'.

Women domestic workers were the subject of the study, wherein single women domestic workers constituted the unit of analysis. Samples were chosen through Purposive, Convenience and snowball Sampling. Primary data was directly collected from the respondents with the help of in-depth interview, focused group discussions and questionnaire method. The interview schedule and questionnaire consisted of questions related mainly to different aspects of the women domestic workers. The study was conducted with a feminist perspective.

### **Observations of the In-depth Interview**

For the purpose of the study, 20 women householders and domestic workers each were interviewed. The in-depth interview undertaken for this research seems to unfold an interesting point that the women householders who are employing domestic servants, do not perceive themselves as the receivers of the service rather they assume themselves as the providers. The change that has occurred in the society post globalization has been highlighted by almost all the women householders. On the one hand, informalization and casualization of labour has intensified women's entry into the labour market, where as disintegration of joint family system and increasing presence of nuclear families are seen as the reservoir of opportunities for women from lower strata that start working as domestic workers. It came out as a matter of common understanding that the changing life style patterns have created a pressure on both the spouses to join the workforce, and that has led to an increase in the dependability on



domestic workers/care providers. This dependency has further created a pool of opportunities for a particular category of women, who are uneducated, unskilled, migrant, and belong to the lower strata of the society.

One of the most intriguing observations was the way domestic worker's existence was perceived by women householders. It comes out that almost 70% women householders did not allow us to have conversation with their domestic workers. Women householders did this on several different pretext such 'You ask me; I can answer as I know all the details about her life'. 'Today she had a fight with me, talked very badly and if you will ask such questions to her, she will be more irritating and difficult to manage'. 'She had a talk with her children and now she is not willing to talk to you'. 'You cannot talk to her as she does not follow time. She can come anytime. These responses came as a shocking revelation for us as it came from educated, 'sensitized' working women who are conscious about their surroundings. But when it came to women who work as domestic worker at their homes and whose services are hired by them, they denied them agency and exercised control over them.

This seems to suggest that the domestic workers were treated in a subservient manner by their employers where they were denied the opportunity to express their concern over their lived realities, the wages they get, the kind of treatment they at householders' place etc. Exerting pressure on domestic workers (like in most cases, women householders did not leave domestic workers alone when they were being interviewed) would have been another issue, but what we came across was the outright denial to voice out their opinions, to express their issues and therefore it was a denial to their being. This seems to suggest a relationship of dominance and subservience. It seems to be a sort of deprivation, depriving these women a sense of their identity. Here, we wish to mention that there may be some genuine reasons but, in those cases, too, some alternative measures could have been evolved to talk to them. But unfortunately, it could not be worked out.

As Paulo Freire suggests that, "Without a sense of identity, there can be no real struggle, and if the structure does not permit dialogue, the structure must be changed".<sup>13</sup> He stresses upon the fact how oppressed play a role in their oppression, and this happens in a very subtle manner, where humans are alienated from their own decision making and they are turned into objects.

One observation that needs to be noted down here is a remark made by one of the domestic workers. She stated that 'if you give us clothes, it is not any kind of favour that you do to us. You don't need these clothes, food or any of your

belongings, when it is of no use to you, then you give it to us'. It reveals how people who hold two different standpoints view the same act differently. Women householders who work in the formal sector get leaves, cash benefits etc. as a matter of right. But (in most cases) whatever little facilities they extend to their domestic workers, they see it as a matter of favour made to them and take pride in it. It all seems to suggest that these women service providers are seen as 'other' by women householders. These domestic workers are not seen at par and not perceived as workers. Whatever acts of 'false charity' is extended to them, in form of advance, or used clothes, used household appliances, food, or gifts and cash on occasions are seen as an act of generosity. Whereas those working women who employ these women get all job-related benefits and claim it as a matter of right and the same cannot be taken away from them. One witnesses erosion of labour rights and even basic human rights at these household settings acting as a place of work for domestic workers. As few women domestic workers reported physical and emotional abuse by the women householders and also by their husbands and children. It happens mostly in the cases where these migrant domestic workers live on the plots of the women householders, and get easily threatened of evacuation from the plot. So, in these cases the exploitation takes a severe form, as they are paid a meagre amount and have to manage the whole household chores of the plot owners.

In response to the question that do you think these women domestic workers go through any kind of exploitation, it has been pointed out by almost 70% of the women householders that 'women domestic workers do not get exploited, rather we get exploited by them'. In their opinion they get harassed by domestic workers, when they don't turn up or don't come on time or don't do things properly deliberately and create undue pressure. It reveals how exploitation is seen and understood differently by women who obviously are heterogeneous and their interest conflict depending upon the class, caste and on the basis of such other parameters of identity. It becomes important to note here that few of the women householders even used the term 'servant' for their domestic workers, revealing a particular construct which strengthens and reinforces the process of 'alienation'.

We got access to one household where there was male domestic worker who was a live-in worker and had migrated from Uttarakhand. The women householder was a teacher of Political Science at a college in the city and was well aware of the deliberations on the rights of the marginalized sections of the society. The household provided comparatively amiable environment for work for the male domestic worker; however, the discernible fact was the discrepancy

in the wages narrated by the householder and domestic worker. Apart from this, the statement made by the male domestic worker seems significant, 'I am in search of a turn in my life, either they ask me to leave or I leave it at my own'. He was working because of the familial needs, and due to his work, he was able to make his children attend proper schools. However, he was not satisfied with the wages that he was getting, i.e. Rs. 9000/ (his statement). He worked from 6:00 a.m. in the morning till 11:00 p.m. in the night with one-hour break in the afternoon, and during this time, he used to read Hindi newspaper. He had his own points of dissatisfaction, though he felt comfortable there. He was at the women householder's place since last fifteen years. However, in the words of householder, 'we provide him all comforts; give him the same food we have'. But obviously he sees it all from a different perspective.

While responding to the question of dependability, most of the women householders admitted the fact that they depend on domestic workers to help them in managing household chores due to their work-related responsibilities. In relation to the issue of availability of domestic workers, we got mixed responses, while few women householders suggested that it is easy to find domestic workers in Aligarh due to the presence of number of migrants who have most of the time migrated from Bihar and West Bengal. Whereas few women householders responded that it becomes difficult to find a domestic worker who can perform up to the expectation of the householder as there remain issues of work performance, hygiene, safety etc. that needs to be taken care of.

Another important response that needs to be underlined here is the one that we got from a woman householder who belonged to scheduled caste. In response to the questions that 'does caste or religion of domestic worker matters for you?' or in response to the issue of keeping separate utensils for domestic worker, she said that 'why do we do that when we face same kind of discrimination in the society?' It becomes significant to note here that how people having their own experiences of marginalization may have a feeling of affinity and empathy to the issues of other marginalized segments of the society.

### **Results and Findings of the Questionnaire:**

Data was also collected through questionnaire method wherein a questionnaire containing questions imperative to working conditions of domestic workers, was given to women householders and to domestic workers. These respondents were selected through purposive and convenience sampling. For the study, 25 women householders and 20 domestic workers have recorded their responses. According to Census 2011, population of Aligarh city is approximately 0.8

million and according to another report by National Urban Health Mission (2013), more than 80% of this population consists of slum dwellers. In 2001, a report by District Urban Development Authority recorded this population at 52.4%; this increment is surprising and also worrisome. Moreover, in the responses given by the domestic workers, it could be noticed that most of them put up in slum areas and entered into this profession out of poverty. Let us look into the responses briefly.

**Table 1: Responses by Women Householders**

<b>Responses of the Women Householders</b>	<b>Frequency</b>	<b>% of Women Householder</b>
Living in a nuclear family and hired domestic workers	20	80
Hired part-time workers	23	93
Reasons for hiring domestic workers		
• Marriage	10	40
• Birth of a child	12	48
• Unmarried but need help in managing both home and job	03	12
Purposes for hiring domestic workers		
• Only Cooking	09	36
• Only Cleaning/Mopping	13	51
• Both Cooking and Cleaning/Mopping	16	63
• Laundry	03	13
• Cooking, Cleaning/Mopping and Laundry	10	40
• Taking care of children and elderly people	06	26
• All of the above	01	06
Enquired about caste/religion before hiring		
• Same caste	01	06
• Same religion	05	20
• Don't care	18	73
Kept separate utensils and places of sitting for domestic workers		
• Separate utensils		80
		13

<ul style="list-style-type: none"> <li>• Separate places of sitting (including utensils)</li> </ul>	20 03	
Taking help of the domestic workers once/twice a day <ul style="list-style-type: none"> <li>• Once</li> <li>• Twice</li> <li>• Whole day</li> </ul>	15 08 01	61 33 06
Payment to the workers <ul style="list-style-type: none"> <li>• 500-1000</li> <li>• 1000-2000</li> <li>• Less than 500</li> <li>• More than 2000</li> </ul>	15 08 00 01	61 33 00 06
Giving other facilities except wages <ul style="list-style-type: none"> <li>• Used clothes</li> <li>• Medicines (including used clothes)</li> <li>• New clothes and extra money on occasions</li> <li>• Education to their children</li> <li>• Other facilities</li> </ul>	18 12 21 01 01	73 46 86 06 06
Believe that they are dependent on domestic workers and they contribute to the growth of their career	20	80
Felt dissatisfied and took actions <ul style="list-style-type: none"> <li>• Warned to be careful next time</li> <li>• Fired from the job</li> <li>• Deducted some amount as punishment from her wages</li> <li>• Didn't take any action</li> <li>• Never felt dissatisfied</li> </ul>	13 03 01 05 01	54 14 06 20 06
Claimed that their home provides safe environment for such workers (Rest of the 7% did not mark the answer)	23	93
Received complains about any kind of violence/abuse (Although they did not disclose what complaints they received)	07	27

Having awareness about the legal and constitutional provisions favoring the cause of domestic workers and efforts made by the domestic workers across the world for better recognition of their rights	03	13
<ul style="list-style-type: none"> <li>• Those who are aware</li> </ul>	19	77
<ul style="list-style-type: none"> <li>• Those who are not aware</li> </ul>	05	20
<ul style="list-style-type: none"> <li>• Those who have some basic idea</li> </ul>		
Believe that domestic workers should get weekly off	08	33
Believe that wages of the domestic workers are not up to the standard and should be increased	10	40
Believe that domestic workers are exploited and should get better legal protection	10	40
Believe that domestic workers depend on the household owners for their survival	21	86

**Table 2: Responses of the domestic workers**

<b>Responses of the Domestic Workers</b>	<b>Frequency</b>	<b>% of Domestic Workers</b>
Belong to Aligarh	10	40
Migrated from another place	15	60
Migrated with husband or other relatives	10	40
Married and have children	15	60
Reason behind working as domestic worker		
<ul style="list-style-type: none"> <li>• Poverty</li> </ul>	12	50
<ul style="list-style-type: none"> <li>• Unemployment/drug addiction of male members of the family</li> </ul>	07	30
<ul style="list-style-type: none"> <li>• Poor and unskilled</li> </ul>	10	40
<ul style="list-style-type: none"> <li>• Other reasons</li> </ul>	05	20
Work as part time/full time workers		
<ul style="list-style-type: none"> <li>• Part-time</li> </ul>	22	90
<ul style="list-style-type: none"> <li>• Full-time</li> </ul>	05	10

Kind of jobs they perform		
• Only Cooking	07	30
• Only Cleaning/Mopping	12	50
• Both Cooking and Cleaning/Mopping	15	60
• Laundry	02	10
• Cooking, Cleaning/Mopping and Laundry	10	40
• Taking care of children and elderly people	02	10
• All of the above	02	10
Time spend by the domestic workers in their job		
• Six hours	17	70
• Eight hours	02	10
• Less than six hours	05	20
• More than eight hours	02	10
Find their employer's place safe	20	80
Satisfied with the wages they receive (Rest of the 40% appeared dissatisfied. 20% of them did not say anything may be because of employer's order to not reveal anything)	15	60
Satisfied with the treatment they get (Rest of them did not mark the answer)	17	70
Exploited/harassed by the employer (Did not disclose how and when)	05	20
Actions taken		
• Quit the job	02	10
• Informed the police	00	00
• Warned the employer for the next time	02	10
• Did not do anything	00	00
Number of employers changed till date		
• One	12	50
• Two	07	30
• More than two	02	10
• Never changed	02	10
Reasons for changing		
• Not satisfied with wages	10	40
• Ill treatment by the employer	02	20
• Employer shifted to another place	07	30
• Other reasons	02	10

Connected to an association or group that work for their rights (Some of them just said they an informal group where they discuss their problems and also ask for assistance when unemployed)	17	70
Willing to change their job if they get a chance	07	30

Domestic work is rapidly becoming a greater part of Indian economy but like other works in the unorganized sector, domestic workers are still unrecognized and underestimated. It was found that there was an increase of approximately 222 percent in the domestic work sector,<sup>14</sup> and at the same time feminization of labour grew with an equal pace. Even International Labour Organisation also records paid domestic work as an important source of employment for women.<sup>15</sup> But the jobs performed by the domestic workers has always been undervalued and underpaid. Dithhi Bhattacharya, Meghna Sukumar and Mohan Mani, in their work on domestic workers note that in contrast with the work performed by mother/ wife, same work when performed by a paid worker, the value attributed to it is even lowest.<sup>16</sup> They argue that value determination of their work does not incorporate both physical and emotional labour. Therefore, the undervaluation of this sector also influences people and communities as Anderson puts it, ‘by the doing of domestic work, we literally reproduce our communities and place within them’.<sup>17</sup>

This study highlights the identities and negotiations between women householders and domestic workers in Aligarh. Aligarh is known for a number of organized businesses running in its ambit, where a substantial proportion of women work. In Aligarh also, where the study was conducted, women householders, who agreed that they are dependent on these workers and these workers also contribute to the growth of their career (80%), but treat them similar to other household owners across India. While there were two sets of questionnaires, one for householders and other for domestic workers, a number of householders did not allow workers at their home to talk to us or answer the questions. Few of them did the work themselves (they talked to their worker and marked the answers, but did not allow the researchers to talk), whereas very few allowed us to directly interact with their domestic workers. Thus, chances of bias in some cases remain unaltered.

Rural-urban migration of women workforce is also evident in Aligarh where most of the domestic workers- some skilled some unskilled, have come from other places. However, they did not clearly mention the reason behind this



migration but their engagement in this sector upholds unemployment and poverty as one cause. Also, 50% of them say they are into this job because of poverty, others because of unemployment or drug addictions of the male members of the family; all these arguments together synthesize the idea of poverty driven migration. Even then they are underpaid and their work unregulated. Unlike Andhra Pradesh, Karnataka, Bihar, Jharkhand and Rajasthan, there are no legislations for minimum wage and social security of domestic workers in Uttar Pradesh. In other states, though laws have not been executed yet, but UP is yet to formulate any such law. Hence, difference in their wages could easily be noticed in Table 1. Moreover, only 40% of the employers believe that wages of the workers in this sector should be regulated or increased-which reflects how least concerned is the middle-class women regarding those, who provide them assistance on a daily basis. India did not ratify the Domestic Workers Convention which was adopted by the ILO in 2011, but some states cared to take necessary initiatives. Tamil Nadu and Maharashtra stands at the top for Tamil Nadu Manual Workers Welfare Board and Maharashtra Domestic Workers Welfare Board Act respectively, but states like Uttar Pradesh are yet to mark their concern. Also, not to forget two draft bills that have been in circulation, but never passed since 2008.

Surprisingly, the issue of caste and religion while hiring domestic workers is not very depressing, but it must be noted that people do prefer keeping separate utensils for the workers at home. Some of them put hygiene as one reason but this may appear as an instance of class discrimination if not caste discrimination. Although, there are instances in this case where caste determines task, or say this division of labour on the basis of caste is conventional. Some of the respondents from Table 1 stated that they engage lower caste women in cleaning lavatories while cooking goes to upper caste women or workers.

Also, there were some disparities in the responses given by the two parties involved. When the responses were analysed, it was found that householders most of the time claimed that they provide safe and secure environment at home to the workers, and workers too endorsed their employer's stand but workers at same time are eager to change their job; this creates an ambiguity as to what drives this urge to shift. One of the employers who hired a live-in worker did not clear the responsibilities assigned and time allotted to the worker and this raises questions and makes it more ambiguous.

## Conclusion

To conclude, it can be said that women householders and domestic workers who belong to two different standpoints hold their own understandings and experiences of their day to day issues. As stressed by feminist standpoint epistemologists that in creation of the process of construction of knowledge various standpoints should be taken into account to make it more inclusive and impartial. As all over the world and within India as well, one witnesses an attempt to provide social security to the domestic workers and provide legislative protection to them, it becomes important to explore how the householders who are employers in this setting are seeing the issues of domestic workers. As implementation of the legislative provisions become more difficult here due to the absence of a fixed work space, and the multiple workspaces also lie within the private sphere, so generation of sensitization among women householders become crucial from this perspective.

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## Workplace Discrimination against Women in the Formal Sector: Bias in the Quality of Work in the Metropolitan Cities of India

- Dr. Sampriti Biswas

### Background

Sociocultural practices based on a platform of very strong patriarchal ideology in South Asia especially in India curtail women's mobility. It often stops them from utilizing opportunities to develop as well as enhance their skills and capabilities. Women faces the double burden of household work as well as jobs in the labour market (Boyd, 1990). A huge percentage of women face backbreaking monotonous jobs which also do not pay them properly and are mostly informal in nature. Also, they do not obtain any money income or payment for the household activities. The role played by women at home that is nurturing and bearing children, household maintenance and cooking are activities that fall outside the national accounting systems. Hence women's roles have low status. An overwhelming number of women work in the agricultural sector in India.

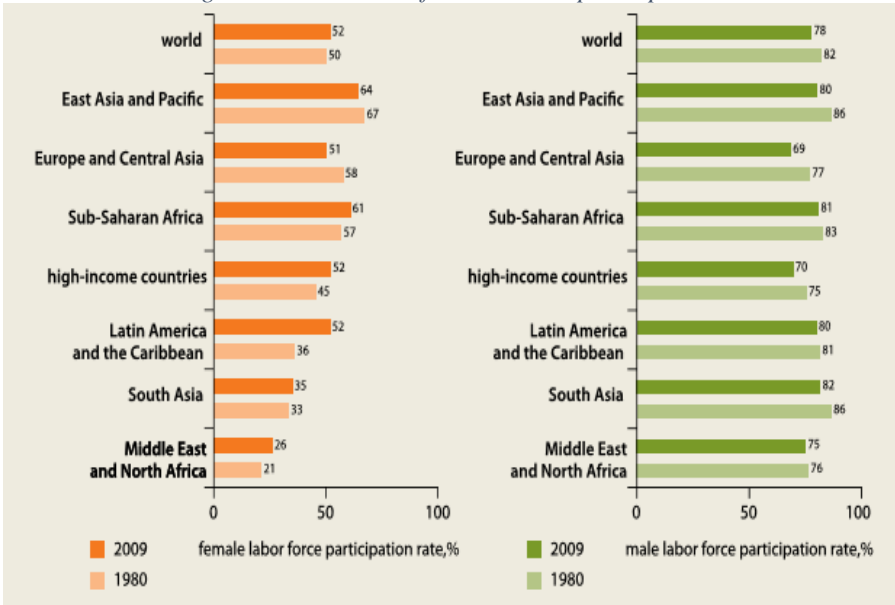
*Figure 1: Sectoral Distribution of Labour force in India*

Country	Percentage Labour Force in			Percentage of Female Workers
	Agriculture	Industry	Services	
India	62	11	27	32

Source: HDSA, 2000

Unless women earn and also have power over their earnings, they will never be empowered enough to take their own decisions. Earning women spend most of their money on household, on their children for their nutrition and health in contrast to men who often spend their money for their personal gratification.

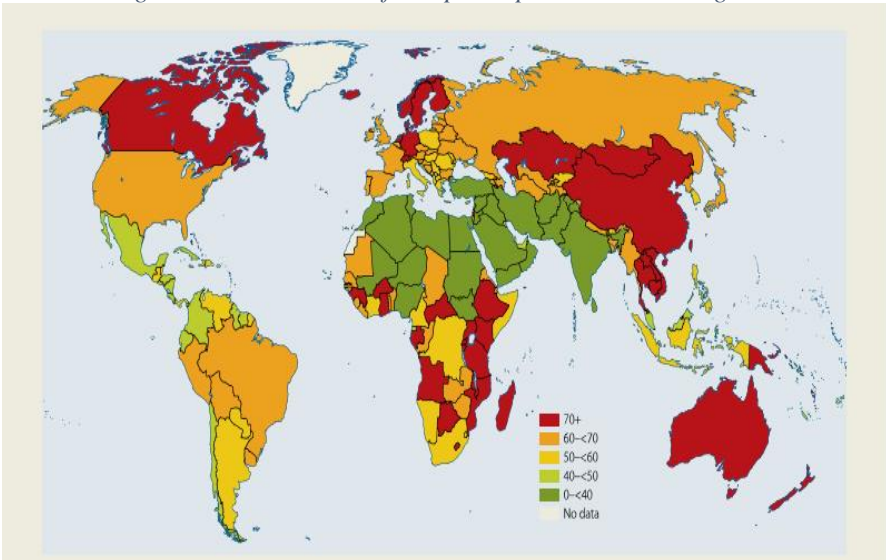
Figure 2: Advances in female labour participation.



Source: World Development Indicators, 2011

The Beijing Plan of Action conveyed the message to the world the necessity to promote women’s economic independence. This includes employment too and ‘ensuring equal access for all women... to productive resources, opportunities and public services. The Millennium Development Goals on gender equality and women’s empowerment adopted different indicators to chart out women’s empowerment. For women, their socially ascribed roles of unpaid care work, domestic workload influence their decision whether to stay at home or work. (N. Kabeer, 2012). According to The International Labour Organization’s decent work agenda, not only jobs are promoted, but also, rights at work are guaranteed, social protection is extended and social dialogue is promoted. A major dimension of social protection is ‘promoting labour protection which comprises decent conditions of work, including wages, working time and occupational safety and health, essential components of decent work (ILO, 2011). In India 10.4% are female workers working in the formal sector; whereas that for male workers are 18.4%.

Figure 3: Female labour force participation around the globe.



Source: International Labour Organization, 2010.

### Introduction: The problem

In the declaration of Fundamental Principles and Rights at Work (International Labour Organization) it is said that The Asia and Pacific region still experiences traditional forms of discrimination such as gender based and keeps on facing newer forms of discrimination brought about by structural & economic reforms, increasing movement of people. In the global report of ILO (Equality at work, the continuing challenge, 2011), it is said that discrimination on various grounds is still persistent, "... is becoming the rule rather than the exception". It occurs for different reasons; employer's actions, national legislation, socio-cultural, socio-economic reasons etc. According to the report, women continue to suffer discrimination in terms of job availability, work remuneration, work timings, terms of work say leaves and holidays, general working conditions, access to decision making positions. Also, they are prone to sexual harassment at workplace. Even with legal protection discrimination is rampant. Say, in India, Article 15 of the constitution expressly forbids discrimination on the grounds of sex, caste, place of birth in any employment or office under the state. In the social sciences, there is no comprehensive measure of job quality; rather it is an issue which is addressed in different manners. Economists tend to give more emphasis on aspects of economic compensation say hours of working, wages, fringe benefits etc to measure a job's quality or desirability. Pay is taken to be

a single most important issue where a job is concerned and wages are generally taken to be positively correlated with other favourable working conditions (Dahl, Nesheim and Olsen, 2007). There is sufficient evidence to show that the labour markets in developing countries are changed relatively faster; gender differentials where wage and employment are concerned are actually going down much swifter than they did in the industrialized nations. But quality of work is comprised of more than monetary remunerations. Skill, effort, personal discretion, wages and risk are some of the indicators of a job too.

## **Laws against workplace discrimination against women in India:**

### **Legal Review**

“You can tell the condition of a nation by looking at the status of its women”  
– Pt. Jawaharlal Nehru

India is the second most populated country of this globe and possibly has the most varied culture from all countries. India has many anti-discrimination laws but still Indian women are discriminated not only at the workplace place but also in their home. Discrimination means a form of differentiating a person on a particular ground say caste, creed, and gender etc. According to a survey made by Team Lease, 48 % of Indians have faced some kind of discrimination or the other at the workplace. Surprisingly in the same report it has been seen that there are only 30% of company is only in India who has the clear policy against any form of discrimination in India.

There are main provisions in the constitution which deals with the discrimination in India amongst which the most important ones are **Article 14** guaranteeing equality before Law, **Article 15** prohibits state from discrimination on the grounds of religion, race, caste, sex and place of birth. Again, **Article 16** empowers the state to make reservations with respect to appointment for posts in favour of backward classes of citizens if in the opinion of state such classes are under-privileged. **Article-39** of DPSP also speaks about the equality in the food, shelter, clothing and work and equal pay for equal work. However, these articles of DPSP are only guidelines for the state and are not fixed provisions.

It was in the year 1999, for the very first time, the Supreme Court of India had discussed about the discrimination that is sexual discrimination in Workplace in Vishaka & others VS. State of Rajasthan. The Supreme Court had provided certain guidelines for the sexual discrimination. Recently, the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 is the by-product of these guidelines. The Maternity Benefits Act

1961, The Equal Remuneration Act 1976 or The National Rural Employment Guarantee Act 2005 tackles different issues of discrimination in workplace against women but these acts are fails to capture the qualitative bias in the work given to women.

All these laws talk about discrimination on different forms but there is not a single provision in Indian law which deals with the workplace discrimination in quality of work provided to the women. Women are discriminated for a very long time now; there are normal prejudices in the minds of Indian men or one can say society as a whole that women are weak and they are not good with the decision making and handling the pressure especially in the formal sectors. The quality of work which is provided to them is of low grade or inferior to men. The opportunity to get promotion is also less to them because of the quality of work provided to them. The equal remuneration act 1976 is the most important act in this regard but it also talks in respect to recruitment, wages, and work-transfers and promotion, the Indian law makers have never thought about the discrimination where quality of work provided to men and women is concerned, which is the very root cause of the discrimination in formal sectors and especially in the metropolitan cities. There is hardly any woman in the Board of Governors list of a company. The most pathetic part is that the women are even more neglected when they are pregnant. It has been generally seen that the women have to work on back-office jobs and men will lead in the fields; be it the legal field or media, the picture is same in most of the cases. For example, in the legal field, woman has the duty to draft the petition but presentation of the case in the court room is concerned before the judge then mostly it is done by men. Despite the presence of these central legislation in the country, we can't deny that there are more to think on the discrimination matter and this time with a new concept that is the discrimination in the quality of work because there are no such provisions which talk about the quality of work. One more relevant point of attraction is that these provisions only protect in the public sector not in the private sector. The companies also on receiving any complaint on discrimination conduct an internal grievance investigation to safeguard the goodwill of the company. This lessens the gravity of the complaint and many alterations can also be done at this time regarding the matter with the evidence which finally loosens the credibility of the female workers. These types of investigations always are kept classified which is not right at any point of time.

### **Objective**

The objective of the paper is to show that there is discrimination at the workplace against women beyond sexual discrimination or other sort of



discrimination in the form of bias in the quality of work that is given out to them in comparison to the same being given out to their male colleagues. The paper seeks to show the extent of damage it has created by using the analysis from a sample survey carried out in the metropolitan cities of India. It shows that this kind of bias also hinders a woman, especially married ones with a family, from going upward in the upward and taking part in the decision-making process. Also, the paper upholds the fact that there is very little literature available and because of the subtle nature of the issue it remains largely neglected.

### **Literature reviewed**

While reviewing the literature on this issue, it was noticed, most astonishingly that there was very little literature actually available which was addressing the issue directly. There were many papers, books available which discussed workplace discrimination against women in South Asia or specifically India (Ruwanpura, 2004), at length but it talked about different paradigms of workplace discrimination like pay or wage, job security, sexual harassment etc. There was almost negligible literature available which talked about the quality of work directly. Work quality is something which is a smoky issue; it is something which is almost always estimated by the single most important thing, pay. The concept of job quality is very old and dates back to the 18<sup>th</sup> century and it had preoccupied the minds of leading theorists like Marx, Braverman etc. Two main theoretical position on job quality are obtained; the Neo-Fordist and the Post-Fordist. The Neo-Fordist perspective says that the extrinsic rewards such as pay, job security and advancement opportunities have decreased. But in a Post Fordist perspective it is said that jobs are of better quality with both intrinsic and extrinsic rewards.

The efficiency of a working woman is always questioned by their male counterparts. It is always doubted whether women would be able to take independent decisions, tackle their male subordinates properly, cope well with crisis and go on with their duties (Andal, 2002). According to Andal, women tend to have lower level or lower tier jobs in comparison to their male counterparts even with same or higher qualifications.

Gender segregation where access to economic opportunities is concerned actually reinforces the gender differences by their limited access to inputs. Gender differences in earnings are not only systemic in nature but also are persistent. But the point of attraction here is that singularly most of the available literature points out the gap in pay and productivity but does not talk about the work quality.

Women have very limited presence in the boardrooms, that is, directors around the world. This not only seriously undermines the equity aspect but also the low gender diversity can cut the company out on its value and growth aspect. According to the works of Carter in 2007, a female presence on the board of directors actually increases the performance in the Fortune 500 firms, by its effect on the boards audit functions. But to reach this place in the board, a woman's effort needs to be recognized and appreciated by the concerned authorities especially in comparison to her male colleagues. Herein lays the importance of her quality of her work.

In the paper Education and Women's Labour Market Outcomes in India, we find a very interesting scenario, to what extent is education responsible for differential market outcomes of men and women in India (Kingdon and Unni, 2001). In the paper Women and Minority Faculty Job Satisfaction shows that majority of the women faculty are found concentrated in less prestigious colleges and at lower end of faculty ranks (Olsen and Stage, 1995). Again, in the paper, Labour Markets as Gendered Institutions, Equality, Efficiency and Empowerment Issues, it is pointed out that discrimination against woman may persist, because, in the absence of institutional changes, it is actually profitable (Elson, 1999). A very interesting paper in this context is Women's Work and Economic Development, women's well-being improves on average with development, in relation to men (Mammen and Paxson, 2000). A very moving read in this regard is, through the Labyrinth where it is investigated whether there is still a glass ceiling existing or not in different sectors (Eagly and Carly, 2007).

The United Nations Economic Commission for Europe's expert group prepared a draft framework for Measurement of Quality of employment in 2013. But even this committee focussed on the quality of employment as a whole and kept seven indicators for measurement of the same in the draft but the focus on the quality of work; its intrinsic and extrinsic rewards especially when work is meted out to women in white collar jobs was not there. Also, it did not focus on the developing nations; rather it was oriented for the European nations although it wanted overall progress in the society as a whole. The draft paper talked at length about workplace relationships, going along with co-workers, inter employee dialogue and relationships. But it did not have a say in the quality of work.

### **Sample Survey**

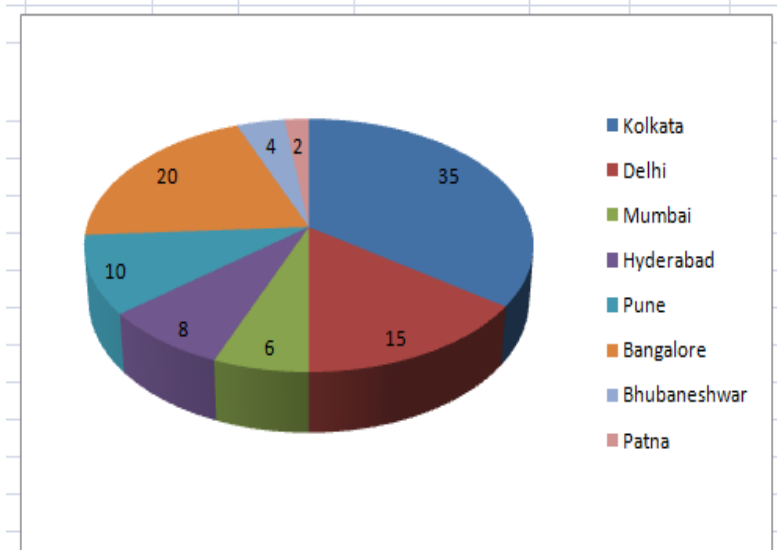
A sample of 100 women working in the middle to upper level of varying sectors (IT, media, analytics, public relations, advertising, teaching, insurance, legal

firms, banking etc.) in the formal sector (private companies) was questioned with a questionnaire comprising of 45 questions (18 main questions) pertaining to their education, skills, family background and work experiences etc. The respondents were in the age group of 25-55 with at least three years of work experience. The respondents were selected randomly, but these two criterions were kept as constant factors, that is, the age factor and minimum work experience factor. There were both married and unmarried women amongst the respondents. The entire survey was carried out in March to April 2016 in different important cities as Kolkata, Delhi, Mumbai, Chennai, Hyderabad, Pune, Bangalore, Bhubaneswar and Patna. The survey was conducted in two ways; the first one was done face to face with the respondents. This was conducted only in Kolkata. Where the other respondents of other metropolitan cities are concerned, questionnaires were mailed to them and were given a stipulated time period to complete the same and mail back.

**Sample Survey: General Results**

The first issue is the distribution of the respondents in different metropolitan cities of India. It shows the background of the respondents, where they work actually coming from different places. The place of work may or may not be same as the place of birth of the respondents.

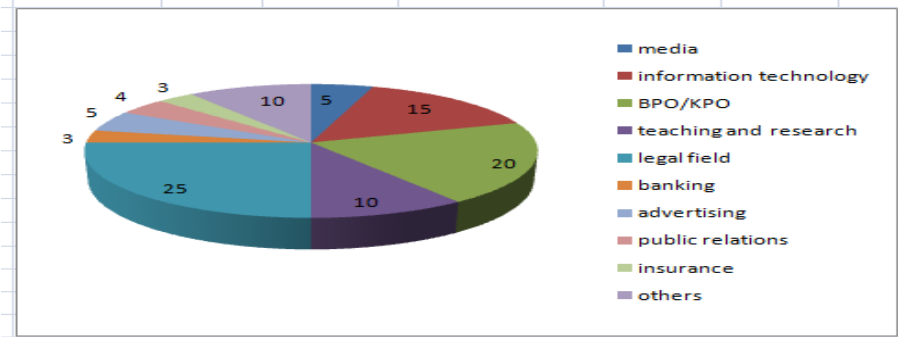
*Figure 4: Distribution of respondents*



Source: Primary Survey

The next general result is to show the distribution of the industries or sectors in which the respondents work. It varies from BPO/KPO, legal field, teaching and research, banking and insurance etc. The following figure portrays this distribution. The Sample size of Kolkata is 35; the largest number of respondents is from this city.

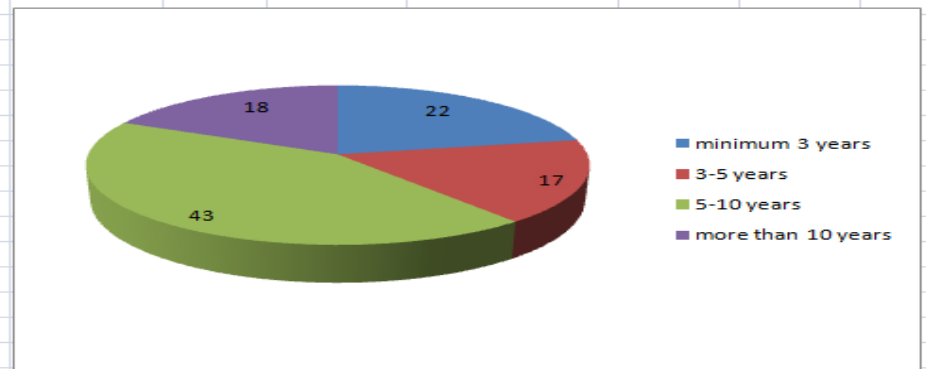
Figure 5: Distribution of the respondents according to the sectors or the industries they work in.



Source: Primary Survey

It is important to show diagrammatically, the work experience of the respondents and it is very important for the analysis. The following figure the distribution of the work experience in number of years. It is being divided into four categories; minimum 3 years, 3-5 years, 5-10 years and more than 10 years. The highest percentage of the respondents falls in the third cadre, that is, 43% of the respondents have work experience of 5-10 years.

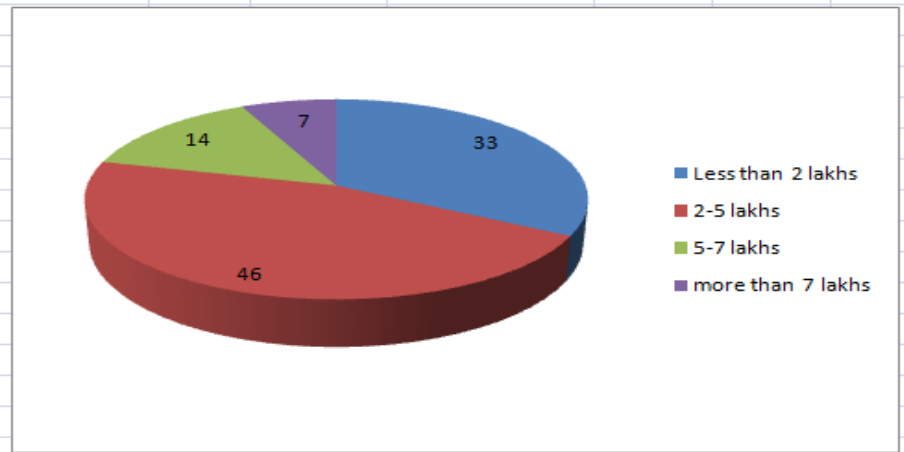
Figure 6: Work experience in number of years.



Source: Primary Survey

Income is a very important factor where the satisfaction of the employees is concerned. Traditionally in all research, income or wage or pay have been given utmost importance and often taken as an indicator of job satisfaction. The following figure shows the income distribution of the respondents for the present analysis. Four income brackets were fixed; less than 2 lakhs, 2-5 lakhs, 5-7 lakhs and more than 7 lakhs. 46% of the respondents earn in the income bracket of 2-5 lakhs of rupees.

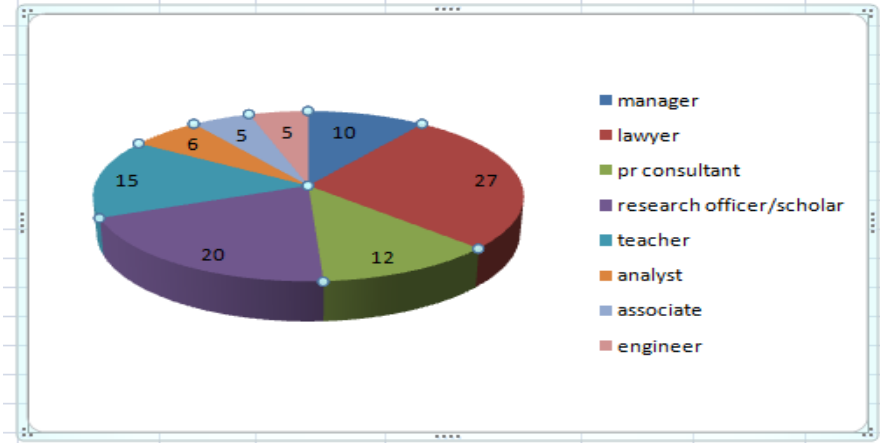
Figure 7: Income distribution of the respondents.



Source: Primary Survey

After this, the next important issue is the distribution of the respondents where their designation is concerned. The following figure shows this distribution and helps the reader understand the composition of the occupation of the respondents.

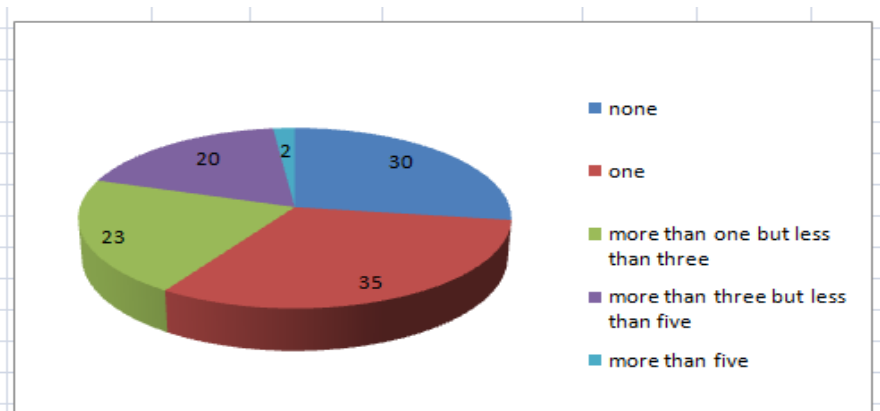
Figure 8: Designation of the respondents.



Source: Primary Survey

### Sample Survey: Important Results

The general results of the survey are given above and after it come the important results. Figure 9: Number of promotions obtained

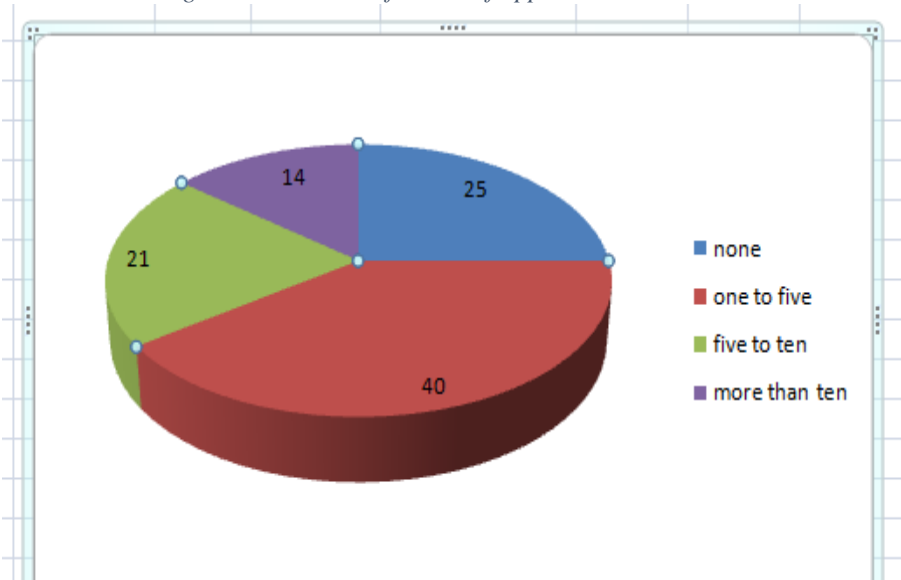


Source: Primary Survey

A major indicator of development or career advancement for anybody is the number of promotions that is achieved. So, the respondents were asked how many promotions they have received till date post joining the recent company they are working in. Five categories were divided; starting from having no promotions to having more than five promotions. It was seen that the

percentage of women having no promotions at all or having at most one promotion in the last company that they have been working is the highest that is 30% and 35% respectively. Letters of appreciation are as important as promotions; it is often seen that there is a positive correlation between letters of appreciation and promotions. So not only number of promotions is taken into consideration but also number of letters of appreciation from the present company that they are working in is taken into consideration for the present analysis.

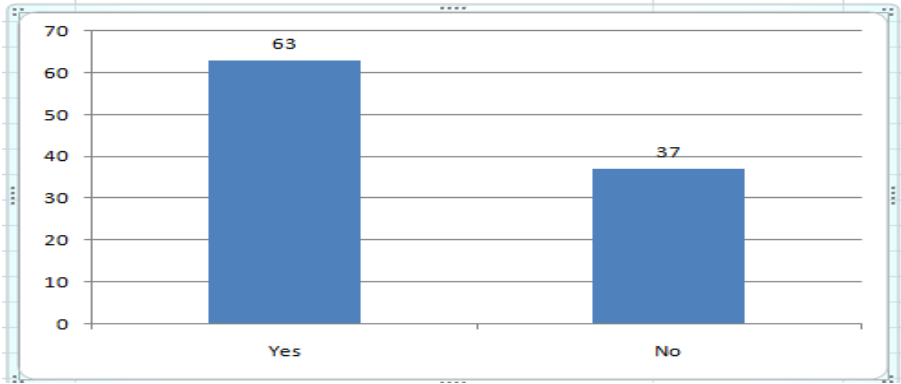
Figure 10: Number of letters of appreciation obtained.



Source: Primary Survey

The respondents were asked whether their male colleagues who have been working with them in the same capacity or designation or in the same position getting higher wages than them or not.

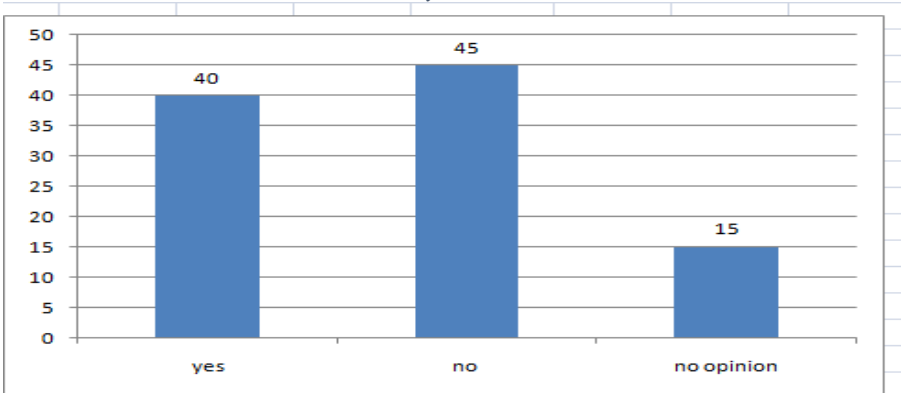
Figure 11: Male colleagues in the same position getting higher wages or not.



Source: Primary Survey

It was shockingly reported that 63% of the respondents reported that their male colleagues in the same position and designation as them with the same or similar set of skills and education earned more than them. Fig. 11 shows this distribution that 63% opined that their male colleagues in the same position earned more whilst only 37% opined that it is not so. As the respondents are working in different metropolitan cities and also are coming from different metropolitan cities themselves, this result indicates that there still exists a pay gap between men and women at the workplace. Also, it is detrimental for a woman’s career advancement as pay is often taken as an important indicator to comprehend a person’s skills and knowledge by an employer.

Figure 12: Is your male colleague in the same position or designation as qualified as you?



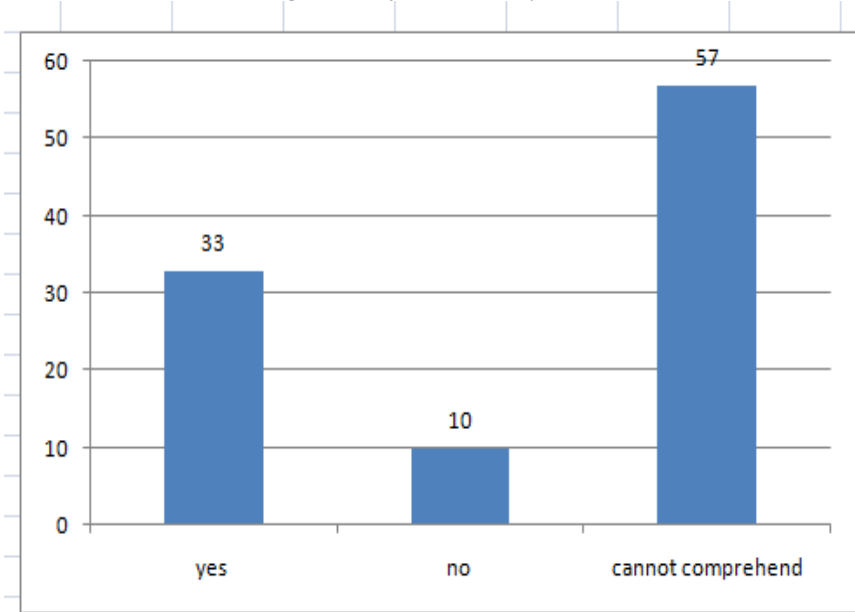
Source: Primary Survey



When the concept of quality of work comes, immediately one thinks about intrinsic as well as extrinsic rewards. These rewards act as positive indicators through which letters of appreciation can come from the superiors thus ushering in promotions. Herein lies the importance of parity in the education or skill or similarity of training of people working in the same position or designation; be it male or female, it is expected that being in the same position will obviously indicate whether there is parity in education or skills and training or experience. As it is expected that it is only then that similar quality of work will be given out to them. Hence it was asked to the respondents of the survey whether their male colleagues who were in the same position as them, say for example two system analysts working in the same unit of an IT firm with the same designation and position, were as educated and qualified as them. It was recorded that while 45% of the respondents opined that it was not so, whereas 40% of the respondents agreed that they were as qualified as them.

The next question which was asked to the respondents was a little tricky in the sense that they were asked to evaluate whether their male colleagues enjoyed higher status in their workplace or not. Even when they had the same position or designation or same pay, whether they enjoyed higher status or higher command over productive resources or higher influence over their peers and superiors or not. This is indeed a difficult issue to address, evaluate or estimate because influence can be subtle yet highly powerful or might not meet the eye. Thus, the respondents answered in yes, no or cannot comprehend. But it has to be kept in mind that this is the result when the respondents were given no parameter to understand whether their male colleagues in the same position or designation exercised greater influence than them or not. That is the question was asked generally.

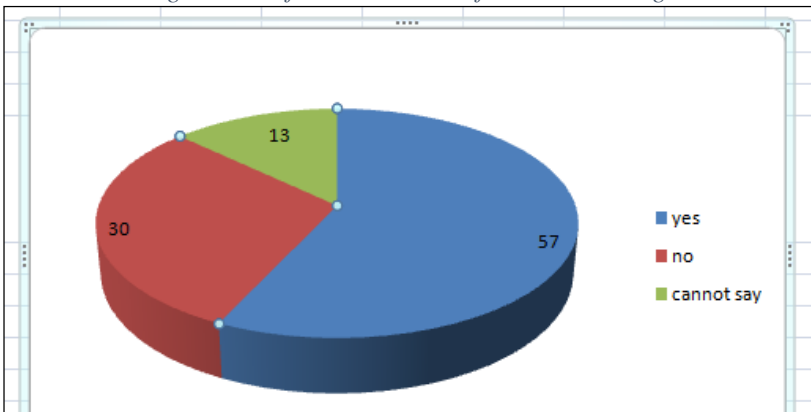
Figure 13: Whether your male colleagues in the same position or designation have greater influence than you?



Source: Primary Survey

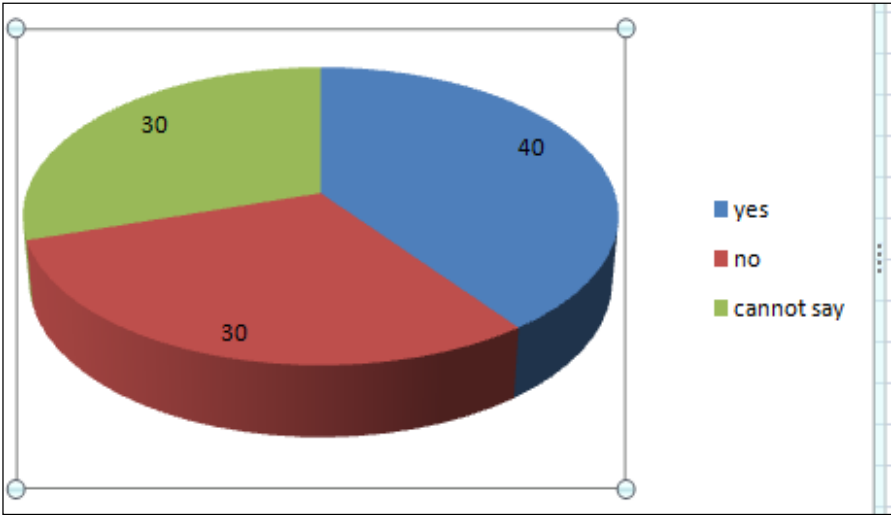
As the question related to the quality of work is difficult to evaluate or estimate, so with a variety of related questions which can bring us to a common inference were designed and asked to the respondents in a step by step manner.

Figure 14: Influence in terms of decision making.



Source: Primary Survey

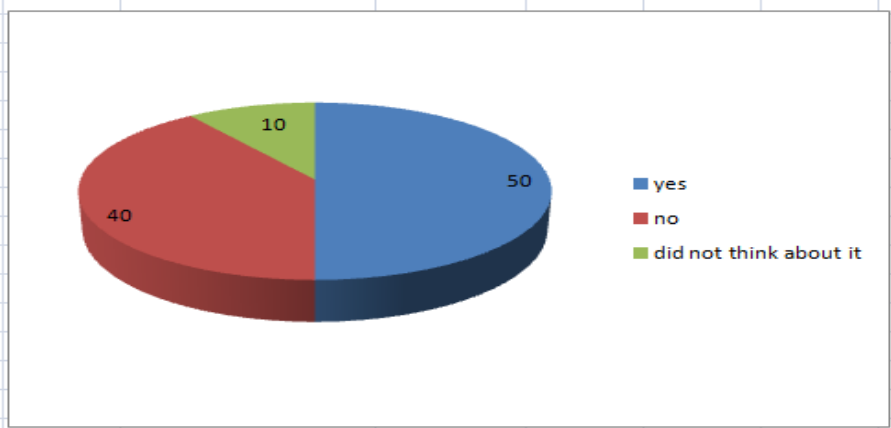
Figure 15: Influence in terms of promotions.



Source: Primary Survey

When the respondents were asked whether they were satisfied or not with the quality of work being meted out to them or with the quality of work that they are actually given, the respondents answered either positively or negatively and also some said that they did not think about it much.

Figure 16: Satisfaction in the quality of work given.

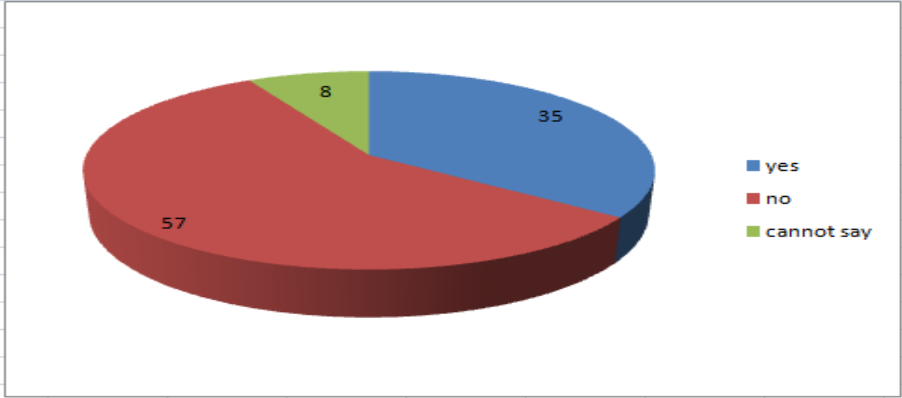


Source: Primary Survey

A very different picture is seen when the same question is asked but with a newer dimension, that is whether they are satisfied with the quality of work

meted out to them, vis-à-vis their male colleagues who are working in the same position or in the same designation or in the same capacity.

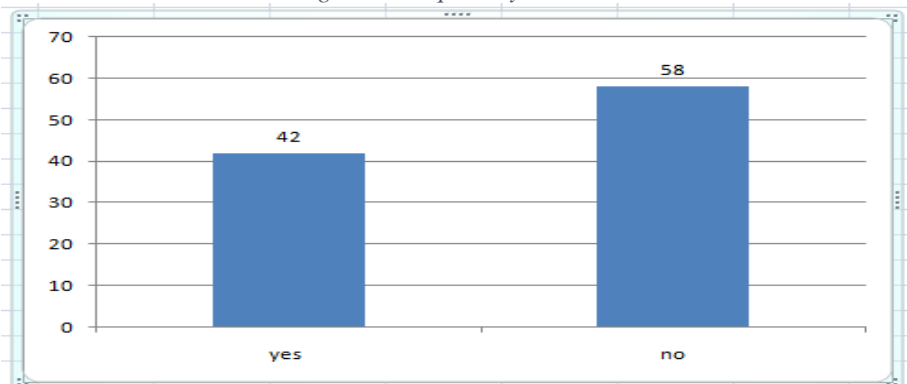
Figure 17: Satisfaction with the quality of work given vis-a-vis their male colleagues.



Source: Sample Survey

A whopping 57% of the respondents claim that they are not satisfied with the quality of work that is distributed to them by their seniors when compared to their male colleagues. They firmly believe that they deserve better quality of work than what they are being given. This is worse, when they are asked whether they have an equal say in the work when they are doing it together with their male colleagues in a team (in the same capacity or position). 58% of the respondents claimed that, they do not even have an equal say in it and it is done mostly in the manner deemed fit by the men.

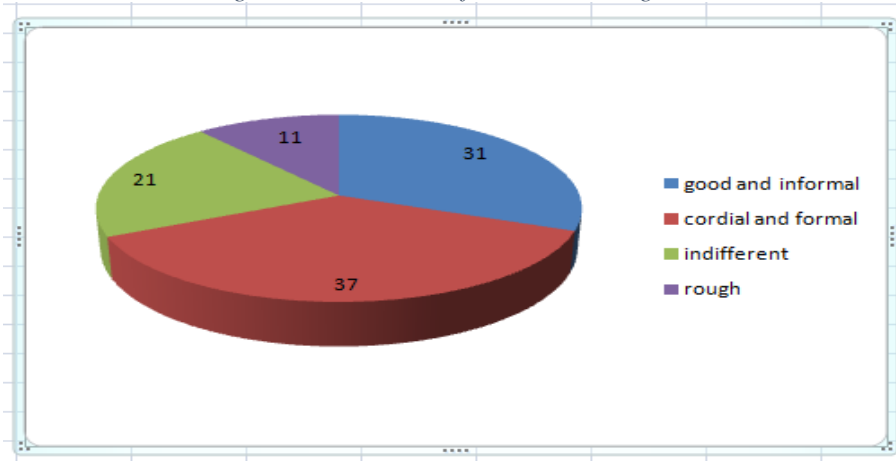
Figure 18: Equal say in work.



Source: Primary Survey

The behaviour of their male colleagues is also very important in this respect. For ease of understanding as well as analysis, the behaviour of the male colleagues working together with the female ones in the same capacity or designation have been divided into good and informal, cordial and formal, indifferent and rough.

Figure 19: Behaviour of the male colleagues.



Source: Primary Survey

Most of the respondents also believed that is very difficult to talk about the problems they face at the workplace with their male colleagues because they fear they will be further segregated and branded as weak and they will get even more inferior quality of work later on.

The respondents were asked what kind of hindrances they face on their way up the company ladder. Most of them pointed out that, their work does not get due attention or appreciation from their superiors which ultimately becomes the reason for their not getting due promotions. But they also opined that this is because of the kind of work, they actually get vis-à-vis what their male counterparts obtain. That is, there is very little intrinsic or extrinsic reward associated with the work that they perform and this ultimately stops them from going higher up in the career ladder and be a part of the decision-making process of the company. The respondents also said that it is even more difficult for married women and women with children.

## **Limitations**

Only the formal sector and that too in the metropolitan cities was taken into consideration here. Questionnaires have been returned by the respondents without completing. The other problem is that in the private sector there is a tendency for the employees to change jobs with the opportunity of a salary hike. So, a bias may arise with respect to factors like number of promotions and numbers of letters of appreciation. But care has been exercised to ensure that this is actually negligible as far as the analysis is concerned. Also, difficulty arose when the respondents did not answer coherently or tried to hide information or did not want to provide information.

## **Suggestions for improvement: Which way now?**

Women need to be given way more meaningful work which is rich not only in intrinsic rewards that is self-satisfaction but also in extrinsic rewards such as promotions from the company, higher pay, opportunities for enhancement of skills etc. From the survey it is clear that they are dissatisfied in what they are actually given vis-à-vis their male colleagues in the same position or designation. And if better work is given to them, there is a good chance that their work will be better recognized than before leading to them obtaining more letters of appreciation and promotions from the company. This can ultimately lead those obtaining better positions get higher positions in the company ladder. So, they can positively be a part of the decision-making process and with more and more participation in the decision-making process, it can hope that it will 'trickle down' in the lower echelons of the company benefitting the women. With more and more women superiors or bosses or women in the decision-making body, the other female employees have a chance of getting meaningful work at par their male colleagues ultimately breaking the vicious cycle.

Also, the behaviour of the male colleagues needs to be more refined and the work environment should be such that there is scope for dialogue for discussion or equal say amongst the male and female colleagues. The influence of the male employees also needs to be checked. They have a greater say in issues like promotions and in the decision-making process which is detrimental for the female employees.

## **Conclusion**

We are miles behind in achieving the socio-economic equality which the preamble of Indian constitution talks about. There is a need to change the mentality of our male dominated society, which thinks that women are subordinate to them and creates different hurdles to subjugate women. The need

of this hour is to educate male and sensitize them on the issues of women and develop feelings of togetherness and this has to start from our homes itself, where we empower our female members and provide them with equal opportunities of health, education, nutrition and decision making without any discrimination.

Quality of work is directly related with extrinsic as well as intrinsic rewards; while the first deals with letters of appreciation, promotions and other rewards from the company etc, the intrinsic one deals with satisfaction and happiness derived by working on something, that is, when one feels that her skills and education have been properly utilized for something. Hence such a concept that has to be addressed from different ends. Only pay, job security etc aspects of a job are not enough to ensure that women are not discriminated against where quality of work is concerned. The endeavour taken in writing this paper will be successful when sufficient measures will be taken in reality giving women justice that they deserve.

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## "Bleeding in Feminism"

A word that's been making heads turn over a year a two is called "Feminism"  
 Little do people appreciate the power of this "prism"  
 Talking about power the word has led to so much "schism"  
 Surely hiding it under another word called "activism"

In reference to "feminism"  
 People go on a way called "egoism" while media recruits to "plagiarism"  
 Cause you definitely have many more interesting words like "secularism"

Of course, in a nation towards "modernism"  
 We show changes in "rationalism" "socialism" and "separatism"  
 Which remains the talk of many groups which are unaware of an idea called  
 "syndicalism"  
 While "feminism" still remains an aspect of "volunteerism"

"Feminism" is neither about "optimism" or "pessimism"  
 It's neither about "federalism" or "sexism"  
 It's about "liberalism" and "altruism"  
 It's about dualism and "equalism"

Well "heroism" today is about fighting "nepotism"  
 "Feminism" remains as daunting as "terrorism"



Cause it often gets tagged as "fanaticism"  
Definitely we are checking dictionaries to understand a word called  
"unionism"

4-5 days of mere "ovulation"  
The society putting you in a phase of "hibernation"  
Letting you experience this ultimate joy through "isolation"  
I somehow don't get the taboo with "menstruation"

You are made to hide your whisper, just like the previous "generation"  
Forced to believe that sanitation is such a "complication"  
Asking the pharmacist to not wrap it in newspaper gets you looks full of  
"condemnation"  
I somehow don't get the taboo with "menstruation"

The topic still with a lot of "hesitation"  
Finds its way through blue blood "illustration"  
This ill representation is done casually like "respiration"  
I somehow don't get the taboo with "menstruation"

Puberty doesn't deserve this uncalled for "agitation"  
The weeping uterus pleading for "reformation"  
I somehow don't get why taboo and menstruation even have a "correlation"

Radhika Prakash Chhabria, SYBA  
Jai Hind College  
(this poem was presented at Genderlogue,  
Sophia College, Mumbai)

## **BOOK REVIEW**

### **Political Feminism in India an Analysis of Actors, Debates and Strategies**

*Political Feminism in India - An analysis of actors, debates and strategies* by **Dr. Vibhuti Patel** and **Radhika Khajuria**

- Dr. Shital Tamakuwala

The under-discussion book written by Dr. Vibhuti Patel and Radhika Khajuria with the financial support of Freidrich Ebert Stiftung (FES), the oldest German political foundation has a strong content and description with regards to patriarchal system which established 5,000 years in the history of India. The book deliberates on various types of violence against women existing in society, its reasons, causes, types, and phases prevailing in the society. It reveals that violence against women in India has two main explanations. The first is the patriarchal system and another is the religion and its institutions; rather both go in hand to hand with each other supporting its ideas, perceptions and practices. The patriarchal mindset is deep rooted in each belief of an individual and also within the institution of family, society, media, etc. The authors have divided this book fairly in four parts starting from, to explain the evolution of feminist movement and its contribution to reshape the society to the present challenges of new contestations of patriarchy and new normative feminism itself the society deals with.

Initially, the book's first chapter covers the historical roots and evolution of the feminist movement and ideas which provides very in-depth knowledge of genesis of feminist movements and women's organizations, including the waves of feminism, women's movements, its repercussions on the society till the formation of autonomous women's groups. The second chapter broadly talks about the issues faced by the various women's groups and organizations that cover campaigns and fights held for violence against women, relating to several laws pertaining to as land rights, housing rights, family matters, legal issues, reproductive system etc. It also covers sensitive issues such as declining sex ratio, anti-arrack, alcohol movement and reservation for women at parliament and various levels of legislature.

The third chapter comprises the development agenda of feminists counting third wave of feminism, the process of economic development, sexual harassment at work place, glass ceiling theory in brief whereas, the last chapter contains several feminists actions, movements developing ideas and its alliances with other conflict areas such as relating to sex workers, domestic workers, LGBT groups, Transgender, etc. The current book is an attempt thoroughly made by the authors to clearly show the movements India with regard to opposition to patriarchal tendencies has been witnessing last seventy years ago. It is a visualization of the journey which we all have seen and become part to in order to achieve egalitarian world, preliminary from an unjust patriarchal society to a world of equality and freedom. The authors have very tactfully made us understand the struggle which encompasses along with movements, strategies, efforts, associations and alliances to build fair and just social system. Whichever set of rights which we all are enjoying at these junctures are the efforts of such activities which took place hundreds of years back. The main focus of the book is to inspire us recognize the importance of feminists' philosophies, its partnerships on disputes of concern to the movements in making the society an impartial and equality seeking.

The book argues that the Indian women's status was influenced by several religions like Hinduism, Christianity, Islam, Buddhism, Jainism etc. and also the movements from 12<sup>th</sup> century to 16th century being marginalized by many spiritual movements like Bhakti Movement and Sufism. During that period, blind superstitions and practices under the name of religion existed in the society which deprived women with regard to their right to life, in terms of equality in the society. The practices such as sati, prostitution, female infanticide, begging, etc. prevailed and; as a result, male social reformers with the help of East India Company and British administration started fight against these evils. This struggle took place only among women of upper sections of socio-economic order and came to be known as the first wave feminism. Leaders such as Mahatma Gandhi, Jyotibha Phule, Raja Ram Mohan Roy, etc. aroused protest actions with massive participation of women in public functions, rallies, demonstrations, etc. All religious leaders took the initiative to break the evils and social barriers for the betterment of the women under the garb of religion. Second wave of feminism brought the definition of empowerment of women. Empowerment is a process in which an individual takes control over one's life; plans programs, earns skills and capabilities, gains confidence, develops the courage to solve issues and challenges in one's life with lots of self-confidence. The period of this wave was beginning of 1970s

which include mainly middle-class women who participated in many social movements of students, peasants, Tribals, Dalits, youth etc. Second wave feminism has farmed a number of women's organization which broadly worked in India and other countries too. It gave rise to several laws for fair participation of women in Parliament, Cabinet, High courts, Supreme Courts, as well as other rights such as equal pay rights for equal work, property rights, justice in the case of domestic violence, sexual harassment rights, transgender etc. The series of the movements changed the scenario at grass root level throughout the society, bringing emergence of autonomous women's organizations in India in major cities like Delhi, Bangalore, Hyderabad, Bombay, Ahmedabad, Patna and Madras. The induction of '*Manushi*' was a tremendous success of 1979 which opened new insights to academic institutions, researches, activists, policy planners, and the United Nations (UN) system.

The current book critically examines all forms of violence against women and the campaigns took place to fight for their rights. The authors briefly discuss the Mathura gang rape, Bhanwari Devi gang rape, Nirbhaya rape which resulted in amendment of rape laws and considered as a huge victory. The authors discuss systematically new issues and challenges taken up by the New Women's group. Women's group started aiming for the amendment in rape law and also concentrated on women specific issues such as wife battery, dowry murders, eve teasing, pornographic films, sexual harassment at work place, etc. Later the women's group focused fighting on new developing issues such as unjust family laws, reproductive rights of women, declining child sex ratio, legislative reforms, reservation for women in LSBs, women in political parties, housing rights, etc.

The next chapter titled 'The Development Agenda of Feminists mainly focuses on third wave feminism. The chapter focuses on urbanization, higher education, mobility of labour, and technological development, modernization, infrastructural development, and industrialization, mechanization in agriculture, white revolution, green revolution, and blue revolution as indicators of development by UN. The chapter also discusses the critique of neo liberal economic policies, critique of environmental policies and action for livelihood concerns.

The concluding chapter is a very important part of the book as it tries to throw light on the current challenges that society is going through. The present chapter demonstrates the new contests and struggles faced by women in the form of

patriarchies within the family, caste, religious and ethnic groups, within professional institutions, in regional struggles and other spaces. The author also finds through her work and experiences, that, migration of women is noticed in large number, which elicits a serious debate. The authors try to draw our attention mentioning the potent challenges posed on women at the margins of hetero-normative family, conventional conjugality and patrilineal inheritance; cultural and territorial hegemony which is reflected in the nation state of North East and Jammu & Kashmir. The book covers the topics of ecological movements, it explains the relationship of feminism with women and disability, also connects the contribution of feminists in shaping the health movement, war and conflict areas, its solidarity with sex workers and domestic workers too. The authors finely promote the solidarity with women and transgender survivors of sexual violence, throws light on the dark and hidden issues such as feminism and intersectionality and briefly describes the role of media and LGBT groups with feminist groups pointing nationwide. Gradually, the author drives our attention to the connection of Indian feminist groups with International Debates and actors. She talks about '**One Billion Rising**' across the globe, which is the biggest mass action in human history to end VAW (Violence against Women). The author states the immense potential of cyber world for transnational activism connecting to the international debates around engaging with men and masculinity to address VAW. The chapter ends highlighting the marginalization of women from the economy and the efforts transformed in the form of alliances, controversies and lastly movements to autonomous bodies. The book proves that the challenge of patriarchy of last 5000 years is at the verge to resolve which is managed in the last fifty years of struggle. The authors also stress that new issue is always withstanding at the verge to put an end to the previous issue. The credit goes to the unison of women's right movement and women's studies scholars to reshape the world with respect to bring gender equality irrespective whether Dalit, tribal, or Muslim. The author makes honest efforts to demarcate ethical significances in shaping of heterogeneous feminist hard work to question universal forms of gender violence understanding on power dynamics. The book provides a detail note and comprehensive bibliography to enrich the value to scholar's contribution. Scholars who are interested in gender studies, women's studies, feminism, Sociology and philosophy will surely find this worth reading to clear its concepts and vision. The book is strongly suggested to all change agents-activist scholars, gender trainers, academicians contributing in women's studies and women's movement, researchers working in gender equality and gender justice.

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**Women's Employment: Work in Progress**  
**Edited by Pamela Philipose and Aditi Bishnoi**  
**Published by Friedrich-Ebert-Stiftung, India Office, 2013**

- Damyanty Sridharan

Recognition for the scope and worth of women's work has been a long time in coming. The old adage, "a woman's work is never done", reflects the drudgery, monotony and unaccounted nature of the work women do within the home, but if this work was largely unacknowledged and unaccounted, a similar treatment seems to have been accorded to the work that women do outside the home. As economist Dr Padmini Swaminathan observes in her Overview, women and their 'work' either becomes invisible in data systems or gets captured in categories that fall outside the purview of protective legislation. This, despite the fact that several national surveys attempted to highlight the economic and social value of women's work – Towards Equality Report (1974) and the Shramshakti Report (1988) are two sterling examples of such documents. More recently the National Commission for Enterprises in the Unorganised Sector (2007), chaired by noted economist Arjun Sengupta, notes that women constitute 32.3 per cent of workers in the unorganised sector, and that nearly half of them – around 80 million – are involved in home-based occupations. This data indicates the extremely variegated and complex nature of the activities that women undertake.

Women's Feature Service (WFS), in collaboration with the Friedrich Ebert Stiftung (FES), embarked upon a project to map the vast terrain of women's employment in India – not in an academic manner but through readable journalistic accounts from across the country. While the majority of these features focus on urban realities, there are some extremely interesting accounts from rural India as well. Together these stories plot transformations of various kinds. What does it mean, for instance, when a woman sweeper in a railway station becomes a porter? Do masculinist assumptions undergo a change in the process? What consequences emerge when women migrate on their own for employment – both for themselves and their families? Does the fact that women professionals today choose not to follow their husbands abroad, because they value their own jobs at home, reflect new family dynamics in urban India? The questions that these stories raise are as numerous as they are intriguing.

The book is laid out in four distinct sections. The first, ‘Seizing Every Opportunity, Sizing Every Situation’, captures the various professional choices women make, including the desire to be taxi drivers. In the second section, ‘Hanging on in Hard Times: Worker’s Rights and Wrongs’, there are graphic accounts of the manner in which women are routinely deprived of a fair wage and good working conditions. It is well known that one of the major reasons for female migration in India is marriage, but there is a small but significant proportion of women who are migrating for work, so the third section in this book, ‘Moving in Circles or Moving Forward? Women and Migration’, unearths the promise and tribulation of such mobility. The last section, ‘Finding Voice, Making Breakthroughs’, looks at some innovative ways in which women’s potential for income generation has been unleashed.

Each piece in this book attempts to bring to the reader the realities on the ground through the voices of women workers themselves. The words they use often express their traumas and tribulations, but there are also words of hope and courage that speak of the will to change destinies.

In order to facilitate discussions on crucial issues related to the development process in India, the Friedrich-Ebert-Stiftung publishes a series of books and papers of which this publication is a part. Within the overall gender approach, the Women’s Empowerment and Gender Equality Project of the FES India aims at the economic and political empowerment of women. Facilitating workshops and round tables, action-based research and publications are an integral part of this work.

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## **STATEMENT**

### **AIDWA and FAOW**

AIDWA notes with deep anguish the situation arising from the charge of sexual harassment brought against the Chief Justice of India and the manner in which the Supreme Court has responded to it. Irrespective of whether the case is false or not, the procedures of dealing with a case of sexual harassment, particularly when it concerns someone in a high public position, need to be credible and transparent, which has not happened here. As an organisation which has always fought for gender justice, we feel that it is necessary that the highest judicial body in our country must, in order to keep intact the faith placed in it by our people and our Constitution, remain steadfast to the letter and the spirit of the law against sexual harassment and take steps accordingly to deal with the case.

Malini Bhattacharya  
President

Mariam Dhawale  
General Secretary

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### **SC judges in matter of Complaint of sexual harassment against CJI**

2<sup>nd</sup> May 2019

To,  
The Hon'ble Judges of the Supreme Court of India,  
New Delhi

We, members of women's groups, lawyers, scholars and civil society, stand in solidarity with the decision of the complainant to withdraw from the in-house committee proceedings into her complaint of sexual harassment at workplace, against the Chief Justice of India. The reasons given by her in the letter justify her decision to abstain, especially in the context of total imbalance of power vis-a-vis her on one side and the members of highest judiciary on the other.

Post the Complainant expressing her decision not to participate in the process, the Chief Justice of India is said to have appeared before the Committee and the Committee has decided to proceed with the enquiry ex-parte.



By this very conduct the committee has completely delegitimized itself. If the committee continues to proceed with the enquiry instead of satisfactorily concluding the matter it will raise many more questions.

We write again, calling upon the Supreme Court judges to take corrective steps and put a halt to these proceedings. If they fail to do so, not only the complainant but the citizens of this country, especially women and marginalized sections, will lose faith in the judicial system.

We are aware, that this is an extraordinary case that calls for extraordinary measures to be put in place, as this is a matter pertaining to the highest judicial authority under the constitution. However, extraordinary measures cannot and ought not to overlook, fundamental principles of natural justice and fair hearing.

We reiterate that the constitution of the three judge Committee is inherently flawed, as the Chief Justice is senior to the three judges hearing the complaint and head of the Institution. The Committee also does not adhere to the spirit of either the 2013 Act or the Vishaka Guidelines, laid down by the Hon'ble Supreme Court itself in 1997. The absence of an external member, whose role is to ensure that there is no undue pressure or influence on either the complainant or the witnesses during the enquiry, casts a shadow on the intent behind and the purpose of setting up this Committee itself.

Further, failing to stipulate the procedure to be followed, terming the proceeding as an 'informal', and not allowing a lawyer/support person to be present, completely ignores the unequal balance of power not only between the parties but also between the complainant and the Committee itself.

The procedure established by law has not only to be followed by those subordinates to the Hon'ble Supreme Court, but by the Supreme Court itself. Articles 14 and 21 of the Constitution of India would have no meaning otherwise.

If the highest judicial authority does not follow its own procedures and stand up in support of the less powerful, it will send a message of disquiet to all those keeping faith in the system.

In order to maintain this faith and to stand with the less powerful, the complainant in this case, we implore the present Committee to immediately stop hearing this Complaint.

We once again demand of the Hon'ble Supreme Court of India:

- a) A Special Enquiry Committee consisting of credible individuals be constituted to conduct a thorough enquiry at the earliest and create an atmosphere of transparency and confidence for the complainant to depose.
- b) The Special Enquiry Committee should follow the norms of the IC and the principles of natural justice and accordingly conduct its enquiry.
- c) The Chief Justice of India should refrain from transacting official duties and responsibilities until the completion of the enquiry.
- d) The complainant must be allowed to be represented by a lawyer/support person of her choice.

In solidarity.  
Forum Against Oppression of Women, Bombay  
29, Bhatia Bhuvan,  
Babrekar Marg,  
Gokhale Road,  
Dadar (West)  
Bombay -4000 28

**#MeToo**

For the girl on the bus using her headphones to drown out the  
advancements of the man as well as his disgusting words and tones

For the woman walking late at night  
With her keys spread as a weapon  
In case she needs to be prepared for a fight.

For the mother who doesn't sleep and is always tired,  
Because her husband thought that a wedding ring  
Meant a yes was never required

For the child who doesn't like her own reflection  
Because she was betrayed and broken  
By the man she looked to for protection.

For the college student who is now failing her class  
Because she just went out for a good time  
But the second she turned her head, a drug was slipped into her glass

For the teenager walking home from work at night  
Talking on her phone to look like someone  
would notice if someone grabbed her too tight

For my friend who said no more than once  
But because it was her boyfriend  
It didn't matter since it was his touch

For the girls who are taught to keep it under the table  
Because being silent about it is better  
Than making people uncomfortable

For the girls who tried to do everything they could  
But because they didn't scream no or fight back  
It was their fault and were up to no good

For my women who were told it wasn't rape  
Because they were drunk, they dressed slutty,  
Or there was no proof on tape.

For my women who didn't report the crime  
Because they were terrified and broken  
And felt it would be a waste of time

For my ladies fighting the aftermath  
That comes with assault, like PTSD, anxiety, and depression  
Because of some terrible human's wrath.

For me, the young woman who walks in fear  
Every day after three men thought her  
Body was theirs just because it was here

For every woman who is harassed  
For every woman who will be harassed  
For every woman who has been assaulted  
For every woman who will be assaulted  
For every woman who has been raped  
For every woman who will be raped

This is for you

- #Metoo Katie

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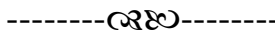
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- Articles should be 5000-7000 words in length. Papers that greatly exceed this will be critically reviewed with respect to length.
- Articles may express the personal voice of creative writing, or a reflection on a transforming text or event in the field of gender, or an impersonal presentation of data useful to researchers in that field.
- A short biographical note about the author must be supplied on a separate page.
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