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***SOCIAL TRENDS***

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The manuscripts of the papers would be sent to expert reviewers, hiding the identity of the author. The *Editorial Board* reserves the right to accept or reject the paper, based on comments of the reviewer, or may ask the author for modification for further consideration. The editorial board also reserves the right to edit manuscripts to standardise language and spelling, and to ensure conciseness, clarity and stylistic consistency.

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**Book:** Bremar, Jan, 2013. *At Work in the Informal Economy of India*. New Delhi: Oxford University Press.

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### *Editor's Note*

It is indeed a matter of great satisfaction and pride that the annual journal of our Department *Social Trends* is going to see the light of the day soon. It required a bit of stretching of our capacity to have this happen but there is no denying the fact that we can move forward only by stretching out limits. Now that the first number of the first volume is out we would be facing the challenge of not only keeping it afloat but also raise the standard of the journal. With collective efforts on the part of faculty, scholars and friends we would face whatever challenges that come by our way.

We see *Social Trends* as a good platform for the young scholars where they can try their hands in scholarly writing and gain experience and confidence, which would help them in growing as mature scholars in future. The idea behind the title of the journal is that in a given point in time we go through multiple trends of social change and transformation, only a few of them are articulated in social science language. The task of the social scientists in the given circumstances is to articulate the trends that are not yet articulated. Another reality is that there are always 'trends' and not 'a trend' of social transformation; such trends are not only multidimensional and multidirectional they could often be conflicting in nature. As an illustration, while masculinisation of family by the practice of female foeticide is captured as a dominant trend the counter trend of parents living for their daughters is also a reality in urban India.

The papers in this number are the outcome of a national seminar we had organised in the Department in 2012 under the DRS -I (SAP) of the UGC. Dr. Saswati Biswas deserves special credit for organising the seminar and for putting efforts to collect complete revised papers from the paper presenters. The papers address gender question from a feminist perspective.

We would thank the members of the Advisory Committee of the journal for their kind consent to be the members of the Committee. We would look forward to their critical constructive suggestions in raising the standard of the journal.

Sanjay K. Roy  
March 2014

## **Women's Economic Security and Property Rights: Some Current Issues**

Sanchari Roy Mukherjee

*While it has long been recognised within the gender discourse that the perpetuation of unequal property structures stems from the need for patriarchal institutions to exercise power over land both as a productive resource and as well as a store of wealth, the legal literature on property rights generally leaves the gender characteristics of property rights undefined, thus failing to recognise that intrahousehold inequalities in property rights impinge upon the distribution of rights and responsibilities within and also without the household.*

*The paper tracks down how property rights issue has largely been neglected in gender discourse and charts out how the issue could be reinstated at the centre of women's movement.*

**[Keywords:** property rights, gender inequality, patriarchal institutions, livelihood security of women, women's movement, gender justice, decolonisation, gender & development, modernisation, globalisation]

### **1. Gendering the Property Rights Discourse**

Many of the economic disparities and insecurities that confront women in society are perpetuated by longstanding social and gender inequalities in property rights which form the base of all issues concerning women and security. Property rights are also closely related to livelihood security for women, particularly in developing countries where women's rights of ownership over economic assets and the legal structures that support the exercise of such rights are both particularly weak. Thus in most situations, women's property rights over economic assets such as land are either insecure or non-existent, and the retention of such rights is also poor in the absence of adequate statutory safeguards. While it has long been recognised within the gender discourse that the perpetuation of unequal property structures stems from the need for patriarchal institutions to exercise power over land both as a productive resource and as well as a store of wealth, the legal literature on property rights generally leaves the gender characteristics of property rights undefined, thus failing to recognise that intrahousehold inequalities in property rights impinge upon the distribution of rights and responsibilities within and also without the household (Poats 1991; Moser 1993; Meinzen-Dick et al 1997).

Although the relevance of property rights issues to women's security is relatively clear, it is nevertheless observed that beyond exceptional empirical studies relating to women's land tenure, there is a noticeable dearth of gender-aware literature on property rights. The reason is probable that many activists within the women's movement feel challenged by the

terminologies used in this respect by the economic and legal literature. However, because of the quick pace of global economic change which marginalises women's property rights, the need for women to address property rights issues has become even more pressing. The present paper endeavours to bridge visible gaps between the gender and property rights discourses in order to promote gender-awareness about their common substance. The discussion is organized into four sections. Section 1 identifies aspects of the gender discourse where a proper understanding of property rights can improve the articulation of women's rights. Section 2 reviews the existing economic and juridical discourse on property rights from the evolutionary standpoint, and seeks to identify areas within it where gender questions are relevant. Section 3 identifies current property rights issues that confront the women's movement across many parts of the developing world. Section 4, which concludes the paper, briefly constructs the future terrain which the women's movement must traverse. Although the paper is essentially a synthesis from several coexisting streams within the literature, it is hoped that this will eventually coalesce into greater social awareness about the positions of women vis-à-vis property rights.

### *1.1 Women & Gender Justice*

The gender discourse around distributive justice has evolved primarily from the feminist critique of liberal theories that rationalise the presence of gender inequities within their conceptualisations of distributive justice. By relating gender justice to the realisation of women's rights, the gender discourse has opened a vast multitude of questions regarding the present status of women within society, including their property rights. Writing on the subjection of women in way back in 1869, John Stuart Mill had anticipated some of these feminist arguments by stating that political equality of women would be the combined outcome of personal freedom from patriarchal control as well as equal educational and economic opportunities, equal political rights and equal property rights (Mill 1869). On these egalitarian principles, liberal feminist theories thus advocate gender parity between men and women.

Radical feminist theories however disagree with the egalitarian conceptualisation of gender justice, on the ground that it merely focuses on surface economic issues, leaving the structural inequalities that affect women untouched (Young 1990: 18). Their standpoints are partly based on a rejection of the dichotomy between the private and public spheres, which renders women subject to patriarchal control within their personal domain, to which state policy remains neutral (*cf.* Binion 1995). This separation of spheres, they feel, has relegated women to the home, thus preventing their effective participation within the policy sphere. Thus for radical feminists, the achievement of personal autonomy by women is critical to their achievement of political and economic equality. It has also been noted in this respect that social goods such as power or wealth or social respect are always distributed unequally, because of the arbitrary exclusion of certain social groups. These inequalities become a cause of social dominance if the group holding power or wealth or respect is able to use its command over one to establish control over the others (Walzer 1983). Extending this principle into gender relations within the household, feminist theories have thus argued that the social norms that assign the performance of domestic work exclusively to women also undermine their status in other spheres of work and society (*cf.* Armstrong 2002).

The feminist critique of the social institution of marriage is based on a similar analysis of the marriage contract, whereby the autonomy of women is surrendered by their families to those who wed them, allowing their lives and their productive and reproductive activities to be



continually regulated by the patriarchal institutions originally set up to establish dominance over women (Pateman 1988). The implications of marriage and childrearing responsibilities on the lifetime earning potential of women are shown to result in their systematic failure to compete on equal terms in the labour market and to accumulate adequate economic power and wealth, thus reinforcing their economic subjugation (Okin 1991). Radical feminist theories thus see gender inequality as the cumulative result of the unrestrained exercise of individual liberal freedoms by men, which liberal justice systems are unable to address because of their commitment to legal neutrality in all private matters. While many of these questions raised by feminist discourse still remain unresolved, the discourse has been influential in shaping contemporary understanding of gender liberties and rights, including women's need for property rights.

### *1.2 Women & Development*

Another important discourse which has informed current perceptions about gender roles and rights has arisen from within development economics. In principle, the early theoretical approaches that laid the foundations for development practice during and after the decolonisation experience were generally gender-blind, because their 'trickle down' theory held that developmental benefits would automatically percolate to all women residing in developing countries. Serious exploration of women's roles in economic development only commenced after Ester Boserup's study of women's work contributions to agricultural activities across many decolonised nations (Boserup 1971). While high gender inequalities in South Asia were seen to originate in the large regional population and the consequent devaluation of women's work within the farming system, the less-densely populated countries of Southeast Asia and Africa that in contrast showed much greater engagement of women in farm-work were also characterised by higher gender equality and much less restriction of women's gender autonomy (ibid.: 16-26). Besides providing evidence that gender inequality was socially constructed, the analysis also showed that current modernisation practices involving the induction of new agricultural technology and the switch from subsistence crops to cash crops were having a gender-displacing and de-skilling effect on women, because of the limited access women had to markets and limited personal mobility (ibid.: preface). The process of urbanisation and migration was also seen to carry gender penalties, as women were forced to switch to informal modes of *bazaar* activities well beyond the reach of their support networks (ibid.: 178-179).

Growing gender concerns that have arisen in development economics more lately have also centered on the impact of globalisation on women. These concerns have also raised important questions about the systemic link between gender exploitation, capitalist development and poverty that accelerates the marginalisation of women. Focusing on women's work within the comparative experience of several developing countries, certain studies have shown that the accumulation of capital during the era of globalised growth is being increasingly financed by the seizure of the labour power of women (cf. Mies 1986, Mies et al. 1988). Globalisation has also caused a shift from earlier Fordist models of capitalist production under which labour services were contracted for the full duration of the production process, to a cheaper and more flexible labour process combining piece-work, part-time work and self-employment (cf. Ramamurthy 2000: 251). Under the new dispensation, women workers who exist on the fringes of the economic system contribute the value of their labour to the process of globalised development

without being recompensed by an adequate wage. As the end-result, women's work is increasingly being casualised and underpaid in both the developed and the developing world.

### ***1.3 Women & Property Transfers***

Other than customary practices of land inheritance and the right to hold personal property in other forms, the traditional property rights held by women have mainly comprised usufruct rights on properties belonging collectively to the family or community. Since usufruct rights have also been vital to the performance of paid and unpaid women's work, they relate closely to the social positioning and status of women in rural communities. Although, because of their non-separable character, there are several methodological difficulties in calibrating and measuring the precise value of women's usufruct rights on collectively-held property, their social value is determined by the scale of the contribution that women make to family subsistence relative to the contribution made by males. Boserup had thus drawn a gender distinction between the subsistence female farming systems still seen widely among indigenous communities in Africa and more labour and input-intensive male farming systems elsewhere that are directed mainly towards the production of cash crops and are therefore able to contribute more directly to family wealth and income (*cf.* Ramamurthy 2000: 241-242). With a gradual shift from communal to individualised forms of land tenure, the social value of the usufructuary contribution made by women to family subsistence has declined relative to the value of the male's ability to contribute to the private accumulation of wealth (Boserup 1990: 161-174).

Institution of private rights to property has also allowed the intergenerational transfer of wealth through the customary rights of inheritance or as *inter vivos* gifts made during the lifetime of the parents. Since property acquired during the parental lifetime is customarily deemed to have been earned by the males, the dominant mode of inheritance has tended to shift from matriliney to patriliney, strengthening the role of the patriarch. Evidence is found that such property rights transitions are rapidly occurring even among indigenous community groups that have held on to communal land rights and matrilineal rights of inheritance, and that the pace of transition has been quickened by technological change and economic development (Boserup 1971, 1990; Agarwal 1994; Quisumbing, Otsuka et al 2001). Changes in land tenure and property rights that weaken the social bargaining position of women also increase their marginalisation and subordination in a system where gender property rights are already unequally balanced.

## ***2. Understanding Property Rights***

Since property rights assume given forms at different stages of the development process, the transition from primitive to modern forms of property tenure is often regarded as being inexorable. While radical writers are generally aware that the economic gains recorded by society as a whole are recompensed in reality by the dispossession of particular class or gender groups, the mainstream approach views this order of succession purely in efficiency terms. The next section explores the mainstream approaches to property rights within economics and legal anthropology from a critical standpoint. As noted earlier, theoretical literature on property rights does not yet have a gendered form, although it may be sensitive to class questions. While methodological objections would inevitably arise if women were to be classified in class terms,

the presence of a great mass of women among the ranks of the urban and rural poor serves to illustrate that poverty and destitution which are class-constructs have a gendered dimension. Hence the processes through which the poor yield ground to the rich during evolution of economic systems are also the cause of gender destitution.

### *2.1 The Origin of Property Rights*

For a considerable duration of time, the origins of private-property land tenures were believed to vest in the rights of first tillage that are characteristic of pioneer agriculture (Grossi 1981, *cf.* Ostrom 1999). This early juridical position invested great importance on individual property rights wrested directly from a state of nature. Similar positions are also echoed in non-juridical literature of the early period. Rousseau's conceptualisation of the origins of society postulated a 'social contract' formed by the association of free individuals, thus giving individual rights primacy over those of the collective (*cf.* Rousseau 1993). Ricardian rent theory provided a justification for rent extraction by landlords in the exercise of private land rights, by defining a preceding pioneer stage when rent-free or marginal lands had first been brought under the plough. It was not until the late-19<sup>th</sup> century that juridical scholars began to recognise that individual property rights had arisen through evolution from precursor forms of joint-property. Historical coexistence of private agricultural holdings with pastures and forests as village commons was also noted in studies of diverse village structures including the villages in India (*cf.* Maine 1861). Despite these early insights, property law mostly evolved around juridical concepts of private property.

The Marxian approach asserts the historical specificity of property rights to the existing mode of production. From this view (*cf.* Engels 1884: preface), investiture of private property rights in ancient times is perceived to have commenced with the disintegration of primitive communities in which the social order was dominated by consanguinary *kinship* groups, and their subsequent replacement by the non-sanguinary social institutions of *class* and *state*. The Marxian analysis also recognises that this investiture was contemporary to the accumulation of social wealth in terms of enhanced human skills and labour productivity, which led in turn to the expansion of physical output. Institution of property rights was conducive to the process of wealth accumulation by extending the command of property owners over the labour of others obtained through the mechanism of exchange. While the resulting heterogeneities in social command over property also led in time to the evolution of class groupings linked by the ownership of wealth rather than by kinship, the state evolved primarily as an institution of legal governance for the control and regulation of property rights.

While private property rights are believed to have evolved in the first instance in the relation to livestock holdings (*cf.* Engels 1884: ch.4), the pastoral manner of life practised by primitive societies did not initially require maintenance of secure private tenure on land. In the Marxian analysis, the origin of the family is thus attributed to the investiture of heritable property rights particularly in relation to land, which came when the old pastoral ways were abandoned for sedentary agriculture. The primacy of private property over natural or common property established individual rights of possession over lands originally allotted to the family by their kinship group. As these rights grew in scale and social recognition, full private ownership of land emerged. Consequently, the appearance of agricultural society in place of pastoral society was accompanied by institutional change and social reorganisation.

It was nevertheless quite usual for primitive agricultural societies to divide the territorial lands controlled by the community into public and private domains. While privately held farmlands provided direct subsistence to the families that cultivated them, public lands remained in common ownership and corporate use by the community for religious and social purposes (*cf.* Morgan 1877). It was from the public domain that the concept of state eventually developed, since as the communities developed in terms of power and size, the size of the public domain became commensurately large. Property rights and land tenures accordingly became more complex, with ownership in common, ownership in severalty and individual ownership becoming recognised property rights. Despite the evolution of multiple ownership forms, it was still quite usual for unoccupied lands and wastelands to remain as the common property of the community until their alienation by the modern state.

## ***2.2 Property Rights Structures & Domains***

Property rights include the rights of access, withdrawal, management, exclusion and alienation in respect of the asset or resource over which they are exercised (*cf.* Ostrom 1999). While the rights of access and withdrawals represent minimal user-rights, the right to manage the property, to allow or exclude other users from access and to alienate it from other users through repossession or through disposal represent ownership rights (Schlager & Ostrom 1992). When property rights are privately held, all such rights can be exercised by the private rights holder with the backing of the legal institutions of the state. On the other hand, these rights may alternately be apportioned by formal or informal arrangements between several users, or may be foreclosed through policy actions by the state. Nevertheless, the discussion of property rights within mainstream economics has generally focused on private property under the dominant economic paradigms of market rationality and individual self-interest. Since market arbitrage is seen as being inherently superior to other forms of property holding that involve nonmarket exchange, mainstream economics also makes out a case for privatisation of property. Private property rights are thus believed to improve the private incentive for efficient property management, because of direct association between the private benefits derived by the rights holder and the time and labour they have expended on upkeep of the property (Demsetz 1967). There are however many instances where economic decisions are multi-layered, in which case the markets may fail to yield efficient outcomes. In such cases, the achievement of social efficiency rests on the functioning of supportive social institutions which include alternative structures of property rights.

Property rights are usually equated in jurisprudence with the statutory concept of ownership, under which all enforceable rights are deemed to vest with the individual property owner. Under customary practices however, property rights are often held in bundles where plural user-rights may be assigned by underlying institutional structures that combine statutory forms of property ownership with the rights-of-use sanctioned through custom, common law, religious law and other normative institutions (Meinzen-Dick and Knox 2001). Existing plurality among these are rights of access to the property and rights to extract usufructs from it, which may also devolve upon non-owners, as well as the right of the property-owner to modify the property, the right to exclude users, and the right to transfer the property to other uses or users (Schlager and Ostrom 1992). The enforceability of each of these property rights would depend on the strength and legitimacy of the institutions from which social support is drawn. Wherever the legal authority is perceived to be weak in the enforcement of statutory property rights,

alternative rules of custom and common law may find wider social acceptance (Meinzen-Dick and Bruns 2000).

While property rights issues have thus maintained presence in the juridical and economic literature for more than a century, the evolution of private property institutions from older systems of communal property has usually been seen as being indicative of progress and social advance. Defined in juridical terms, a property right is the enforceable authority to undertake particular actions in specific domains (Commons 1968). Such rights may also be exercised independently of private rights of ownership, although full ownership invests the property owner with all actionable rights. For property rights to be enforceable, secure backing from the collective community would have to support the exercise of rights (Bromley 1991). Since property rights may be held individually, collectively or by an exclusive community, the assets and resources over which they are exercised may lie within the private, public or common domain.

In keeping with the plural forms in which property rights exist, there is also plurality within the institutional domains that secure property rights (McCulloch et al 1998). When property rights are in the public domain and vest with the state, they are secured by state legislation that prescribes a punitive framework for violations of public rights. In the case of private property, the rights of property holders are codified by statute and the onus for punishing violators falls upon the state as the guarantor and protector of private property rights. Thus the legal norms and the modes of legal redress for property rights held *de jure* are enforced by the legal institutions of the state. For property rights held and exercised in *de facto* form, the scenario differs radically. Institutional sanction for the exercise of such rights is drawn not from the legal system, but from local usage or common law. In practice, *de facto* property rights may include customary usage rights even when the public or private property is held *de jure*. Conversely, *de facto* rights may be curbed by extension of the *de jure* domain, such as when common lands are sequestered and appropriated for public or private use or when statutory property rights are enforced.

### ***2.3 Customary Property Rights***

Communal land rights that had originated in customary systems of swidden farming were still widely in vogue among indigenous communities in South Asia till as little as a century and a half ago, but are now confined for historical reasons to the indigenous communities in northeast India. These farming systems generally took root in large contiguous areas with low population and relatively poor soils - such as hill regions - over which the concerned community had secured territorial control. Subsequently, under a system of swidden rotation, lands would be left fallow for long to very long periods as a costless and labour-saving means for recovering soil fertility after a period of sustained cultivation. As a part of the colonial policies for forced sedentarisation, several land settlements conducted by the state during the 19<sup>th</sup> century served to demarcate lands in current cultivation from those held in reserve. Besides introducing legal land rights, legal settlement of cultivated land with the individual cultivators allowed the reserve land to be sequestered under the legal principle of *res nullius* and subsequently to be taken over by the state for forest and mineral development under the various Forest Acts. Excepting northeastern India, where special political dispensations allowed the indigenous communities to continue customary forms of land tenure, all other indigenous communities in

India were sedentarised under policy coercion and their non-tenure lands made part of the state reserve.

It would nevertheless be wrong to think that communal farming systems were technologically static. The cultivation of cereal crops – particularly rice – in swidden areas needed technological adaptations ranging from terracing to irrigation, which could only be made by lengthening the duration of land occupation. Also, the declining quantum of land against the growing population gradually shortened swidden cycles to the extent that cultivator families found it worthwhile to make the labour and capital investments required to sedentarise the wet-farming of paddy fields. Thus the institutional innovation that allowed this to happen was the specific assignment of property rights to families that cultivated particular wet-fields, while all other livelihood-related activities such as dry-farming, livestock husbandry, fuel and fodder collection, etc. were carried out on the reserve land held under communal property rights.

Induced transitions of this kind that have been witnessed among community farming systems both in northeastern India and in many other swidden regions across the world (*cf.* Hayami 1997; Boserup 1965: 91-92; Quisumbing, Otsuka et al 2001: 7-10] have had an impact on the land rights of women. In most indigenous societies like those of the Naga in northeastern India, women do not inherit a share in ancestral landed property which only passes down the male line and reverts to the patrilineal clan in the event of there being no male successor (Shimray 2004). Very rarely, some land may be gifted *inter vivos* as a wedding gift by parents to a daughter, if it has been acquired either through personal purchase or through means other than ancestral inheritance. Matrilineal descent systems through which land passes in inheritance from mothers to their youngest daughters do survive among the Khasi and Garo in northeast India but have long vanished among the other indigenous communities in India.

Matrilineal and patrilineal systems of property rights found elsewhere among indigenous communities in the developing world have broadly similar features, although variation may exist between the matrilineal systems of inheritance and descent. Thus among the matrilineal Minangkabau in Indonesia, the inheritance of ancestral property also passes down the line of matrilineal descent from mother to daughter, thus giving women strong property rights to paddy-land (Quisumbing, Otsuka et al 2001: 21-22). In contrast, ancestral inheritance among the matrilineal Akan in Ghana descends from the male landholder to his brother or matrilineal nephew, rather than to his son. Even though the line of inheritance is still traced matrilineally through them, women among the Akan do not hold land rights (*ibid.*: 20). Thus in almost all prevalent systems of customary property rights, property brought by a woman to the marriage is considered to belong personally to her, while assets acquired within the span of the marriage are considered to be the joint property of both spouses (*cf.* Quisumbing & de la Brière 2000: 3). All ancestral property is deemed to belong to the clan and passes down along the customary line of descent, while property acquired through the family's own efforts is deemed to belong to the unitary family rather than to the matriclan or patriclan, and may therefore be bequeathed to chosen offspring (*cf.* Agarwal 1994). Since the system of joint families is absent among all indigenous communities, the concept of joint ownership of property along with immediate first-order relatives is also virtually absent. On the other hand, the system of extended families is fairly widely prevalent since it is analogous to membership of the kinship clan.

### ***3. Contemporary Gender Property Rights Issues***

As seen from the foregoing discussion, property rights have assumed plural forms at all stages of economic and social evolution. Private property rights emerge distinctly as a patriarchic institution designed to facilitate the accumulation of social and economic power and its transfer across generations. Private property structures are neither universal nor immutable across all societal levels, as seen in the adherence of village communities to common property and usufruct rights in several spheres of livelihood activity. Nevertheless, the transmutation of erstwhile common property domains to public or private domains as part of the development process has a particularly regressive impact on women's autonomy, since it leads to a greater command of patriarchic institutions over the labour of women. Consequently, as both historical and statistical studies of development show, men gain far more from the process of development than women, because of the leverage they have over women in terms of property rights.

The crux of the ongoing debate between the economic and gender discourse on property rights is now reached. Formal economics tends to look at this transmutation of gender property rights as being the inevitable result of economic advance. This is essentially a positivist view, to which normative and ethical considerations do not apply. Nevertheless, the fact that transmutation of gender property rights widens gender inequalities and hence augments the power of patriarchy has a welfare dimension that cannot be ignored by economics. It is important to note that the reordering of gender power equations also has far-reaching social and economic consequences for women that extend well beyond the immediate livelihood impact of the property rights change. Hence, it becomes imperative not only to protect the property and usufruct rights of women from further erosion, but also to restore some of the rights they have earlier lost. The next section accordingly identifies gender property rights areas where concerted action by the women's movement is urgently needed. The moves to secure limited improvements in relative gender positions within these areas through the mechanism of institutional and administrative reforms have largely been thwarted by patriarchic institutions. A more radical programme is therefore needed, which must be synthesised within the women's movement.

### ***3.1 Legal Inheritance Systems***

Customary property rights and the social norms that define them in South Asia generally have to be understood within the broad context of joint property, since the customary family-form through most of this region is that of the joint family rather than the nuclear or unitary family. Two common law systems of inheritance generally practised either in their doctrinal version or in some modified form across most of India delimit women's property rights in broadly similar ways. Besides her personal dowry, i.e. the wedding gifts received from her natal family, a woman is also deemed to hold personal property rights over voluntary gifts given in love to her by her parents and natal relatives, her husband and her in-laws. A woman thus has personal property rights over all movable property received by her in the form of *inter vivos* gifts or *stridhan*. However, her right to inherit and hold immovable property such as land is circumscribed by the doctrinal need to prevent property division. Under the more widely prevalent doctrine of *mitakshara*, while a widowed woman has a right to maintenance by the successors of her deceased husband's estate, she is only entitled to succession if she has no living sons and cannot pass on the property to her own successors (*cf.* Agarwal 1994: 212). While the alternative doctrine of *dayabhaga* which prevails mostly in eastern India is more liberal in the

matter of a widowed woman's right to pass on her own immovable property, it is equally rigid in restricting the property rights of widows with living sons to maintenance rights only. Thus in general, a woman with a living spouse only holds usufruct rights in the property of an undivided or joint family. By extension of these norms, any income earned by a married woman from her own work as well as any subsequent gifts she receives subsequently are deemed to belong jointly to her spouse's family, since these have been earned or received within the joint home. Hindu common law makes no provision for divorce.

Although the Hindu Succession Act which replaced common law inheritance systems in 1956 legally entitles women to succeed to a share in parental property along with her other siblings, her share is not alienable from theirs and must be held jointly. In practice, this provision has been used socially to forestall any claim a woman may make to joint title over the immovable property held by her husband and his family (Unni 2004). In Nepal, also a Hindu state, the National Code of 1963 provides that a woman may inherit a share of parental property at the age of 35 if she has remained unmarried till then. However, upon her subsequent marriage, the property reverts to her parents except for a minor deduction on account of wedding expenses (WPRN 1997). Under the patriarchal systems of inheritance practised under Islamic common law in several regions of South Asia, a widowed woman inherits no share in the property of her deceased spouse but is entitled to inherit a share in paternal property equivalent to half the share of her brothers (*cf.* Quisumbing & de la Brière 2000: 22). Many women in countries like Bangladesh and India however renounce this property share in favour of their brothers, against the assurance of being looked after by them in the event of divorce or widowhood. Although the Shariat Personal Law enactment in India in 1937 had extended women's property rights beyond those allowed under Islamic customary law, agricultural land has remained outside the purview of both Islamic and Hindu succession laws (Agarwal 1994). Hence the rights to hold and inherit agricultural property continue to be governed largely by preexisting provincial and customary laws.

### *3.2 Development & Gender Property Rights*

As a consequence of better worldwide understanding of women's traditional work roles beginning with the studies made by Ester Boserup, several gender adaptations have been made to subsequent development practice. Women are now being increasingly seen as autonomous economic agents who need to be independently reached by gender equity and poverty alleviation programmes which leverage their household functions in order to create an economic and social security net around rural families. Simultaneously, these programmes also seek to improve their economic participation in economic activities by strengthening their command over productive resources (*cf.* Peña et al 1996).

While it has been argued that the obliteration of gender inequities within households and societies through the realisation of private property rights by women would also eliminate many insecurities relating to the livelihood and well-being of women, it is nevertheless also necessary for women to secure the gender-based usufructuary rights that are often crucial to their survival as productive agents in subsistence economies. Gender disparities within common property rights are known for instance to have significantly affected the outcomes of policies for natural resource management 'in terms of efficiency, environmental sustainability, equity and empowerment of resource users' (Meinzen-Dick et al 1997). Women's economic roles depend disproportionately on their access to common and family-held property, since



customary rights generally circumscribe the inheritance of land by women. Tenorial shifts from common property to private property titles accordingly devalue women's work. Within common property systems too, there has been a similar transition. Strengthening of patriarchal control over property and the weakening of women's property rights have led to changes in land tenure and customary property rights. Overall, such changes that weaken the social bargaining position of women also increase their marginalisation and subordination in a system where gender power is already unequally balanced.

Development practice has also been considerably reshaped for two decades by globalisation and the new focus on market-friendly policies. There have consequently been new adjustments within the subsistence agrarian systems of the developing world. With the emphasis on increasing primary agricultural exports against overall decline of public expenditure on the rural sector, peasant farmers now have to compete in the global market against the heavily subsidised agricultural exports of the developed economies (Razavi 2003: 3-4). Although this has sparked an angry debate between development practitioners and thinkers, gender concerns have had limited presence within the debate. Thus through most of this period, women have been viewed primarily as reproductive rather than productive agents. Lately, the policy shift towards the recognition of women's productive roles seen within new development initiatives such as micro credit programmes has been based on the 'gender efficiency argument' (ibid.). This has come at a time when there has been growing concern over the slow agricultural response to globalisation. In mainstream thinking, the muted response of the farm sector is ascribed to the 'inefficiencies' generated by the gender divisions of work within agricultural households. It must also be recognised however that such inefficiencies also owe their presence to the unequal access that women have to land, capital and markets, as fallout of patriarchal land tenure systems and the lack of women's property rights. Gender inequalities of this nature have a debilitating impact on the economic roles of women in the agrarian sector (ibid.).

### ***3.3 Securing Women's Property Rights***

Among the primary constituents of women's autonomy are women's property rights. Formal property rights - particularly land rights - are primarily acquired by women through the process of lineal inheritance, succession (in the case of widowhood), or through *inter vivos* gifts received from spouses and parents during their lifetimes (cf. Meinzen-Dick et al 1997). Much more rarely, land and non-land rights may also be acquired through market transfers, when the women concerned have been able to earn enough income and thus have accumulated capital to transact in property markets. Informal property rights, which include nonexclusive rights of use, may be acquired through shares held in common property, or through rights of occupation. Besides functioning as the authority for legal recognition of property rights, the state may also occasionally transfer formal property rights to women, through land reforms for instance, or through legal recognition of occupation rights. The land categories included within legal frameworks for land rights can be rural farmland, homesteads or urban properties. Because of anthropological diversity within human communities and simultaneous presence of customary structures that are at different stages of development, the lineal systems of property inheritance found across the developing world may range from matriliney to patriliney, although over the course of institutional evolution, patrilineal systems have gained ascendancy over systems of matrilineal inheritance in most parts of the world (cf. Agarwal 1994).

It may be noted that legal reforms by themselves have so far been inadequate in the recognition of the property rights of women on same terms as those of men. Even where the requisite legal structures exist, longstanding social conventions and practices constrain their implementation. Economic deprivation is thus accentuated among women, who are thus also driven increasingly into more insecure social positions. Both the institutionalisation of property rights reforms and the social awareness of women about their economic rights under law are thus equally imperative to the social security of women.

It has been pointed out therefore that in the context of South Asia, where land is still the most important productive resource for women, secure property titles are virtually the only means for securing the economic and social upliftment of women (Agarwal 1994: 11). Because of gender disparities within between social norms and customary law systems, it has been seen that there are systematic differences between the manner in which men and women acquire and exercise land rights. The usufructuary land rights exercised by women are normally non-exclusive and have a temporary character, and are therefore less secure by nature (Place and Swallow 2000). Women also face considerable difficulty in retaining these rights in the event of divorce or widowhood, and are easily reduced to states of comparative destitution in such events.

Women activists in South Asia and elsewhere have therefore argued for the granting of secure land rights to women (*cf.* Gupta 2002). While the need for instituting property titles for women has been also widely endorsed in studies of the experience of women in development, certain issues still remain intractable. Women in India have by and large been ignored by the land titling programmes undertaken during land reforms, which secured permanent property rights for the landless. Land rights and other land-related matters in India are the subject of provincial laws which do not come under the direct jurisdiction of the central government. Barring a few legislations like the Hindu Succession Act that have given gender weight to certain statutory property rights, most matters relating to the marital rights, divorce and maintenance rights, as well as the rights of inheritance that may be exercised by the women belonging to each religious community continue to remain within the purview of highly heterogeneous personal laws, and have not been brought under a uniform civil code (*ibid.*).

Recognising that the principal institutional handicaps faced by women in India are rooted in the weaknesses of the existing systems that regulate the legal rights of inheritance, feminist studies have thus suggested the enactment of new legislation that confers secure and independent titles to all women in relation to the landed property currently held and controlled by their families (*cf.* Agarwal 1994). It is anticipated that this measure would also allow women to control and decide the uses of land according to their own economic priorities. Though acceptable in principle, the measure is difficult to execute because of the hazards of negotiating personal laws which find protection in the constitution. Since the impetus of land ceiling reforms is over and there is no balance of surplus lands available that can be redistributed by the state to women under a new titling programme by the state to women, critics say that such an approach would not be practicable (Agnihotri 1996). It has been argued instead that a system of joint titles to agricultural land could be instituted which would give women property rights on the lands currently cultivated by their families. The principle has also found state endorsement as an objective for legislative reforms during the 10<sup>th</sup> Five-Year Plan (GoI 2002: 240). Nevertheless, the actual experience of women has been uninspiring.

In West Bengal - one of the first Indian states to introduce a programme of joint titling in 1992, the pace of progress has been considerably slowed by institutional resistance encountered during implementation. Constant difficulties have thus arisen in the identification of eligible women beneficiaries and in recording joint property titles, in the division of property rights between spouses, in informing women about their joint property rights, in interpreting the juridical validity of joint property rights and ensuring legal compliance from spouses (Gupta 2002). Since the order does not apply retrospectively to land titles issued under the land reforms programme between 1979-1992 when most ceiling-surplus land were distributed, a vast number of rural women are excluded from its purview. The principle of joint-titling has not extended to the other major component of the land reforms programme in West Bengal which had secured permanent tenure for *barga* sharecroppers (ibid.). Consequently a very large number of rural women who contribute their labour to sharecropping operations have been unable to secure legal protection for their usufructuary or property rights.

#### ***4 The Feminist Agenda***

Many of the recent gains made by women in development have sought to augment the work-participation of women without altering their gender situation. Changes in property relations and land rights have been particularly difficult to achieve. With more and more women being compelled to work today within gender-unequal environments, the net value transferred by women's labour to the economic system has thus increased without commensurate gains accruing to women. It is also seen that the women's movement has been far more successful in achieving personal empowerment for certain groups of women than in achieving strategic empowerment for women as a collective group. From the feminist point of view, the limited successes secured in achieving better health, education and wage rights for women represent palliatives offered by the patriarchal state in lieu of structural change in gender rights. Success in the latter objective has to be preceded by strategic change in gender property rights.

Similarities between radical discourses in political economy and feminism suggest that there is considerable room for constructive dialogue between the two. One particular area where the two streams coalesce relates to property rights. While gender is not a class formulation, the relation of women from all classes with the means of production is similar to the relation which exists between the means of production and the poor. Since neither the poor nor women have secure property rights, they can only contribute labour to the production process and thus face higher levels of exploitation. Women nevertheless face special limitations on their economic work-roles and functions, which Paula Kantor has recently categorised into women-intensive or women exclusive constraints (Kantor 2002: 287-289). Limitations like the lack of access to productive resources and human skills affect the poor and women alike but are generally more intensified among women. On the other hand, constraints like domestic work responsibilities, gendered work-roles and limited personal mobility are exclusive to women and apply generically to all women. It is because the latter constraints play a more definitive role in defining the identity of women, that this identity is constructed by gender rather than by class. Since property rights insecurities are women-intensive rather than women-exclusive, the gap between the property rights and gender discourses disappears. There is thus a strong case for gendering the property rights discourse.

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## Conceptualizing Women's Empowerment: Theoretical Parameters and their Interplays

Sourav Madhur Dey

*This paper begins from the understanding that women's empowerment is inescapably bound up with the condition of disempowerment. It is about a process of change by which those who have been denied the ability to make strategic life choices acquire such ability.*

[**Keywords:** empowerment, women's empowerment, disempowerment, freedom and choice, agency, control of resources, inequality, coercion, conflict]

The concept of 'empowerment' is open to myriad of componential inclusions each mutually distinct, specific to context under use, although interrelated in a way that broadly indicates power connotation in terms of the ability to make strategic life choices. In other way round, to be disempowered, therefore, implies to be denied choice. But to my understanding, people who exercise a great deal of choice in their lives may be very powerful, but they are not empowered in the sense that they were not disempowered in the first place. This paper begins from the understanding that women's empowerment is inescapably bound up with the condition of disempowerment. It is about a process of change by which those who have been denied the ability to make strategic life choices acquire such ability.

First of all, 'choice' necessarily implies alternatives, the ability to have chosen otherwise. There is a logical connect between poverty and disempowerment because insufficiency of the means for meeting one's basic needs often rules out the ability to exercise meaningful choices. However when survival imperatives are no longer dominant, there is still the problem that not all choices are equally relevant to the definition of power. Some choices are primary survival choices like choices of livelihood, marriage, children, freedom of movements and choice of friends which in turn frame secondary choices, which may be important for quality of one's life but do not constitute its defining parameters. Empowerment thus refers to expansion in people's ability to make strategic life choices in a context where this ability was previously denied to them.

Changes in the ability to exercise choice incorporates three inter-related dimensions: resources (which forms the condition under which choices are made); agency (which is at the heart of the process by which choices are made); and achievements (which are the outcomes of the choices). These dimensions are inter-dependent because changes in each contribute to, and benefits from changes in others. Thus achievements of a particular moment are translated into enhanced resource or agency and hence capacity for making choices, at a later moment in time.

**Resource.** Resource can be material, human or social. They refer not only to conventional economic resources such as land, equipment, finance, working capital etc. but also to various human and social resources which serve to enhance the ability to exercise choice. Human

resources are embodied in the individual and encompass his/her knowledge, skills, creativity, imagination and so on. Social resources on the other hand are made up of claims, obligations and expectations which inhere in relationships, networks and connections which prevail in different sphere of life and which enable people to improve their situation and life chances beyond what would be possible through their individual efforts alone.

***It's Distribution and Access.*** Resources are distributed through a variety of different institutions and processes and access to resources will be determined by rules, norms and practices which prevail in different institutional domains (e.g. familial norms, patron-client relationships, informal wage agreements, formal contractual transactions, public sector entitlements). These rules, norms and practices give some actors authority over others in determining principles of distribution and exchange within that space. The terms on which people gain access to resources are as important as the resources themselves when the issue of empowerment is being considered. Access may be conditional on highly clientelist forms of dependency relationships or extremely exploitative conditions of work or it may be achieved in ways which offer dignity & sense of self-worth. Empowerment entails a change in terms on which resources are acquired as much as an increase in access to resources.

***Agency.*** The second dimension of power relates to agency, the ability to define one's goals & act upon them. Agency is about more than observable action; it encompasses meaning, motivation and purpose which individuals bring to their activity or their quote-unquote '*sense of agency*' or '*the power within*'. While agency often can be operationalised as individual decision-making, it encompasses a much wider range of purposive actions, including bargaining, negotiation, deception, manipulation, subversion, resistance and protest as well as more intangible, cognitive processes of reflection and analysis. Agency can have both positive and negative connotations, positive in 'power to' relation i.e. capacity to define their own life choices and pursue their own goals even against opposition from others and negative 'power over' relation i.e. capacity to over-ride agency of others through violence, coercion and threat.

Resource and agency together constitute what Sen (1985) refers to as capabilities, the potential that people have for living the lives they want, of achieving valued ways of 'being and doing'. These realized achievements or the failure to do so, constitute our third dimension of power. But of course where valued ways of doing and being can be traced to laziness, incompetence or some other reason particular to an individual, then the issue of power is not relevant. When achievement failure reflects asymmetric distribution of capabilities, it can be considered as manifestation of disempowerment.

### ***Difference vs. Inequality: Qualifying Choice***

As far as empowerment is concerned, focus is on the possible inequalities in people's capacity to make choices rather than differences in the choices they make. An observed lack of uniformity in functioning achievements cannot be automatically interpreted as evidence of inequality because it is highly unlikely that all members of a given society will give equal value to different possible ways of 'being and doing' although there are certain universally-shared functioning achievements that relate to basic fundamentals of survivals and well-being like proper nourishment, good health, adequate shelter, reasonable clothing and clean water and so on. If there are systematic gender differences in these basic functioning achievements, they can be taken as evidence of inequalities in underlying capabilities rather than differences in



preferences. Inequalities in basic functioning generally tend to occur in situations of extreme scarcity. Confining gender inequality to achievements alone serves to convey the impression that women's disempowerment is largely a matter of poverty. This can be misleading for two reasons: On one hand it misses forms of gender-disadvantage characteristic of better-off sections of society. According to Razavi (1992), prosperity may reduce gender inequalities in basic well-being but intensify other social restrictions on women's ability to make choices.

On the other hand, it misses out on those dimensions of gender disadvantage among the poor which do not take the form of basic functioning failures. For instance marked gender differentials in life expectancy and children's nutrition, two widely used indicators in basic well-being, do not appear to be wide spread in the context of sub-Saharan Africa as they do in South Asia due to greater economic contribution of women in former rather than later. But still this does not rule out the possibility of other forms of gender disadvantage that can occur within the same context. Shaffer (1998) found little evidence of income or consumption disadvantage between male and female headed families in Guinea. But his study revealed women's far heavier workloads as well as male domination in private and public decision-making as manifestations of gender inequality within their community.

### *Qualifying 'choosing not to choose'*

In situations of striking gender inequalities in basic well-being, choice-power couplet would suggest either an absence of choice on part of women as subordinate group or as active discrimination by men as dominant group. However picture becomes nebulous when forms of gender inequality appear to have been chosen by women themselves. Naila Kabeer (1999) claimed that women's internalized acceptance of their secondary claims, as persons of lesser value can have adverse implications for their own well-being as well as for other female members of the family. For example, secondary claims on household resources, assent to marital violence, willingness to bear children at the cost of their own health, agreement to reproductive choices prioritized by husband, discriminating daughters in the allocation of food and basic health care, promotion of female circumcision, oppressive authority by mother-in-laws and so on. Therefore power and dominance can operate through consent and complicity as well as through coercion and conflict. One way of conceptualizing this deeper reality is to be found in Bourdieu's concept of 'Doxa' which refers to traditions and beliefs that exist beyond discourse or argumentation, 'undiscussed, unnamed, admitted without argument or scrutiny' (Bourdieu 1977). To Bourdieu (1997), as long as subjective assessments of social actors are largely congruent with the objectively organized possibilities available to them, the world of 'doxa' remains intact. The passage from 'doxa' to discourse, a more critical consciousness, only becomes possible when competing ways of 'being and doing' become available as cultural possibilities so that quote-unquote 'common sense cultural propositions' begin to lose their quote-unquote 'naturalized' character. Therefore the likelihood that power flows and operates not only through constraints on people's choices but also through their values catalyzing those choices, appear to pose a serious challenge to the basic matrix between power and choice discussed in this paper.

Qualifications regarding choice, addresses distinction between choices from vantage alternatives and choices which reflect their absence. These qualifications incorporate structural dimensions into our analysis. Structures operate through rules, norms and practices of different institutions to determine resource, agency and achievement possibilities available to different

groups of individuals in society. However actions and choices of individuals and groups can in turn act on structural constraints, reinforcing, modifying and transforming them.

It can reflect change at **individual** and **group level**, in their sense of self hood and identity, in how they perceive their interest and act upon them; in the **intermediate level**, in the rules and relationships which prevail in the personal, social, economic and political spheres of life and **deeper** hidden structures of which shape the distribution of resources and power in society and reproduce it over time. Therefore for any change to translate into meaningful and sustainable processes of empowerment, it must ultimately encompass both individual and structural levels.

### *Levels of Empowerment*

Deeper levels: Structural relations of class/caste/gender; Intermediate levels: Institutional rules and resources; immediate levels: Individual resources, agency & achievements.

*Measuring 'resources'.* There is a widespread tendency in empowerment literature to talk about 'access to resources' in a generic way. 'Resource' dimension has to be defined in ways which spell out their potential for human agency and valued achievements more clearly than simple 'access' indicators of empowerment. Among Hindus joint family property is generally held in coparcenaries by men usually fathers and sons to the total exclusion of women (Mukhopadhyay 1998). Muslim men tend to inherit twice the share of women. After Independence Hindu law has been reformed to equal rights of inheritance for men & women. Muslim inheritance principles have been left almost untouched. But in actual practice as literature suggests Muslim and Hindu women tend to be treated as effectively propertyless. Therefore there is a need to go beyond simple 'access' indicators in order to grasp how 'resources' translate into realization of choice. One such overly used concept is 'control' in relation to resource in question. Sathar and Kazi's (1997) measure of 'access to resources' is based on whether women had a say in household expenses while 'control over resources' has an additional ownership component either by inheritance or by earning attached to it in addition to say in household expenditure.

*Measuring 'agency'.* Measuring agency in relation to women's empowerment is attributed to 'decision making'. Such measures are based on responses to questions asking women about their roles in relation to specific decisions. Such decision making varies across culture and are not equally persuasive as indicators of women's empowerment because they do not all have same consequential significance to women's lives. Moreover we find a hierarchy of decision-making recognized by family and community which reserves certain key areas for men as household heads and others for women in the family. For example in South Asia, purchase of food and other items of household and decisions regarding children's health fall within women's arena while decisions regarding market transactions in major assets tend to be clearly 'male'. An illustrative table by Sathar and Kazi (1997) citing case of Pakistan is given as:  
Women's response:

Purchase of food: both (71 per cent) women herself (51per cent); Number of children: both (65 per cent) women herself (16 per cent); Schooling of children: both (53 per cent) women herself (17 per cent); Marriage of children: both (52 per cent) women herself (8 per cent).

*Measuring 'achievement'*. In situations of gender discrimination, evidence that enhancement of women's agency led to reduction in prevailing gender inequalities in functioning achievements can be taken as an evidence of women's empowerment. A distinction is there between achievements which testify women's greater efficacy as agents within prescribed gender roles and those that indicate women as agents of transformation have been given by Dreze and Sen (1995).

They found that female literacy reduced under-five child mortality whereas female labour force participation reduce excess of under-five female mortality. The later is taken as transforming in agency's part because it represented an increase in survival chances of the girl child and it also suggests that if they have education and are economically active they can give a better equalitarian focus on both boys and girls.

### *Conclusion*

What the discussion has thrown up clearly is that it is not possible to establish the meaning of an indicator, the dimension of empowerment it is intending to measure, without reference to other dimensions of empowerment. Specifying 'access' to a resource tells us about potential rather than actual choice and the validity of a 'resource' largely rests on the validity of a potential 'agency' or entitlement embodied in that resource.

It is similarly difficult to judge the validity of an achievement measure unless we have evidence or can make a reasonable guess as to whose 'agency' was involved and the extent to which achievement transformed prevailing inequalities in resources and agency rather than reinforcing them or leaving them unchallenged. We have to similarly adjudicate agency's consequential significance in terms of women's strategic life choices, their ability to realize valued ways of 'being' and 'doing' and the extent to which agency transforms conditions under which it is exercised. In other words, the three dimensions are indivisible in determining the meaning of an indicator and hence its validity as a measure of empowerment.

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# Questioning the 'Superwoman': Gender Image portrayal in Indian Mainstream Media since 1990's

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*This paper highlights how a new stereotyped image of an individual Indian woman is projected in the mainstream media and the way this redefined image becomes a convenient site for negotiation between the traditional past and the contemporary market driven society. It also calls this homogenous feminine image a myth and shows how large sections of women remain outside this new image. The objective is to raise a question whether media is just reasserting the interplay of neo-liberal and patriarchal values or contributing to any meaningful empowerment of women.*

**[Keywords:** globalisation, liberalisation, privatisation, commodification, consumer culture, technologies of gender, culture industry, postfeminism, sexuality, unorganised sector, super woman]

The 1990s have been the decade of liberalisation, privatisation and globalisation in India. Concomitant to this the same period has witnessed an upsurge of consumerist culture in India in the propagation of which the mainstream media has played a significant role. Today's representation of gender and femininity are produced by a number of distinct technologies of gender such as cinema, advertising, print media, satellite television etc. and we get constructed as gendered subjects across a multiplicity of discourses. Since the 1990s, there has been a shift in the stereotyping of the image of Indian woman as represented in mainstream media particularly the audio-visual media. The mode and form of construction of femininity have also changed considerably as direct response to the emergence of open markets and globalisation. There has developed a new image of global Indian woman who is an economic actor, a consumer, a homemaker and a commodity at the same time. The present paper proposes to highlight how a new stereotyped image of an individual Indian woman is projected through the mainstream media and the way this redefined image becomes a convenient site for negotiation between the traditional past and the contemporary market driven society. It also calls this homogenous feminine image a myth and shows how large sections of women remain outside this new image. The objective is to raise the pertinent question that whether media is just reasserting the interplay of neo-liberal and patriarchal values or contributing to any meaningful empowerment of women.

The conventional notion of what is political locates politics in the arena of public rather than private life. Politics is understood as an activity that takes place within the public sphere of state, governmental institutions, political parties, pressure groups and other forums of public debate. The private sphere, constituting of the family and other informal groups, are considered as inherently non-political. Feminist theory marked a departure from this public-private divide.

The second wave of feminism claimed that politics is an activity that takes place within all social groups and is not merely confined to affairs of the government. It was the radical feminists who were staunch opponents of the idea that politics stop at the threshold of the home. Simone De Beauvoir, thus, proclaims, 'personal is political' (Beauvoir 1949). And Kate Millett defines politics as power-structured relationships whereby one group of persons is controlled by another (Millett 1968). The relationships within the family or any other informal groups is as much political as any distinct political relationships in the public sphere. There is a politics of everyday life that includes the sexual division of labour within the family, process of conditioning in the family and the politics of personal as well as social conduct. These political relationships are produced and reproduced every moment through different agencies. It follows that if gender is a social and cultural construct then there is a politics of that construction. The contemporary representation of gender and femininity are produced by several distinct technologies such as cinema, print media, satellite television, internet etc and we as gendered subjects get constructed across a multiplicity of discourses. This paper would focus on a particular section of mass media, the advertisements of satellite television.

The information technology revolution of the late 20<sup>th</sup> century, accompanied by the neo-liberal philosophy of globalization has provided a conducive environment to the process of construction of gendered identity. With the information technology revolution there has evolved a form of domination leading to a methodical, scientific and calculated control diffused throughout society. Herbert Marcuse has mentioned that technology is a historical-social project and what a society, and its ruling class intends to do with its men and things is projected through it. The advancement of technology in the field of mass media, accompanied by the ethos of advanced capitalism, has been influenced by and at the same time shaped the construct of gender and the existing notions of masculinity and femininity. Through this construct there operates multiple levels of domination.

Mass media is not merely a technology. It carries with it a definite set of ideologies, philosophies of life or value system [Perumpully 2005]. It effects the unconscious and helps propagating the dominant language of power. The impact of mass media is best described in the idea of 'culture industry', propounded by Horkheimer and Adorno. It was argued that under monopoly all mass culture is identical and depraved as a consequence of culture and entertainment. Moreover, there is a merging of advertising and the culture industry so that both become a procedure for manipulating men. The triumph of culture industry is that the consumers feel compelled to buy and use its products even though they can see through them (Adorno 1972). Advertising no longer keeps the free market free in the real sense as in the market it is not the buyer's free choice that makes the final decision. Advertisers condition the buyer's choice and also shape the content of those media which they use to carry their message. Marcuse has also criticized advertisements as they induce an individual to identify his

individuality with the idea demonstrated by the commodity. Advertisements, pointed out Marcuse, make false promises to create false needs of consumerism. They always promote commodity solutions to problems (Marcuse 1964). And if we analyse the gender image portrayal in the advertisements we will find that they project market-oriented solutions to problems faced by women without disturbing the patriarchal fabric and other equations of power in the society.

In India this scenario becomes evident since 1990s. The entire gamut of mass media has changed in shape and content. Concomitant to larger socio-political and economic shifts since the 1990's, there has also been a rapid change in the media situation. With the end of state monopoly over broadcasting and the liberalisation of the skies, the broad network of satellite television has become accessible to a huge mass of audiences. Due to its visibility, geographical and psychological presence, television seems to loom large on the urban mind as a dark, ominous and unmanageable presence (Nandy 1995). The impact of television is no longer limited to urban minds and also encompasses the suburban and a section of the rural within its ambit. With the proliferation of the number of private channels, advertising has also emerged as an important cultural form that not simply reflects but also facilitates the process of shaping social reality and maintaining certain norms and set of social values.

In the tele advertisements of 1980s, two types of stereotypical projection of women were found- as housewife using domestic products and as sex object. The landmark advertisement that popularised the housewife image was that of Surf detergent powder. The character of 'Lalitaji' became popular as a smart, intelligent, urban housewife in the traditional attire of bun, *bindi* and *sari*, who was capable enough of taking reasonable decisions on household purchases. She was projected as capable of making assessment of products as she distinguished between *achchi cheej* and *sasti cheej* with confidence. Within the micro narrative of the advertisement, there was a reflection of the contemporary socio-political and economic milieu of emerging consumerism. She became the symbol of urban housewives who were just started to be targeted as consumers (Guha Thakurta 2004). Other than this *surf* advertisements the housewife image was projected through several other in most of which woman was projected as 'dirt-obsessed fanatic' busy in domestic responsibilities (Nair 2008). They have mostly figured as mother or wife and buyers in the area of domestic goods. The narratives of all these advertisements conveyed the message that the intelligence of women lie in their ability to get the best bargain from the market. At the other end of the continuum there lies the advertisements that projected women as sex objects. The most popular one was the Liril soap advertisement which has the permanent theme of a scantily-clad woman bathing under the fountain.

Of this dual stereotypical projection of women, the woman as sex object has continued in the 1990's also and that too in a more intensified form. Women and their body parts sell everything from soft drinks to laptops and automobiles. The use of women's bodies has been

extended to even designing and packaging of different commodities. Alcohol, beverages and perfumes often make their bottles as replica of a woman's body. Advertisements of bikes even use a woman's body to depict the shape of the bike with the rider, invariably a man, riding on top of it in an assertive and commanding position (Guha Thakurta 2004). Recently there was the Sony 'vaio' laptop advertisement where the size-zero figure of a Bollywood actress was projected as representing the ultra thin laptop. Interestingly in certain advertisements like Amul, Lux or erstwhile VIP Frenchie undergarments or Axe deodorants, men are represented as not merely potential consumers of the product but also consumers of the commodity called woman. In most of these advertisements women are offered as prizes to the male consumer [ibid.]. Guha Thakurta claims that in terms of cultural politics, this sort of sexist projection in the advertisements defines the relationship between man and woman as binaries like superior-inferior, dominant-subsidary, active-passive and consumer-commodity, thereby, maintaining and sustaining the conventional gender power relation in the social structure [ibid.].

Women's sexuality particularly in the context of media has of lately been a debatable issue among feminists. On the one hand, a section of the feminist theory condemn the commodification and objectification of women's bodies in the media. This view holds that women in pornography are victims of sexual violence in the same way as they are in prostitution. Andrea Dworkin is associated with this view. In the mid 1980s she along with Catherine Mackinnon was instrumental in drafting the Mackinnon-Dworkin Anti-Pornography Ordinance<sup>1</sup>. Pornographic depictions maintain male power over women in all situations. On the other hand, there is a contradictory view within the feminist approach that contends that censoring women's sexualised images would further deny women their right to claim their own sexualities and control over their own bodies. The emergence of postfeminism during the 1990s raised the issue of sexuality of women and criticized Dworkin for perpetuating a negative image of women as the passive victims of men. The spice-girl debate of post feminism has its origin in the media. The Spice girls<sup>2</sup> upheld the strength of female sex appeal. Instead of viewing women as a passive sex object for male they argued for "girl power" where the female is not a sex object but fully a subject, who can lay claim to male privilege and can override male domination. Instead of viewing beauty and fashion industry contributing to women's objectification they viewed it as a channel through which liberty of women can be an alternative male construct. They claimed that the 'future is female' and girl power is the way of saying it in 1990s. This view was supported by Katie Roiphe, Rene Denfield, Camille Paglia and Natasha

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<sup>1</sup> The anti-pornography civil rights ordinance, drafted by Andrea Dworkin and Catherine Mackinnon in 1983, proposed to treat pornography as a violation of women's civil rights and allowed women affected by pornography to seek damages through a court of law. In the 1980's versions of the ordinance were passed in several cities of the USA

<sup>2</sup> A British all-female pop group formed in 1994 that became cultural icons of the 1990's. Members of the group with nicknames Sporty, Baby, Ginger, Scary and Posh popularized the phenomenon of girl power.



Walter. This late 20<sup>th</sup> century focus on 'girl power' became the focus of advertising industry with many advertisements focussing on girl power. It was projected in the Indian tele-advertisements also. So there came advertisements with the caption, 'Why should boys have all the fun?' and cosmetics advertisements like those of Elle 18 where women were found celebrating their beauty and sex appeal. The Spice girls' postfeminism faced criticism from feminists like Germaine Greer as she refuted postfeminism as a market led phenomenon through which multinational corporations view women just as consumers of pills, paint, cosmetic surgery, surgery, fashion and convenience foods. What marketing strategies seek is not informed choice but compliance and marketing has co-opted the post feminist stand as a fashion (Greer 1999). Seeing the way the idea of 'girl power' of postfeminism has been nurtured by the advertisements, the stand taken by Greer seems to be appropriate.

In India, protest around obscene representation, objectification and commodification of women were triggered off in 1990's on the issue of the use of vulgar lyrics in Hindi films like *Khalnayak*, *Raja Babu* and *Khuddar* and some nude photographs of model-cum-advocate Anjali Kapur in the Fantasy magazine. There were severe protests both from women's organizations and from Hindu right organizations like the Bharatiya Janata Party and Shiv Sena. The issue of censorship of media also came to the forefront with the Information and Broadcasting ministry imposing restrictions on TV programmes as well as presenters. There has been an opposite view also which raised the question that if commodification is an issue then why commodification of women's body becomes more important than other forms of commodification like commodification of art or cricket (Ghosh 2005). Moreover, who has the right to decide that what constitutes the proper representation of women.

Body-centric representation of women can be found in advertisements that impose the cosmetics and fashion industry dictated terms of beauty on women. The idea of beauty is essentially normative as it exists as a rule to which a woman's body must conform. These norms change with time and socio-cultural context. All historical epochs have their own notion of beauty imposed on women from outside. These beauty rules are aspects of a feminine ideal that almost all women prefer to emulate. Historically, this ideal is defined, framed and expressed in the art, literature, law and culture of a particular historical epoch (Geetha 2002). In the 1990s, as Indian economy started integrating with the world economy, the feminine beauty ideal came to be increasingly defined by the beauty product and fashion industry with advertisement as an important agency of propagating that ideal. 'Beauty myth', as Naomi Wolf calls it (Wolf 1990). The idea of externally imposed standards of beauty was also earlier criticized by Mary Wollstonecraft in her *A Vindication of the Rights of Women* (1792). She has called her female contemporaries, 'feathered birds'. Naomi Wolf argues that pressures to conform to unattainable aesthetic ideals perpetuated by advertising and the media are inhibiting modern women in their search for social and political advancement. Obsession with the attainment of impossible

parameters of beauty and the self-hatred engendered by the inevitable failure to do so cause women to resort to invasive cosmetic surgery or eating disorders. The myth also creates a climate of competitiveness among women that divides them from each other. Joan Jacob Brumberg<sup>3</sup> estimates that up to one female student in five in American universities is anorexic which is an inevitable consequence of a misogynistic society that demeans women by objectifying their bodies (Brumberg 2000). Women become obsessed with keeping their weight low in attempt to conform to the cultural demand for feminine slenderness. The contemporary advanced technology of photo touch-up software has made this problem more critical as the image that women tend to emulate are mostly artificially modified using advanced software and doesn't reflect the real image. Beauty is all about being tall, thin, young and fair with a flawless skin. Advertisements project women always in a heterosexual relationship with the target of getting married as the ultimate goal of their life. Women who do not fit into these criteria are mocked at and depicted as rejected lot. In some advertisements we find a shift as instead of marriage career is projected as a goal. The shift in the advertisement of the fairness cream, Fair and Lovely, can be cited as an example. Earlier there was a *kundli ban gayi* advertisement of the product which projected fairness as the criterion of getting a prospective groom. The girl concerned was found to be having her horoscope or *kundli* ready, once she started using the product. But now making a career and accepting responsibility of parents is the latest narrative of the advertisement of the same product. It is definitely a significant change of narrative, but the shift is superficial as in the latest case also the success is related to the fairness of skin. The success of career is fairness and not intellectual capability. Not only this particular cream, several other creams and sunscreen lotions have made their entry into the market the advertisements of which portray women in some unconventional career like journalists or architect but their success invariably linked to the fairness of their skin. *Vaseline* presents a lady journalist who claim that the lotion ensure not only fairness of face but your skin as well. The beauty myth not only reflects gender, it has another agenda also. A very flourishing worldwide beauty business thrives on this myth. The gym, private health-club, cosmetic surgery and diet product industry survives on this myth. Ficci<sup>4</sup> estimates that the Wellness industry in India will be the most prospective one in the 21<sup>st</sup> century and this industry is likely to feature among India's fastest growing industry with a growth rate of 35-40 per cent. More than 30 products and services fall under this gamut including dietary supplements, health

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<sup>3</sup> In *Fasting Girls: The Emergence of Anorexia Nervosa as a Modern Disease*, Harvard University Press, 1988, Joan Jacob Brumberg gave a historical perspective of eating disorders of women starting from medieval Europe. Brumberg's statistics later faced criticism for being incorrect and projecting an exaggerated picture of women as hapless victims of a patriarchal society.

<sup>4</sup> The Federation of Indian Chamber of Commerce of India held a conference on 'Wellness Exploring the Untapped potential' in 2009 to discuss the prospects of the Wellness industry in India .

<http://www.slideshare.net/spasindia/ficci-wellness-conference-spas-india-1983995> accessed on Mar 05, 2011

and convenience foods, spa and yoga centres, slimming centres, gyms, beauty salons and surgical as well as non-surgical cosmetic procedures.

The impact of the media is not direct, unilinear or universal. It is conditioned by a set of overlapping factors within a specific socio-cultural context. The messages conveyed through the advertisements have made beauty a commodity in the market. In the world of global capitalism, woman has lost control over her body matters. How she is to act on body matters is increasingly being conditioned by the demands of the market. Her charms are acceptable only if the demands of the particular market are met. Communitarian notions of beauty have been systematically destroyed. Beauty is now what the beauty business promotes. While fairness creams determine beauty norms in India, tan lotions do the same thing in the west.

Constant exposure to images of thin, fair and young women being superior than others often cause depression, loss of self-esteem and the development of unhealthy eating habits in women and girls. On some occasions the focus on women's external appearance may even turn to more desperate self-destructive measures like bulimia or anorexia. Such overpowering is the beauty norms that in 1950's American women ate a chalk like substance called metrical to shrink to the size of thin young models (Friedan 1963). Metrical diet became very popular in the 1960's wherein women in enormous number were found consuming the diet-supplement food. Susie Orbach's *Fat is a Feminist Issue* (1981) and Naomi Wolf's *The Beauty Myth* (1990) both have explored the fears of ageing to which contemporary women are often subjected to. Though bulimia or anorexia are mostly the predicament of western women, liposuction, a surgery to stay slim, is the number one cosmetic surgery in India at present. In the Indian context this sort of beauty myth often makes it tough for dark-skinned girls to find prospective grooms. Marriage is still considered the best career for majority of girls in India and discrimination faced in marriage negotiation process affects their self-esteem. And this linked with dowry issues assume an unparalleled critical form. Even if one follows the matrimonial advertisements, the bias for fair, slim and tall girls become evident.

Apart from body-centric representation, there is the role-centric representation of women. The form and construction of the role-centric image of the feminine has changed considerably as a direct response to the emergence of open market and globalization. The 1990's began with a major policy shift in India as India adopted its *New Economic Policy* (NEP) and the character of a neo-liberal state. The neo-liberal model of development advocated that development, in general, is more likely to be successful if the various bodies of the public space like the state, market, and the local community draw on women's contribution to society. Women's productive role is not just recognized under the neo-liberal discourse, it is actively prioritised. This neo-liberal agenda brought a focus on women's identity as economic actor. The market economy projected women as producers, consumers as well as commodities. Concomitant to

this shift there has also been some change in the representation of women as housewives in advertisements.

The image of women became redefined, recast, reorganized and regenerated in the mainstream media and advertisement was not an exception (Guhathakurta 2004). There developed a new image of a global Indian woman who is an economic actor, a consumer, a home-maker and a commodity at the same time. This redefined image is that of a 'superwoman' or the 'new woman' who manages her domestic responsibilities and her public responsibilities with equal efficiency but at the same time looking fresh, beautiful and staying healthy. The homemakers in the advertisements also appear in a new avatar. In the advertisement of anchor toothpaste a young married girl is seen in a very trendy outfit of shorts and spaghetti top with *mehndi* and *suhag churis* in her hand signifying her to be newly married. She is in modern attire but at the same time traditional in keeping the symbols of marriage and more importantly in her confinement to her domestic responsibility of cooking for her tired husband homebound from office. The woman is simply relegated within the confines of her domestic role. Though contemporary and more modern situations are used in the narratives, what remains unchanged is the representation of women within the traditional spaces of the household. Most of the advertisements where women appear in key role are related to domestic products or appliances. In the field of domestic product, her role has been extended to decision-making regarding larger affairs like painting of her home as the latest Asian Paints advertisement where Saif Ali Khan advises a woman on the issue of deciding on a paint. Advertisements are keeping women preoccupied with good housekeeping and responsibility for the health of the entire family from in-laws' back-pain to husbands' ailments and children's nutrition. And all these have to be done economically. The modern Indian womanhood, as the narratives of the advertisements project, is redefined with woman in the role of wife, mother, daughter-in-law, nurse, consumer, cook, chauffeur driving her children down to school, child care, expert on interior decoration, furniture refinishing, nutrition and education. Betty Friedan has made almost similar categorization of American middle class suburban housewives. This superwoman concept making a judicious balance between her domestic and public responsibilities is reinforced by women's magazines where majority of the articles are focussed on managing home and work simultaneously. Women rarely figure in advertisements concerning the stereotyped male bastions like those of banks, mutual fund or insurance industries.

In some of the advertisements, role reversals are sometimes projected with the husband shown as indulging in cooking, washing clothes or doing other domestic chores. But this sort of projection has a subtle sense of humour in it. Men are seen in these role performance but their clumsiness make it evident that the role is not theirs and they can gain access to the women's domain only with the help of the market. The latent message is that economic freedom of

women don't change gender stereotyped roles and only the market can provide the solution of enjoying your freedom while keeping the underlying gender power relations intact. The MDH *masala* advertisement that was telecast a few years back can be cited in this context. There was a visual of a daughter-in-law dancing to the tune of music in the kitchen while the mother-in-law dictated her a list of spices. The market provides the ways by which a woman can freely enjoy herself and satisfy her mother-in-law while keeping the sexual division of labour and the ideology that goes with it unchanged (Guha Thakurta 2004).

Who is this superwoman is a pertinent question to ask. Woman is not a homogenous category. But advertisements present woman as an amorphous category. The woman who confronts us through the world of advertisements is an educated, urban, middle-class, higher caste Hindu woman in a heterosexual familial relationship. Motifs like *mehndi*, *sindoor*, *bindi*, *mangalsutra*, dress, home settings make this evident. While women exist in power-centered relationship with men, so do they with women of other classes, ethnicities, sexual preferences, disabilities etc. The predominant image of feminine cannot be universally applied to all women cutting across regional, religion, ethnicity, class or caste barriers, what it is to be a woman is no longer a narrow, prescriptive or traditional question. But these variations are not projected through advertisements. Rather the world of advertisements projects a particular image and seeks to universalise it. The vast mass of working women in the unorganised sector of industry and agriculture, various categories of single women, old-aged women, sex-workers, lesbians, transgender, hermaphrodites and disabled are rendered invisible though they too are a part of the consumers whom the advertisers target.

The concept of Hindu nationalism is another important factor that operates in the context of gender representation through advertising. It has been said earlier that women are represented in isolation from class, caste and religious variations. Images of women in media, projecting a cultural homogeneity, are actually a power discourse through which the categories of the 'other' cultural identities are totally wiped out.

This is a systematic process of constructing a homogenous Indian identity by usurping the diverse cultural identities of the 'other' of the dominant class. It is a deliberate strategy to wipe out the existence of undesirable communities, who are just relegated invisible in the narratives of the advertisements (Guha Thakurta 2004). This deliberate oblivion is accepted because the market that is dominating the media has created a new narrative of consumption. The media discourse not only presents male and female as binary oppositions but also creates a power-structured relationship within the women wherein the image of certain privileged section is imposed upon all others inducing them to emulate the lifestyle of the privileged section as it is conducive to the logic of consumerism. This imposition or systematic homogenisation is created to bridge the gap between a specific socio-cultural contexts and amorphous, inchoate aspirations, between the real world and the world of desire, aspirations and consumption. The

third wave of feminism has rightly questioned the ideological process of hierarchical dualism where men and women are placed in separate oppositional categories. The third wave feminists have also challenged the logocentric interpretations of gender and the universalistic category of men and women.

Advertisements project the ideal Indian feel-good family unit as an urbane, middle-class, nuclear family with father, mother and a son. This is the predominant image of an ideal Indian household projected by the advertisements. Whenever a nurturing and caring mother is found, mostly the object of the nurture and care is the son and not daughter. The advertisements of Kissan Jam, Complan, Bournvita, Junior Horlicks, Top Ramen noodles, Glucodin cough syrup can be cited as examples of son-preference advertisements. Even the latest Census of India advertisement does the same thing. Interestingly daughters are also projected but mostly in the advertisements concerning beauty products like Santoor soap, Pears soap, Clinic Plus shampoo. If daughters appear in advertisements of products other than beauty products, then they are usually accompanied by a son. If one related this with the prevalence of amniocentesis tests to determine the sex of foetus among the middle classes and the resultant practice of female foeticide then the implications of this types of representations become clear. The sex ratio in India is still 940 females per 1000 males at the national level and at the state level with some states/union territories having as low as 618<sup>5</sup> females per 1000 males. It will not be an exaggeration to say that these advertisements not only legitimise but also reassert the son-preference phenomena through its image of father-mother-son feel-good and go-happy family. Gender stereotyping can be found even in representation of children. Generally, a male child is presented as adventurous, active, mischievous, generous, adventurous, innovative and brilliant and female child as submissive, pretty and coy.

The changes that representation of women in advertising has gone through, after 1990s, are a superficial one. The reality is that global capitalism is invoking the age-old gender power relations but with a facelift. The superwoman is none but an overburdened woman who exists without posing any challenge to the gender power structure. She is not even the representative of all sections of women. This redefined image of woman has become a convenient site of negotiation between the traditional past and the contemporary market-driven consumer society. Since gender identity is a social, political and cultural construction there does arise the question of consent in this construction. Mass media, particularly advertising, plays a crucial role in manufacturing that consent.

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<sup>5</sup> As per Census 2011, Daman and Diu has 618 females per 1000 males [[http://censusindia.gov.in/2011-prov-results/data\\_files/india/s13\\_sex\\_ratio.pdf](http://censusindia.gov.in/2011-prov-results/data_files/india/s13_sex_ratio.pdf) ,accessed on Mar 08,2011]

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# Re-thinking Dalit Women in Post-colonial India

*Antara Ray*

*Historically, women in general and of India in particular are persistently exploited, victimized and discriminated. Dalit women being dalit and women at the same time are located in a 'place' where the systemic as well as patriarchal forces, both from without and within, work to make their subjugation perpetual. The paper gives a social narrative of the saga of dalit women in Post-colonial India.*

**[Keywords:** Casteism, untouchability, gender discrimination, dalit women, saffronisation, sanskritisation, patriarchy, *varna* system]

## ***Introduction***

Women in general and of India in particular, if viewed historically, are persistently exploited, victimized and discriminated. Discrimination is one of the factors which play against equality. Though several steps have been taken nationally as well as internationally to eliminate various discriminatory and unequal treatment practices but the manifestations of the evil practices are still prevalent in diverse forms in many areas throughout the country. The question of gender discrimination and deprivation of women have received considerable importance from the last few years. The constitution of India guarantees equality of opportunity and status to women and men. It directs that women shall not only have equal rights and privileges with men but also the State should make provisions, both general and special for the welfare of the women. Despite the constitutional safeguards, women in India are still subjected to many disadvantages, inequalities and oppression in each and every sphere of their life.

In Indian society, due to the social barriers such as casteism, untouchability, patriarchy, disparity, superstition, religious exploitation and class variations, specific groups are becoming weaker and marginalized. These groups are facing the problems of identity crisis, deprivation, discrimination and atrocities. These marginalized groups are also identified and recognized as Dalits, Scheduled Castes, Scheduled Tribes, Other Backward Castes, Nomadic Tribes, Denotified Tribes, Religious and Linguistic Minorities (Michael 2007).

For the purpose of this paper, the concept *dalit* is conceptualized as the former 'acchut', untouchable or an outcaste. Dalit fall outside the *varna* system. Here at the outset, we must remember that when we talk of *dalits*, we are not talking of scheduled castes because scheduled castes include caste groups which have never endured the kind of discrimination and deprivation that *dalits* have. Dalit is not a caste, the term *dalit* is a political coinage of independent India which has a legacy from the first census constructed by the British administrators. As a new form of identity, *dalit* coinage came to the fore more as a political tool than as a substantive concept. The concept *dalit* provides sufficient scope for inclusion and



exclusion, as per the requirement of a particular situation of a particular region at a particular time. For the present paper, therefore, the term *dalit* stands out as a post-colonial term that has grabbed our attention, generating every possible form of discourses labeled as *dalit* theorization. However, this post colonial abstraction is a difficult one to realize when we go for sociological study of Indian society.

The paper takes up, in particular, the issues of women belonging to the category of those people who are living in absolute exclusion - socially, economically, politically, educationally and in terms of religious rights. While going ahead with the discussion for the purpose of this paper, this term *dalit* Women will be loosely used for pointing out their plight and deprivation.

Women of India, in general, are already exploited in every form due to patriarchal norms and *dalit* women are being crushed in the vortex of gender, patriarchal norms and caste. The present paper explores and attempts to understand whether the *dalit* women in India have improved their conditions in last six decades of independence and constitutional democracy under the backdrop of dominant ideologies of Brahminism, globalization and democratic politics. Despite the numerous posts held by *dalits* at various public offices, we cannot escape the question that why Indian women in general despite being made highly visible advances and promotion, and empowerment-oriented work – are still not developing as they should? Moreover, in case of *dalit* women, they continue to remain overshadowed and veiled, known yet ignored. There is little understanding of the economic, religious, political and ideological isolation of *dalit* women. Dalit women themselves, their experiences of suffering, exclusion are based on three-fold marginality - by virtue of gender, caste, and class. There is an acute mismatch between rhetoric and reality.

### ***Vulnerability of Dalit Women***

Dalit women are the most marginalized segments in the society. The condition of *dalit* women is more vulnerable than non-dalit women. Dalit women are suffering from multi-dimensional disadvantages of being *dalit* which is culturally, socially, economically and religiously marginalized and being women and carrying the burdensome gender based oppression, subordination, inequalities and disabilities. The type of violence inflicted on dalits is in the form of extreme violation of human rights. The recent Khairlanji Massacre is nothing new. A *dalit* family had refused to let upper caste villagers built a road through their fields. Hence on 29 September 2006, Bhaiyalal Bhotmange's family, wife Surekha, daughter Priyanka and two sons were killed by the villagers of Khairlanji in Bhandra district of Maharashtra. They were first attacked with huge iron chains and then abused by the other caste women of the village. Surekha and Priyanka were paraded naked and raped, and later, their bodies were mutilated and thrown into a pond (*Hindustan Times*, 14 November 2006).

These kinds of atrocities against *dalit* women, in particular, show that they are easy targets of upper caste, not only men but also women, who consider them to be sexually available. According to SC/ST commission report between 1981 and 1986 about 4000 *dalit* women became victim of rape. In 1993 – 94 this figure rose to 798 and 992 respectively. This means annually about 700 *dalit* women fall prey to sexual assault by high caste people (Pal and Bhargav 1999). The atrocities against *dalit* women include gang - rape, murder, parading them naked, making *dalit* women eat human excreta etc. (Human Watch Report 1998).

The vulnerability of *dalit* women can hardly be overemphasized in the public and private spaces. It has been entrenched by class, caste and gender factors. Dalit women have largely been engaged in the production and different activities related to production which can be traced from a distant history. As per Kancha Ilaiah, there is hardly any distinction between the private and public sphere which is the case of other four *varnas* of Hindu women and they are being provided with equal rights to men in their caste mechanism. As per him, *dalit* women worked side by side with men in the fields, at the market places or at the home. But, due to several factors like the process of Hinduization, globalization, brahminization and multiculturalization, they have unknowingly absorbed the basic tenets and values of Hindu caste systems and its discriminatory processes. Now, the experiences in the public and the private spaces, for all practical purposes, are not an area of bliss for *dalit* women. That liberating space in many senses is where exploitation and oppression of *dalit* women are being witnessed. The upper caste men, in the name of inflicting disciplinary actions, do not take a step back from raping and performing several other atrocities against them. Also, in several instances the rape of *dalit* women may not be considered as rape at all because of the customary access that the upper caste men have had to *dalit* women's sexuality.

Many high caste Hindus have certain ideas in mind about people belonging to the lower orders: ideas that they are dirty, lazy, quarrelsome, not-reliable, that the women enjoy much more freedom than rural high caste women and above all that 'they [the women] have no morals and therefore deserve to be raped' (Pawade 1995: 145). While the comprehensive legislation, the Scheduled Caste and Scheduled Tribe (Prevention of) Atrocities Act, 1989, exists on paper, social, political and economic pressures ensure that it remains ineffective. Of the innumerable cases of rape of dalit women, only a fraction is filled by the police, while actual conviction is negligible. The problem lies not so much with the law itself as with the context in which it exists (Malik 1999: 323 -24)

### ***Dalit Women at Work***

Dalit women work very hard and most of the time much more than their men folk. But very few *dalit* women have a regular job with a fixed salary. And the few who do work in places like factories get no contract and are often cheated. Dalit women's labour is mostly unskilled and is frequently underpaid or unpaid. The lives of *dalit* women are largely circumscribed by their poverty and lack of access to productive resources like land, financial capital, or educational qualifications. In all states, the overwhelming majority of *dalit* women work outside the home, most often as agricultural labourers. The only exception seemed to be Madhya Pradesh where, according to 1991 census, 65 per cent of *dalit* women were not employed. Certain agricultural tasks are typically assigned to women. They are always paid less than men. About 71 per cent of *dalit* women are agricultural labourers, whereas only 43 per cent of non-*dalit* women were agricultural labourers. Even in urban areas, 28 per cent of *dalit* women were employed as agricultural labour, as compared to only 5 per cent in the case of non-*dalit* women. Dalit women whose husbands are working outside the state reported being abused by landlords. In rural Orissa, *dalits* are made to wait for several hours before being paid and non-*dalits* place the money on the ground instead of directly handing it to the *dalit* worker. Non-*dalit* women are more rigid in maintaining practices of untouchability than non-*dalit* men. Non-*dalit* women internalize the caste ideology that stresses the role of women as upholders of caste purity for the

entire household. Non-*dalit* women practice untouchability to wield power over others, given their limited opportunity to do so (Shah et al: 2006: 117-121).

In the urban sectors *dalit* women mainly belong to the unorganized sector workforce. They are in the activities like hawking, scrap collection, petty trade or home based production or service activity. These women suffer the most if they are without kinship support and other social and political linkages including contact with municipal bureaucracy, police etc. there are health risks also which often cut into their meager earnings. A document *National Perspective Plan for Women , 1988–2000 A.D.* has noted that ‘Employment opportunities in the governmental and public sectors and the private corporate sector are limited in view of the general constraints on resources for region, expansion and dependence on the dictates of market mechanisms which are prejudicial to women. Given these realities and based on the performance of previous decades, it is unlikely that this sector can offer much relief by way of expanded employment potential to women. Given this assessment, it appears that employment prospects for *dalit* women in particular are too grim. Entry into organized sector depends much upon contacts and social connections in addition to educational qualification and previous job experience. There are other negative features also. They include: (i) segmentation in the labour market which works against *dalit* women, (ii) adverse implications of technological growth and (iii) lack of unionization of female workers. In addition there are two other handicaps, namely (a) absence of a meaningful human resource development policies aimed at improving *dalit* women’s employability and productivity through training and (b) absence of national labour policy encompassing the needs of *dalit* women in the organized sectors. It appears that participation of *dalit* women in organized sectors is considerably negligible (Jogdand 1995).

It is evident that land ownership structures in Indian States are still skewed, keeping in mind the historicity of land ownership and over five decades of land reforms implementation in India,. Understanding land distribution pattern in India in a social group framework is a decisive and necessarily needed task in context of *dalits* in general, and their women in particular. A combination of high incidence of wage labour, low educational attainment and high unemployment results in a high degree of deprivation and poverty among *dalit* women like their counterpart from marginalized communities like the tribals are placed in a socio-economic context which intrinsically links them with natural resources and hence the impact of climate changes. One cannot deny the link between poverty and marginalized women who are placed at the bottom of the development ladder. Also, still now thousands of *dalit* girls in the age group of 6 and 13 years are dedicated to temple duties, especially in South India. Once they are dedicated, there are unable to get married and are forced into prostitution.

Dalit women are being marginalized more in this era of globalization. After independence, due to several reformative measures it was expected that a considerable change can be brought in the working and living conditions of the marginalized communities like *dalits*. It is a fact of this decade that some though very limited, *dalit* men have improved their socio-economic conditions. If we look at various fields then we will see that *dalit* men have marked their presence be it as a President of India or any other field. But *dalit* women can hardly be identified in these various diverse fields of work. It is very disheartening to note that globalization has brought privatization, corporatization and liberalization which is further deepening the caste discrimination and polarizing *dalit* women from non-*dalit* women. It has been noted that with the development of forces of production, the labour and skills of *dalit* women have suffered a downward mobility. There has been a relative deskilling in relation to men and their economic

dependence on men has increased. This has been borne out by empirical studies on gender and caste based occupations (Rege 2000: 492).

Reservation policy at government sectors have not brought any considerable visibility of *dalit* women due to lack of implementation of policies, education, proper knowledge, discrimination, their acute poverty etc. Also the reservation policies is not effective in the newly formed private sectors, hence the already deprived and downtrodden *dalit* women's conditions are being perpetuated rather than any sort of improvement. They are still the most deprived agricultural workers at the rural sector and unidentified poor labourers of unorganized sector of urban centres. New age factors which are bringing social change are unable to change the under privileged conditions of *dalit* women rather accentuating it in every respect.

Gail Omvedt while addressing the dichotomy in the issue of reservation in private sector argues:

The reactions to the question of reservation in the private sector from the corporate bosses on the one hand, and most Marxists on the other, are interesting. Indian capitalists are a backward, upper caste dominated group and this is reflected in their unwillingness to consider the issue – in contrast with US/multinational capitalists who have learned to live with affirmative action. (There is also fact that the whole history of the struggle for representation in India has differed from that of the US). So they have mostly responded by stressing the false and ideologically indefensible notion of “merit”, as if the upper castes who dominate in the higher – earning sections of the working class do so because of some inherent biological qualities...(Omvedt 2005: 28).

### ***Dalit Women in Movements and Politics***

After dealing with the problem of status and work of *dalit* women, it is important to understand the issue of *dalit* women dealt by women's movement, leadership among *dalit* women and *dalit* women dealt by the democratic politics of India. Women's action began quite early. In recent years women's studies have appeared in many languages in India and abroad which take into account several diverse issues related to women and the dominant ideologies. But, unfortunately, there is very little interest in *dalit* women. Also in *dalit* literature not much attention has been given to *dalit* women and their problems.

The *dalit* leadership has failed to give any clear-cut direction to their followers especially in the wake of legislation passed by the government of India and also failed to give any positive insights to the problem of *dalit* women. Moreover *dalit* movement today faces challenges from the communal forces on which several conferences, held on *dalit* women, have only showed their concerns without coming out with a strategy to counter it. Dalit women are active in large numbers in the movement but most leadership positions in the organizations, local bodies and associations have until now been held by men.

Rather than mobilizing *dalit* women in *dalit* movements, they are facing communal threat all over which is trying to saffronise them into the folds of destructive Hindu ideology. Surprisingly the problems of *dalit* women hardly make any place in *dalit* movements on the basis of the fact that *dalit* women face equality in their community rather than inequality faced by non-*dalit* women in general. This causes invisibility of *dalit* women from mainstream *dalit*

movements. The existing *dalit* movements of post colonial India has done much for a handful of male *dalit* intellectuals, less for the great majority of *dalit* men such as improving their position within the family, and nothing for *dalit* women. The only way out of the dilemma confronting the women would be to initiate their own *dalit* movement, because given the *dalit* men's attitude towards their women, no major changes may be expected from that side in the near future (Michael 2007: 257). Though there are scholars and writers like Bama, Meena Kandasamy, Urmila Pawar, Ruth Manorama etc are just few who are trying to build dalit women feminist discourse but there is no such action at the grassroots level. Though we can now find recent literatures and theoretical observations of *dalit* women in general but hardly there is any application of suggestion given by formulating the problem. Unless the *dalit* women are encompassed within the folds of *dalit* movements and leadership, the *dalit* movements will be crippled and the wholesome development of *dalits* will not be possible.

After the 73<sup>rd</sup> and 74<sup>th</sup> Constitution Amendment Acts of 1992 a larger number of women and a handful of *dalit* women have established themselves in the local government bodies like municipalities and *panchayati raj* institutions. This amendment made it compulsory that one-third of the seats reserved for *dalits* be filled by *dalit* women. However the experiences of *dalit* women in political participation has been mainly dissatisfactory with majority reporting cooption, intimidation or outright hostility in addition to their impediments such as illiteracy and lack of experience in political governance. Also, rural elites and dominant castes are unable to accept the fact that power has been given in the hands of poor and disadvantaged *dalit* women. Despite having legal sanction for political rights, rigid caste system and patriarchy directly and indirectly has been suppressing *dalit* women.

As Buch points out, 'Women's identity as a social category, for whom reservation of seats in the national Parliament and state legislatures in India is being bitterly contested at present, has also to contend with the differences among women based on class/caste/ethnic groups. Any intervention to break the link between social structures of inequality and their political reflection in the presence and participation in the institutions of government has to address not only women's identity but also the plurality of differences' (Buch 2010 : 15). Equality and equity is still a very distant dream for *dalit* women unlike non-*dalit* women who have to some extent received somewhat importance from various spheres and theoretical discourses.

The dominant norm of patriarchy and upper caste is reflected in the functioning of Political Parties. Dalit women are found to be unrepresented in inner party structures, almost invisible in the actual decision making bodies and influence on significant party policies is out of question. Nor do the political parties focus on dalit women's issues in their agenda or reflect any concern for gender and caste equality in their day - to - day functioning. If we look at the state Uttar Pradesh then we will find that a dalit woman Mayawati is the chief minister belonging to the so called party of dalits Bahujan Samaj Party (BSP) but despite of such an achievement by a *dalit* woman, data shows that rather than improvement, deterioration in the condition and status of women is reflected. Dalits and *dalit* women are being mobilized only for the sake of vote banks and nothing more. Furthermore, during 2001 Mayawati in order to keep her crime figures low issued a written order suspending the use of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act but anyways was forced to withdraw the same in 2003. This had a very adverse effect on *dalit* women in particular. The atrocities on them continued to be perpetrated but their cases were not being registered by police. In this way the democratic politics of this era is used to manipulate the marginalized communities for the sake of vote banks and in the process *dalit* women are further pushed to margins.

## Conclusion

Today, through the *sanskritisation* process which is brought by modernization and globalization, the *dalits* are losing their cultural world view. They are being influenced by the new age Brahminized values. The practices and values of the high caste are being absorbed by the so called newly formed 'elite and educated' *dalits*. The traditional freedom enjoyed by *dalit* women is under constraints.

Visibly by exercising control over women's sexuality, caste is preserved. Still in the post colonial period it is being claimed that upper caste women's progeny being pure and that of the *dalit* women being impure. Several associations of *dalit* women exist today, which have been trying to nurture and assert *dalit* women's identity. These are like Dalit Mahila Sangathan and National Federation of Dalit women etc. The formation of independent *dalit* organizations has brought about several debates among feminists activists. They misinterpret it by claiming that these organizations of *dalit* women fail to realize the gender specificities. Though few *dalit* women have become politically conscious and started speaking differently, but undoubtedly they are still the triply exploited and excluded from feminist discourse. They are yet not properly figured in women's studies nor in caste studies. Furthermore they are considered to be 'other' among the non-*dalit* women. In fact, according to many scholars, *dalit* women are 'downtrodden among the downtrodden' (Bandhu), the subaltern among the subaltern (Malik) or 'slaves of the slaves' (cited in Zelliot).

The marker that is used in this paper to discuss the problem of Dalit Women is more or less similar to the experience that we have out of our gendered existence. However, in our march to derive state benevolence, it is often seen, the term *dalit* women are used as means to achieve such benefits. This is where the present argument diverges from such discourses and tries to point out that our understanding of the marginalized group requires much more re-thinking than what has happened in last 60 years.

Women have class and caste identity, not just a gender identity. In fact, 'gender as a phenomenon hardly ever appears in a pure form. It is almost always alloyed with caste, class and religious factors. In matters where there is a clash between gender and caste or class, we cannot expect women to align themselves with other women, going against their caste or class loyalties' (Vyasulu et al, 1999: 3684). Hence, an effective way of achieving the emancipation of *dalit* women and to gain equal rights, it is ideal to take 'difference' seriously and engage with the politics of difference. There is no point in drawing universalistic vision and conclusion when historically and continuously Dalit women are being crippled against the backdrop of democratic politics, gender and the dominant institution of caste of India.

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## **Social Medicine: Its Implications for Women's Health in India**

Saswati Biswas

*In this paper an attempt has been made to study the implications of social medicine for women's health in India. The paper focuses on how social conditions play an important role in determining health conditions of women in India. It also highlights the consequences of a market oriented health care system for women's health in general and its possible implications for women's health in India.*

**[Keywords:** women's health, social medicine, National Policy on Empowerment of Women, Elimination of discrimination against women, The Alma Ata Declaration, commodification of health]

### ***Introduction***

Many dimensions of women's health in India are intricately woven into the social web of their existence. It is not only in reproductive health that society makes its presence evident, it, along with the political economic processes prevalent, pervades all areas of women's health. Hence the importance of social medicine in issues of women's health has to be taken up in right earnest as health reflects the gendered nature of our social existence.

The term social medicine was introduced by Jules Guerin a French physician (Porter and Porter 1988); the concept was reviewed by Alfred Grotjahn of Berlin who stressed upon the importance of social factors as determinants of health and disease. Prof. Crew defined social medicine as standing on the pillars of medicine and sociology. The laboratory to practice social medicine is the whole community; social therapy does not consist in administration of drugs but social and political action for the betterment of living conditions.

This more or less conforms to the political economy perspective in studying health related phenomena the foundations of which had been laid by Engels as early as 1845 in 'The Conditions of the working class in England'. Engels analyzed the etiology and distribution of typhoid, tuberculosis and ricket in the population and concluded that since they had a direct association with the relations of production under capitalism; medical intervention alone was insufficient for the eradication of diseases. This was the background of the enactment of The Public Health Act of 1848 in England when a new thinking began to take shape that the state has direct responsibility for the health of the people. The fact that the macro policies governing the state would reflect its ideology became clear, hence health, which constitutes a very



important dimension of a community's life was widely accepted as a reflection of the same ideology. The understanding that health is centered in the political economy of a state presupposed that there is little to be gained by attempting to understand health and health care by reference to the activities of individuals or to the institution of medicine alone, they must be placed within a broader socio-economic and political framework. Social medicine accepts the proposition that diseases have social causes, social consequences and social therapy. Nineteenth century health and social reformers had been concerned with developing the political role of medicine in creating egalitarian societies. This concern continued to be a primary goal of twentieth century medical academics like Rene Sand (Sand 1952) who wanted to integrate medicine's social role into the training of physicians through the creation of a new discipline of social medicine inspired by the experiments in sociological medicine and social hygiene in revolutionary Soviet Russia. In the 1920s it was believed that the creation of a socio-political role could be achieved by turning it into a social science. The goals of social medicine as an academic discipline developed in the inter-war years and were mostly linked to the political programmes of social reform and were concerned with establishment of socialized medicine and eradication of health and socio-economic inequalities.

The content of social medicine was therefore manifestly related to the political programmes undertaken by nation states at a particular point of time. The discipline of social medicine acquires great significance in the current era of technology based health care. At a time when health has become one of the biggest industries in a globalized world with the market invading every nook and corner of health care, current state of political economy suggests that health care is increasingly being directed at the increasing sources of earning profit rather than the all around physical and mental development of citizens of a state.

In this paper an attempt has been made to study the implications of social medicine for women's health in India. This paper will focus on how social conditions play a very important role in determining health conditions of women in India, it will also try to focus upon the consequences of a market oriented health care system for women's health in general and its possible implications for women's health in India.

### ***Social Medicine and Women's Health in India***

The subject matter of social medicine emphasizes upon the fact that medicines and biotechnological interventions are not sufficient to take care of health of a community. As this paper deals specifically with women's health the same will be dealt with in the relevant context.

In an article reviewing the reports on convention for the Elimination of Discrimination against Women (CEDAW) Verma, (Verma 2007) points out that the Indian ruling class has been criminally negligent in its implementation of programmes for empowering women. The Five Year Plans, the National Policy on Empowerment of Women, the Plan of Action on Women's Empowerment, Declaratory statements on CEDAW have failed to bring out meaningful action on the part of the government to empower women. The efforts of the government gives an illusion of earnestness on its part to address women's issues while it actually ensures that patriarchy is not undermined and continues to flourish.

The question of women's health thus suffers under the twin burden of state apathy and social norms, values, attitudes and practices which all support patriarchy and negligence of issues pertaining to women's health. It is true that women belong to different socio-economic

categories and they are not equally placed as far as their health care is concerned. This paper will focus upon those belonging to lower socio-economic categories but it will also try to show how modern health care often cuts across class categories in causing harm to the health of women.

Women's health conditions are intricately related to the perceptions prevailing in society regarding the worth of a section of society which remains behind men in all avenues of life. The process of socialization which women undergo, their own views about society and self worth, the norms of behavior and values which sustain society all contribute to the health status of women.

Perceptions regarding health means how society views the health conditions of its constituent sections, the attitude one nurtures, how man view the health requirements of women or even their right to be born. Women themselves often become the torchbearers of patriarchy which makes them to easily accept their inferior status. Perceptions regarding health also include the question of what women themselves consider to be of greater value their own health or the health of other members of their families, how policy framers and implementing agencies show their judgment in implementation and formulation of health policies. Transformation of the body through gendered social practices informs the study of social medicine through gendered lens. As stated by Lorber and Moore: 'In societies where women's status is low their life expectancy is reduced by a combination of social factors- eating last and eating less, complications of frequent childbearing and sexually transmitted diseases because they have no power to demand abstinence or condom use, infections and demorrhages following child birth, neglect of symptoms of illness until severe and restricted access to modern health care' (Lorber and Moore 2002: 5). All these are true in the Indian situation.

The Alma Ata Declaration with its slogan of '*health for all*', had begun as a movement, and the first health policy of India reflected the spirit of the declaration, but like all governmental programmes for the common people we no longer hear about it anymore. On the other hand, the new health policy has given a lot of scope for the entry of the private sector in health, the inaccessibility of private health care to the poor is widely accepted and one can only surmise how far health issues of women will be looked after in this currently prevailing health scenario.

### ***Socialization of the Girl Child***

The process of socialization transforms a biological being into a social being, different agencies of socialization like family, school, neighbourhood, religious institutions all operate as part and parcel of a wider society which has different ways of viewing life situations of men and women. Even entry to schools is regulated by the value which society gives to education of the girl child, thus the girl child is imbibed with values which teaches her to place her own requirement behind that of others. In a study of the rural areas of Gwalior district of Madhya Pradesh Tekhre and Menon (Tekhre and Menon 1998) observes that socialization is linked intricately with socio-cultural values and a girl child is socialized in a way which makes her to obey the socio-cultural values in the family and follow patterned norms of behavior. They are expected to retain a low profile and not disturb the peaceful atmosphere within the family, any way of behaving which does not follow established and desired norms are likely to threaten the equilibrium of the family. Even if a girl child is given some liberty at childhood she is expected to follow patterned

behavior as she grows up which often leads to psychological impairment as it becomes difficult for her to behave like an ideal woman after having been allowed to have the same expectations as her brother or being allowed to believe in little difference between a boy and a girl child.

The girl child looks upon her mother as a mirror glass self and imbibes her patterns of behavior. In the case of women belonging to the lower socio-economic sections of society the girl therefore grows up keeping her own requirements to herself, not talking about her physical ailments till it becomes unbearable, taking the full responsibility of planning a family upon herself, giving importance to the health and nutritional requirements of the males of the family and in the process reproducing her low position within the family and society. Women's health and nutritional status thus is inextricably linked with social, cultural and economic factors that influence all aspects of their lives and it has consequences not only for the women themselves but for their children too, and for the functioning of households and the distribution of resources.

The socio-economic environment, cultural, religious and political dimensions of life which affect women's life leads to their getting marginalized. Increasing cost of medical care has emerged as the second cause of rural indebtedness where around 80 percent of women are anemic and denied adequate food, spiraling cost of food as well as of medicines will further marginalize women's medical care. Needless to add most of the debts incurred in rural India for health care are for the male members of the family (Biswas2000).

Thus the relevance of social medicine for women's health starts from the time of their birth, the process of socialization mainly for the poor sections needs to be reconstituted and recognized in a manner which makes women to be better placed within the family itself. The taken for granted approach to the issues of concern to women must be adequately addressed. It should also be recognized that this is actually possible only with far reaching changes in the processes working in the wider society.

### ***Areas of Concern Regarding Social Dimensions of Women's Health***

The all round commodification of health has placed women's health issues in serious predicament. Issues ranging from antenatal care to surrogate motherhood have put the question of maternity under scanner, when motherhood has got disembodied from the ties of the umbilical cord and carrying an embryo in one's womb for nine months does not make one a natural mother one wonders what havoc the market is creating in the lives of women.

The market with the help of patriarchal values has started moulding all the dimensions which are considered of importance to the health of women. Women belonging to the lower socio-economic sections of society continue to be neglected as children married before the age of eighteen, poor and illiterate, underfed and overworked. Often pregnancies and hard work coincide during a major part of their lives. They are often subjected to harmful traditional practices and denied access to adequate contraceptive practices and maternal health. Studies have shown large members of female infanticides resulting in the lowering of the sex ratio even in the states which are considered to be better off indicating that economic growth does not necessarily bring better life chances for women (Vijaylakshmi and Ponnuraj 1998).

Women are found to be more anemic than men, and a woman can become more anemic when pregnancy depletes already low reserves of vital nutrients. The NFHH - 3 remarks that anemia affects 55 percent of women and 24 percent of men. The prevalence of anemia for ever-married woman has increased from 52 percent in NFHS - 2 to 56 percent in NFHS - 3. The survey also found women's food consumption to be less balanced than that of men, 55 percent of women compared with 67 percent of men consume milk or curd weekly. 40 percent of women compared with 47 percent of men consume fruits weekly, 32 percent of women compared with 41 percent of men consume eggs weekly and 35 percent of women compared with 41 percent of men consume fish or chicken/meat weekly. Gender differentials in the daily consumption of most of these foods were found to be more among the married. Severe anemia accounts for 20 percent of maternal deaths.

Early child bearing is another matter which impairs the health of women. NFHS -3 reveals that more than half of women are married before the legal minimum age of 18. Early child bearing becomes a corollary of early marriage, when the young girl is not physically prepared to become a mother. Risk of medical complications is much higher for young mothers. Adolescent child bearing impairs the future of young girls because their educational and employment opportunities get restricted. Obstetric complications are particularly high in early pregnancy; congenital abnormalities are also more frequent (NFHS 2007). An analysis of data on height and weight of adolescent girls in Kerala revealed that 49-67 percent would have been at risk during pregnancy in the age group of 15-19 years (Vijayalakshmi and Ponnuraj 1998). Abortion is also common in the younger age group due to the practice of entering into unprotected sexual relations among unmarried girls. Often abortions are done by untrained personnel in order to maintain secrecy or to avoid the costs charged by trained practitioners putting the life of the mother under great threat. It is surmised that at least 19 percent of maternal deaths in India are the result of abortion related complications (Vijayalakshmi and Ponnuraj 1998). Abortions and feticide are increasing despite the legal provisions against tests to determine sex of an infant. Smaller families which stick to one or two child norms are likely to go for abortions and feticides to regulate the composition of the family where the birth of at least one son is the desired norm. Thus repeated abortions of married women too would lead to health complications in later phases of life.

Next, in trying to understand the importance of the confluence of sociology and medicine in the context of women's health we will take up the issue of fertility and use of contraceptives. Fertility has gone down to 2.7; however there are variations in relation to state, education, caste and place of residence. Numerous pregnancies, frequent abortions and malnutrition impair the health conditions of women. Use of contraceptive has gone up but their use is the responsibility of women, everything associated with the birth of a child and the responsibilities involved are considered to be that of women. NFHS - 3 undertaken in 2005 -2006 reports that over 100,000 Indian women die every year due to pregnancy related problems and there are 400 maternal deaths per 100,000 births. Absence of proper health care is one reason associated with social factor, absence of pre-natal and post-natal care due to the understanding that child birth is a routine affair and care of the mother is not of primary importance leads to this state of affairs. A study in four villages of North Bengal (Biswas 2000) shows how women take upon themselves the whole burden of family planning, most of the women favoured tubectomy as they felt that husbands would face health risk if they undertook vasectomy. Husbands being bread earners require to maintain good health more than women as their lives are of lesser worth, they were also of the opinion that their husbands too would not agree to undergo vasectomy.

The measures for family planning do not attempt to cover all the dimensions of women's health and are simply technological devices to curb births. Family Planning looks upon women as an object playing an important role in reproduction and its aim is to reduce the reproductive potential of women without realizing that the birth giving function of women is interlinked with her overall position in society and unless she is in control of her reproductive functions birth control measures are not likely to be successful.

Family Planning measures and the way they have been implemented shows that they have not become a part of health care system of women; it shows an extreme bias against women in the total policy implementation in the sphere of family welfare and planning. This becomes all the more important because the issue of women's health is inextricably connected with reproduction.

The way in which Family Planning measures and child care services were being carried out during the above mentioned study raises a question about the real intention of the government and its sense of responsibility towards the poor and illiterate women of our country. There is no planning or coordination of the programmes, it is not realized at all that health is related to overall socio-economic condition of villagers, which provides the essence of health status. The World Health Organization's definition of health as not only absence of physical illness, but also a state of overall well being has already faded into oblivion. The meager allotments made for health adds to the malfunctioning of the health care system and makes its utilization more or less a farce in whose hands the poor and specially women suffer. The earlier Child Survival and Safe Motherhood Programme has been replaced by the Essential Reproductive and Child Health Schemes Package (RCH) which has come up during the Structural Adjustment Programme (SAP)(Sagar 2001).

The RCH Package consists of family Planning, safe abortion, safe motherhood, prevention and management of reproductive tract and sexually transmitted infection, child survival, health, sexuality and gender information, education and counseling and referral services for all of the above. The government claims that this Package would improve women's health, but the cut backs in social sector expenditure and increasing entry of private investment in health make the availability of the above package to the poor women of our country highly doubtful. The increasing use of technology in health and negligence of institutional factors in health care would make the availability of reproductive health to poor women increasingly difficult. In a study of the relevance of RCH Package for the health of poor women of a slum (Sagar 2001) shows the gaps between perceptions of doctors and women regarding health needs of the latter. While doctors perceive health problems related to reproduction as pathological manifestations women relate their health problems with their social existence and life chances they have. The expectations from women in a poor family forces her to play roles and perform duties even when they have a telling effect upon her health and make her to place her own health in the lowest position in her list of priorities. She writes that one woman stated (Sagar 2001:511): 'if I die he (my husband) will bring a new wife who will hopefully take care of my children, but if he dies our lives are ruined for who will take care of us?'

Sagar goes on to state (Sagar 2001: 511) 'many women stated that it was pointless for them to waste their time talking and worrying about circumstances that needed to be changed but which they had no power to change. Most of them had learned by bitter experience that there was precious little they could do about it'. The women concluded that it was best that one should not be born if she was a girl.

The technocratic approach to health neglects the fact that health is closely related to all other dimensions of life and also to the nature of provisions which the state offers to its citizens. In a situation where the poor sections are facing crises in all areas of their everyday lives, health will not be left out, women's health is doubly cursed as besides being affected by poverty it is informed by prevailing traditions, values and attitudes which are all detrimental to women's health.

### *Domestic Violence*

Women are subjected to different types of violence including rape, forced prostitution, domestic violence or are even punished for witchcraft. Of all these, domestic violence could be said to have the most serious impact as it is inflicted by someone with whom the victim has intimate relationship. We are all familiar with the song that says 'there is no place like home'; it is a place where members of a family are supposed to feel most secure. One imagines a home to be a place where one can retire after a hard day's work or where one can live in the midst of one's own people who will take care of one another through the working of different relationships as parents, spouses, children or siblings. However often the home becomes a social space where violence is inflicted upon the physically weaker members by those considered stronger.

The health consequences of domestic violence could be very grave and could be placed under the purview of the discipline of social medicine. What is of greater concern is that women often accept the legitimacy of some types of domestic violence like wife beating from the premise that husbands are senior and superior and hence have the right to punish an errant wife.

Violence within the family includes wife beating and battering, dowry deaths, sexual abuse of female children, female feticides and infanticide violence from alcoholism, impact of patriarchal values and domination and control within family leaving aside female feticides and infanticide the NFHS - 3 reveals that more than a third (34 percent) of women in India aged between 15-49 have experienced physical violence and 9 percent have experienced sexual violence.

The NFHS-3 reveals that women whose husbands drink have significantly higher levels of violence. Emotional violence is three times as high, physical violence is more than two times as high and sexual violence is four times as high for women whose husbands drink frequently.

Of all the ever married women who reported ever experiencing physical or sexual violence 36 percent report cuts, bruises or aches, 9 percent report eye injuries sprains and dislocations or burns. 7 percent report deep wounds, broken faces, broken teeth or any serious injury, 2 percent report severe burns. Notably 38 percent of women experiencing physical or sexual violence report having experienced at least one of those groups of injuries. At least one in seven ever married women between ages 15 - 45 in India have suffered injury resulting from acts of spousal violence. One could add the violence inflicted upon women from other members of the husbands family due to non-payment of dowry or to a negligible error in undertaking household chores. Another very significant revelation of the NFHS-3 is that only one in four women has ever sought help to end the violence they have experienced. Two out of three women who have ever experienced domestic violence have not only never sought help but have also never told anyone about the violence, this shows that the relationships within the family do

not arouse confidence in the victims which is absolutely necessary for her to share her experiences.

A large majority of women who have experienced only sexual violence have never told anyone about the violence which is as high as 85 percent. The striking fact about help seeking behaviours among women who have ever experienced violence is the lack of differentials by most background including education and wealth. The institution of family which is accepted as an important foundation of society comes out in clear relief as an institution in which many women in addition to having a low status have to live a life of extreme insecurity in which not only their physical well being but also existence may be at stake. The responsibility of the state is not witnessed in these areas of women's life as the question of empowerment of women remains a mere rhetoric without any serious meaningful steps taken in this regard. In a society in which markets are playing an increasingly important role with ever increasing consumerism it is highly doubtful as to whether domestic violence will decline in the near future despite the existence of laws which remains outside the reach of countless Indian women.

### ***Health Issues related to Work and Problem of the Aged Women***

It is established that women perform nearly two thirds of the world work, a study on the total well being of Indian women (Vijayalakshmi and Ponnuraj 1998) shows that despite bearing this workload they receive one tenth of the world's income. In India 14 – 16 hours, or nearly two thirds of a women's day is spent in working. In the era of globalization women are increasingly being absorbed in the unorganized sector and there is increasing feminization of labour, as a consequence women are becoming important earners in the family. However work conditions remains poor, unhealthy workplace, long hours of work inadequate maternity benefits and the compulsory domestic chores tell heavily on women's health. It is said that the feminization of labour is a case of wolf in sheep's clothing as women remain poorly paid and are forced to work in inimical conditions face an uncertain future and are deprived of all the benefits of the formal sector.

Another area of concern is the extremely insecure nature of work in the informal sector; women employed with little or no training on the job are quickly dispensed with when they become pregnant or marry. Work which is home based involves low pay socio-economic invisibility and long hours of labour. Women who are poor and malnourished work up to the advanced periods of their pregnancy and this endanger their own health as well as the health of the baby to be born.

There are other dimensions too which affect health of women in the context of the work they have to perform. New working conditions which include sub contraction, price rating, flexible work rescheduling and part timing has marginalized them and they are not recognized as regular workers.

The problems of the aged are emerging as an important area of concern in Indian society. Breaking down of age old values which respected the aged has lowered the status of the aged in society, small family norms, the struggle for survival, changing values and absence of proper institutional care for the aged is placing the aged in a precarious position in Indian society. Economic and health conditions of the aged deteriorate as they grow older and in a market society where everything has to be bought their life chances are greatly affected, despite living a longer life their quality of life remains poor and often are considered as burdens of their

families. Here too women are in a relatively weaker position than men, this is due to various reasons one of which is that the longevity of females is more than that of males and hence they have to deal with the deprivations of old age to a higher extent as compared to men. Their lifelong practice of keeping their health problems to themselves continues to their old age and the general neglect which most of them face adds to their physical sufferings.

### *Commodification of Health*

With the increasing use of technology in health care all avenues of health are getting commodified, every nook and corner of health is increasingly being sought to be dealt with technological means which have the capability to offer huge profits to private investors in health. Women's health has not been left out of this market driven, technology oriented health care system which is totally averse to the realization that health issues are situated within the realms of social existence.

Health care is being increasingly privatized since 1991, along with technology centric health care, user fees have been introduced in government health institutions and public expenditures in health is being consistently curtailed, rising prices of drugs and the private-public tie ups have provided scope for the private sector to increase their profits. This leads to a situation where the poor are left without any care and as women constitute a majority of the poor their health care is also affected.

As Gupta observes in her unpublished paper on globalization and women's health, by allowing globalization through deregulation, privatization and free trade under the guise of increasing cost effectiveness, governments are practicing a more insidious form of colonization which commodifies women and the poor into dispensable and cheap factors of production. Privatization of health care commodifies and targets women's reproductive health needs providing TNC's and MNC's a large opportunity for profit making at the expense of burdening women with increased costs. Poor and even middle class people without medical insurance are getting increasingly indebted in order to get medical care and in a social set up where women are considered as dispensable entities increasing debts for meeting their medical expenditure would not be to the same extent as that for men.

The nature of market intervention in women's health and the states approval for it in a poor country like India can be understood if we see how insensitive the state is to the issue of women's health even in America whose model of development is followed by us through the dictates of the World Bank and other agencies of globalization. Six billion women were taking Hormone Replacement Therapy (HRT) on July 9, 2002 when the National Institutes of Health announced that HRT, estragon/progestin portion of the largest hormone study done on healthy women was being stopped(Worcester 2004). Investigators of the Women's Health Initiative (WHI) showed that women taking HRT had 26 percent increase in breast cancer, 41 percent anemia in strokes and 200 percent increase in the rate of blood clots in legs and lungs. HRT also increased the risk of women's heart disease. HRT symbolizes the greed of the pharmaceutical companies to earn huge profits from untested, unneeded drugs given to healthy women. If, in a conscious community like that of the Americans this can happen one can imagine the condition of poor women in India.



One may get consoled from the fact that HRT is far removed from the poor women of India and they need not panic, but the next case is not distant from them. The intrauterine contraceptive device is making a comeback now, this had become very popular in America in the 70s, and this product was being marketed aggressively by the manufacturer who falsified safety studies and pregnancy prevention rates (Holtz 2006). This device caused Pelvic Inflammatory Disease, infertility and was withdrawn from America after it caused further deaths. However the manufacturer dumped thousands of the devices on unsuspecting consumers around the world, and in a poor country like India the harmful consequences would go un-noticed. New products keep on coming to the market and the main criterion to measure their acceptability is not whether they are causing any harm or not but whether they are providing huge margins of profit to the manufacturer. Thus the issue of health becomes an issue with politico-economic connotations where the real issue of health care is no longer important, avenues of life are judged from the perspective of their marketability only.

### *Conclusion*

From the above discussion we can observe that the question of health in general and that of women's health in particular are closely linked with the cultural, social, economic and political conditions prevailing at a particular period of time. Poor women bear the double burden of class and gender and if they belong to the tribal groups or low castes their burden gets trebled.

In 1848 the German physician Rudolf Virchow laid the foundation for the practice of social medicine and laid down three principles on which health care rested (1) the health of the people is a matter of direct social concern, (2) social and economic conditions have an important effect on health and disease, and these relations must be subjected to scientific investigation and (3) the measure taken to promote health and to combat disease must be social as well as medical. In the present study all of the areas of women's health are directly related to the principles outlined by Virchow. Whether women would be healthy or sick is determined to a large extent by the spatial and temporal dimension of their existence, the physical and social conditions in which they live, what and how much they eat, the work they do, the status they occupy, the way they are socialized the degree to which they can resist the discriminations they face and the nature of medical care they receive.

There is at present a great deal of importance attached to technological dimensions of health care, and very little importance to the social science dimension of health. This is evident from the marginal position of practitioners who have gained expertise in community health in the community of medical practitioners. Virchow had developed his principles when the teachings of Karl Marx were bringing in radical ideological changes which changed the way intellectuals viewed society bringing in a transformation in their ontological and epistemological dispositions. With the decline of socialism and spread of neo liberal globalization it is natural that such principles would continue to be ignored. However human agency needs to be reoriented to address the extreme inequalities in society which is necessary for evolving a pro-people and pro-women health care system. Inequalities caused by macro social forces which perpetuate poor health have to be looked into if any real improvement in women's health is to be brought about. Social scientists can play an important role by unveiling the experiences of suffering and health care and get true knowledge of health conditions of the poor through reflexive studies.

Human agency requires to be geared to bringing about change in social values and doing away with discriminations faced by women. Women should be made visible by incorporating gender perspective in policies and plans; they should not only be visible and heard at family, regional, national and international platforms. Initiatives to address issues of concern regarding women's health must be placed at the centre of development initiatives of the state.

The government should also take steps to raise expenditure in health and restrict privatization of health care; there is also a need to break the nexus between health providers and sellers of technological interventions in reproductive health care. It is unlikely that the march of technology driven health care will give much space to social medicine in the prevailing socio-economic and political conditions and empowerment of women along with human agency in the form of health movements seem to be the only way out to bring back social medicine to the place of prestige it deserves.

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## **Gender Issues in International Trade and Investment: A Brief Review**

Gangotri Chakraborty

*Although globalisation and international trade are generally taken as gender neutral these forces can have an adverse impact on gender equality. This paper explores how gender roles and relations change at the time of rapid economic transformation, prompted by globalisation.*

[**Keywords:** international trade, globalization, WTO, changing gender relations, Millennium Development Goals, property rights, trade related capacity building, export processing zones]

### ***Introduction***

International trade and investment, which is an integral component of globalisation, is considered to be gender neutral. However, experience over a couple of decades shows that the 'ground level' impact of the international trade and policies have an adverse effect upon gender. This is a constraint to development because it limits the ability of women to development and exercise of their full potential. Gender roles and relations are subject to change, most noticeably at the time of rapid social and economical changes.

A key objective of trade policy-makers at the World Trade Organisation (WTO) as well as in regional and bilateral negotiations is to promote national economic growth and through this, the reduction of poverty. There is considerable evidence that many countries with expanding trade levels have been able to achieve respectable growth rates. But the contribution that trade can play in improving the lives of women is particularly pertinent, since women make up 70 per cent of the world's poor. The Millennium Development Goals (MDGs) that the world leaders adopted in New York in 2000 present a major challenge. The issues to be considered inter alia are eradication of extreme poverty and hunger (Goal 1), and promoting gender equality and empowering women (Goal 3).

### *Differential Impact on men and women*

Gender analysis is about examining and understanding the ways in which policies affect women and men differentially. Given women's role in reproduction as well as societal norms that in many countries still constrain their access to education, credit, property rights and political representation, amongst other areas, women may be affected in a different way by changes in trade policy than men. Unless these gendered characteristics are taken into account, policymakers may assume that women will respond to changed incentives (such as new job openings, better access to foreign markets or increased competition domestically) more readily than is possible in practice. Even if they are able to respond (for instance by taking these jobs), their welfare may not necessarily improve in the same way that men's welfare may be affected.

World-wide, women and men tend to be employed in different sectors or different levels in similar sectors. In most developed and developing countries, for example, women are more likely to be employed in factories making clothing, working in poorer conditions and for lower wages, than in car factories, which are more likely to employ men, at higher wages and better conditions. In some developing countries, rural women are more likely to produce staple food crops for household consumption and sale in the local market than to be employed in the production of cash crops for export. In the service sector, women are more likely to be involved in cross-border trade as nurses or domestic workers than as engineers or construction workers.

In the case of agriculture, as governments cut tariffs and other barriers to imports, many women small holder farmers face the prospect of increased competition in their local markets, from imported produce, that is often heavily subsidized. Even when these subsidies are eliminated, they may not be able to compete with more mechanized and large-scale farming from developed and even some other developing countries. Of course many women have found employment in production of vegetables and flowers for export – besides their income, however, women are sometimes exposed to risks from pesticides, as well as the uncertainty of market access given the way in which food and other standards are applied in some importing markets.

It is typically women who have primary responsibility for their families' health needs, including the care of sick relatives. Relaxed TRIPs rules for seeds might help raise the productivity of subsistence and small farmers many of whom are thereby addressing both income and food security needs (Gibb et al 2003).

In the case of services (such as health, tourism, data-processing, telemarketing), relaxed trade rules have created new employment opportunities for some women. But there are concerns that women and girls, as consumers and care-providers, may be particularly affected by cutbacks in public

provisioning of essential services. This may be a direct result of trade liberalization commitments or as indirect consequence of governments losing revenue with cuts in import taxes and no new fiscal sources being found. Higher prices, which often follow privatization and liberalization, usually require increased efforts by women (and girls) to meet their families' needs (Nilufer 2001).

Finally, with expanding market access as a result of the special initiative offered to Least Developed Countries (LDCs), there are new opportunities for entrepreneurs to engage in export-oriented activities. Combined with other enabling factors, such as e-facilitated tools and services, easier access to credit and information about foreign markets, these initiatives can offer very positive changes for smaller women business owners. To ensure that enabling measures can be adopted rules on Trade-Related Investment Measures (TRIMs) should be examined to ensure that they make allowances for the special measures needed to promote small business, especially those involved in non-traditional activities.

There are many ways in which governments can work with business and civil society organizations to ensure that trade contribute to gender equality. These include ex ante and ex post analysis, inclusive consultations and trade-related capacity building (TRCB). While there have been several empirical and theoretical studies examining the relationships between trade, trade rules, trade policies and gender equality, more gender-disaggregated analysis is essential for policy-makers to understand the likely impacts of alternative trade rules or policies (Caren et al 2000).

As internationally acclaimed economist Naila Kabeer has noted:

For macroeconomic strategies to reduce poverty and address gender inequality, they must be based on an understanding of the various synergies and trade-offs as well as the deep-rooted prejudices that operate in different contexts rather than on 'one-size fits all' formulae. Women's interests and agency, if analyzed correctly, are one of the most powerful means available to policy makers to achieve a variety of developmental goals' (Kabeer 2003).

Inclusion of women's organizations and gender experts in discussions about trade policy options being considered by governments is another way to ensure that gendered dimensions are taken into account. Countries like Canada have developed an extensive process of electronic discussions, sectoral advisory groups and consultative meetings as well as tasking parliamentary committees to solicit views on trade negotiations. Even so, it has proved difficult to determine the gendered dimensions – many women's organizations lack the resources (time, money, knowledge) to be able represent their views adequately, suggesting that the process of consultation may need to be redesigned and accompanied by some capacity-building both of those organizing the consultation and those being consulted. Even gender equality government departments or ministries have found it difficult to engage in inter-departmental process of developing trade negotiating positions.

### *Addressing Gender Equality in Trade*

Given the linkages that are now widely recognized between trade and gender equality as well as the linkage between trade and the Millennium Development Goals (MDGs) and other international commitments, it is timely to consider the part to be played by the WTO. This concern for policy coherence needs to be reflected not only in the preparation of the new rules and agreements to be negotiated. It should also be integrated in the implementation of the existing agreements. For example, if national governments are to pursue poverty reduction and the promotion of gender equality, WTO agreements could be reviewed to ensure that they do not prohibit the use of economic policy instruments which could help reach these goals.

The trade-related capacity building (TRCB) programs of the WTO are another area where the membership could adopt relevant measures. These are programs aiming at improving development countries' capacity to negotiate and implement trade agreements. This is an area where donors are becoming increasingly active and the WTO could take a leadership role in demonstrating how gender equality can be integrated in TRCB.

At the analytical level, the WTO Secretariat could ensure it has the technical capacity to undertake gender analysis of trade rules. The WTO could develop and apply a framework for gender impact assessments, to assist trade negotiators identify gender equality considerations and systematically factor them into all phases, from negotiation to implementation and evaluation, in a transparent and accountable fashion. Alternatively this expertise could be obtained from outside groups. For his part, the WTO Director-General could include a gender equality expert in each of his advisory groups (Seguino 2000; Seguino 1997; Joeke and Weston 1994). The importance of examining trade-gender linkages in the context of WTO has arisen essentially on three counts. The significance of international trade in global economic activities has continued to grow exponentially. Thus, while world merchandises output has increased by four percent a year, the volume of trade in goods has grown by an average of six percent a year since 1948. In volume terms, this represents an eighteen fold increase in world trade since 1948. Exports of manufactured goods are now 43 times higher than they were 50 years ago. The net result is that around one quarter of world production is now traded and subject to rules of international trade (WTO 2003).

The shift in women's employment from financial to business services therefore may have led to lower average wages for women in the commercial services sectors. The table presents the data on employment in manufacturing in 1996 and 2001.

Table 1: **Paid employment (thousands) and women's share of employment (per cent)**

Sector	1996		2001	
	Number	% women	Number	% women
Foods and beverages	160.9	22.1	143.7	26.4
Tobacco	0.7	57.1	0.1	66.7
Textiles	51	32.3	57	21.8
Apparel	55	72.2	88.9	56.6
Leather	36.5	16.5	26.1	27.9
Wood and products	11.9	21.7	11.1	10.8
Paper and products	6.9	13.0	3.7	70.2
Publishing and printing	30.4	29.4	18.1	19.8
Coke and refined petroleum	1.1	10.0	2.0	50.0
Chemicals	27.7	28.9	31.1	31.8
Rubber and plastics	18.9	12.2	19.4	18.6
Non-metallic mineral prod.	31.7	8.5	30.6	9.1
Basic metals	4.2	-	3.9	5.1
Fabricated metal products	38.9	8.0	35.4	-
Machinery and equipment	13.4	12.6	4.5	-
Electrical machinery	3.7	-	2	47.6
Radio, TV and comm....equip.	1.4	-	-	-
Scientific instruments	0.9	-	3.0	-
Motor vehicles	3.3	-	7.0	-
Other transport equipm.	4.1	-	3.4	-
Other manufacturing	47.8	11.5	57.6	23.7
Total manufacturing	550.2	24.5	548.8	26.9
Total economy	2924.5	31.0	3329.9	33.8

Source: ILO (2002)

Since 1995, the WTO is the chief vehicle that creates and enforces the rules governing international trade. The rules contained in the WTO agreements account for well over 90 percent of world trade and are followed by 149 countries. The WTO comprises a wide array of legally binding multilateral trade agreements covering most aspects of our day-to-day lives. The impact of WTO agreements on gender



outcomes and concerns, therefore, constitutes a key area of engagement for all concerned. This is especially so since none of the WTO agreements make any explicit reference to gender impacts despite normative and legal obligations to the contrary as enunciated in various historic commitments advancing the cause of gender equality (WTO 2003).

A striking feature of early industrialization in developing countries, particularly those with relatively large endowments of labour, is the high share of female employment in the emerging export industries. Descriptions of export processing zones (EPZ) in a number of Asian countries and in mainland China all paint the same picture of a female dominated rapidly growing industrial labour force (*Financial Times*, 4. 2. 2003).

The insights from the general trade literature suggest that trade liberalization in poor countries that are rich in unskilled labour would shift investment and employment towards labour-intensive exportable sectors, while employment in import-competing industries would decline. Wages may decline in the short run if the capital investment adjustment takes longer than adjustments in the labour market, but in the long run wages will increase. The most labour-intensive industries are clothing, toys, consumer electronics and also some of the metal product industries. General trade theory tells us that in the process of opening up to trade, labour-abundant countries will experience job creation in these industries and over time a rise in the relative wage of unskilled labour will occur. Many of the labour-intensive industries are dominated by women and consequently job creation will largely benefit women.

Under the above situation there is a two way interaction between gender and socio-economic policies. On the one hand economic changes may affect groups of men and women differently, for example, because of their different access to employment and resources; on the other hand, because gender assumptions and relations influence the division of labour, distribution of work, income, wealth, education level, access to public goods and services, the gender difference may influence outcome of economic policies.

Some major issues that this paper will address are:

- In newly industrialized, labour intensive countries the share of women in export processing zones have increased but the wages are very low
- In middle income countries the activity became skill oriented and since 1980s the employment of women decreased
- Export crop expansion has displaced women from permanent subsistence agriculture to seasonal work on export crops and nontraditional agricultural export
- For every formal sector job created by trade and FDI, informal job opportunities are created where there is predominance of women [eg. outsourcing, subcontracting] with low wages
- Expansion of import under trade liberalisation has a negative multiplier effect on women's employment in the informal sector as local producers lose market share to cheaper imports
- Despite increase in women's employment the labour market continues to be segregated by sex and 'women's job' pays less and has a lower status and less opportunity for advancement.

Mainstreaming gender perspective is the process of assessing implication for men and women of any planned action, including legislation, policy programmes in all areas and at all levels.

Gender differences and trends in global economic activity statistics on women's participation in the global economy published in 1999 by UN Secretariat also state that globalization has given rise to ambiguous and at times contradictory effects on gender equality. Trade policy initiative need to identify their likely social impact beyond producer interests and to include broadly conceived welfare support measures.

### *Gender Issues in General Agreement on Tariffs and Trade (GATT), 1994*

In the post GATT scenario newly industrialized countries have increased wage employment opportunities for women it but is concentrated in the labour intensive area characterized by low wage and poor working condition. In import competing segments there are displacements and job losses. Lower tariff results in reduction of government revenue which badly affect the social welfare expenditure in developing countries. If tariff reductions are not offset by increase in government revenue from other sources, there will be reduced social spending under structural adjustment programs having negative impact on women. The gender blind provisions in GATT are:

- ARTICLE XVIII: Calls for govt. assistance for development designed to raise the general standard of living. Rise in general standard of living does not necessarily denote rise in the standard of living of women and children. The foregoing evidence shows that there is differential impact of such growth.
- ARTICLE XX: Pertains to measures to be taken for protecting public morals, human, animal, plant life / health, protection of national treasures, conservation of natural resources, customary laws and intellectual property. Gender issues in agreement on trade and the agreement on agriculture fails to ensure equal treatment and non-discrimination and promote gender equality or redress historical disadvantages suffered by women and other social groups (A. 20).

The Beijing Platform of Action Fourth World Conference on Women 1995 called on governments to 'ensure national policies related to international and regional trade agreements do not have an adverse impact on women's new and traditional economic activities.' It called upon the UN General Assembly to invite WTO to explore how it can contribute to this end. Globalization presents new challenges for fulfillment and realization of goals of the 4<sup>th</sup> world conference of women. The CSW [UN Commission on Status of Women] and CEDAW Expert Committee have called upon the governments, international organizations and other stake holders to enhance market access to developing countries particularly for developing and transitional economies in sectors that provide greater employment opportunities for women and to help women owned business benefit from international trade and investment. Economic approaches to gender, trade and investment at conceptual level reveal that assessment macroeconomics performance based on conventional indicators such as GDP are incomplete because national accounts on which GDP measures are based generally ignore or under count home based production carried out primarily b women. Macroeconomic models used to formulate stabilization and adjustment policies ignore women's unpaid labour in reproductive and care giving activities and therefore fail to recognize that reduction in basic services such as health care, effectively shift the related cost from public sector to the 'reproductive' or 'care' sector mainstream macroeconomics fails to recognize that labour market are dependent on the reproductive or care sector, therefore cut back in basic services such as education and health care can have a negative effect

on the welfare of the future labour force and thus on future economic performance. Based on these insights following measures are proposed:

1. De-segregation of key variables by gender
2. Two sectors or two system approach
3. Interaction between 'paid' and 'unpaid' economies

Now there is a two way interaction between gender and trade policy. On one hand different impact on men and women and within groups of man and women and influence of gender on outcome of trade policies by affecting the supply response on the other hand is seen.

Suggestion for gender related impact on comprehensive trade reform include:

- changing patterns and conditions of paid and unpaid work
- changes in gender gaps in wages, earnings, ownership and control of assets
- changes in consumption pattern and use of technology by men and women
- change public provisioning of services and gender impact
- implication of gender differentiated empowerment

Legal analyses of gender trade and investments trade agreement expand into new sectors such as services trade related areas such as intellectual property rights indigenous knowledge, the central domain of trade policy still is the domestic regulation and the legal system.

Domestic laws and regulations are the critical tools for redressing discrimination and structural disadvantages experienced by vulnerable groups like women, children, indigenous people, and ethnic minority. Many countries have enacted laws to fulfill international obligations under treaties such as CEDAW, and commitments like Beijing platform for action and a number of 'new approaches' have been taken by law which are multi disciplinary such as international laws and international relations law and economics critical jurisprudence new stream approach feminist approach a common method of legal analysis include consideration of text of the agreement and related implementation and enforcement mechanisms possible interactions by various laws and norms that influence gender roles and women's opportunities and constraints within a particular country.

It must be examined whether a trade agreement conflicts with any of the countries international commitment to gender equality and human rights, the country's constitution, national & laws and regulation benefitting gender non discrimination and equal treatment laws affirmative action's and special treatment laws gender neutral laws gaps and biases in the implementation and enforcement religious traditional or customary laws and practices.

In poor, labour-rich developing countries, expansion of exports is related to a sustainable increase in female employment and an increase in women's share of employment at very low wages. There is indeed a statistically significant and negative correlation between women's share in employment and changes in imports. It appears that the correlation reflects a tendency for import competing industries to employ men.

## *Conclusion*

To conclude, there has been a concern that women's gains from trade liberalisation are reversed as countries upgrade their industries to higher value added and more technologically sophisticated production. The observation has caused this concern is that the share of women in employment has declined in these industries as they become more sophisticated. Moreover, a negative correlation between women's share of employment and women's relative wages indicates that as the industrial structure changes towards higher value added industries where employment seem to be gender-biased, women's relative earnings will decline. However, it should be emphasises that the impact of trade liberalisation on women's job opportunities and income is an empirical question and more empirical studies from low-income and least developed countries would be useful to shed light on the issue.

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## **Women in Education and Bureaucracy: A Case Study of Sikkim**

Sandhya Thapa

*The greater access to higher education and larger and effective participation in the decision making process are widely considered the effective means of women's empowerment. In Sikkim, the author observes, the literacy rate and access to higher education among women has risen sharply in the recent years, in research and teaching profession the women have almost caught up with the men, but the participation of women in bureaucracy, particularly in higher bureaucracy, is abysmally low.*

**[Keywords:** literacy, access to higher education, participation in research, women in teaching profession, women in *panchayat*, women in bureaucracy, national education policy, empowerment of women]

### ***Introduction***

The participation of both man and women is absolutely necessary for the development of a nation; hence, the demand for gender equality and equal representation of women in all activities, including education and employment, has been a central issue in the discourse of development. The greater access to higher education and larger and effective participation in the decision making process are widely considered the effective means of women's empowerment. In India, although there has been steady growth in literacy, women's access to higher education was comparatively gradual during the first four decades after Independence. Despite all talks of achievements in the field of higher education, there has been a huge gender-disparity at the higher level of education and in technical education. While there has been growing participation of women in the *panchyats* and administration, a large percentage of them are at lower levels. The participation of women in higher level of administration, e.g., in bureaucracy, is hugely inadequate.

In the present paper an attempt has been made to assess the position of women in higher education and bureaucracy in Sikkim. The tiny mountainous state has witnessed large-scale developmental initiatives since its merger with Union of India in 1975. At that time Sikkim was deficient in trained and educated personnel who were in great demand for the expanding

administration and democratic institutions. Keeping the growing demand for higher education in the post-merger Sikkim, Sikkim Government College was established in 1977. Since then, it has been the only premier educational institute of higher learning in the state that offers undergraduate courses in all three streams - Science, Commerce and Humanities. The other institutes of higher education came up in the state in the post-90s. Moreover, the State government has introduced a policy of reservation of 30 per cent of jobs for women of Sikkimese communities in all public sector offices and enterprises. This has created huge employment opportunity for Sikkimese women in public sector undertakings, which in turn has been a huge source of motivation for women to go for higher and technical education, which had overwhelmingly been a male domain. An endeavor has been made in this paper to assess how the women in Sikkim have responded to the employment opportunities that have been created in the areas of higher education and bureaucracy in the state. The paper is based on the data collected from Sikkim Government College and Information and Public Relation Department, Government of Sikkim and other secondary sources.

### *Education as a means to empowerment of women*

Education, particularly higher education and technical education, is the surest means to human resource development and capacity building which can bring women employment, economic self-reliance and contribute immensely to their empowerment. Stressing the importance of woman education, The United Nations Development Programme (UNDP) Human Development Report (1995) states: 'investing in woman's capabilities and empowering them to exercise their choices is not only valuable in itself, but is also the surest way to economic growth and development.' The report further states: 'Human development is impossible without gender equality. As long as women are excluded from the development process, development will remain lopsided' (ibid).

*The National Commission on Self-Employed Woman* (1987) acknowledges education as an important instrument for enhancing the chances of women's employability and for empowering them. This has also been acknowledged by the Indian Government in the National Policy on Education, 1986, where it has been mentioned that education will be used as an agent of basic change in the status of women (Agrawal and Agrawal 1994: 94-95). Education therefore, can effectively transform the women of marginalized communities, for betterment of life, social advancement and realizing social justice and gender equality. Spread of education can improve the quality of life both for educated girls and their future children. So, education can serve as a vehicle of social transformation and means of empowerment. Hence, the role of education in enhancing the status of women in the quest for gender equality is unquestionable. It is the unique and potent instrument to bridge the gap between the privileged and the unprivileged section leading to social development and progress.

In India, the entry of women into the formal education system began in the mid - nineteenth century, but it got wider acceptance only in the mid-twentieth (Desai and Thakkar 2001). The problems of education of girls acquired a new significance after the attainment of Independence. The Constitution of Indian Republic introduced in 1950 included a number of provisions which had direct bearing on education of women. *Article 15* states that state shall endeavor to provide within a period of 10 years from the commencement of the constitution, for free and compulsory education for all children until they reach the age of fourteen years. *Article*

16 imposed non- discrimination on grounds of sex in public employment. *Article 15 (3)* empowered the State to make special provisions for the welfare and development of women and children, the provision invoked to justify the provision of expanding the girl's access to education at different levels (Desai and Thakkar 2001: 47-48).

Talking about the importance of women education, the father of nation Mahatma Gandhi said: 'You educate a man, you educate an individual; if you educate a woman, you educate a family' (cited in Roy 2005). The first major step pertaining to women education in the Nehruvian era was establishing a University Education Commission (1948-49) headed by Dr. Radhakrishnan. The Commission devoted a full chapter on women's education covering the various dimensions. Asserting the significance of women's education, the commission stated: 'There cannot be educated people without educated women. If general education had to be limited to men or to women, the opportunity should be given to women, for it would most surely be passed on to the next generation' (Agrawal and Agrawal 1994: 29). The commission further says that the women are as able as men to do the same academic work, with no less thoroughness and quality (ibid, 49).

A committee (1961) appointed by the National Council on Women's Education (1958-59, Ministry of Education, Government of India) to examine comprehensively the problem of curricula for girls has claimed: 'If society is to be organized on the new basis, women will have to be given real and effective equality with man' (ibid, 43) and recommended various measures for achieving the same. The National Education Policy, 1986 accentuated the role of education for women's equality and empowerment and in its part IV entitled 'Education for Equality' it focuses on 'Education for Women's Equality'. It also states that Education will be used as an agent of basic change in the status of women...major emphasis will be laid on women's participation in vocational, technical and professional education. The policy of non-discrimination will be pursued vigorously to eliminate sex stereotyping, in vocational and professional occupations as well as in existing and emergent technologies' (ibid, 86-87).

As a consequence of various initiatives undertaken by the government, post Independent India has witnessed significant improvement in the literacy. Female literacy too has significantly increased. The overall literacy rate has jumped from 18.33 per cent in 1951 to 64.84 per cent in 2001. The literacy rate for women has also risen from very insignificant 8.86 per cent in 1951 to 53.86 per cent over the same period (Table 1). However, although there is marked improvement in the women literacy the illiteracy among the women continues to be very high. Thus, notwithstanding expansion of educational opportunities after independence more than 46 per cent of women population of the country remains illiterate (Table 1)

**Table 1: Literacy Rate by Sex in India (in percentage; 1951-2001)**

Census Year	Persons	Males	Females	Gender gap
1951	18.33	27.16	8.86	18.3
1961	28.30	40.40	15.35	25.06
1971	34.45	45.96	21.97	23.98

<b>1981</b>	43.57	56.38	29.76	26.62
<b>1991</b>	52.21	64.13	39.29	24.84
<b>2001</b>	64.84	75.26	53.67	21.59

**Source:** Census of India

In addition, although, the literacy rate of women has shown a considerable progress, the gap between male and female literacy continues to be significant and has not actually narrowed down over the years. The gender gap in literacy was 18.3 per cent in 1951, which increased to 26.62 per cent in 1981. The gap in 2001 is 21.59 per cent, which indicates persistence of wide gender disparity in literacy (Table 1). The analysis of census figures indicates that the rural-urban difference in the female literacy rates and the regional imbalances also continue.

### ***Women in higher education: The Indian scenario***

Whereas elementary education fulfills the social and human development needs and proves to be an effective means to better health and for income generation, the higher education of women promotes social and occupational mobility and leads to intellectual and personal development. The higher education is seen as a crucial step in personal, familial and societal mobility (Desai and Thakkar 2001: 57).

Although, the women literacy has improved over the years women's access to higher education was comparatively gradual during the first four decades after Independence. Despite all talks of improvement at the higher education plane, women in higher education still constitute a tiny minority. The situation in the field of technical education is no better. Although there has been considerable rise in the number of institutions exclusively for girls at the plus two and graduation levels all over the country, such institutions often suffer from inadequate enrolment and management uncertainties, thereby creating problems for the entry of girls in higher education. Further, the girls representing urban high middle and elite classes make the most of the opportunities created in the field of higher education (Rao 2005: 100). And their participation has been primarily in the feminine, non-professional and non-market courses in general education viz. in humanities and social sciences. Socio-cultural and economic factors acted as barriers to women's access to higher education and particularly in science streams and in technical education (Chanana 2004: 85).

In recent years, there has been phenomenal growth in the enrolment of women students in higher education in the country. The share of girls' enrollment, which was less than 10 per cent of the total enrolment on the eve of Independence, has increased to 41.60 percent in the beginning of the academic year 2010-11, (retrieved from [www.google.com](http://www.google.com) on 5.01.2012). There were 33.06 lakh girl students enrolled out of 83.99 lakh students in higher education in 2000-01 which works out to be 39 per cent. The share of girl students climbed up to 41.4 per cent in 2008-09. The rise in the enrollment of has been constant since 2000-01(ibid).

Another interesting dimension of women education in India is clear cut gender streamlining across disciplines. The NPE states and recommends for: '*... wider women's access to vocational, technical and professional education at all levels, breaking gender stereotypes.*' However, the



information indicates a clear gender streamlining of the courses. According to the statistics presented, a large percentage of women were in Arts courses accounting to 41.6 per cent as per the estimated figure of 1986-87. The percentage of women in professional courses like Engineering / Technology, Law, Agriculture was very low with less than 10 per cent except in medicine, where the percentage of women stood at 30.4 as per figure of 1986-87 (Agrawal and Agrawal 1994: 123-126).

However, although, there are still differences between disciplines, some of the erstwhile 'masculine' disciplines are becoming more balanced and in prestigious courses like Law, the presence of women stands at 20.8 per cent. Women have made significant inroads in courses like medicine (44.7 per cent) and in science (39.4 per cent). Their proportion in engineering courses is 22.3 per cent (Chanana 2004). Therefore, although enrolment of women in higher education has made a significant progress with more women still concentrated in the traditional female oriented programmes, the trend is changing with more women taking to science, engineering and other emerging areas of study.

One of the paradoxes of women's education in India has been that whereas literacy and elementary education which touches the mass of women presents a gloomy scenario, the picture of women in higher education is not so depressing. Chanana mentions that while the proportion of women to total enrolment was 10.9 per cent in 1950 -51, it increased to 27.2 per cent in 1980-81 and 52 per cent in 1996-97 (Desai and Thakkar 2001: 57). Another indication of the growth of women in higher education is the proportion of level wise women students in higher education. In India, women account for about 40 per cent of the undergraduate students in higher education according to published statistics for 2002-2003 (UGC). However, in comparison to undergraduate courses, women are less represented as Ph.D. students and their proportion is also lower at 38.1 per cent at the research level (Chanana 2004: 27).

### *Women in education in Sikkim*

Sikkim, nestled in the North eastern Himalaya, officially merged with India in 1975 as its twenty second state. In the post-merger Sikkim, this Himalayan state has made steady progress in the social and economic fields. The state has witnessed developmental initiatives in all sectors and rapid growth in the economic field. The modernization and expansion of bureaucratic and administrative structure have created new employment avenues in the state. The state government is committed for the cause of social justice to all sections of society including the women. Hence, development of human resources through the spread of education has been the one of the priorities of state government. There has been a significant increase in the number of educational institutions both in government and private sector in order to cater the growing need of education. The people in the state are now responding to new opportunities of development and educational Infrastructure. The women in the state have come forward to use the educational opportunities so that they can make use of the employment opportunities in administration and in other fields. The steady advance in education and employment has not only brought about economic self-reliance but the greater participation of women in administration and bureaucracy has contributed to their empowerment. The achievements of women in Sikkim in the field of education and employment have laid gender relations on a greater egalitarian term.

### 1. Literacy Scenario of Sikkim

Since, the state's merger with the Indian Union, there has been a steady increase in the educational sectors and during the past thirty years, Sikkim has witnessed a substantial improvement in the literacy rates. In addition to overall literacy rates, the female literacy profile also portrays a positive and an encouraging trend.

**Table 2: Gender gap in literacy**

Sl. No.	Area	1981	1991	2001	2006
1.	Rural	22.01	16.54	16.06	11.70
2.	Urban	16.02	11.29	08.42	06.13
3.	Sikkim	21.75	10.18	15.27	11.28

Source: Sikkim: i. A Statistical Profile, 2004-05; ii. State Socio- Economic Census, 2006, DESME, Government of Sikkim

Table 2 shows that the gender gap in terms of literacy achievement in Sikkim has gradually narrowed down, even though the rural – urban differences are striking. The gender gap has narrowed down from 22.1 per cent to 16.06 per cent between 1981 and 2001 and again to 11.70 per cent in 2006 in rural areas, whereas in urban areas the percentage came down drastically from 16.02 per cent to 8.42 per cent between the same periods and again to low as 6.13 in 2006. The gender gap in literacy rate for the state had fallen down from 21.75 per cent in 1981 to 10.18 per cent 1991, although the gap again increased to 15.27 percentage point in 2001. However, the gap came down to 11.28 percentage point in 2006. The shrinking gender gap in literacy is definitely is a positive signal and an indicator for the changing perceptions of the society towards women and the gender roles. Migration of male workers from outside the state in various developmental projects in the state partially explains the higher gender gap in literacy in 2001 census.

To augment the support of the journey of Sikkimese women towards gender equality through education, a glimpse of the literacy rates of women over the years would be highly relevant here. Tables 3 and 4 present the literacy profile of Sikkim as reflected in 1981 and 2001 censuses and in 2006. The table shows the phenomenal increase in the literacy rate of the state as a whole from 34.05 per cent in 1981 to 69.68 per cent 2001. The literacy rate increased to 86.04 per cent in 2006 in the state. The female literacy also shows an encouraging trend with a jump from 22.20 per cent in 1981 to 61.46 per cent in 2001, i.e. almost three times within a span of twenty years. The figure went up to 74.76 per cent in 2006.

It would be interesting to take note of the rural-urban divide in literacy in the state. The rural literacy rate has increased substantially from 30.05 per cent in 1981 to 67.67 per cent in 2001. The female literacy in the rural areas in the same period has risen more than three times from 18.24 per cent in 1981 to 59.05 per cent in 2001 (Table 3). The literacy rate rose to 79.82 per cent in 2006 (Table 4).

**Table 3: Literacy Profile (1981, 1991, 2001 census)**

Area	1981			1991			2001		
	Male	Female	Total	Male	Female	Total	Male	Female	Total
Rural	40.25	18.24	30.05	51.94	35.40	44.14	75.11	59.05	67.67
Urban	61.44	45.42	54.86	74.69	63.40	69.85	88.61	80.19	84.82
Sikkim	43.95	22.20	34.05	56.94	46.76	56.94	76.73	61.46	69.68

Source: Sikkim: A Statistical Profile, 2004-05, DESME Government of Sikkim

The urban literacy scenario is definitely better than the rural picture. The overall literacy in the urban Sikkim has risen from 54.86 per cent in 1981 to 84.82 per cent in 2001 and again to 89.42 per cent in 2006; a remarkable achievement in literacy, no doubt. The female literacy has also recorded a satisfactory rise. The female literacy in the urban area has improved substantially from 45.42 per cent in 1981 to 80.19 per cent in 2001. The figure for 2006 is 86.10 per cent ( Tables 3 and 4).

**Table 4: Literacy Rate in Sikkim, 2006 (In percentage).**

Particulars	Total	Male	Female
Total	80.66	86.04	74.76
Rural	79.82	85.42	73.72
Urban	89.41	92.23	86.10

Source: State Socio- Economic Census, DESME, Government of Sikkim.

Thus, achievements in the field of literacy and female literacy are remarkable in the state in the recent years. In quest of economic independence, better status and societal mobility, the growing fascination and absorption of Sikkimese women in the government service and in other service sector have further enhanced the importance of education among all the sections of state population. Over the years, the growing awareness of women for elementary and higher education must have its impact on the women's roles and the statuses among all sections of state population. One can illustrate this point with a case study of Sikkim Government College. It would be interesting to note that the premiere institute of higher education has grown in importance and stature with the growing aspirations of the Sikkimese in the field of higher education.

## ***2. Gender ratio among the college teachers***

In order to cater to the growing need of higher education in the state, special emphasis was laid on the development of educational infrastructure after the merger of Sikkim with India. Sikkim Government College established in 1977, was the product of vision of democratic Sikkim to provide the facilities of higher learning to the masses of Sikkim. The government college is running under-graduate courses in science, commerce, humanities and tourism courses with the largest teaching faculty.

An analysis of the table (5) on sex break up of faculty in the college tells us that it has faculty strength of 83, taking all streams together. Of the total faculty, 30 have been appointed on ad hoc basis. The men and women teachers are equal in number among the ad-hoc teachers. The high percentage share of ad-hoc teachers (36 per cent of the total teachers) indicates that the government follows a conservative policy in appointing teachers on permanent basis. One of the obvious reasons of casualisation of college teachers is the preference accorded to the local (Sikkimese) candidates.

The state which was officially merged with India in 1975 has experienced development in all spheres in the post-merger era. Simultaneously, the state also witnessed the multiplication of population vis-a-vis the growing awareness and development of human resources in recent years, which resulted in escalating resource competition within the state. Consequently, the state government has adopted the 'policy of preferential treatment for locals' in all socio-economic and political fronts in order to guarantee protection for locals. The non-local teachers are mostly appointed on ad-hoc basis. The share of 'outsiders' among the teacher is dwindling over the years with the spread of higher education among the Sikkimese. The local too are appointed as faculty on ad-hoc basis, when they lack UGC-set qualification or when adequate permanent posts are not sanctioned by the government.

**Table 5: Men-women ratio among the faculty in Sikkim Government College**

<b>Designation</b>	<b>Men</b>	<b>%</b>	<b>Women</b>	<b>%</b>	<b>Total (%)</b>
Principal	1	100	-	-	1 (100)
Reader/Selection Grade	12	60	08	40	20 (100)
Lecturer	14	48.27	15	51.72	29 (100)
Resource person for regional Languages	02	66.66	01	33.33	03 (100)
<b>Total (Regular)</b>	<b>29</b>	<b>54.71</b>	<b>24</b>	<b>45.28</b>	<b>53 (100)</b>
*Ad Hoc. /part time	15	50	15	50	30 (100)
<b>Grand Total</b>	<b>44</b>	<b>53.01</b>	<b>39</b>	<b>46.98</b>	<b>83 (100)</b>

\*36.1 per cent of total

Source: Office of the Principal, Sikkim Government College, (December, 2009)

The strength of women teachers in higher education of Sikkim stands at marginally lower than that of men teachers. The share of women teachers is 47 per cent as against 53 of men teachers. Among the permanent teachers the share of women teachers stands at 45 per cent as against 55 men teachers. Thus although the male domination is yet to be reversed the women are fairly represented in teaching faculty of Sikkim Government College. If we take the senior positions, e.g., the grades of Reader and Selection grade lecturers, the share of men and women teachers is 60: 40. The presence of more women in the lecturer grade indicates that in recent years women are better prepared to compete with men candidates, which would not have been possible, had the Sikkimese women not pursued higher education and quality education. The situation presents a bright signal and is prognostic of gender equity and equal representation of women in later years even in the senior positions.

We inquired if this gender parity has been evenly maintained across the disciplines. Here we came across some interesting results. Table 6 presents a fascinating revelation that in spite of the encouraging trend of gender equity in overall figures, there are clear cut gender streamlining and stereo types across the disciplines. Although the numbers of women teachers are at par with men in aggregate, the science stream especially physics, mathematics and chemistry departments are marked by total absence of women teachers even on ad hoc basis. However, life sciences department like zoology and botany presents an encouraging scenario (Table 6). It has maintained favorable ratio where the women teachers exceeds the men counterparts. Women teachers have no presence in commerce department. Therefore the departments like physics, mathematics, chemistry and commerce appear more like masculine than feminine disciplines.

**Table 6: Sex break up and Stream-wise faculty members (Sikkim Government College).**

Faculty/Department	Regular Faculty					Ad-Hoc		Total
	M	F	Ph. D.			M	F	
			M	F	Total			
Physics	44	-	02	-	02	-	-	04
Chemistry	03	-	02	-	02	02	01	06
Mathematics	22	-	01	-	01	02	-	04
Botany/Zoology/ Envs	04	04	04	03	06	03	05	16
Commerce	02	-	01	-	01	01	-	03
Hum / Social Sciences / Tourism*	14	20	02	09	11	07	9	50
Grand Total	29	24	12 (50%)	12 (50%)	24 (100)	15	15	83

\* Inclusive of Principal, those on deputation & Resource Persons in Regional Languages  
Source: Office of the Principal, Sikkim Government College ( December,2009).

In contrast to science and commerce streams, the social sciences/humanities streams present a picture where we can see greater gender parity and some of the departments even appear to be feminine disciplines. Out of total 34 teachers in social science and humanities streams in the regular category, 14 are men and 20 are women.

### 3. Participation in research

Research degrees are increasingly becoming important for recruitment and promotion for teachers in colleges and universities primarily because of norms set by the University Grants Commission. Research for Ph. Ds is highly valued activity for both man and women faculty. Research provides passport for upward mobility and is the primary qualifications for visibility and advancement within university system and one's own profession.

Four male teachers in pure science departments, viz., physics, chemistry and mathematics and all male teachers in life science departments hold Ph. D. degree and are involved in some kind of research projects. In life science departments, zoology and botany, out of four regular women teachers, three hold Ph. D. degree and one is on the verge of accomplishing it.

In commerce section, one holds the Ph. D. degree and one is pursuing research for the same. In the social science and humanities streams there is numerical domination of the women teachers and women teachers with the Ph. D. degree. Out of fourteen men teachers only two hold Ph.D. whereas nine out of twenty women teachers are the proud holders of this degree.

Therefore, women teachers have an edge-over not only in terms of number but also in terms of accomplishing the research degree. This is an indication that women in the higher education are gearing up to take more challenges and are preparing the ground for upward mobility in the college and university system.

Taking all the permanent teachers together the percentage of women Ph. D. holders stands exactly equal to that of men (Table 6), and this is one field where there is no gender inequality. However, gender stereotyping becomes clear when we see the dominance of men both in number and in terms of holding Ph. D. in science commerce streams. The share of women in life sciences is substantial both in terms of number and higher academic achievement.

### ***Men-women ratio in administration***

The cry for gender equality and equal representation of women in all spheres including education and employment is becoming stronger over the years. It has been observed that women's access to higher education has increased significantly in India as well as in the state of Sikkim. However, notwithstanding an increased access and participation of women in the higher education, the percentage of women at senior managerial level is still very low. In Sikkim, at the entry level, or at the lower level of administration, the presence of women is favourable, but, the gender disparity appears wide when we consider the participation of women in the academic leadership, administration and managerial positions. Data presented in table 7 suggest that women are not fairly represented in academic leadership as the Principal.

**Table 7: Principals in Government Colleges of Sikkim since establishment**

Sl No.	Institution	Year of Est.	Principal	
			Men	Women
1	Sikkim Government College	1978	06	-
2.	Namchi Government College	1994	03	-
3.	Renock Government College	2005	01	*01

\*First Woman Principal appointed in April, 2009

Sikkim Government College, which is the oldest institution of higher learning in the state, had six principals in its 33 years of existence, but none of them was woman. However, the college has witnessed woman vice-principals in between. Namchi Government College, established in 1994, has been administered by three principals, all men. Renock Government College, established in 2005, has been headed by a woman principal since 2009. This is one welcome exception.

### ***Women in bureaucracy***

There is a fundamental transformation in gender relations in the contemporary world, particularly in the economic life and in social relations. The major factors that have

contributed to change in gender relations are women's achievements in education, women's growing participation in paid employment and their greater representation in decision-making bodies. These changes have wide ranging implications for deciding the position of women in society.

Table 8 shows that the presence of women in the highest level of bureaucracy in Sikkim, as elsewhere, is still insignificant. Women represent not more than 8% in the category of IAS, IPS and IFS officers. However, the under-representation of women in the highest level of bureaucracy is only a part of the story. With the preferential policy of the state government for the locals and with no social bar on the Sikkimese women to work, the women should have been better represented in State Civil Service Cadre.

State government's policy of reservation of 30 per cent of government jobs for Sikkimese women is likely to boost the participation of women in these jobs and in State Civil Services. The spread of higher education among women is also likely to make the women more visible in service sector jobs and in administrative positions in the state. Following this, the representation of Sikkimese women in government service has been increasing over the years (Human Development Report 2001).

Hence, although, the representation of women in the highest level of bureaucracy is still low compared to the representation of men, this should not be taken as the discouraging situation at this nascent stage of the development. The general trend in Sikkim indicates that women are now opting for more challenging responsibilities in the areas that had conventionally been the male domain. The general awareness among the Sikkimese in general for education and the need for economic independence for the women obviously has its reflections on the status of women in Sikkim.

A look at the gender composition of group A & B officers (see Table 8) in the state shows that women have a marginal presence among the IAS, IPS & IFS officers in the state. Against the backdrop of reservation of 30 of seats reserved for women in State, the state Civil Service has a fair representation of 34.4 per cent women officers, whereas the State police Service is underrepresented by women despite reservation. All the engineering services - civil, mechanical and electrical - and State Forest Service have very low representation of women.

This truly speaks of the facts that the Sikkimese women have yet to break the gender stereotypes. State Agricultural Engineering Service is the domain, where women have 27 per cent representation. One area which has a significant 47 per cent women officers in Group A and B is the State Health Services which is the second highest among all categories. State Stenographer Service is the one having highest women officers who constitute 68 per cent of all officers. Overall, in spite of the 30 per cent reservation in public employment, women's represent is only 21 per cent of the total officers in Group A and B. State Nursing Service is the only area where there is 100 per cent representation of women in both group A and B categories.

**Table 8: Women officers in Group A & B Category**

Group A & B Officers	Men	Women	Total	% Of Women
Indian Administrative Service	34	3	37	8.1
Indian Police Service	28	2	30	6.6
Indian Forest Service	22	2	24	8.3
State Civil Service	169	89	258	34.4

State Police Service	67	2	69	2.89
State Finance & Accnt. Service	112	23	135	17.03
State Engineering Service ( C)	194	11	205	5.3
State Engineering Service ( E)	99	4	103	3.8
State Engineering Service ( M)	41	1	42	2.3
State Forest Service	97	5	102	4.9
State Education Service	41	9	50	18
State Cooperative Service	60	6	66	9
State Directorate& Misc. Service	81	13	94	13.8
Private Secretary toHM &DM Service	15	1	16	6.2
State Health Service	117	105	222	47.2
State Agricultural Service	121	23	144	6.2
Animal Husbandary& Vetr. Services	46	20	66	30.3
Mines and Geology Service	17	0	17	0
Information Technology Service	13	3	16	18.7
State Nursing Service	0	34	34	100
State Para Medical Srv.	25	11	36	30.5
Dirct. Of Handicrafts & Handloom Serv.	9	0	9	0
State Weights & Measures Serv	6	0	6	0
State Excise Service	8	0	8	0
State Architecture Serv.	9	2	11	18.1
State Statistical Service	27	6	33	18.1
Science & Technology Serv.	3	2	5	40
Land Revenue Service	9	0	9	0
Feed & Fodder Service	3	1	4	25
State Fisheries Service	10	0	10	0
State Labour Service	6	0	6	0
State Agr. Engineering Service.	8	3	11	27.2
State Legal Service	4	1	5	20
State Stenographer Service	8	17	25	68
Officer other than Organized Service	12	4	16	25
Total	1521	403	1924	20.9

Source: Information and Public Relation Department, Government of Sikkim, 2009

Overall, going by the trend of women's participation to work one can say although very gradually, the women of Sikkim are preparing themselves well for serving in higher positions as officers in state bureaucracy and challenge the male hegemony in this field. The spread of higher education and change in women's self perception are helping their cause.

## Conclusion



One striking development in the field of literacy in Sikkim over the last three decades has been a noteworthy increase in the literacy rate. The increase in literacy rate has been noticed both in rural and urban areas for the population as a whole and for the women, in particular. This has been the overall response of the state and the Sikkimese population to the development opportunities opened up in the post-merger period. While educational infrastructure has been strengthened, the people in the state have shown serious interest in education so that that can avail of the development opportunities.

The case study of Sikkim Government College, the premier institute of higher learning in the state, reveals that women are fairly represented as the faculty and the trend shows more women are entering the profession equipped with the required educational qualifications. However, the gender wise break up shows that although women are present in substantive number in the teaching faculty, there is clear gender streamlining across the disciplines. The science departments and commerce departments are clearly marked by the absence of women teachers, whereas life science department is more balanced in terms of ratio of male-female teachers and also in terms of teachers holding Ph. D. degree. The humanities and social science stream has favorable presence of women teachers and thus qualify to be called “feminine discipline”. In this college the women teachers are ahead of men teachers in terms of holding of research degree. However, more women are clustered in lower and junior position at the moment. The presence of women in junior position can be read as a positive indication since in a few years from now there will be more women in the higher positions as well. They will take the advantage of promotional avenues.

Despite considerable presence of women in teaching faculty, all colleges in Sikkim is marked by the absence of women in administration and senior academic leadership. However, the appointment of first woman Principal in Renock College recently could be a trend changer. This would motivate woman teachers to take up more challenging administrative and academic responsibilities in near future. With more women pursuing higher education, there will be greater representation of women in positions of academic and administrative leadership in the years to come.

The representation of women in IAS, IPS & IFS, the central cadres in bureaucracy, is marginal. The state has reserved 30 per cent of the positions in all cadres of state public employment, which seems to have benefitted the Sikkimese women. The state civil service has fair representation of women as 34.4 per cent of officers are women, but the state police service is underrepresented by women in spite of reservation. All the engineering services, civil, mechanical and electrical, and state forest services have very low representation of women. Thus, the Sikkimese women are yet to break the gender stereotypes. State Agricultural Engineering Service is an area where women have fair representation. In overall, the women constitute only 20 per cent of group A & B officers, which is far below 30 of reserved positions in public sector employment. However, slow but steadily the women are coming out of traditional shackles to take up the challenges and opportunities unleashed by the development initiatives in the post-merger Sikkim. One can also see the gradual break down of the gender stereo types across various professions.

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## **Footloose and Fragmented: A Sociological Discourse on the Female Domestic Labour Migration out of Bengal**

Aparna Chatterjee

*In India and in any other developing countries one of the side effects of unprecedented population growth and lack of growth in formal industrial sector is rapid increase in internal migratory movement. Almost all Indian women migrate at least once in their life when they leave their natal home after marriage. As a footloose commodity in the labour market, female work forces a far more critical estrangement. Migration as a transforming experience can improve or worsen the position of women in families and society. The consequent feeling of insecurity and loneliness rings with a hopeless fear of losing their dignity and control over their bodies. This paper seeks to explore, with sociological inputs, the locations and dislocations of the female labour force, which is in the constant flux of migration out of Bengal.*

[Key words: female labour force, female migration from Bengal, marriage-migration, sequential migration]

### ***Female domestic labour migration out of Bengal***

The United Nations Multilingual Demographic Dictionary defines migration as a form of geographical mobility or spatial mobility from one geographic unit to another, generally involving a change in residence from the place of origin or place of departure to the place of destination or place of arrival. The life-time migration, tabulated by place of birth separately for males and female, reveals that females predominate among the migrants. But when the scope of migratory movements increases the percentage of female migrants among the local migrants drops, which indicates that female migration is to a great extent short-distance migration. The large percentage of short distance female migration is mainly due to marriage (Bose 2008).

Field survey in Coachbehar and Bnakura, two extreme side districts of West Bengal, shows that the basic and most important reasons of migration are poverty and unemployment at the place of origin. Therefore to meet food deficit and to meet other needs they undertake migration as a livelihood strategy. Over 90 per cent families of both the districts are near landless. They therefore are not self-sufficient in food-production. Sufficient employment opportunities are not available in these areas. Thus for the sake of survival they migrate to prosperous regions and states. Generally rural out migration from West Bengal has contributed to the prosperity of urban formal and informal sectors in the states of Rajasthan, Gujrat, Delhi, Karnataka and Kerala and so on.

If we look at the nature, pattern and impact of migration in these two districts we would see that the majority of the migrants belong to the age group of 15 – 30 years. On the whole, nearly 96 per cent members were found to remain engaged in wage employment and only four per cent were engaged in self-employment. Most of the workers in this come from marginal farmer and landless households. Thus, massive underemployment and unemployment was found to be a powerful push factor for migration. Compared to the place of origin, the migrants had higher level of income at their destination. On the negative side, the children migrated along with adult male or female members were deprived of basic education, besides experiencing many other forms of socio-cultural deprivation (Bagchi 2010).

For migratory women in their place of destination employment opportunity is available throughout the year in construction, brick kilns and as a domestic labour which is my main focus area in this study.

The term 'labour force' is equivalent to 'economically active population'. The Multilingual Demographic Dictionary states that the working population consists of those individuals who take part in the production of economic goods and services including family workers in an economic enterprise as well as persons who work for pay or profit. According to this definition, home-makers, engaged in household duties in their own home are not considered as 'economically active'. But domestic helps (working for wage) however are classified as economically active. Now the problem is that in most countries census statistics are likely to understate the number of economically active women, as they are unpaid family workers. Even some economists distinguish between 'production for self-consumption' and 'production for the market'. Only the latter is counted as 'work'. Thus much of the 'work' that women do in household industries if unpaid is not recognised as 'work' in the data system. As the majority of women are house-wives, they are engaged in productive activities only inside their homes. Despite the fact that they undertake the important jobs of child-bearing, child rearing and home-making, they are not considered to be the economically active. They are however certainly not dependent on the economy as the children and the aged one (Root 1991).

Female migration cannot be understood without relating it to the dynamics of gender relations in the family and labour market. Female migration is different due to the differences in the set of motivational social factors associated with the migration of women. Women are generally neglected due to their secondary migrant status which emanates from the assumption of a subsidiary income position of women. Against this backdrop, I would highlight female labour migration focusing on the Bengali marriage migrants who give their lifelong labour and productivity to the family and society yet remain unpaid on the one hand and on the other hand out migration of Bengali women as domestic labours, who despite being paid workers go without any social security.

While studying migration it is important to find out why some people migrate and others do not. In other words it is necessary to study the motivational factors associated with migratory movements. There are numerous factors which act to drive away the people from the area or to hold the people in the area or to attract the people to it. In this respect there are significant differences between the factors associated with the area of origin and those associated with the area of destination. It is also apparent that in most areas migrations occurs not because of either push or pull factors alone but as a result of combined effect of both (Rao 1986).

Another point to be taken into consideration is that not all migrants migrate as a result of their own decision; the children who move along with their parents and wives who follow their husbands do not have a say in the process of migration. Such type of migration is called sequential migration. And while cross regional and cross cultural marriage appear to be occurring more often in general, many more such brides happen to be Bengali who seem to be migrating to far-flung and culturally strange destinations away from their own homeland. The presence of Bengali brides has been reported in Haryana, Punjab, Uttar Pradesh (UP), Gujarat, Rajasthan and Kashmir. The question then is, what are the underlying reasons for this 'Bengali bridal diaspora'? Study by Neela Mukherjee shows that in two female deficient states of the country, Haryana and UP, almost 40 per cent of the brides out of a sample of 482 couples are Bengali.

The two most important reasons for such marriage migration from Bengal are poverty and dowry. Bengal remains one of the poorest states in the country. More than 40 per cent of people in the state live below the poverty line – a clear indication of the failure of development and the precariousness of livelihood for a large member of families, especially the female members. Data show that most women migrating for marriage are from 'poor working class families'. On many occasions, they are constrained to marry men who have some 'disadvantages'. Unable to find local brides in Haryana and Punjab such men look outside the state - West Bengal is a popular destination - for marriage (Mukherjee 2007).

For the impoverished Bengali women such long distance marriages are 'dowry less' and even the marriage expenditure is taken care of by their grooms. Such 'zero cost' marriages are acceptable for the girls' parents as a local marriage would have meant a significant drain of household resources.

But poverty alone does not give us the entire explanation, as poverty statistics for some other states, especially Bihar and Assam, are even worse than that of Bengal. Assam joins Bengal in sending some of the daughters out as brides, however, Bihar, equally or more poor, appear to send off fewer women as brides. It is probable that while Bengal is less obsessed with caste and caste endogamy the caste-conscious Biharis prefer to marry within their own castes and communities? More Bihari men migrate out for work but bring their wives from within Bihar and from their own caste when they eventually marry (Roy 1990).

A more robust explanation, according to Ravinder Kaur, lies in family livelihood strategies. As a rationally worked out strategy the impoverished families marry one daughter in West Bengal paying dowry beyond means and send the rest outside the state as marriage migrants. It is not that Bengali women do not migrate out for work—they are found to be working as domestic workers in many parts of the country. However, migrating as a bride achieves both marriage and work. Here sexual and reproductive labour combine with economic labour pointing to the increasingly complex form of migration in which women are used as

commodities. The percentage of domestic workers in total female employment in the service sector increased from 11.8 per cent in 1999 – 2000 to 27.1 per cent in 2004 – 2005 (Kaur 2010).

Paid domestic service falls in the informal sector which is most exploitative with long working hours, low wages and absence of social security provision. Industrialisation and urbanization are the factors that encourage the growth of domestic service, with a 'servant employing' middle class and a surplus of unskilled workers. The increase in demands for domestic workers can also be related to the emergence of dual careers as a new family norm by employing someone to take care of the household tasks, the double burden on middle class women is reduced without disturbing the traditional patriarchy.

Poor women from landless households of West Bengal are migrating in large numbers in search of secure livelihoods. Why do these poor women migrate leaving their near and dear ones behind? What kind of situations are they faced with, how do they adjust to such different and difficult circumstances and does migration enhance their social position? Such migrants were the residents of the districts of West Bengal such as Nadia, Hoogly, Burdwan, Darjeeling, Jalpaiguri, Midnapore, 24 Parganas and so on. As field evidence shows there is systematic uncertainty and vulnerability of livelihoods and food insecurity faced by poor women from many parts especially those from rural and semi-urban Bengal. As per published data the state of West Bengal can be considered as positioned in the middle rank, as far as ranking of socio-economic indicators for the major states are concerned, with a rank of 9<sup>th</sup> in head count index of poverty, 10<sup>th</sup> position in terms of growth of state domestic products, 11<sup>th</sup> in terms of infant mortality ratio and 7<sup>th</sup> for female literacy amongst 16 major states of India (Dasgupta 1989).

The depressed job markets at grass-root level, structural changes in the agrarian sector, new technologies, gradual marginalisation of women labour and absence of proper policies and strategies for landless households as well as poor women, push them to migrate to affluent cities. With their low level education and skill women get employed in the domestic sectors as maids, cooks, private nurse for taking care of the sick and aged or to take care of children (Sundari 2007).

### *Difficulties faced*

Migration of women, with insignificant control over resources, material or human, involves a great deal of uncertainties and insecurity. At least in the initial years of their migration when they have to confront many difficulties they find the adaptation tough. Here are some difficulties they usually face.

- (1) Domestic work occurs in isolated, largely non-regulated and privatised environment and most domestic workers negotiate job terms and pay on an individual basis.

- (2) The working hours of domestic workers also vary. Research on domestic workers suggests that many workers suffer from occupational health problems especially backaches, joint pains and allergies.

- (3) The women live with worries about their family members who live away from them in their poverty stricken surroundings at the place of origin.

(4) There is no provision for social security in terms of provident fund, health insurance or pension; the irregular nature of job and low wages prevent them having a decent living for themselves and their families back home.

(5) The conditions of work and lower socio-economic status make these workers vulnerable to physical and sexual exploitation and assault, which remains largely under-reported.

### *Society and Social Networking*

During the past few years there has been an upsurge in the number of agencies supplying domestic workers especially in metropolitan cities. Since agencies differ considerably in terms of functioning, doubts are often raised about the genuineness and method of functioning of these organisations. Single women migrants depend on these agencies as they are unaware of the dispersed employment opportunities in the city. It is widely documented that a large number of agencies take undue advantage of the illiteracy and ignorance of these workers. The existence of various layers of recruitment agents and the system of advance payments adds to the complexity. Migration of domestic service is found to be largely a female-driven phenomenon, based on personal and social relationships. Social networking which is largely female-centred is found to influence the migration decision, the process of migration and also the day-to-day life of the migrants. Support is extended to the migrant family either by relatives or even by people from the same village, which results in a chain migration of workers from rural to urban areas. Women domestics during their visit to native places spread the information on the possibility of migration and employment opportunities among relatives and friends. Apart from job seeking they are the most important source in introducing the new domestic employers and to overcome the language barriers. Since leave is limited and travel is expensive such support is very important for them. Slums are normally places of regular conflict between the dwellers, police and urban development authorities. There is no safety of money. There over threats come from male members who are unemployed. In this situation, especially in the absence of any social care and support these women help each other, celebrate cultural occasions and bring some sense of solidarity and collectivity among them. The role of the agency networks are found to be important in the process of migration and entry to work. The informal movement of workers is organised through agency and thus act as the central agency between the employers and domestic workers (Patriwala 2008).

A look into the occupational pattern of the male family members of domestics would show that a majority of them are engaged as casual wage labour or in informal sector activities such as hawkers, rickshaw pullers, factory workers, fish vendor, petty trade and other activities and a considerable share of the income of men is spent on consumption of alcohol and intoxicants. The share of women's contribution to the actual family income is much higher which makes them primary bread-earners.

But despite women's considerable contribution to family income and survival, social control remains the domain of the male member, the husband in most cases. Patriarchal relations are visible in terms of violence against women.

### *Need for Regulations*

Due to collective struggles, some interventions have come through in a few states. In Karnataka, Maharashtra and Rajasthan domestic work is now included under the minimum wages notification. In Tamilnadu domestic work is added to the scheduled list under the manual workers Act 1982. However, even in Karnataka which is the first state to fix minimum wages for domestic workers and has a strong organisational backing of domestic workers, the legislative benefits are yet to reach a large chunk of workers. Lakhs of women and girls turn to domestic work as one of the few options available to them in order to provide for themselves and their family. This definitely poses serious concerns in terms of women's work and employment (Neetha 2008).

Domestic workers have been excluded from even a basic labour law like the Minimum Wage Act. The first attempt to regularise domestic work, i.e., the drafting of the Domestic Workers' Bill 1959 is now a matter of history. Along with the efforts to include domestic workers in the pending Unorganised Sector Workers' Bill (2004) there are also demands for a separate bill which would address the special employment conditions of this category of work. In this context, the bill framed by the National Commission for Women deserves special mention.

### ***Conclusion***

Domestic work in itself has undergone tremendous change. In modern system of domestic work, a large number of workers undertake heterogeneous work in different households. This system of 'part-time domestic work' is typically associated with the phenomenon of urbanisation and the emergence of modern nuclear middleclass families. The increased demand for domestic workers has also been related to the reduction in provision of public social services which has forced families to depend on market oriented care services, especially when women members are employed outside home.

Nevertheless migration is also a terrain where gender relations are negotiated. The before and after migration experience of women domestics, the shift from old world values, customs, habits and traditions and the demands of the new place redefine and reposition their status within home and in the community.

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