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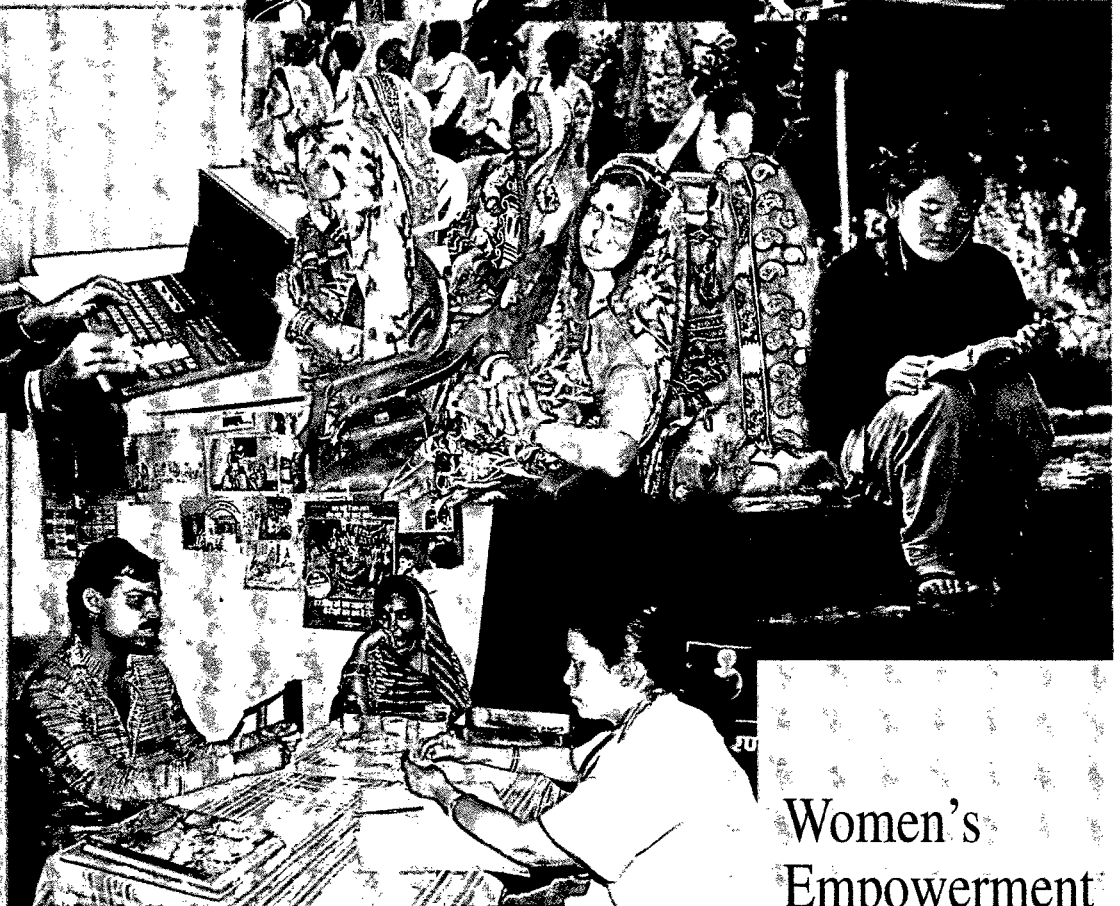
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Women's  
Empowerment

# IAS - 2001 - 02

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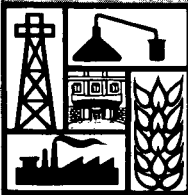
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*Let noble thoughts come to  
us from every side.*

—*Rigved*

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*...and miles to go...*

"There is no chance for the welfare of the world unless the condition of women is improved. It is not possible for a bird to fly on one wing".

*Swami Vivekananda*

**F**ETTERS impede movement, removing them gives it the wings. Just so the case of empowerment. A vast segment of our womenfolk is paying the price of some legacies of history, culture and societal traits. This process has done us enough harm. Hence the crying need for calling it a halt. The issue of empowerment of women, which has been calling attention all over, has rightly drawn the attention of the government.

Because of its great significance in our national life this is the theme of our special issue. We have invited learned authors to share their studied views with our readers. The canvas is wide. Creating awareness about the rights and opportunities, legal means and enforcement, monitoring redressal, economic empowerment paving the way for economic independence, the question of reservation in economic and political sphere, need to inject self esteem and confidence, seeking a structural change to improve the bargaining power and autonomy, extension of social infrastructure like education, health, nutritional requirements and related aspects, attempting gender mainstreaming underlining an attitudinal change, have found expression in the articles in the next few pages.

### About the Issue

What is interesting is that it is the first time ever that all the contributors to this special independence day issue are women authors.

# Philosophy, Goals and Achievements

Sumitra Mahajan

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**Moving towards gender equality is not a technocratic goal, it is a political process. It requires a new way of thinking in which, women and men give way to a new philosophy that regards all people, irrespective of gender, as essential agents of change.**

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IT IS very likely that history would judge progress of this century on one major yardstick and that would be the issue of equity. The rapid pace at which countries have attained economic growth, the question of equity becomes much more pertinent. The most persistent form of this is visible in terms of gender disparity.

It was, I think, last year when I was trying to devise a strategy to grapple with several negative developments severely affecting women's position in India, that I approached the Honorable Prime Minister with a request to announce 2001, as the year for women empowerment so as to bring at the center-stage the positive achievements of women working in different sectors in India. We established five Stree Shakti Puruskar for the same purpose. While giving away these

awards, Prime Minister launched the Women Empowerment Year in last January.

It is worth mentioning here that, empowering women has largely been achieved in almost all the countries as part of a civil society movement. However, in India it had largely been part of the development philosophy itself.

Moving towards gender equality is not a technocratic goal, it is a political process. It requires a new way of thinking in which, women and men give away to a new philosophy that regards all people, irrespective of gender, as essential agents of change. In this context the human development paradigm of "Ekatmavaad", as proposed by Shree Deen Dayal Upadhyay, which puts people at the centre of integrated development, becomes very relevant. It suggests that for optimal growth development policy should be fully engendered.

In 1792 Mary Wollstonecraft published A Vindication of the Rights of Woman, arguing that it is not charity that is wanting in the world, it is justice. The book traces the women's struggle for rights in different countries. The struggle entered a new phase in the 1800s. England had to reform laws governing marriage. France had to recognize women's rights to divorce. China had to allow women to hold office. New Zealand in 1893 became the first country to extend the right to vote to women. In the first decade of the 20th century women's movements gathered strength in several countries, including China, Iran, Japan, Korea etc. In the first four decades women got the vote in countries ranging from Austria, Germany to Turkey and Uruguay. Around the same time Margaret Sanger in the US, Allen Key in Sweden and Shizue Ishimoto in Japan launched campaign for reproductive rights for women.

However, any attempt for empowerment would have to embrace at least the following three principles:

- (a) equality of rights between women and men must be enshrined as a fundamental principle. Legal, economic, political or cultural barriers that prevent the exercise of equal

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Mrs Sumitra Mahajan is Minister of State for HRD in the Dept. of Women and Child Development.

rights should be identified and removed through comprehensive policy reforms and strong affirmative action.

## **The Human Development Report 1995 estimated that women spend two-thirds of their working hours on unpaid work ...**

(b) women must be regarded as agents and beneficiaries of change. Investing in women's capabilities and empowering them to exercise their choices is not only valuable in itself but is also surest way to contribute to economic growth and overall development.

(c) the engendered development model, though aiming to widen choices for both women and men, should not predetermine how different cultures and different societies exercise these choices. What is important is that equal opportunities to make a choice exist for both women and men.

But in almost all societies the gender division of labour hands the responsibility for caring labour to women, much of it without remuneration in the family or as voluntary activity in the community. The Human Development Report 1995 estimated that women spend two-thirds of their working hours on unpaid work (men spend just a fourth), and most of those hours are for caring work. The hours are long and the work physically hard—fetching water and fuel, for example—especially in rural areas for developing countries. In Nepal women work 21 more hours each week than men, and in India, 12

hours. In Kenya 8 to 14 year old girls spend 5 hours more on household chores than boys. These inequalities in burden are an important part of the obstacles women face in their life choices and opportunities.

In this regard, one must not forget that human development is nourished not only by expanding incomes, schooling, health, empowerment and a clean environment but also by care. And the essence of care is in the human bonds that it creates and supplies. Care, sometimes referred to as social reproduction, is also essential for economic sustainability. Globalisation is putting a squeeze on care and caring labour. Changes in the way that men and women use their time put a squeeze on the time available for care. The fiscal pressures on the state put a resource squeeze on public spending on care services. And the wage gap between the tradable and non-tradable sectors puts an incentive squeeze on the supply of care services in the market. Gender is a major factor in all these impacts, because women the world over carry the main responsibility for these activities, and most of the burden.

Economic empowerment is the one dimension of development, which cannot be overlooked, in any developing society. Through Rashtriya Mahila Kosh (RMK) government has launched several new initiatives and has tried to strengthen the micro credit programme for gender development. Economic development would not be complete if access to resources is not ensured. One important constituent is technology. UN commission on science and technology for development rightly mentions in the 'Missing

Links', 1995, "the development and implementation of science and technology should be located in the social and cultural context that recognize gendered differences in the use of access to science and technology and how women use S & T to support their environmentally based responsibilities and expertise. It is our experience in rural lives that one may suggest with some certainty that there are a lot of activities where women contribute most, for instance in preservation and conservation of indigenous knowledge system." We all know for quite some time that traditional medicines, micro level food security, seed conservation, energy management and even entrepreneurship are some of the endeavors which women have been managing in society for quite sometime now. However, we would have to rejuvenate all these efforts to add new dimensions to these traditional roles of women and get in more inputs from modern science and technology. In this regard, our Department would establish Rural Technology Centre in selected villages in collaboration with Ministry of Rural Development and Department of Science and Technology.

## **These inequalities in burden are an important part of the obstacles women face in their life choices and opportunities.**

The second important component of our policy thrust is to prevent and completely check atrocities against women. There are several forms in which they have gone up, female foeticide is one of them. Government has initiated

several measures to check them.

In India the law treats women and men as enjoying equal rights. Focussing on gender issues in the

### **Rashtriya Mahila Kosh was created in 1993 to meet the micro credit needs of poor and asset-less women in the informal sector.**

context of the social sector development means empowering women as agents of socio-economic change. Women and children, who represent 67.7 per cent of the country's total population, constitute the most important target groups in the present day context of developmental planning. It is urgently felt that women be empowered economically and socially to become a strong and vigorous force in the development of the country. A task force on Women and Children has been constituted to review the existing legislation and the government schemes for improving the asset base of women to improve their social status.

The Ninth Plan (1997-2002) specifically stipulated identifying 'Women Component Plans' for which at least 30 per cent of funds should flow to women development schemes. There are women specific welfare schemes/programmes that receive funds under the annual budgetary allocations such as Mahila Samridhi Yojana, Balika Samridhi Yojana, Working Women's Hostels, Swashakti Project, and other schemes—29 identifiable women specific schemes that received Rs. 856.64 crore allocation in 2000-2001 Central government

budget as against Rs. 605.46 crore in 1999-2000 (RE). The Women's Component Plan (WCP) introduced as a major strategy for the first time during the Ninth Five Year Plan (1997-2002) was reviewed in August, 2000. It took note of funds having been made available by a number of Ministries/Departments such as Health and Family Welfare, H.R.D., Labour, Agriculture, Rural Development, Social Justice and Empowerment, Tribal Affairs, etc. to benefit women. Some states such as Gujarat, Himachal Pradesh, Karnataka and Kerala had also earmarked funds under WCP.

Rashtriya Mahila Kosh (RMK) was created in 1993 to meet the micro credit needs of poor and asset-less women in the informal sector. From its inception a total credit of Rs. 77.36 crore was sanctioned to benefit 350,000 women. RMK has been maintaining a remarkable recovery rate of 90 per cent to 95 per cent. It has expanded its institutional base at the grass roots level through self-help groups for expanding its credit services. In this process, it also started developing linkages with the existing women's groups of IMY and DWCRA. RMK would need enhanced financial support from the government for expansion of these activities.

However, there is a worrying problem of 'missing women' in India, and in fact the whole of South Asia, where the ratio of women to men is abnormally low compared to the rest of the world. Excluding South Asia, the ratio of females to males is 106 to 100 in the rest of the world. In India, in 1991, the ratio was a little less than 93 to 100, which suggests that millions of women are "missing" from the population. They were

either never born, or died of chronic malnutrition or because of lack of medical attention. The deterioration in the sex ratio during the 1980s was particularly sharp in the rural areas. Women's inequality begins at birth, with 109.5 male live births per 100 female live births according to the 1991 census.

The idea is that Women Empowerment Year should help in highlighting not only the urgency to make adequate policy changes for gender mainstreaming but also for bringing in attitudinal change in society at large. As part of government's commitment we recently announced the New National Policy for Women and several other initiatives to encourage and ensure women's participation in national development:

I have always thought that women should not be seen in just the absolute numbers. Even if their contribution in national development is quantified, it may be misleading, as their contribution is much beyond that. Woman as a mother, as a creator of society, as a source of strength for retaining moral values and social ethos in the coming generations, are things which cannot be quantified but they certainly contribute a great deal in building a nation. In this women empowerment year even a better

### **A task force on Women and Children has been constituted to review the existing legislation and the government schemes.**

appreciation of this would help in laying the foundation of a new India, a modern India in the real sense of it. □

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VIGNETTE

# Generating Awareness

Mira Seth

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**An atmosphere of positivity, hope, encouragement and enthusiasm has to be created which would lead to increasing access of women to all the benefits created by development efforts.**

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**W**OMEN'S AWARENESS about development is basic to her empowerment. For achieving this awareness the most important ingredient is the necessity of a healthy environment about her perception by the society and the community in which she is born. If women are perceived as economic and emotional burdens needing protection and care throughout their lives and not contributing in any significant fashion to the welfare of the family and the community as a whole, the opportunity for a girl to access development gets reduced even before birth itself.

We know that in India there is son preference cutting across caste, creed, religion, and region and the birth of a girl child is not as welcome as that of a boy. It is most important therefore that, there should be awareness generation regarding the falling sex ratios in the country. The sex ratio in the country has declined from 970/1000 in 1901 to 933/1000 (provisional) according to the

census figures of 2001. It is important to note that this has happened in spite of accelerated efforts at development for women increasing their life expectancy from 23.3 years in 1901 to 65.6 years in 2000 and their literacy rates from 0.60% in 1901 to 54.16%, according to the provisional census figures of 2001. This is due to the wide spread practices of foeticide though aminocenes and the wrongful use of the ultra sound technology, both devices designed to protect women's health being used against girls being born. Legislative efforts through the passing of the Regulation of Aminocenes Act of 1993 and its subsequent amendment have not prevented the misuse of these facilities.

The community is unable to perceive that a decline in the sex ratios will lead to social imbalances further resulting in exploitation of women. We have to build awareness of this danger within the community and specially among women themselves so that they refuse to have the tests done on

them for purposes of female foeticide. At the same time social awareness about women's role in family life as its mainstay, the upholder of moral values and raising of a healthy future generation has to be emphasized. Her overwhelming contribution to the economic activity of the nation through participation in agriculture where a large percentage of field workers are women, and through horticulture, soil reclamation, and preservation of forests needs to be appreciated. She is the mainstay of cottage, village and home based industry with men mostly engaged in physically arduous operations and marketing of products. Their contribution in the field of education with women is nearly 34.55% of primary, 36.28% of middle and 33.15% of secondary/higher secondary school teachers according to the latest figures of the department of education published for 1998-99. Similarly, a large number of para medical workers, technicians and nurses are women. To reinforce this positive image all sections of the community have to launch a virulent attack on dowry and other crimes against women which are the primary causes of parents' tragic perception of the arrival of a girl child in the family. This has to be done in a combined effort of men and women in the community. A massive campaign needs to be conducted against it through the school and college

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Dr Mira Seth is an author and former Member, Planning Commission, New Delhi.

curriculum, through youth clubs, Nehru Yuvak Kendras, political parties and further stringent legal measures. The government's contribution can be through giving equal access not only legally but actually to women for education, health and employment so that as adults they are perceived as viable individuals.

It is imperative that gender equality is also ingrained in the ruling elite whether in politics, in administration, police or judicial bodies. This can only be achieved through the recruitment of more women in all these sectors of activity. The measly representation of women in Parliament amounting to between 2-8% in the various elections since independence has to be increased so that women have greater rights to represent the community, as well as, an opportunity to lobby for and monitor women's development efforts. A larger representation in the Central and state government's Cabinets and all other advisory and policy making bodies is also necessary. Similarly, women representation in the premier civil services of the country ranging between 9.9% of women officers of the Indian Administrative Service (IAS) in 1996 to 2.2% in the Indian Police Service (IPS) in the same year needs to be greatly improved. This can be done through spreading awareness among women students about such opportunities and opening more special coaching centers for them. Women's employment in the Central government, main and quasi sectors, has to be increased from a low figure of 9.3% and 12.7% respectively in 1989 to at least 30% by special incentives. In the state governments also women's

participation has to be increased from 45.6% in 1989 in the main sector and 7.6% in the quasi sectors to be at par with men. Women's employment in the public and private sectors has to increase from 4637000 in 1997 to a much higher level. In the informal sector, as everyone knows women are concentrated in agriculture with 34.6% being cultivators and 44.2% as agriculture labour. According to the 1991 census 5.9% of women were in household industry. Most of them are further concentrated in low wage sectors and as marginal workers. There has therefore to be an increase in their employment in higher wage earning groups of the informal sector through an increase in

**To reinforce this positive image all sections of the community have to launch a virulent attack on dowry and other crimes against women which are the primary causes of parents' tragic perception of the arrival of a girl child in the family.**

technical education opportunities to them and special skill upgradation facilities through the government and the voluntary organisations.

Special employment schemes like the Swarn Jayanti Gram Swarozgar Yojana, the *Step*<sup>1</sup> and the *Norad*<sup>2</sup> schemes give access to women in the employment field but the numbers trained by them are still very meagre and need to be increased. The government has also to tackle the high rates of

unemployment of educated women. The latest data which are available only for 1987-88 indicate a high rate of 37.30% women graduates seeking employment, remaining unemployed in rural areas and 21% of the same category unemployed in urban areas as against 14.98% of men in rural and 7.48% in urban areas of the same category.

Next, when we analyse how the administrative machinery delivers government efforts we notice that gender sensitivity is not universally ingrained in them. A number of gender sensitising modules have been devised by the Central and state governments for sensitising the IAS, IPS, and judicial services officers on women's issues and their special requirements. Many seminars and training workshops have been held in state officers training schools. Universal sensitisation has however still not been achieved. Further, no efforts has yet been made to sensitise the lower block and village level workers on gender issues. This would have to be achieved through the cooperation of Panchayat bodies and grassroots voluntary organisations. Small funds can achieve miracles provided there is a will to train these grassroots workers. The infusion of women members in these Panchayat bodies will have a very positive impact on this issue as several surveys conducted on the functioning of women Panchayat representatives, specially the survey undertaken by the Centre for Development Studies, New Delhi in the states of Madhya Pradesh, Rajasthan and Uttar Pradesh has already indicated. According to it local body Panchayat officials and government officials have started listening to women members and chairmen of these bodies.

1. *Support for Training and Employment Programme*  
2. *Norwegian Agency for Development Corporation*

In the final analysis women themselves need to have a greater awareness about their own potential and their rights to

**What is needed however is a larger voluntary effort funded by the government to sensitise women on their capacities and rights.**

development. Women in India in general are not lacking in self confidence but it is important for them to realise this individually as well as collectively. Individual self confidence can be further strengthened through parental confidence in them, approval and appreciation and a healthy home and societal environment. Large scale participation in yoga, team sports and adventure trips would further strengthen it. As already stated fuller equality in educational, health and employment opportunities would further strengthen this. Collective confidence as a group can be cemented through female bonding. Women have however, not been able to mobilise themselves for joint action to the extent needed. Whenever they have done that as in the case of women in Andhra Pradesh building up an anti liquor lobby through DWACRA\* self help groups during the 1990s. They have succeeded to a large extent. In Haryana which is traditionally a more conservative state, women lobbyists mobilised self help groups to resist the sale of liquor in the villages which led Haryana to declare prohibition of the sale of liquor. What is needed however is a larger voluntary effort funded by

the government to sensitise women on their capacities and rights.

The Rajasthan Women's Development Programme (WDP) launched in the 1980s is prime example of a successful women's mobilisation and awareness effort. Women volunteers and members of the groups created under this programme succeeded in getting illiterate women getting their land rights in some cases. In one nationally known case a simple village women of the potter caste challenged the feudal and owners of her village and the administration to get justice for herself through the courts in a rape case. The Haryana Integrated Womens Development Programme launched in 1994 is ensuring similar successes. Woman and Child Development Department's STEP programme has succeeded in increasing the awareness levels very significantly, in its projects even in far off hilly regions and among minority communities. A woman's dairy sanctioned for women of Almora District in Uttaranchal succeeded in successfully building hope among poor hill women who even started marketing excellent chocolates. A project sanctioned to the Arts and Crafts Council of UP for skill upgradation and training of girls in 'chikan' embroideries gave opportunity to young muslim girls to come out of their homes and be aware of the world and their rights to development. Several projects sanctioned for employment generation and skill training for girls living in the poorer areas of Hyderabad after the famous Amina case of a young Muslim girl married to an old Arab also succeeded in arousing awareness about other possibilities for girls besides early marriage. Their lack of confidence

rose to the extent that they all wanted to be government officers. All these projects show that women want awareness and through it hope for self reliance.

A few honorable voluntary efforts in this direction have been launched in other states as well. It is necessary that government funding is secured for such efforts and if necessary international assistance sought for the same purpose. It is also desirable that these projects are not only started but continued for a length of time required for enabling the mobilisation to take deep roots.

It is also essential that the high school and college curriculum should contain modules on women's rights under the constitution and the Special Acts passed as measures of positive action for them. The Department of Women and Child of the Central government had in early 1990s published volumes in easy language explaining the rights of women under various laws and how they can get these rights through the implementing agencies. These volumes were widely distributed through the state governments and the voluntary agencies. They need to be updated and again widely distributed. It is also important that a Commissioner for Women's Rights to oversee and monitor how

**It is also important that a Commissioner for Women's Rights to oversee and monitor how they are getting justice through the judicial system is appointed.**

they are getting justice through the judicial system is appointed. Legal aid to individual women and voluntary organisations fighting

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\* Development of Women & Children in Rural Area

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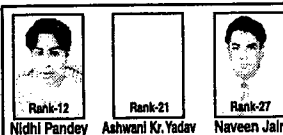
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A.K. Ojha-9, S.R. Singh-16, J.P. Yadav-50, M.K. Gupta-68, Om Prakash-70, Manoj-101, P.K. Mittal-102, O.P. Gupta-112, Narendra Sharma-123, S.K. Jain-124, S.K. Singh-142, Pankaj Dixit-152, Km. Jyoti-180, K.Avinav-202, A.K. Yadav-215, P. Kumar-221, A. Basti-239, V.V. Sudhakar-264, S.N. Meena-276, U.S. Kal-280, P.K. Singh-281

### Electrical Engg.

M.K. Goel-31, N. Joshi-50, T.P. Narayan-66, Manish-64, Vikram Singh-73, Vipin Pal-85

### E & T Engg.

Alique Ahmad-22, Sanjeev-25, Akmal-89, R.K. Chhanena-112, S.N. Meena-123

### Mechanical Engg.

R.R.K. Singh-7, Vivek Acharya-10

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for them has also to be ensured. Constant monitoring of the disposal of women's grievances has to be done by higher authorities overseeing the functioning of grievance redressal mechanisms existing in Central and state government departments and bodies. It is further recommended that all grants given to voluntary organisations must have an obligation that gender awareness and sensitisation programme would be a part of their programme irrespective of whether they are working for men, women, or children and in whatever sector.

Ultimately it is essential that the media, specially the cinema and television, play proper role in reinforcing positive images of women achievers and their contribution to social and economic development of the country. Women's role models should be projected as positive achieving women and not the whimpering, crying or intriguing manipulative women that the media overwhelmingly projects. Injustice to women should not be narrated as sensational news but as a matter of shame that gender inequality exists along with efforts at globalisation. The media should unequivocally promote the idea that the country can never join the comity of developed countries if nearly 50% of its women continue to be illiterate. Women's rights and the efforts of the government and the voluntary organisations to actualise them have to be highlighted in the print as well as visual media. An atmosphere of positivity, hope, encouragement and enthusiasm has to be created which would lead to increasing access of women to all the benefits created by development efforts.

# Catching up With Education

C. Jayanthi

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**Years of neglect and discrimination against the girl child cannot be turned around in a day. However, careful planning on the part of the government to raise educational levels across the country with the cooperation of the civil society will result in the empowerment of women.**

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**E**mpowering women has been a preoccupation with world leaders and conscience keepers over the past so many decades. The Fourth World Conference on Women held in Beijing, China in September 1995 emphasised the need to equalise opportunities and status of women vis a vis men. Education is key to making women self-reliant giving them the confidence to pursue their goals and achieve success in whichever field they desire.

The Beijing declaration affirmed that national governments that were participants at the conference which included India, were globally committed to "equal rights and inherent human dignity of women and men and other purposes and principles enshrined in the Charter of the United Nations to the Universal Declaration of Human

Rights and other international human rights instruments, in particular the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child, as well as the Declaration on the Elimination of Violence against Women and the Declaration on the Right to Development".

The Beijing summit stressed that the implementation of the "Platform for Action" agreed upon by participating governments requires commitment from them and the international community. By making national and international commitments for action, including those made at the conference, governments and the international community recognise the need to take priority action for the empowerment and advancement of women. A major area where action is required, it was

felt, was in the promotion of "people-centred sustainable development, including sustained economic growth, through the provision of basic education, lifelong education, literacy and training, and primary health care for girls and women."

It has therefore been acknowledged at a global level that education leads to empowerment and life long and sustained education improves the quality of human life. For centuries women have been discriminated against and denied access to education, growth, development and a say in their own lives. This is especially true of traditional societies such as India where 80 per cent of the population still lives in villages.

Traditionally, a woman's role has been confined to housekeeping and child rearing. On a recent visit to Orchha and Khajuraho in Madhya Pradesh, I noticed that although grinding poverty was missing in the surrounding villages, women were still expected to be dependent upon men economically and socially. One of the elderly ladies introduced me to her daughter-in-law who was not more than 14 years and had her face covered in purdah. When I asked the elderly ladies when would she be allowed to lift her veil, I was informed that it would be for the

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Ms C. Jayanthi is Editor, Education Times, New Delhi.

rest of her life, especially in front of the men folk. Another official, who was originally from Khajuraho and working with M.P. Tourism at Betwa Cottages in Orchha told this writer he was going to make sure that his daughter who was now 15, will study until inter mediate level. He was married at 18 years and his wife at that time was 15. He said: "I am under great pressure from my village elders to get my daughter married right away but I feel that my daughter will benefit from an education. It will make her independent. Even if she wants to study after marriage, I will finance her studies." Being exposed to urban and rural cultures and people from different parts of the world and being a little educated himself, he realised that education can transform a person's life. From these two contrasting cases we can see that education and awareness of the outside world can lead to a change in even men's attitude towards their own daughter's lives.

In a report called Education Now—"Break the Cycle of Poverty" brought out by Oxfam international, an excellent insight is provided over the link between poverty and lack of education and the way it affects the lives of women. Describing illiteracy, the report says, "It is among the greatest scourges afflicting humanity at the end of 20th century. It has left hundreds of millions of adults disadvantaged, vulnerable, and impoverished... Most of the victims are poor. The vast majority is young girls and women. The scourge in question is not a disease, but mass illiteracy, caused by the exclusion from opportunities for education.

"Unlike disturbances in international financial markets, the education crisis in developing countries does not excite media

attention or stir the world's powerful nations to action. In contrast to the tragedy of communities afflicted by drought, flood; or civil conflict, the poverty, powerlessness, and ill health, which accompany illiteracy, are not easily captured on camera and brought to the attention of international public opinion... Today, 125m primary-school-age children are not in school; most of them are girls."

**India needs to follow the example of countries such as South Korea, Malaysia and Singapore that invested vast amount of resources in the education of their populace and advanced rapidly thereafter and have never looked back.**

An Ugandan woman, Luwero, says in the report, "An educated person will have more opportunities. My daughter's life will be better if she can read and write. She will be happier and less dependent on others." There is, therefore, no question that illiteracy has to be eradicated at all costs so that women eventually acquire a say in their own lives. An illiterate woman does not even have a say in the number of children she would like to have or whether she wants to send them to school or not. In a patriarchal society such as India, education on a girl child is seen as a bad investment as she is bound to marry and leave home one day, to live with her husband's family.

This is a mindset that has to change especially in the rural areas. In the urban areas even in India, the mindset has changed to a large extent as cost of living is very high

and both the husband and wife have to work to make ends meet as well as look after their children's needs. In a report brought out by the United Nations called "Women—Challenges to the year 2000", it is remarked that, "Rural societies, which depend heavily on women for their survival, are especially resistant to educating them. In Afghanistan, for instance, the illiteracy rate for women in rural areas is 93.8 per cent, versus 50 per cent in cities. In Benin, 92.1 per cent of rural women are illiterate compared to 59 per cent of urban women. Rural women tend to have more children, be poorer, and in their struggle to survive, have little or no time and energy to spare on adult literacy programmes... According to a study published in 1984, in India, even though 60 per cent of rural children were enrolled in primary school, after five years only 16 per cent of the girls continued to attend classes, as opposed to 35 per cent of the boys. Survival needs aside, rural women are also more likely to encounter resistance from within the family to their pursuing an education: an educated woman might pose a threat to her husband and upset the family status quo." Mindsets, therefore, have to be challenged and conquered if a country wants progress and fight centuries of backwardness.

India needs to follow the example of countries such as South Korea, Malaysia and Singapore that invested vast amount of resources in the education of their populace and advanced rapidly thereafter and have never looked back. India needs to develop these far sighted approaches for the rapid development of the country.

Since independence, India has developed several initiatives for guaranteeing education to its

people. Although progress has been made, the size of the population sometimes acts as an impediment. The southern states, which have generally lower population than the northern states have managed much higher literacy targets. According to government figures, female literacy has gone up five times since 1951. It now stands at 39.29 per cent as compared to male literacy, which is almost 64 per cent. Within the country however, wide variations exist, mentions the CEDAW (Convention on the Elimination of All Forms of Discrimination Against Women) country report out by the Indian government recently. CEDAW was adopted in 1979 by the UN General Assembly and ratified by India among other nations is generally described as "an international bill of rights for women". The report says, "While Kerala has near universal literacy, female literacy in Rajasthan is only 20.8 per cent". These differences between states have to be

reduced so that gender and educational disparities are reduced.

The National Policy of Education (1986) revised in 1992 and the Programme of Action (POA, 1992) "reflect an unqualified priority to universal elementary education, total

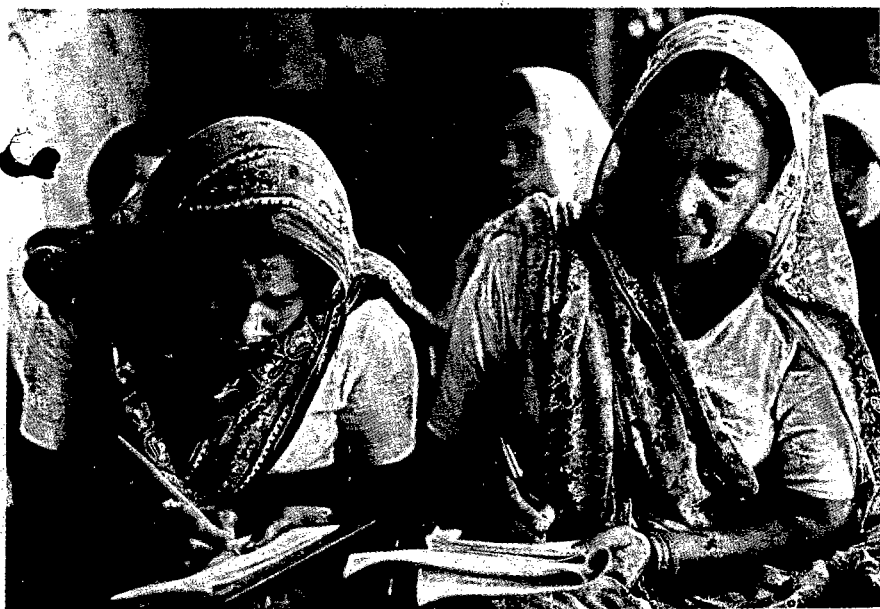
**Realisation has dawned in India that without education women cannot be empowered. The southern states have to a large extent gone ahead the northern states have to catch up.**

literacy and the ending of gender differentials. A fundamental mandate of the national policy on education is to educate for women's equality. This goes beyond merely ending gender gaps in educational attainments: it seeks to alter the

very process and content of education so that it changes people's and societal mindsets. It is this recognition that underlines the empowerment strategy which constitutes the core of our national educational policy. For the first time, it carried the message that along with expanding women's access to all kinds of education, the system, with all its institutions, had to shoulder a major responsibility for genuine empowerment of women." Despite the steps taken during several Five-Year Plans, we have a long way to go, as centuries of exploitation cannot be wiped out by just 50 years of corrective measures. However, beginnings have been made and the issue at hand is that men in a traditional society such as ours have to be gender-sensitised and made to join hands to work towards the progress of women.

Several initiatives by the Indian government such as the Integrated Child Development Services (ICDS) programmes have expanded greatly during the Eighth Plan. The CEDAW report mentions that "starting with 3,009 projects covering 13.9 million children, out of which 8.6 million were in the pre school age of 3-6 years during 1995-96, the programme was universalised during the current year (1999-2000) as a result of which 5,614 projects in the country will cumulatively cover 43.7 million... The gender desegregated monitoring of ICDS shows that out of 10.5 million children in the pre-school age being currently covered, 49 per cent are girls."

In the Total Literacy Mission of



Empowerment with literacy



**Learning in progress**

the government, which is in progress in 356 districts, women make up for over 62 per cent of adults enrolled in the programme. According to government figures, up to January 1995, out of a total enrolment of 74 million, 44 million were women.

There are several other government initiative such as Mahila Samakhya programme in the four states of Uttar Pradesh, Karnataka, Gujarat and Andhra Pradesh which aims to bring about an "environment for women to seek knowledge and information in order to make informed choices" so that women are able to break out of their traditional mould; the Decentralised Planning for Elementary Education (DPEP) in seven states such as Assam, Haryana, Maharashtra, Karnataka, Tamil Nadu, Kerala and Madhya Pradesh aims to provide special gender focus to universal elementary education; "Lok Jumbish"—a programme of universal primary education in Rajasthan emphasises on gender centrality, consensus building

and partnerships.

The Shiksha Karmi project in Rajasthan aims to expand primary education in remote and backward villages of the state through a team of educated local residents called "Shiksha Karmis", at least 10 per cent of whom have to be women. There are also several state-specific projects such as UP basic education project; Andhra Pradesh Primary Education Project and the Bihar Education Project, which aims at increasing the educational levels of girls and boys in the different states. The Tamil Nadu midday meal-scheme helped to a large extent in raising the literacy levels of girls and boys in the state.

Realisation has dawned in India that without education women cannot be empowered. The southern states have to a large extent gone ahead, the northern states have to catch up. There is however a conscious effort on the part of the government to raise educational

levels of the girl-child all over the country. There is a saying that if you educate a boy, you educate an individual but if you educate a girl, you educate a family.

Years of neglect and discrimination against the girl child cannot be turned around in a day. However, careful planning on the part of the government to raise educational levels across the country with the cooperation of the civil society will result in the empowerment of women. It will raise their self-awareness and allow them to participate in decision-making process at home and outside. It will also result in skill-development and make women economically independent. They will then be able to contribute to the family kitty. They will serve as role-models for their children.

**In the Total Literacy Mission of the government, which is in progress in 356 districts, women make up for over 62 per cent of adults enrolled in the programme.**

Empowerment of women also requires the participation and cooperation of men as they benefit by having educated mothers; wives, daughters and sisters. India has taken several steps towards empowering women through education. We, however, have to catch up with the rest of the world. That can only happen through changing traditional mind-sets that accord women second-class status in society. □

# Need for Larger Participatory Role

Harjeet Ahluwalia

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**Education and independence can alter the mental landscape altogether, as isolated success stories demonstrate. The challenge lies in replicating these experiments a million times over, so that the gender problems engulfing women today beat a speedy retreat.**

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**M**ORE THAN half a decade of independence and over a century of striving for a better status for women has still not produced results even close to the desirable. Economic independence of women can follow only if they are allowed a larger participatory role in the overall social scenario. Figures put out by various agencies clearly indicate that economic empowerment is still a far cry for the average Indian woman, let alone economic independence.

The Department of Women and Child Development under the Ministry of Human Resource Development last year brought out some telling facts in its "Platform for Action: Five Years After—An Assessment". Only 49 seats out of 545 Parliament seats were held by women in 1999; in 1996, only one

out of a total 25 judges in the Supreme Court was a woman, only 3 per cent of the total number of High Court judges were women, and 5.8 per cent of the total number of chartered accountants in the country were women; in 1995, the total percentage of registered women medical practitioners was 20.8 per cent. The wide variation of women participation in various walks of life indicates the great potential that is being held on a leash because of several social factors.

The Platform for Action had enlisted some institutional mechanisms for the advancement of women: create or strengthen national machinery and other governmental bodies that advance women; integrate gender perspectives in legislation, public policies, programmes and projects and; generate and disseminate

gender-aggregated data and information for planning and action.

The assessment, however, makes a candid admission that despite decades of developmental activities, "certain grey areas" do remain. These, it states, include violence against women (including domestic violence); the unfavourable sex ratio (927 women to 1000 men), and the largely ignored contribution of women farm workers and home makers. It has called for a greater effort "to sensitise policy makers so that gender impact analysis is incorporated into the development of economic and social policies. Capacity building and tools for ensuring competence and commitment to the goal of mainstreaming gender into all walks of life must be made available at a more rapid pace both within government and civil society".

Well intentioned statements like these are all very well, but it is unfortunate that in India, particularly, more lip service is paid to such causes and little is done at the grassroots level to endow the needy with economic power. Thus the gargantuan effort that is required to bring about attitudinal changes in society remains largely unassayed.

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Ms Harjeet Ahluwalia is a senior economic journalist based in Delhi.

It is important that educational drives be launched with an ear to the ground. The man who understands only the clink of money must be addressed in those terms alone. In the process, the woman may be downgraded in a larger canvas, but this may be needed as a short-term measure to grab the attention of the exploiter. Traditionally, women in poor and affluent families alike have been catering to the men of the family, though the men are the physically stronger members. The campaign among the largely uneducated lower classes has to be oriented towards bringing in awareness of the economic gains that can accrue from equal sharing of work.

A simple instance would be that of a farm hand. A typical farm worker would much rather that his wife or daughter get up earlier for attending to his own needs, and then follow him to work too—men with such a mentality must be taught about equality in the only way they can understand. Thus, for example, a woman who has someone to share the household chores in the morning will be more productive on the farmland and therefore be able to earn more; the life expectancy and health of a woman with fewer children will go a long way in maintaining her physical ability to earn a livelihood; shedding of indifference towards the upbringing and nutrition of a girl child can yield dividends in terms of a stronger woman and a healthier next generation—and which man can be indifferent to his next generation? Appeals of this nature on a sustained basis, and across all varieties of urban and rural poor, need to be carried out. A number of organisations are undeniably working hard in

this direction, but their efforts ought to be multiplied manifold by more of their ilk.

The government on its part must not only intensify activities in this sphere; it must recognise that neglect of woman's empowerment for too long will have a deleterious effect on the coming generations—in respect of the quality of human resource, its productivity, its very attitude, its ability to stand up to the onslaught of capital and technology from across the borders, and its economic independence as well. For an equal spread of self-sufficient individuals, male or female, young or old, is ultimately a step towards a more self-contained, independent society too.

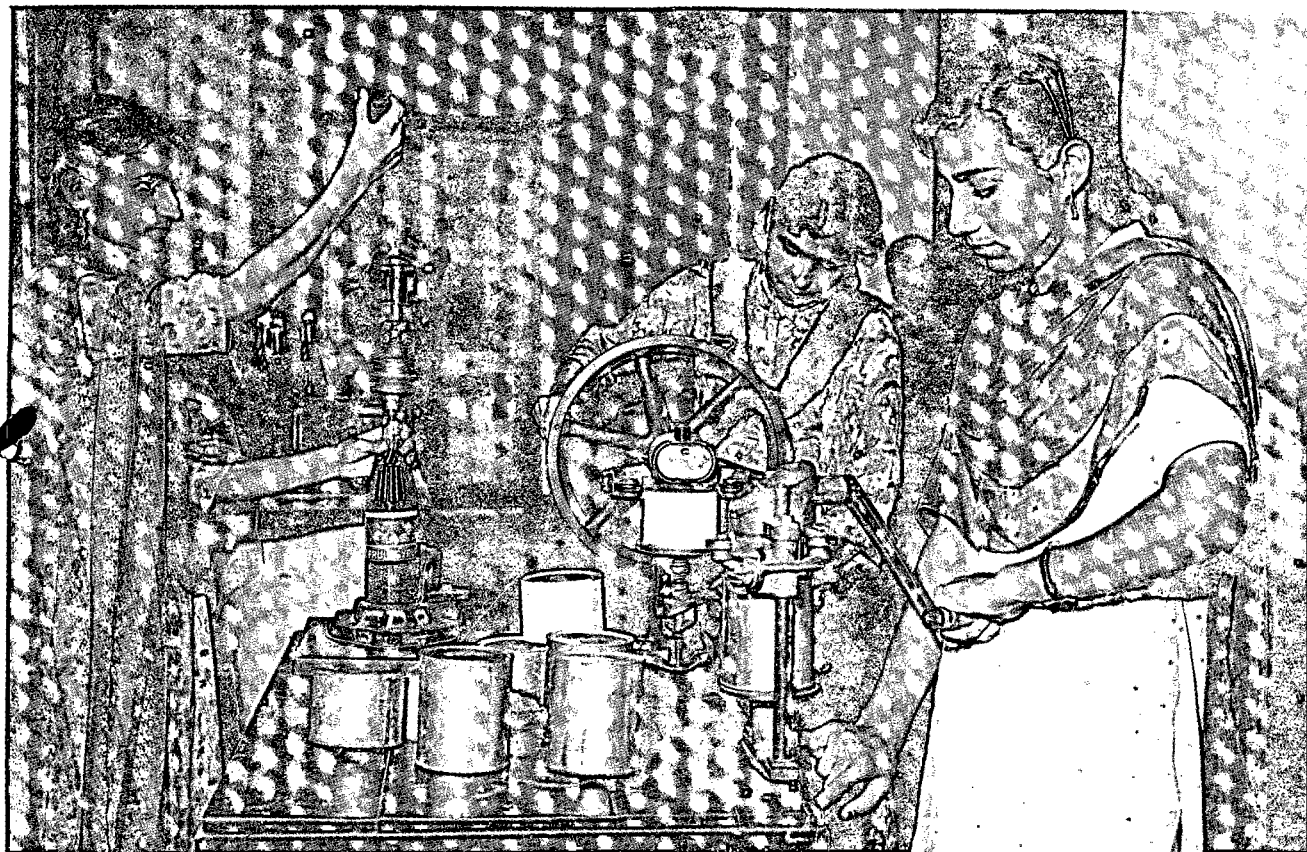
**Gargantuan effort that is required to bring about attitudinal changes in society remains largely unassayed. It is important that educational drives be launched with an ear to the ground.**

Only when women are not hopelessly dependent on their male counterparts to fend for the family and can take important decisions pertaining to the good of all its members, can there be a quantum improvement in the quality of life. Women capable of earning their own livelihood contribute to the overall movement towards poverty elimination, too. For them it is possible to ward off hunger by achieving availability, accessibility and affordability of food through economic empowerment.

However, there are major pitfalls in the way of endowing women with economic independence.

Prominent among these are access to work opportunity, the right kind of jobs, equality of treatment at work and in pay. These may be enshrined as rights, but are still applied more to men who, historically, have been depicted as the bread-winners for the family. Regrettably, the male population among a predominant number of below the poverty line families prefers to shirk all forms of work and fritter away on liquor and gambling the hard earned wages of the womenfolk. These aspects, generally known and accepted, are not attracting the kind of damage control measures that they should. Persistence and in fact growth of this tendency can undermine all efforts to pull more people out of the morass of poverty.

This trend is reflected in published facts and figures as well. The National Commission for Women has noted, for example, that rural women are involved in various field operations, plant activities, livestock management, fisheries, sericulture, bee-keeping, environment conservation, etc. It has cited the 1991 Census, according to which 27.06 per cent of rural women were found to be workers, of 19.07 per cent were main workers and 8 per cent were marginal workers. Of the main workers, 31.68 per cent were cultivators. The NCW also pointed out that between 1977 and 1991, the percentage of female to male agricultural workers went up from 57 to 60 per cent. The rate of female cultivators to male rose from 14 to 19 per cent. Indeed, a laudable objective that the NCW has put forth for itself is "drudgery-free and pro-technological farming", requiring a holistic approach and a revolution in the agriculture sector in the country. In such a context, the women's self-help groups (SHGs) in various states are shining examples of micro-level advances towards



**Food processing unit**

economic empowerment. These SHGs figure prominently in the implementation of the joint Food Security Programme of the Indian Government and the United Nations Development Programme (UNDP). Among these, a sub-programme for empowerment of women farmers for food security in Uttar Pradesh focuses on "feminisation" of agriculture. It aims at organisations of women farmers from landless and marginal farmer families, who will be enabled to link up with the Department of Agriculture and its agricultural extension system to gain access to productive assets, including land, credit, technologies, inputs and subsidy. The focus in respect of capacity-building will be on gender issues in agriculture, sustainable agriculture and regeneration/

reclamation of wastelands and fallow land, appropriate technologies and natural resource management. (Please see article by Ms Seema Singh).

In Andhra Pradesh, a sustainable dryland agriculture sub-programme is being undertaken by the Department of Agriculture, AP Government, AP Mahila Samatha Society, Society for Elimination of Rural Poverty and Centre for Environmental Concerns (an NGO).

The Institute of Management of Agriculture and Extension of Orissa and the Agriculture Department are also partnering with around 25 NGOs to help women from tribal, landless and marginal families in their food and nutritional security. Recognising that women

comprise the majority of workers in the agriculture sector, especially in tribal districts, the sub-programme proposes an integrated approach to the issue of food security at the family and community levels through community management of forest resources.

The success of these programmes, however, hinges strongly on involvement of the participants, and not the beneficiaries in the planning, resource mapping, needs assessment and intervention planning processes, according to the stated objectives of the programme. This will ensure that even after the programme support is withdrawn, the participants can continue utilisation of resources in an efficient, viable and sustainable manner. The women's

groups are being encouraged to take up production of inputs for organic agriculture like compost, bio-fertilisers, organic insecticides, etc. Inter-cropping under technological guidance has reaped rich dividends for farmers in dry Rajasthan, as also in Uttar Pradesh. Micro-capital assistance has helped wean away women from money-lenders and even induced them to save, be it as little as Rs. 15 to Rs. 20 a month. There are even instances of storage of small quantities of grain later lent out in times of shortage, saving the poor from buying exorbitantly-priced food.

One fall-out of this sub-programme in Orissa, as related by a UNDP official, is a code of conduct evolved by the women's SHGs in the Daringbadi block of Pulbani. They have agreed to abandon liquor and persuade their menfolk to do the same; the group would meet once a month; each member must cultivate some fruit and vegetables in her backyard; at least two-thirds of the members must send their children to school and they would abstain from

violence and abusive language.

Were these resolves to be even partly implemented, the resultant economic advantages are self-evident.

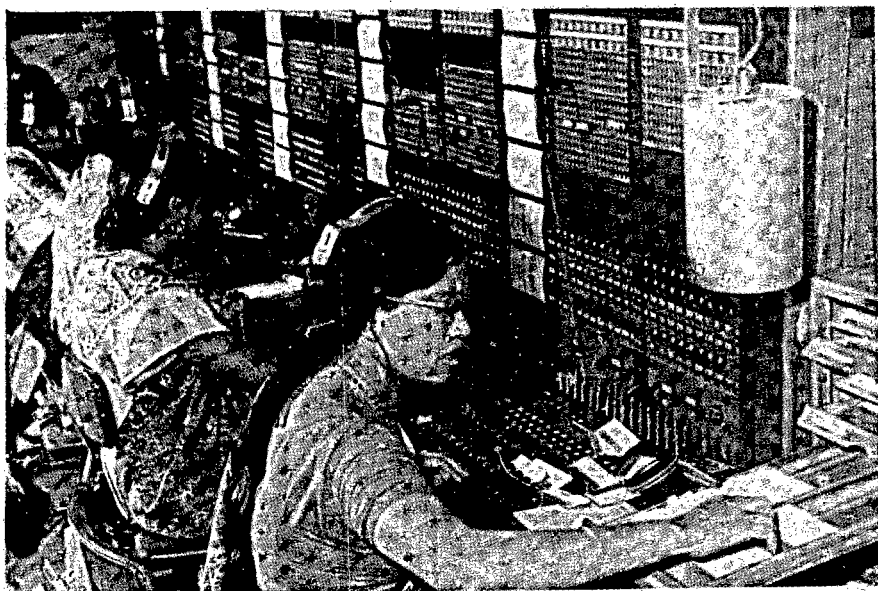
Add to these the positive aspects of empowering women to voice their needs and be granted a right to be heard. Statistics compiled by the Ministry of Rural Development shows an encouraging trend towards women participation in administration as well. Even at various levels of panchayats: In 1999, there were 33.75 per cent women in Panchayat Samitis, 40 per cent in Gram Panchayats and 32.28 per cent in Zila Parishads. As they get a more decisive say in socio-economic matters, the status of women in society and their economic strength is bound to get a fillip.

From villages to urban areas, the qualitative requirements of earning women undergo some subtle changes. In essence, the urban poor shift to activities like construction, household help, protection from sexual exploitation, etc., and consequently need access to better

living conditions, drinking water, creches, etc., than are at present available. Those in the formal sector, however, look for more gender equality, better workplace environment, better transport facilities, social and employment security, and even emotional security.

Two major areas requiring focused efforts towards women's empowerment continue to be nutrition and literacy. Imbalanced nutritional and dietary practices continue to prevail in large parts of the country. Gender discrimination, that begins at times from the foetal stages itself, manifests itself any number of ways: indifference towards the girl child from the time of her birth, proper diet during her girlhood, excessive burden in terms of hard physical labour and mental torture dog her throughout her growing years and well into womanhood, and motherhood rarely changes her status either. Born into a world of discrimination, she is not taught to recriminate or reject this bondage; rather, being economically dependent, the mother drills a similar pliant philosophy into her female progeny too, and the tale goes on.

However, education and independence can alter the mental landscape altogether, as isolated success stories demonstrate. The challenge lies in replicating these experiments a million times over, so that the gender problems engulfing women today beat a speedy retreat. The more we delay women empowerment, the larger looms the peril of successively weaker generations who may be unequal to the tough task of development for the general good of all society—a prospect the nation can ill afford to contemplate. □



Attending to telecom need

# The Economic Role

Ratna M. Sudarshan

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**Women are important economic agents. The first step in research is to make visible this contribution. The next step is to improve the quality of women's work, their earnings and their opportunities.**

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**E**CONOMIC EMPOWERMENT as an approach to development and gender equality has acquired greater importance in India and elsewhere over the last decade, perhaps because it appears to be a 'market-compatible' approach and hence in consonance with prevalent macro economic policy approaches. It has two aspects: one is income or livelihood. The other part is whether or not women have effective control over this income/livelihood. There is a special opportunity offered by this approach to change the lives of many people including the poorest women, because livelihood is a primary concern for everyone. The common core to different approaches to economic empowerment can be found in the following definition:

'economic change/material gain plus increased bargaining power and/or structural change which enables women to secure economic gains on an-going and sustained basis.'

Women's economic roles are

different from those of men, with the result that we find:

- (a) lower participation in overall economic activity
- (b) greater concentration in the primary sector and in a few industries and occupations
- (c) greater concentration in unskilled and marginal work

In other words, men and women are not found equally distributed across the various types of work/employment available in the country; and there is a male-female wage gap.

As economic agents, the majority of women (an overwhelming 95% as against 89% of men) are employed in the unorganised sector. The majority of women workers are found in rural India (90% as against 75% of men). And only 28.58% of women (as against 71.43% of men) are in the work force (census 1991). The work force participation rate for women in rural areas was estimated at 32.8% in 1993-94 and at 15.5% in urban areas. In the case of men,

the difference is much less: 55.3% in rural and 52.1% in urban areas (NSSO, as cited in CSO 1998). Women are overwhelmingly found in the primary sector (81% as against 63% of men) and in a few industries. Industries that employ more women than men include processing of edible nuts, domestic services, bidi manufacture, spinning, weaving and finishing of coir textiles. Occupations in which there are more females than males include nurses, ayahs and maids, bidi makers and domestic servants.

It is also widely recognised now that a large proportion of women's work still remains invisible in official data, because many women make a substantial economic contribution as unpaid workers and/or as home based workers who often get counted as non-working housewives. In addition, the question of how to give value to women's unpaid reproductive work (including such activities as care of the sick, the aged and children) remains a problematic one.

Although there have been important changes in the levels of women's literacy, and more women are to be found in decision making and managerial positions, from a macro perspective this description of women's employment has not changed enough over time. There are different reasons for this. One reason is the need for wider

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provision of education and skills. In 1993-94, 79% of the female labour force in rural areas was illiterate, as against 43.7% of males. In urban areas the corresponding proportions were 44.5% and 17.9%. Although the proportion of illiterate women may be less, the male-female gap is actually greater in urban areas. A second reason for the slow change in the structure of women's employment is the many social and cultural constraints to women's work, including their reproductive responsibilities.

These characteristics of women's employment have influenced the official programmes designed to increase their economic participation, and hence empower them economically. Official interventions attempt to increase women's employment directly, as in the IRDP programme. In 1997-98, the percentage share of women in IRDP and TRYSEM is estimated at 35.75% (compared to 32.29% in 1990-91 and only 11.52% in 1985-86) (CSO 1998). Schemes for skill training and the organisation of women into groups for marketing and credit have been introduced, as in the Rashtriya Mahila Kosh and the Swa Shakti Programme.

### **Activism**

The definition of economic empowerment given earlier emphasizes that employment is an essential but not adequate requirement for empowerment. It is equally important that structural change that improves women's bargaining power and autonomy accompany the process. This aspect requires a certain activism to accompany programmatic change. In that sense, the official programmes can at best create an enabling framework.

To understand the successes and

limitations of the economic empowerment approach, it is instructive to look at the experience of the Self-Employed Women's Association (SEWA). Such movements are greatly assisted by a conducive policy framework. However, their achievements also depend heavily upon giving women greater bargaining power within the home and elsewhere. The two planks of such an approach are provision of work/ employment and organising.

**To understand the successes and limitations of the economic empowerment approach, it is instructive to look at the experience of the Self-Employed Women's Association. Such movements are greatly assisted by a conducive policy framework.**

The Self Employed Women's association, SEWA, movement draws upon ideas of the cooperative movement, the labour movement and the women's movement. Although it is probably arrogant to attempt to crystallise the thinking and the experience of several decades of dedicated work into a few sentences, nonetheless, some of the defining aspects of the approach can be spelt out just to facilitate understanding. First, it is probably correct to argue that the initial starting point of the approach comes from the concerns of the labour movement. Conventional trade union activity and mainstream trade union actions did not include poor working women in the unorganised sector. As SEWA started its work it became

apparent that there was a large group of workers who were simply excluded from statistics, the law and policy intervention, and hence the terms of their engagement in the market system were excessively exploitative. Organising poor women workers therefore involved taking on much more than just confronting 'employers': indeed, the conditions of work in the unorganised sector being what they are, most such workers have no employers. It meant attempting to change the perception of the law, of official data collection agencies, and of government policy makers. Second, the strategy that SEWA has used in seeking to empower workers has relied heavily upon the development of membership-based groups, not just SEWA itself, but also cooperatives in different places and different trades. Corresponding to this have been efforts in collective bargaining that have tried to increase the security of workers, recognising that it is not generally possible to alter labour status or process but that it is possible to extend some of the benefits of organised labour (minimum wages, minimum social security) to the unorganised sector. Third, since SEWA's membership consists of poor working women, it has had to contend with the numerous sources of gender inequality, potential conflict with reproductive roles and responsibilities in organising such women.

### **Primary Aim**

SEWA seeks primarily to empower women as workers. The cooperation of other family members is obtained by representing this as a gain in household income. Their experience is that over time, women's bargaining position within the household improves.

The SEWA strategy has the

following steps :

1. Identification of groups of poor unorganised women workers, often invisible. (mainly, home based workers, street vendors, and the self employed in various trades)
2. Organising these groups and thus giving an identity to women workers.
3. Developing 'voice' or the ability to bargain for their rights.
4. Directly providing, or facilitating the provision of, necessary inputs and markets.
5. Expected outcomes are more favourable, and empowering, work and family situation.

Economic empowerment attempts to tackle income poverty. The link between poverty and growth is traced through work. It is also true however that in some contexts the more relevant concept may be ecological poverty. This has

been defined as 'the lack of a healthy natural resource base that is needed for a human society's survival and development' and the solution to it lies in recognizing that

'Healthy lands and ecosystems, when used sustainably, as they were for millennia, can provide all the wealth that is needed for healthy and dignified lives' (Agarwal 1998).

For example, a study of the impact of mining in the Kumaon conducted some years ago shows that even when a household has an increase in its cash income, it is not necessarily better off if its access to water, fuel, fodder becomes more difficult. This is so because it is not always possible to convert money income into such resources. The study further showed that given the differences in male and female roles and corresponding life spaces, while men were more sensitive to the level of income poverty, women were more concerned with ecological poverty. That is, the basis of material well being may itself be differentiated by gender.

Providing work and income thus has limitations, and there is need also to look at natural resource availability in its own right, not as an input into productive activity.

Similarly, it is difficult to give visibility to the work and activities that women undertake without using different concepts of measurement and analysis (e.g. time over earnings) which underscore the importance of the care economy. The SEWA strategy recognizes the close inter-locking of paid and unpaid work and the need for supports to reproductive tasks. However, it is possible that it underestimates the potential conflicts arising out of existing distributions of responsibilities within the home. The interplay between the care economy and the productive economy may need more careful examination.

This can be illustrated by looking at bidi workers, many of whom have been organized and empowered as workers. The reconstruction of a new identity as workers has been



Garment manufacturing



### Pottery and handicrafts are major forex earners

fairly effective in ensuring some basic securities. But it has been less successful in influencing prevalent norms regarding 'women's spaces' and the extent of seclusion that is considered appropriate. Thus there is an excessive concentration of women in home based bidi work. While men are distributed more evenly across the different industry categories, with 46% being in bidi manufacture, 36% in retail trade in pan, bidi and cigarette, and 8% in cultivation (plantations), 91% of women are in one group alone; i.e. bidi manufacture. For all India, 10% of bidi workers are found in industrial premises and the remaining 90% are home workers. Of the workers in industrial premises, around half may be women. But among home workers, 68% are women. Women in this occupation are tied to this work for two reasons, one that they lack any other skill, apart from bidi rolling. Low levels of literacy, poor health status, an absence of entitlements to credit, land or other resource, all combine to make transitions to new occupations virtually impossible. In the absence of perceived alternatives, vulnerability is

transmitted to the next generation, with children, specially girls, being introduced to bidi work at a very young age. The other reason has to do with constraints attributable to 'ascriptive status'. Among Muslim women for example, the cultural prescriptions that constrain them to home based work are very strong. As it stands, however, the economic empowerment strategy is unable to address these underlying determinants of behaviour.

A third strand of concern is the danger of becoming a market-led strategy. That is, a focus on employment necessarily means that workers need to be attuned with market developments, and develop their products and skills accordingly. While there is nothing wrong in this, there is a danger that those without marketable skills will be excluded from the processes of development and empowerment that get set in motion.

The economic empowerment approach has been adopted, as stated earlier, by several activist groups, such as SEWA, and is also a central part of government policy. Research on economic empowerment can play an important role in increasing the

impact of these programmes. While official data does give us a picture of women's work, the extent of participation in the labour force, the specific activity undertaken, and wages earned, there are many gaps in the data that is currently available. There still continues to be undercounting of many kinds of work, especially that which is home-based. Another basic problem is how to integrate productive and reproductive concerns. An exclusive focus on employment can be counter productive, if gender roles do not change as well. In a traditional setting where a woman is expected to undertake all work relating to household and children, her economic activities are knitted into this other work leading to its relative invisibility. If she is encouraged or enabled somehow to take up regular paid work, she becomes visible as a worker; but if there is no sharing of other responsibilities between men and women, she may be highly stressed and over-worked. For this reason, official or non governmental efforts to give economic empowerment to women must be rooted in a good understanding of actual time use, and employment opportunities must be accompanied with support systems for child care. It is important to build new opportunities upon existing skills.

Finally, it can be reiterated that women are important economic agents. The first step in research is to make visible this contribution. The next step is to improve the quality of women's work, their earnings and their opportunities. For this, we need to invest more resources in women, and equally (if not more) important, to encourage changes in gender roles so that reproductive work does not remain the exclusive concern of women. □

# Law and Gender Justice

Sujata Manohar

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**Creating a new equitable environment is a major challenge. And the leadership must come from national leaders irrespective of their religion.**

**Also, law being a major player in the effort, law reform remains a vital measure for empowerment of women.**

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**W**HEN THE nations of the world in the charter of the U.N reaffirmed faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women, they made a moral commitment to bring about a just and fair, social, legal, economic and political order where each person would be treated 'fairly' and be enabled to make a contribution according to his or her abilities without being discriminated against on the ground of sex, descent, religion, etc.

It is this pledge to bring about equality and non-discrimination that marks the conceptual divide between the previous centuries and the last century ushering in the new millennium.

Experience of injustice or unfairness almost always leaves an indelible mark in the collective memory of people. It could be an Ekalavya asked to cut off the thumb of his right hand as 'gurudakshina',

or the Dhaka weavers being forced to cut off their thumbs to stop weaving. May be the plight of Draupadi in the Kaurava Durbar is another such episode. Injustice rankles and cries out for redress. The world has increasingly become aware of the historical injustice done to women. Against women convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) voices this concern. It says, "Discrimination against women violates the principle of equality of rights and respect for human dignity, is an obstacle to the participation of women, on equal terms with men, in the political, social, economic and cultural life of their countries, hampers the growth of the prosperity of society and the family, and makes more difficult the full development of the potentialities of women in the services of their countries and of humanity."

This is not to say that women have not been treated with respect in the past or that individual

women of outstanding merit did not receive recognition. A Maitreyi or a Laxmibai can not but command respect. In our country women have been venerated as mothers who sacrifice their lives for the sake of their children, as women who selflessly serve their husband and their family e.g. who will eat only the left overs after the men and boys have dined, who will do all the work in the house and outside, whose whole being is centered on husband and progeny, and therefore who gets devalued on becoming a widow. This value system had unfortunate consequences. Women were denied freedom of self-expression, they ended up being confined to domestic and related activities, were denied education and economic power. The devaluation of females has resulted in practices such as female foeticide, child marriages, resultant maternal mortality and morbidity, dowry and related crimes, and the like. This is precisely why we need women's empowerment—not to reject the virtues of devotion and self-sacrifice, but to ensure that these virtues do not remain perforce the domain of only the women of this country, to ensure that the entire society—men and women alike share these values and to ensure that both men and women are recognised as sharing other values as well, as also equal

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responsibilities—whether it is the upbringing of children, or looking after the family or contributing to nation building activities, and participating in socio-economic or political or cultural activities outside home.

This basic change in the world perception of the roles for men and women has come about on account of the growing realisation that men and women share similar abilities and capabilities, that the behaviour of men and women is conditioned by social and cultural expectations rather than innate differences. The assumed differences result in injustice when they are reflected in differential access to decision-making power or result in discriminatory attitudes and values. Unfortunately these attitudinal differences are reflected not just in the household, but in the community and in its various institutions. They reinforce and perpetuate gender differences. It is necessary therefore that the entire society—men and women alike—share this perception of inequality and work for its elimination. It is not just a question of women's empowerment. It is the fundamental need for social transformation to overcome perceived inequities and eliminate unjust practices. Attitudinal changes are needed at every level and on the part of all members of this human family.

Our commitment to this social transformation is very specific. When we adopted the constitution of free India, we promised to ourselves a just social, economic and political order where equality would prevail. Human Rights have been called fundamental under the Constitution and made justiciable. Equality and non-

discrimination and a right to lead a life with dignity are constitutionally guaranteed. The courts have interpreted these rights in accordance with the norms laid down by the international community in international conventions, covenants, protocols and treaties such as the Universal Declaration of Human Rights, the Covenants on civil and political and economic, social and cultural rights and the Convention on the Elimination of all Forms of Discrimination against women. Our highest court has further said that in the absence of any laws to the contrary, international conventions to which India is

**Unless laws create equality and fairness, there is no way of getting rid of discrimination. If discrimination is permitted or sanctioned by law, social attitudes will not change, and if they do, there will not be a law to give effect to the new aspirations.**

committed shall prevail. The laws and the Constitution have thus been interpreted as upholders of human and fundamental rights with all their ramifications as internationally understood. To provide the underprivileged (and this includes women), access to the judicial system, the courts have permitted public interest litigation. So that given the support of laws women can approach the courts to redress injustices. That is why Muthamma could challenge discriminatory service conditions of the IFS under which a woman, on marriage, was required to leave

service. Nargesh Mirza's challenge to the discriminatory service conditions of air hostesses in Air India was also under Article 14 and in more recent times Neeraja Mathur who was dismissed by the employer when she was found to be pregnant, successfully challenged her dismissal before the Supreme Court. A life with dignity enjoined by Article 21 also needs suitable laws to protect women workers. Maternity leave, medical care, protection against loss of job during pregnancy, health care for a new born baby and mother are required to make it practical for a woman to exercise her right to work consistently with her responsibilities.

The question is : How crucial a role do the laws play in empowering women? It is fashionable now a days to deny any role to law in the empowerment of women. It is said that despite laws, dowry giving and dowry deaths continue and have increased, violence against women has not abated despite changes in the penal laws and procedures, and women continue to receive discriminatory treatment within the family despite changes in Hindu law. Why is this so? It is because people and particularly women are ignorant of their legal rights, because women do not have the means to enforce their rights, and above all, social pulls and pressure prevent them from asserting these rights. Social attitudes have not changed sufficiently though laws have created a more enabling environment. What one must remember, however, is that unless law create equality and fairness, there is no way of getting rid of discrimination. If discrimination is permitted or sanctioned by law, social attitudes will not change, and if they do, there will not be a law to give effect to the new aspirations.



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FUSION

Far from having enough laws we still have a long way to go before we have equitable laws in the areas which are traditionally of vital concern to women—family laws that affect marital status, custody of children, a right to a home and maintenance, inheritance and succession, adoption, and for the Hindus, rights in the joint family and its property. Despite the amendments in 1955 and 1956, much of Hindu law still rests on the basic premise of differentiation in the legal rights of men and women. Even the amended law does not take care of denial of equal rights to women in the joint family property. Only three states have amended the law to give daughters the status of a coparcener. The Union Government needs to step in. Recently the Supreme Court said that women in the absence of a male, cannot constitute a joint Hindu family. Women do not have an equal right of guardianship of their children. Even the amended Hindu law of succession differentiates between the heirs of a woman and the heirs of a man. The framers failed to notice that a woman can earn and have her own property of which her brothers and sisters ought to be the natural heirs in preference to the husband's brothers and sisters. Christian law of divorce will, hopefully, be now amended. The Parsee law of inheritance is already amended to do away with gender discrimination. Muslim women are however denied the benefit of any reform. In 1952, when the personal laws were challenged under Article 14 and 15 as discriminatory, the courts said that though discriminatory, they would have to be changed through a legislative exercise. This legislative exercise is still incomplete after 50 years. When India signed CEDAW it entered a caveat saying that

personal laws would be changed only if the concerned religious group asked for change. But who will ask for such a change? The oppressed women who are too weak to assert their views and make them known? Or the advantaged men? For the latter to give a helping hand to their women, it is necessary that they are educated and sensitized to gender discrimination, see the inequities in their own surroundings and ask for change. This can happen when the nation as a whole works towards such gender sensitization and makes a specific well directed effort to eliminate gender discrimination. Creating a new equitable environment is a major challenge. And the leadership must come from national leaders irrespective of their religion. Many factors must operate to make this happen—education, economic opportunities, social acceptance, enabling environment—health care, child support services, control over reproductive rights, so on. Law, to be totally effective, requires this enabling environment. But it remains nevertheless a major player in this effort—it can educate and

be a tool for change. So law reform remains a vital measure for the empowerment of women.

Prof. Friedmann in his work "Law in a changing Society" has neatly described two different perceptions of the role of law. One group consists of "those who believe that law should essentially follow, not lead, and that it should do so slowly, in response to clearly formulated social sentiment". The other group is of "those who believe that law should be a determined agent in the creation of new norms". We cannot follow one norm for some and a different norm for others. There has to be a constant interaction between the articulation of public opinion and the legislative process. In a democratic system there is a great variety of patterns of challenge and response. Proper legislation and its adequate enforcement can create dynamic empowerment. □

*(The article is based on the speech delivered at the International Women's Day celebration organised by the Department of Women & Child Development, Ministry of Human Resource Development, in March, 2001.)*



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# How Effective Are the Laws ?

Kusum

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**All law is not justice and all justice need not be law. Law and justice have to supplement and complement each other to effectively empower women.**

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**I**N THE words of Justice Krishna Iyer, the grim reality is that women, despite the printed rhetoric, suffer discrimination and indignity so damnable that dehumanization is the gender reality in India. Omens of awakening and women's empowerment, however, are in sight. The various international and national conventions, constitutional mandates and directives, proclamation of "International year of Women" and 'Decade for Women', and various government plans and policies are indicative of global and national concerns for women's empowerment. Pursuant to all this a large number of special laws for women or special provisions for women in general laws have been and are being enacted.

The crux of the issue however is, are these laws really effective in empowering women and if so, how far? Thus, an audit of the substantive laws and their application, and the role played by

them towards empowerment of women may be in order. What follows is a brief analysis of very selected areas of law and judicial decisions having a bearing on women's empowerment

It needs no saying that the most effective component of empowerment is financial security and rights over property. In this context reference may be made of the inheritance laws. A woman in India has inheritance rights in varying degrees under the different personal laws. The law that has empowered women most in this respect is the Hindu Succession Act, 1956 (HSA). The Act has revolutionized a woman's right over property. A female has equal rights of succession as heirs along with the male heirs. Being absolute owners of property, women have an unbridled right of testamentary disposition. However, there still continue provisions in the Act which perpetuate traditional ethos of male superiority. The most glaring

is section 6 under which membership of a coparcenary is confined only to males who have a right in properties by birth. Besides, the interest in the property devolves by survivorship upon the surviving coparceners. Thus a widow or a daughter cannot claim anything as a survivor on the death of her husband/father.

As a measure of some concession however, under the proviso to section 6, the share of the deceased who leaves surviving female relative specified in class I or a male relative specified in that class who claims through such females would devolve by testamentary or intestate succession and not by survivorship under the Act. The result is that a son gets property both as a surviving coparcener as well as an heir of the deceased coparcener, whereas a widow, mother and daughter would get a share as heirs only out of interest the deceased had in the property. Even this limited right can be denied if the deceased makes a testamentary disposition excluding female heirs or renounces his right in the coparcenary.

Under the Muslim Law, a person can dispose of his property by testament only to the extent of one third after meeting the debts and funeral expenses. The remaining

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two-thirds of the property is inherited by the heirs in accordance with the share they are entitled to. Thus a woman who has a right of inheritance—whatever her share—cannot be totally deprived of her share by the deceased.

Under the Christian law, the principle of equality among sexes in the matter of intestate succession has been recognized. A widow gets one third share in the property of her husband. After that, sons and daughters share equally.

Mary Roy v. The State is an important landmark in this direction wherein daughters have been given equality with sons in respect of intestate succession in Kerala. In matter of succession and inheritance, the law applicable to Indian Christians living in the former princely state of Travancore was the Travancore Christian Succession Act, 1916. It had provisions which were discriminatory against women. A widow was entitled to have only a life interest in the properties of an intestate and this interest was limited as it was terminable at death or remarriage. So far as a daughter was concerned she was entitled to one-fourth of the value of the share of sons, or Rs. 5,000, whichever was less. Even to this amount a daughter was not entitled if Streedhanam was paid or promised to her by the intestate. The Supreme Court did not go into the issue of violation of equality right (though this was a significant ground of challenge), but held that the Travancore Succession Act stood repealed by the Indian Succession Act, 1925 in 1951 when, under section 3 of part B states (Laws) Act, 1951 the Indian Succession Act was

extended to part B states.

It is significant to note that law can empower as well as impoverish women in different ways. In this context, reference may be made of an unfair provision in the HSA in regard to a female's right to claim partition in the dwelling house.

**Law can empower as well as impoverish women in different ways. In this context, reference may be made of an unfair provision in the HSA in regard to a female's right to claim partition in the dwelling house.**

Under section 23 of the Act, a female heir cannot claim a partition of the dwelling house occupied by members of the family of the deceased, unless the male heirs choose to divide their respective shares therein. Even the widow, who along with her deceased husband built/lived in the house all her life, cannot seek a partition. Unfortunately, the Supreme Court judgement in Narasimaha Murthy v. Susheelabai has gone further still and held that even when there is one male heir, the bar against the female heirs applies. Where there is only one male heir, where is the question of his ever "dividing" his share, one wonders!

Mention may be made of another provision in the HSA which weakens rather than empowers a category of females, viz. married daughters. Under the proviso to section 6 of the Act a daughter is entitled to a right of residence in the dwelling house. However, only a daughter who is

unmarried, or has been deserted by or has separated from her husband or is a widow has this right. Thus a married daughter in distress but not legally deserted or separated may not even have a right to stay in the dwelling house belonging to her parents of which she is a co-sharer as heir.

According to the Calcutta High Court, in one case, a married daughter is not a "bonafide occupier" of her parents house. The case involved an application by the daughter for restoration of electricity connection, which was got disconnected by her brother, at the premises which belonged to her father and wherein she was residing. The court held that she "cannot be termed as a bonafide occupier" in terms of section 12(6) of the India Electricity Act 1910 and hence grant of electricity connection in her favour would be improper.

Matrimonial rights is another aspect which is significant as an indication of a woman's status. In view of the diversity of personal laws, there are different statutes governing matrimonial relationships, except the Special Marriage Act, 1954 which is applicable to all irrespective of religion or community. Among these laws, the Hindu Marriage Act, 1955 (HMA) is the most significant as it has given complete equality to women. Apart from grounds for matrimonial relief available to both spouses, a wife has some additional grounds as well. Monogamy has been imposed and bigamy is an offence under the penal law. It is significant to note prior to 1955, a Hindu male could keep any number of wives—though there were some state legislations against bigamy.

Likewise after the HMA the whole concept of cruelty has undergone change. A wife is no longer expected to tolerate acts of physical or mental behaviour which until a few years back were brushed aside as normal in matrimonial life and so the wife was supposed to compromise in the interest of family. Under the expansive interpretation of cruelty, even a demand of dowry constitutes a matrimonial offence entitling a wife to matrimonial relief.

So far as Muslim law is concerned, there has been no major change in laws relating to family matters. The Muslim Personal Law (Shariat) Application Act, 1937 and the Dissolution of Muslim Marriages Act, 1939 gives very limited rights to wives. The Muslim Women (Protection of Rights on Divorce) Act, 1986 which was a fall-out of the Supreme Court judgement in Mohd. Ahmed Khan v. Shah Bano granting equal maintenance rights to a divorced woman under section 125 of the Code of Criminal procedure, 1973, notwithstanding the personal law, does not, in any way, empower a divorced Muslim wife. The constitutional directive of a Uniform Civil Code is still a far cry.

Political sensitivities and expediency have prevailed over commitment to a goal. Sarla Mudgal v. Union of India seeks to close back door entry to bigamous marriages by husbands married under monogamous laws converting to a religion which permits polygamy. This however, does not address issues of polygamy, triple talaq or maintenance after divorce.

Likewise, the Christian divorce law i.e. The Indian Divorce Act, 1869 enacted about a century and a half back suffers from various

discriminatory provisions which are both gender based and religion based. The repeated demands, suggestions and recommendations for change in the law to remove discrimination have not met with success. The courts, however, are virtually amending some provisions by deleting certain phrases to alleviate the sufferings of Christian wives seeking divorce. This however does not solve the problem unless the Supreme Court gives a ruling or Parliament makes the necessary amendments.

**Freedom to work and economic security are the greatest concomitants of employment. Though the Constitution guarantees the right to work as a fundamental right, it is important that there should be an exploitation-free and safe working environment to make this right meaningful.**

In the realm of family relationships, a reference may be made of section 498-A of the Indian penal code (which is a secular law) which was incorporated by an amendment in 1986 to protect wives against domestic violence. The section does not deal with only dowry related harassment but it deals with all kinds of cruelty against a wife by the husband and/or the in-laws.

On the other hand, a reference may be made of anomalous marital rape provisions in the law. Under section 375 of the Penal Code,

sexual intercourse by a man with his wife who is not below 15 is not rape even if she resists the act whereas under the general law, sexual intercourse with a girl below 16 is rape even if she consents. Thus if the wife is 15, the husband cannot be held guilty of rape. This is anomalous. The age for marriage has been raised to 18 but the provision of marital rape in the penal code remains the same as in 1949, viz. 15. Such exemption to the husband would only encourage child marriages and exploitation of women who will have to bear the brunt of early cohabitation.

The extent of control and authority a woman legally has over her children is another index of power. Under the Hindu Minority and Guardianship Act 1956 (HMGA) and the Guardians and Wards Act, 1890 (GWA) a mother's right is subservient to the father's. This was challenged in the apex court in Githa Hariharan v. Reserve Bank as being gender discriminatory. The court construed the word "after" in section 6 HMGA to mean not necessarily "after the lifetime" but "in the absence of". Thus if the father is not in charge of the minor either because of indifference or mutual understanding between parents or physical or mental incapacity or absence from the place where the mother or the minor are living then the father can be considered as "absent" and the mother can act as guardian. This interpretation, however, leaves a vital question unanswered—what if the father and mother are living together and the father is not "absent" within the extended meaning given to the word 'after'?

Freedom to work and economic security are the greatest

concomitants of employment. Though the Constitution guarantees the right to work as a fundamental right, it is important that there should be an exploitation-free and safe working environment to make this right meaningful. With increasing number of women taking up jobs in the public sector as well as in the private sector and in urban as well as rural areas, the incidence of harassment is on the rise too. In view of the social and economic constraints, women are reluctant to complain about their harassment. If they do, they might lose their job or promotion apart from becoming an object of further humiliation and ridicule. Unfortunately there is no legislation which covers this area of grave concern for women.

Two positive developments in this direction are noteworthy, viz., the prosecution of a high profile police officer for misbehaving with a woman IAS officer and the laying down of comprehensive guidelines and directions against sexual harassment at work place by the Supreme Court. Vishaka is a Magna Carta of working women. Apart from laying down guidelines enumerating acts which constitute sexual harassment, the need for creating awareness was emphasized too. All government and private sector organizations, hospitals, universities and the unorganized sector come under the purview of guidelines which will have the force of law until a legislation is passed. R.D. Bajaj and Visakha are vivid examples of judicial concern for women's dignity and the role law can play in empowering women at workplace.

C.B. Mathumma and Nargesh Meerza are examples of

judiciary's concern for gender equality in work place. The apex court struck down as unconstitutional service rules whereby marriage and pregnancy were laid down as disqualification or disability for appointment/continuance in service. Seeking a husband's consent to join a

**While law is not an absolute instrument of empowerment, it cannot be denied that it does play a significant role. At times, laws may be high sounding but their weak enforcement or retrograde interpretation may dilute their efficacy.**

training course or job was held to be against all norms of equality and justice in *Maya Devi v. The State*. The judge emphasized the importance of a woman being economically independent and that is "one of the solutions to our social problems. State must encourage the working woman and can ill afford to create conditions of discouragement. Such discouragement is also against the letter and spirit of Art. 46 of the Constitution.

*Neera Mathur v. LIC* safeguarded a female employees right to privacy by directing the Life Insurance Corporation to delete such columns in the service declaration forms where under information on personal problems like menstrual periods, conceptions and deliveries is sought.

Without effective maternity benefits a woman's right to employment would have been meaningless. Thus the Maternity

Benefit Act 1961 provides for 12 weeks of maternity leave with full pay apart from nursing breaks and some other benefits. In this context a reference may be made of a rule under the Department of Telecommunications a few years back where under an unmarried employee was held not entitled to maternity benefits. This rule was later withdrawn on the intervention of Ms. Margaret Alva, then Minister of State for Personnel. In February 1986 the Ministry of Labour issued instructions that maternity benefits should be given to all-employed women without regard to her marital status.

This in brief is a journey depicting legislative and judicial milestones towards the goal of women's empowerment. While law is not an absolute instrument of empowerment, it cannot be denied that it does play a significant role. At times, laws may be high sounding but their weak enforcement or retrograde interpretation may dilute their efficacy. There may, however, be occasions where liberal/progressive interpretation and enforcement may make up the deficiency or vagueness in a law. C.B. Muthumma, Nargesh Meerza and Shah Bano are illustrations of positive and progressive approach of the law and judiciary towards empowerment of women. On the other hand *Narasimaha* and *Githa Hariharan* are striking examples of how the judiciary lost an important opportunity of doing complete justice and empowering women. To conclude, all law is not justice and all justice need not be law. Law and justice have to supplement and complement each other to effectively empower women. There is still a long way to go! □

# Land Rights and Gender Equity

Bina Agarwal

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**Secure and effective land rights are of critical importance for women's welfare and empowerment. But achieving this will need concerted efforts by gender-progressive NGOs, especially women's groups, as well as by those within the government who are concerned about women's empowerment, poverty and equitable development.**

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**O**VER TWO decades ago, in 1979, a group of poor women from West Bengal made the following demand to their village Panchayat: "Please go and ask the government why when it distributes land we don't get a title? Are we not peasants? If our husbands throw us out, what is our security?"

This question is as relevant today as it was then. Land continues to be a significant source of livelihood and social status for millions of rural families. It is also an important source of political power in rural India. However, most land is owned and controlled by men, thus depriving women of a critical means of enhancing not only their economic well-being but also of empowering them socially

and politically. Indeed livelihood security and political voice are both crucial for women's empowerment today. And for the majority of women who continue to depend on agriculture, access to land is the most important basis of livelihood security.

The group of Bengali women who raised the demand for land in 1979 did so because they clearly recognized that they could not solely depend on husbands of male relatives for their survival, and that resources in men's hands do not always benefit women and children equally. There are in fact numerous cases of women from well-off households being deprived of their rightful property shares by prosperous relatives, and being left destitute on desertion or

widowhood. Some are even found doing wage labour on the farms of their well-off brothers-in-law.

In most of India, women also constitute a disproportionate number of the poor and especially of the chronically poor. And in female-headed households, women are often managing both family subsistence and cultivation with little male assistance, and without possessing a field of their own. In recent years, with growing evidence of intra-family inequalities, women's economic concerns have received some public attention. But the focus continues to be mainly on wage employment, or on self-employment through credit for micro-enterprises, obscuring what is commonplace in measuring the economic status of men or of households, namely property ownership and control. As argued here, effective and independent property rights is likely to be the single most critical contributor to women's economic well-being, social status, and often even political voice. And in an agrarian economy such as India's, the most valued form of rural property is still arable land.

Yet this is an issue that has been largely neglected by policy makers. Only a few Five Year Plans, for

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instance, mention the women's land claims, and even these typically do so in marginal ways, in the context of land distribution to the landless or of poverty alleviation, rather than for gender equality or women's empowerment. And while the Eighth Five Year Plan does mention the need for changing inheritance laws to give women equal shares in parental property, no directives are laid down on how this would be implemented. In general, on the ground there has been little effective implementation of even the limited Plan directives.

Consider in some more detail why women need effective land rights in their own capacity. Let me emphasize here that by "effective" land rights, I mean rights not just in law but also in practice; and rights not just of ownership but also of control.

## I. WHY LAND RIGHTS

The case for independent rights in arable land for women rests on four pillars: welfare, efficiency, equality and empowerment.

**Welfare :** Across most of India, women are much more dependent on land-based livelihoods than are men. Over the past 25 years while male workers have been moving into non-agriculture women have remained largely in agriculture. In India today 58% of all male workers but 78% of all female workers (and 86% of all rural female workers) are in agriculture. Women's lower mobility, less education, and fewer assets, all limit their entry into viable non-agricultural occupations. At least in the foreseeable future, therefore, for women much more than for men, livelihoods will be linked to access to land.

At the household level, those who have land have much less risk of poverty. Apart from direct production advantages, titles also enhance bargaining power with employers, help push up aggregate wage rates, and serve as a mortgageable and saleable assets during crisis. However, for several reasons, land solely in men's hands need not guarantee female welfare.

### **In the foreseeable future, therefore, for women much more than for men, livelihoods will be linked to access to land**

First, there is a systematic bias against women and female children in the sharing of benefits from male-controlled resources within the family. This shows up in access to basic necessities such as health care, education, and sometimes even food, and is revealed most starkly in female-adverse sex ratios.

Second, women without independent resources are highly vulnerable to poverty and destitution in case of desertion, divorce or widowhood. Some studies also find that mortality rates among widows are higher among those living as dependents of male relatives, compared with those living on their own with independent means of subsistence. Today relatives, including sons, often do not provide the expected economic security to widows, many of whom end up living in destitution. The incidence of deserted women is also noted to be high

In contrast, direct land transfers to women would benefit not just them but the whole family. Women in poor households are noted to spend most of their earning on

basic household needs, including food, while men spend a significant percentage of their earnings on personal needs, such as alcohol, tobacco, etc. Recent research also shows that children's welfare is more closely linked with the mother's earnings than the father's. For instance, it is found that if the mother has assets the children are better fed, and more likely to attend school and receive medical attention. Apart from differences in spending patterns, women with land would also have greater bargaining power, which would help them negotiate higher wages in the labour market. In other words, women's and children's risk of poverty would be reduced and their welfare enhanced if women had direct access to land, and not just access mediated through male family members.

Third, a large percentage of households (estimates range between 20-35%) are de-facto female headed. And for them, having their own land is essential for survival. For widows and the elderly, owning land also improves support from kin. As many old people say: "without property children don't look after their parents well".

Recent studies show that elderly women cannot automatically rely on family members looking after them, and those who have some assets often use these to bargain for such support from relatives.

It needs emphasis here that a stress on land does not mean that land today can be relied upon as the sole basis of livelihood. Indeed, most households do not own enough land to subsist on that basis alone. But even a small plot can be a critical element in a diversified livelihood system. It can be used for growing trees, of fodder for

animals, or even for raising poultry. Some land is usually necessary even for viable rural non-farm enterprises. Hence even if the plot is too small for crop cultivation, it can add to other means of earnings. And if used collectively with other small plots could even be used for crops.

**Efficiency :** Welfare is only one part of the argument. As more men move into nonagricultural occupations, more and more women will be left with the main responsibility for farming. Without titles they often do not get access to production credit. They also seldom receive information on new agricultural technologies. With titles they could produce higher output, and this would be beneficial both for them and for overall agricultural production. Titles to women would also enhance incentives within the family. Providing security of tenure to tenants, for instance, is usually seen as critical for motivating the farmer to make productivity-enhancing investments in the land. However, there has been little discussion of incentives within the household. Some recent studies suggest, however, that disincentives can exist equally within the family. In Kenya, for instance, the introduction of weeding technology in maize production raised yields on women's plots by 56 percent where women controlled the output, and only by 15 percent on the men's plots where too women weeded but men got the proceeds. The study suggests that secure land rights, and control over its produce can be important for motivating even family women to put in their best. Similar studies of the gender-specific productivity effects of incentives are needed for India. Another study for Burkina Faso,

found that due to their choice of cropping patterns, women achieved much higher values of output per hectare on their own plots than did their husbands on theirs. The study estimated that output could be increased by as much as 10-20 percent, if factors of production, such as manure and fertilizers were reallocated

**If women have land, they can assert themselves better with government agencies that provide inputs and extension services. At the moment most infrastructure support for farmers is oriented towards men.**

from plots controlled by men to those controlled by women. Also if women have land, they can assert themselves better with government agencies that provide inputs and extension services. At the moment most infrastructure support for farmers is oriented towards men.

Some oppose women's land claims on the ground that it will reduce output by increasing fragmentation. However, existing evidence indicates that small size does not in itself reduce productivity. In fact, many small farms have higher output than large farms, and this negative size-productivity relationship continues to hold even in the post-green-revolution period. Also fragmentation can arise equally with male inheritance and should be dealt with similarly. Land consolidation is one solution. Indeed, the post green-revolution period has seen a spurt in farmer-initiated consolidation in India.

Probably due to both this, and to government consolidation efforts over many years, the number of fragments per holding has declined at the all-India level from 5.7 in 1960-61 to 2.7 in 1991-92. Also, many small male owners lease out small plots so that the cultivation unit is often larger than the ownership unit; and women could have this option too. In addition, some solutions to the growth of marginal holdings in India lie in new institutional arrangements for joint investment and cultivation by groups, as elaborated further below. Certainly, the fragmentation argument cannot justify the continuation of archaic inheritance practices.

**Equality :** A third important reason for promoting women's land rights is equality. Economic and social equality of women and men would be a measure of a just society and such equality needs to be seen as a significant indicator of development.

**Empowerment :** Most importantly, equality is linked with empowerment. Entitling women with land could on the one hand empower them economically, and on the other hand strengthen their ability to challenge social and political gender inequalities, both within and outside the home.

A telling example is that of the Bodhgaya peasant movement in Bihar in the late-1970s, in which women and men of landless households jointly agitated for ownership rights in the land they cultivated, which was under the illegal possession of a local temple-monastery complex. During the movement women demanded independent land rights, and received plots in two villages, with marked implications. Grassroots

workers of the Chatra Yuva Sangharsh Vahini who were active in the movement report that in many villages where only men got titles, drunkenness, violence & threats increased, with husbands saying: "Get out of the house, the land is mine now".

But where women got titles they could now assert: "We had tongues but could not speak, we had feet but could not walk. Now that we have the land, we have the strength to speak and walk". This is empowerment as rural women themselves see it.

## II. LAND RIGHTS UNDER INHERITANCE LAWS

Women can get land in mainly three ways: Inheritance from families; transfers from the government; and purchase or lease from the market. Of these, inheritance is the most important since in India most arable land is in private hands. About 86 percent is private and 89 percent of rural households own some land. Although most hold small plots, access to this land is mainly through inheritance.

Traditionally, inheritance in India was mainly patrilineal. The main exceptions were pockets of matriliney in Kerala and Meghalaya. Today, in legal terms, women's inheritance rights are governed by personal laws that vary by religion and region. These laws give most women much greater inheritance rights than did custom, but significant inequalities remain. The laws are complex and varied.

The important point is that the majority of women among both Hindus and Muslims face especially two types of inequalities:

- (1) Lower inheritance shares than males;

- (2) Special disabilities in relation to agricultural land.

For instance, Hindus in India are governed by the Hindu Succession Act of 1956. Under this Act, although daughters and sons have the same rights in the father's separate property and in his notional share in the joint family property, daughters unlike sons do

**Surveys show that most Indian women do not own land, even fewer effectively control any. A 1991 sample survey in rural India showed that only 13% of women with landowning fathers inherited land as daughters. In Rajasthan this figure was only 2%.**

not have independent coparcenary shares in the joint family property. Also if a male coparcener were to renounce his rights in his coparcenary property, his sons would retain their independent entitlements to the joint estate, indeed their shares in it would increase, but daughters, the widow, and other class I female heirs who only have a right in such property through the male coparcener, would stand disinherited from such property. A man can also convert his separate or self-acquired property to coparcenary property, and again his Class I female heirs, who would otherwise have enjoyed equal shares with his sons in such property, would be substantial losers. Most importantly, certain categories of agricultural land are governed not by the HSA but by state-specific tenurial laws. In many states these tenurial laws specify an

order of devolution where four generations of men in the male line precede the widow and daughter.

Over the past few decades, the southern and some western states have amended the law to make it more gender equal; for instance, by making daughters coparceners in joint family property, but inequalities persist in the north Indian states.

Again, for Muslims in undivided India the Muslim Personal Law (Shariat) Application Act, 1937, substantially improved women's rights. But inequalities in male and female shares remained. Also this Act left out agricultural land from its purview, the inheritance of which was to be governed by local custom and tenurial laws that were highly gender unequal. After independence, the South Indian states amended the 1937 Shariat Act to include agricultural land. But the law in north India remains highly gender unequal.

The closest we come to gender equality in inheritance laws in India is among Parsis and Christians, and among most communities in Kerala.

## III. OWNERSHIP IN PRACTICE

Rights in law are only part of the picture. Equally critical is the gap between law and practice. What is the situation in practice?

Unfortunately large-scale economic surveys on land ownership do not collect gender-disaggregated data. But small surveys show that most Indian women do not own land, even fewer effectively control any. For instance, a 1991 sample survey in rural India by development sociologist, Martha Chen, showed that only 13% of women with

landowning fathers inherited land as daughters. In Rajasthan this figure was only 2%.

Among widows, the percentage was somewhat better. At the all India level, 51% of widows inherited. But this still means that 49% did not. Also the widow's land is usually registered jointly with that of adult sons and effectively controlled by them. Widows without sons rarely inherit. Moreover widows constitute only 11% of rural females over the age of 10. Recognizing widow's rights alone therefore cannot make up for their disinheritance as daughters.

#### **IV. OBSTACLES TO WOMEN'S INHERITANCE CLAIMS**

The enormity of women's disinheritance clearly cannot be explained only by unequal laws. In fact, underlying both unequal laws and the vast gap between law and practice are social norms and administrative biases. Consider why there is this gap.

(i) In most traditionally patrilineal communities, parents are reluctant to give daughters land. This is especially the case in northern India. Parents often deny daughters their claims on the grounds that they leave the village on marriage. But the same logic is seldom applied to sons when they leave the home for an urban job typically they still retain their inheritance rights. If a daughter received a share in the land, she could either decide to cultivate it or she could lease it out and so get some independent income, or she could claim a share of the harvest. In Sri Lanka, for instance, where inheritance rights have traditionally been much more gender equal than in India, women

sometimes inherit trees of coconut or banana, and receive a share of the fruit from the relative who looks after the plot or the trees for them.

#### **To improve women's access to land it is necessary to act on all fronts: inheritance, government transfers, and access through the market.**

(ii) Apart from marriage practices such as village exogamy (outside village marriages) social customs among many communities (typically upper caste Hindus in the north) forbid parents from accepting any kind of support from married daughters. Often there are taboos to their even accepting food or drink if they visit her home. This becomes another barrier to parents' endowing a daughter with land since they can then expect no reciprocal help from her in times of need. It is notable though, that such customs are linked with culture and not religion: for instance, they are usually not found among Hindus in southern India.

(iii) Many Indian women also forgo their shares in parental land in favour of brothers. In the absence of an effective government social security system brother constitute a form of traditional potential social security, especially in case of marital breakup. In actual practice the likelihood of a brother welcoming a sister whose marriage has broken down is rare. We would thus expect that an effective social security system would reduce this dependence and increase women's ability to claim their share.

(iv) The expectation that a "good sister" will forfeit her share again discourages women from asserting their rights.

(v) If women do not voluntarily forgo their claims, male relatives often file court cases, forge wills, use threats, and may even resort to physical violence.

(vi) Many government functionaries compound these problems and obstruct the implementation of laws in women's favour. The bias is most apparent in the recording of daughters' inheritance shares by village patwaris. This might change to some degree if women elected to the Panchayats are vigilant and gender-aware regarding this issue.

(vii) Social restrictions on women's mobility and public interaction also make it difficult for women to claim their shares. In addition, such restrictions create obstacles for women operating as farmers. In most villages of North India, e.g., women are expected to avoid spaces where men congregate—especially the market place. This denies women in seeking information on new agricultural practices, purchasing inputs, and selling the product.

#### **Regional Variations**

It needs emphasis here, however, that the opposition to women's inheritance and the social difficulties they face is not uniform across India. The opposition is less in South and Northeast India where in-village marriages are allowed, and parents can seek economic support from married daughters during crises. Female seclusion practices such as purdah too are strongest in northwest India and virtually absent in the South and Northeast.

## V. LAND REFORM AND PUBLIC LAND

So far this discussion has focused on inheritance and private land. The second source of land for women is through the government. But gender bias is also apparent in public land distribution. Although, the amount of arable land in government hands is limited, it is land on which the government has direct control; and what the government does, influences society.

Typically, governments allot land to male household heads, be they schemes of land reform, poverty-alleviation, or resettlement. In particular, land reform programmes across all political spectrums have ignored women's concerns. Even West Bengal's Operation Barga programmes of the late 1970s strongly favoured men, both in the registration of tenants and in the distribution of land to the landless. Even joint titles were not a part of the scheme. And although an exception was made, in principle, for single women households those divorced, deserted etc., this exception was only for women without adult sons. And in practice few among even these received land in practice. A study of a village in Midnapur district found that of the 107 'khas' holdings distributed, 98 per cent went to men. In 90 per cent of the female-headed households, the land went to the women's sons; and only eight of the eighteen single women received land. None of the married women received joint titles.

The same bias is repeated in land distributed under resettlement schemes. Consider the resettlement packages for

landed families under large dam irrigation scheme in six states : Gujarat, Madhya Pradesh, Maharashtra, Uttar Pradesh, Karnataka and Orissa. In five (the exception being Karnataka), there is no provision for widows. In addition, in another five of the six,

**Unless women's claims begin to be seen as socially legitimate, parents can use the right of testation to disinherit daughters by writing a will, even if the laws are made fully gender-equal. Measures to change attitudes, through awareness programmes, the media etc. require an emphasis**

there are special provisions for adult sons, but only two provide for the adult unmarried daughter. In one of these, the daughter has to be over 35 years in age. Hence, under the Sardar Sarovar Project, for instance, the displaced farming families in Gujarat are promised additional land for each adult son (over and above the 2 ha per family unit), but none for adult daughters. In Madhya Pradesh, the adult married son gets cash compensation, but the adult daughter gets nothing. In Maharashtra too, initially only adult sons were included in the list of those eligible; the inclusion of adult daughters came much later after the mid-1980s, and restrictively for only those over the age of 35.

In Orissa's Upper Indravati project, only adult married sons get land. Privileging adult sons is

not only gender-discriminatory but also biased against families with no adult sons. As some of the tribal displaced by the Sardar Sarovar project asked me during my field visit in 1992 : 'What about those of us who have only adult daughters?' Apart from the discriminatory treatment of widows and adult daughters in most rehabilitation schemes, the transfer of land to the household is in the man's name.

In most government schemes government officials do not transfer land to women because they see male heads of households as the legitimate claimants. Many also assume, incorrectly, that women are incapable of managing land on their own, even though rural women do more than an equal share of farm work.

## VI. WHAT COULD BE DONE?

To improve women's access to land it is necessary to act on all fronts: inheritance, government transfers, and access through the market :

Improving access via inheritance will require both legal and social changes. Legal interventions would include several elements: One, inheritance laws need to be made gender equal. Two, legal literacy is necessary to make laws effective. This could be introduced as a part of the school curriculum. Three, there is also a need for ensuring the recording of women's land shares at the village level. Here women elected in the Panchayats can again help to ensure that the village official correctly records women's claims, and that the land is also properly registered in women's names. In addition, some women may need legal advice and support in case they wish to contest their claims.

Socially a change is critically needed in attitudes towards daughters inheriting. Unless women's claims begin to be seen as socially legitimate, parents can use the right of testation to disinherit daughters by writing a will, even if the laws are made fully gender-equal. Measures to change attitudes, through awareness programmes, the media etc. require an emphasis that a woman today to be economically independent for the welfare and survival of herself and of her family. And for this she needs a right in property, rather than a dowry which typically goes to or is controlled by her in-laws, and which is also an illegal practice today.

In terms of land via government transfers, as already mentioned, it is necessary to ensure that when the government transfers land in land reforms or under anti-poverty programmes, women need to be given an equal share. This should also be done when people are resettled in large dam projects, such as under the Narmada Valley Project.

Most importantly, given that there is very little government land available for distribution, it is necessary (a) to think of ways by which women can access land via the market; and (b) cultivate it collectively. Consider how.

Government policy essentially promotes farms that are owned and cultivated on a family basis. For instance, the emphasis so far has been on giving poor women joint 'pattas' with husbands. While joint 'pattas' are better than having no 'pattas', joint ownership with husbands also has several potential problems. Women find it difficult to gain control over the produce, to bequeath the land as they want,

and to claim their shares in case of marital conflict. Most of all it prevents women from joining with other women to farm their land. What are the alternatives?

### Alternative

One alternative would be for women who own individual holdings to invest in capital inputs jointly with other women, while managing production individually. Male farmers have done this. For instance, several years ago, I saw in the villages of Rajasthan's Alwar district that groups of male farmers were investing jointly in tubewells. Joint investment reduces the individual cost of expensive inputs. Women farmers could be similarly encouraged. Women often have little finance to invest in land individually but they could do it more easily if they pooled their resources and did it collectively.

A second type of arrangement could be for women to purchase land jointly and farm it collectively. One of the most interesting attempts at this is in Andhra Pradesh. Here an NGO called the Deccan Development Society (DDS) has been working with poor women in 75 villages of Medak district—a drought-prone area.

The Andhra Pradesh government has a scheme under which subsidized loans are given to groups of landless Scheduled Caste women for buying agricultural land in groups. With support from DDS, women have used this scheme to form groups and buy land jointly. They then divide the land among the group members, with each woman registered as the owner of about one acre. However, they cultivate the land collectively, using organic farming techniques. In the process of working together, women have learnt to survey land, hire tractors, travel to towns to meet government

officials, obtain inputs, and market the produce.

A third possibility lies in women leasing in land as a group and cultivating it jointly. Under one of the DDS's programmes, women in AP are leasing in land from private owners. In some cases women's groups have used loan money available via DWARCA for this purpose. Initiated in 1989, the programme now covers 800 acres across 56 villages. Women's committees keep records of each women's work input, and ensure equitable distribution of wages and produce. Women who fail to turn up for collective labour are subject to fines, decided in the group's weekly meeting. In 1995 each woman participant was able to get enough cereal and pulses to feed the whole family for a month, in addition to harvest wages. Government loans have seldom been used so innovatively.

Equally innovative is the formation by DDS of some land lease groups comprised entirely of single women (those widowed, divorced, or deserted). This is in recognition of the fact that such women seldom get ready family support. This constitutes a very different approach toward marital breakdown than that of male dependency embedded in the government's social security and land reform schemes.

Examples of NGOs encouraging land leasing by women's groups are also to be found in Kerala and some other states.

A fourth arrangement, also illustrated by DDS's experience, is of women's groups overseeing cultivation on land owned by male farmers. In Andhra Pradesh, the land that the women took up was of very poor quality ceiling surplus land distributed by the

government of landless men. The land remained largely fallow, while the families depended heavily on the public distribution system (PDS). Women with the support of DDS persuaded the state government to provide some of the money it spent on subsidizing PDS to the poor farmers under the supervision of women's committees. The farmers now contribute part of their harvest to the community grain fund in repayment for the support. Committees of women extend the loans to the farmers, ensure its proper use, and collect a harvest share for a community grain fund. This grain is sold at a low price to the poorest households in each village. This thus serves as an alternative PDS. This project is now working in some 32 villages, covering about 2675 acres and 1720 marginal and small farmers, and is estimated to have produced several hundred tonnes of extra grain.

A fifth arrangement could be one which has yet to be tried out on the ground. Under this arrangement poor rural women would receive land as a group. Each woman in the group would have used rights but not the right to dispose of the land. The daughters-in-law and daughters of such households who are resident in the village would share these use rights. Daughters leaving the village on marriage would lose such rights, but could establish them in their marital village. Also they could re-establish their rights in their parental village should they need to return there, say on divorce or widowhood. In other words, land access would be linked formally with residence and working on the land, as was the case under some traditional

system when land was held by clans.

There are several important aspects in these success stories: some of these—the presence of a gender-progressive NGO, the use of a group approach, and a focus on landless women—are found in many stories of poor women's economic betterment. What is uncommon about these cases is the fourth ingredient—their focus on land for women, as opposed to the typical and usually less profitable micro-credit linked income-generating activities promoted by the government or most NGOs.

### Through Market

The alternatives I have described provide a solution to many difficulties women face in accessing and cultivating land. They show how women can obtain land not only via inheritance, but also through the market. And where there is joint investment and collective management, these arrangements overcome problems of small size and fragmentation.

A collective approach also helps women mobilize funds for capital investment, and cooperate in labour sharing and product marketing. And if the land is also jointly owned (as in the fifth type of arrangement) this would strengthen women's ability to withstand pressure from male relatives and retain control over the land. And it would bypass the problem of who would inherit, since the women's group would have used rights but not rights of alienation. It would also by-pass the problem of outside-village marriages, since women's rights would be established by residence. This fifth alternative could be tried out in some regions on a pilot basis.

More generally, the alternative forms of farming indicated above are not mutually exclusive, nor is it being suggested that they should be taken up everywhere irrespective of local context and conditions. But they are certainly worthy of emulation in some other regions. Also, seeking to enhance women's access to land via the market does not of course reduce the importance of simultaneously working to improve their claims in inheritance and government distributed land.

Secure and effective land rights are of critical importance for women's welfare and empowerment. But achieving this will neither be easy nor will it happen automatically over time. It will need concerted efforts by gender-progressive NGOs, especially women's groups, as well as by those within the government who are concerned about women's empowerment, poverty and equitable development. Efforts will need to be made both within individual villages, and undertaken by groups across villages collectively.

Some NGOs in parts of India are already carrying out campaigns for legal equality in property rights. This could be extended across India. It is equally, and perhaps even more important, to go beyond the law, and seek to change social practice relating to women's land claims. This will again need sustained effort. But it is an effort that can pay rich dividends in terms of making women economically more independent, reducing overall family poverty, and improving women's social status and bargaining power both within the home and in the larger community. □



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# Can Panchayati Raj Improve the Scene ?

Sudha Pillai

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**Currently almost a million women occupy positions as Members and Chairpersons in the three-tier structure introduced by this Constitution Amendment. This is a significant number and cannot but transform things in what was till recently a static rural society.**

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**T**HE POLITICAL empowerment of women is crucial not only for the development of women themselves but the availability of their creative potential is socially important and without it the country cannot hope for any sustainable development.

Till the early 90s India attempted to cater to the requirements of village communities by a method that required rural folk to be passive recipients of development efforts planned and delivered by people who live elsewhere—mostly in urban areas. This suppressed any attempts at local initiative. While in the urban areas the post independence period has witnessed the entry of women in the fields of medicine, administration, science, law and

arts, the life that rural women have led has not undergone any change. The Constitution 73rd Amendment altered all this when it provided for reservation for women in Panchayats.

The Amendment, which came into force in April, 1993, represents a watershed in the polity of this country for several reasons. One of the very special features of this Constitutional Amendment is that it contains what Smt Nirmala Buch describes as “guarantee of representation” in the Constitution itself. This guarantee of representation is for the earlier marginalised groups among whom the biggest group happens to be women. The 73rd Constitution Amendment has mandated not less than 1/3rd reservation for women. Reservations have been provided for women not only at the

level of members but not less than 1/3rd of the Chairpersons are to be women. Eight years down the line, it is clear that had there been reservations only at the level of members, the changes would not have been so profound. Since Panchayats have been charged with the responsibility of preparing plans for economic development and social justice and implementing these plans and schemes with regard to a fairly comprehensive list of subjects (29 subjects as contained in Schedule XI), it also affords to women who are elected an opportunity of personal growth and empowerment while creating at the same time a unique opportunity to change things in the villages. All the provisions of the 73rd Constitution Amendment that seek to empower Panchayats directly or indirectly serve to empower women.

Several hundreds studies affirm the soundness of the policy of reservation for women. The basic finding is that women have done exceptionally well. In many of the Panchayats, which are headed by women, not only has the participation and leadership of women made an impact on grassroots governance, it has also shattered many of the myths

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Ms Sudha Pillai is Jt. Secretary, Panchayati Raj, Ministry of Rural Development, New Delhi.

regarding their inability to handle power and responsibility outside their homes. The political empowerment of women resulting from the 73rd Constitution Amendment therefore, has had impact in two socio-political areas. There is, first of all, a visible improvement in the administration and delivery of services at the Gram Panchayat level, mainly because of greater focus on the felt needs of the people, greater transparency, greater reliance on horizontal linkages and greater participation of people particularly women members of the village community. Secondly, the amendment has made possible the creation of political space which has enabled women to gain in social stature, confidence and to shake off age old stranglehold of repressive tradition.

Elected women have become role models for other women and for adolescent girls. Their travails as well as successes give a fillip to the desire for education. Reports indicate that even conservative parents have now begun to dream that one day their daughters might play an important role in the affairs of the village community.

Currently, almost a million women occupy positions as Members and Chairpersons in the three-tier structure introduced by this Constitution Amendment. Even in a country as large as India, this is a significant number and cannot but revolutionize and transform things in what was till recently a static rural society. It is not as if women have succeeded in every Panchayat but the large majority have and that is what makes it exhilarating.

Documenting the changes that have occurred, several researchers, political analysts, NGOs and journalists, both Indian and foreign, have observed that within the village the funds are better utilised, the focus of the Panchayat has shifted from political power games to making arrangements for drinking water, school education, health care and dealing with problems relating to sanitation and fuel. Sadly, these were the problems that were never addressed or discussed by Panchayats in which women were absent. In the context of the reports that a very large number of Indian rural women and children suffer from malnutrition caused by poor diet, absence of safe drinking water and sanitation, the tangible impact of this shift of focus can hardly be



Panchayat discussions in progress



### Awareness creation is a must for Panchayati Raj

over emphasized.

There are many reported cases that as their sense of empowerment has grown, women Sarpanchs and members have also begun to address some of the social evils such as alcoholism, domestic violence and child marriages. Here are some of the reported cases.

- A woman Panchayat member in Maharashtra organised a camp of women to discuss the issue of dowry.
- In Chamba, two village Panchayat Pradhans helped in the closure of liquor vends which had a vice like grip over the village community.
- A Sarpanch, was able to contain alcoholism in a meeting of community elders with a signing of an agreement that a person would pay a fine if found drunk

and motivating the wives to report if their husbands came home drunk.

- A Sarpanch focused on the problem of bride price and the problems of alcoholism.

These are only some of the women who have been written about. Expectedly, while dealing with these issues, many faced initial hostility not only within the village community but also within the family.

One would expect them to upset the conservative and orthodox sections of the village community by rushing into these sensitive areas but what has been surprising is that even the implementation of development programmes has not been easy for these formidable women.

Many found that they were up

against organised corruption, 'secret deals which were struck in late evenings' when they were not present. In many cases, they were initially viewed as proxies for their husbands or other influential male relatives. Many of them had also to overcome their deeply ingrained habits of timidity and reticence. Not all have succeeded and these problems persist in several Panchayats, being more seriously encountered in states where the traditional low status of women in the community has coincided with negligible devolution of powers upon Panchayats. In such states, the old order continues and thrives due to the obvious reluctance of the State to empower Panchayats and make them accountable to people.

In general, the disabilities against which rural women battle are astonishing. In certain parts of our country—the wealthier the family the lower is the intra-family status of the wife whose working day may extend to 20 hours. In certain states women are, by law, excluded from inheriting land, there has been over the past two decades a certain feminisation of poverty due to land policy favouring the males, maternal health is poor and statistics of maternal death rate are unacceptably high. So a typical Panchayat woman deals with all these disabilities and with the new challenges posed by her elective office in the Panchayat. Her empowerment has begun and will logically reach its fullness in the abolition of inequitable and unjust laws and social practices. Pachayati Raj has laid the foundation for this empowerment. □

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# Of Human Rights And Freedom

J. Bhagyalakshmi

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**India has taken several measures “including legislation, to ensure the full development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men.”**

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**A**LL THROUGH human history in all societies and in all cultures certain rights and principles prevailed which were respected and protected. On the basis of this, human rights which every human being is entitled to enjoy and to be protected emerged on international scene. The revolutionary movements all over the world made it clear that rights of man are inalienable and sacred. The two most important declarations are, the American Declaration of Independence and the French Declaration of the Rights of Man and Citizen.

The contemporary conception of human rights is to be viewed in the context of the twentieth century and two world wars. The

emergence of the United Nations is a landmark in human history.

The Charter of the United Nations reaffirmed faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small. The Universal Declaration of Human Rights (1948) presented an elaborate list of human rights intended to be a common standard of achievement for all peoples and all nations.

The Universal Declaration was followed by other declarations. There are civil and political rights of the individual which are liberty-oriented. Later the other type of rights related to social, economic and cultural security were

declared. Recently certain human rights have emerged in response to the new problems and issues that are causing concern to humanity. They are related to environmental, cultural and developmental issues. These rights are concerned with groups and peoples and include rights like self-determination and right to development.

Though “all human rights are universal, indivisible, interdependent and interrelated” there are certain areas where special focus is required. The development of women and their rights is one such area for the consideration of international community.” Convention on the Elimination of all forms of Discrimination against women” was adopted by the General Assembly of the United Nations on 18 December 1979 and came into force on 3 September 1981.

Here the “discrimination against women” means “any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or

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Dr J. Bhagyalakshmi is a freelance journalist and media consultant.

exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field."

Towards this end states parties to the convention agreed to take appropriate measures, including legislation to ensure the full development and advancement of women on a basis of equality with men.

The convention also took notice of particular problems faced by rural women and their significant role in the survival of their families. So it is agreed that the states parties shall take all appropriate measures to eliminate discrimination and to enable them to participate in and benefit from rural development. To rural women the following rights are ensured :

- a) to participate in the elaboration and implementation of development planning at all levels;
- b) to have access to adequate health care facilities, including information, counselling and services in family planning;
- c) to benefit directly from social security programmes;
- d) to obtain all types of training and education, formal and non-formal, including that relating to functional literacy, as well as, inter alia, the benefit of all community and extension services, in order to increase their technical proficiency;
- e) to organise self-help groups and cooperatives in order to obtain equal access to

economic opportunities through employment or self-employment;

- f) to participate in all community activities;

**The emphasis in all the governmental programmes is on self-help groups and cooperatives to have equal access to economic opportunities through employment or self-employment which is in tune with the convention on "Elimination of all forms of discrimination against women."**

- g) to have access to agricultural credit and loans, marketing facilities, appropriate technology and equal treatment in land and agrarian reform as well as in land resettlement schemes;
- h) to enjoy adequate living conditions, particularly in relation to housing, sanitation, electricity and water supply, transport and communications.

The Indian Constitution has incorporated all the human rights. The Preamble, Fundamental Rights and Directive Principles together reflect the basic principles of the Universal Declaration of Human Rights and the Covenants on Civil and Political Rights, and Economic, Social and Cultural Rights.

In the Preamble it is stated that the people of India have solemnly resolved to secure to all

its citizens :

"Justice, social, economic and political;

Liberty of thought, expression, belief, faith and worship: Equality of status and opportunity;

and to promote among them all

Fraternity assuring the dignity of the individual and the unity and integrity of the Nation."

In spite of declared justice, liberty, equality and fraternity, it has been noticed by the Government of India that women have been lagging behind in almost all the areas.

With the realisation that real development cannot take roots if it bypasses women who not only represent nearly half of the country's total population but represent the very kernel around which societal reorientation must take place, the Government of India has directed all its efforts towards removing various gender biases and thus guarantee women equal status in the real sense as is enshrined in the Constitution of India.

In addition to the women-specific and women-related policies enunciated in various plan documents, the government has also been creating an environment in which women's concerns can be reflected. The National Plan of Action for women adopted in 1976 became a guiding document for the development of women till 1988 when a National Perspective Plan for Women (1998-2000) was drafted which is a long-term policy document advocating a holistic



### Legal aid programme in progress

approach for the development of women.

The National Nutritional Policy, National Policy on Education, National Health Policy, National Population Policy—all have component for women aimed at their empowerment. The commitments of the Ninth Plan (1997-2002) too have an objective of empowering women as the agents of social change and development. Some of the strategies include :

- To expedite action to legislate reservation of not less than 1/3 seats for women in Parliament and in the State Legislative Assemblies and thus ensure adequate representation of women in decision making.
- To adopt an integrated approach towards empowering women through effective

convergence of existing services, resources, infrastructure and manpower in both women specific and women related sectors.

- To adopt a special strategy of "Women's Component Plan" to ensure that no less than 30 per cent of funds/benefits flow to women from other developmental sectors.
- To organise women into self-help groups and thus mark the beginning of a major process of empowering women.
- To ensure easy and equal access to education to women and girls through the commitments of the Special Action Plan of 1998.
- To equip women with necessary skills in the modern upcoming trades which could keep them gainfully engaged

besides making them economically independent and self-reliant.

- To increase access to credit through setting up of a 'Development Bank for Women Entrepreneurs' in small and tiny sectors.

In rural sector women are in the process of being empowered in tune with the UN Convention on "Elimination of all forms of discrimination against women."

The Constitution (73rd Amendment) Act, 1992 provides that not less than one-third of total number of posts of members and chairpersons at all three tiers of Panchayati Raj institutions shall be reserved for women. At present there are 6,81,258 women elected to Gram Panchayats; 37,109 women to Panchayats at intermediate level and 3153 women to Panchayats at district level.

The Panchayats have the responsibility to formulate and execute various programmes of economic development and social justice. Thus women members and chairpersons are part of planning and implementation of programmes.

The Ministry of Rural Development has special components for women in all poverty alleviation programmes. In the Swarnajayanti Gram Swarozgar Yojana (SGSY) women are assisted through Revolving Fund, bank credit and subsidy thus providing opportunities for self-employment.

The Jawahar Gram Samridhi Yojana which aims at demand-driven community infrastructure and the generation of supplementary employment in the rural areas has 30 per cent of the employment opportunities reserved for women.

The Indira Awas Yojana which

provides assistance for the construction of houses for people below the poverty line in rural areas has given priority to widows and unmarried women. Houses are allotted in the name of women members of the households or in the joint names of husband and wife.

Under the rural water supply programme training is imparted to women to play an active role in using and maintaining handpumps for the supply of drinking water. The scheme, Development of Women and Children in Rural Areas which has been merged with SGSY also worked for organised participation of rural women in social development and economic self-reliance. The National Social Assistance Programme has National Old Age Pension Scheme, National Maternity Benefit Scheme and National Family Benefit Scheme which also help women who are

economically weak and vulnerable.

The emphasis in all the governmental programmes is on self-help groups and cooperatives to have equal access to economic opportunities through employment or self-employment which is in tune with the convention on "Elimination of all forms of discrimination against women."

India as a signatory to the convention has taken several measures "including legislation, to ensure the full development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men." In India, the women-specific programmes are showing positive results in the areas of health, education, employment and political and economic empowerment. □





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# Achievements and Challenges

Leena Mehendale

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**In final stage, women's empowerment can be considered as "complete" only when women as a collective group no longer require any positive discrimination or reservation. It is a happy sign that lot of young women have started expressing that they would prefer to come up in life on the basis of merit rather than through reservation.**

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**I** RECALL that way back in my student days I always considered myself lucky for having been born in free India and in an environment where access to education was not denied. Happily, it never occurred to me then or now to question the luck of being a woman.

Much later did I realize how great it was to be educated and to be treated as equal. Since then I have cherished the Constitution of India where the very preamble pledges the Indian citizen for secular democracy and equality to all irrespective of "Religion, Race, Caste, Sex or Place of birth". The term 'secular' as it applies to Indian democracy is not restricted only in the sense of religion but carries the essence of equality to

all without any discrimination on the ground of religion, race, sex, caste, place of birth or economic status.

During the 50 years prior to Indian independence we saw a substantial participation of women in the freedom movement through revolutionary and social activities. We can cite the examples of Capt. Laxmi of the Azad Hind Fauj and Durgabhabhi or Kasturba Gandhi, Kamla Nehru and many more.

It was a result of this meaningful participation of women in the freedom struggle and the awakening kindled by great stalwarts like Swami Vivekanand, Dayanand Saraswati, Subramanyam Bharati, Savitribai Fule or Mahatama Gandhi that

while drafting the Constitution of India, members of the drafting committee put great emphasis on being both secular and democratic in the affairs of governance of the country.

During the first 50 years after independence, the question of bringing women in the forefront through opportunities and capabilities has been considered from time to time. Our national plans started using the term "women's development" during the early period itself. Throughout various social and economic movements, especially the cooperative movement, it was realized that women's participation in decision making was important. The Cooperative Societies Act and the Zilla Parishad Act of 1960 of Maharashtra can be cited as example in which it is mandatory to co-opt two lady members if there are no elected lady members. During 80's the concept of women's political participation evolved in a big way. Only towards the end of the century our planning strategies started talking about women's empowerment. Thus we find that in terms of government policies and programmes we have moved from the concept of women's development to women's

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participation in the social and political affairs to women's empowerment. This can be considered as theoretical or attitudinal change in our perception of the role of women.

How do we define women's empowerment? To my mind fearlessness, dignity and awareness are the key words. Can women decide with dignity and without any fear their own goals and have freedom and capability to act towards them? Do they have access to means of production to ensure economic independence and physical security outside the house as a precondition to freedom of movement? Do their opinions and desires count at the level of family, the society and the country? How do we provide opportunities to enhance their capabilities? A woman should have right to own and enjoy property. She should have freedom from the drudgeries of the laborious domestic chores and meaningless social restrictions. She would be able to freely participate in the development and status building of the nation. She would have mastery over vocational, managerial and life-saving medicinal skills. In short, if the society's chariot runs on its two wheels, namely, the man and woman, then the woman, representing half the society, should be equally capable and empowered as the man.

Women's empowerment needs some basic ingredients. They are :

- fearlessness (implying absence of crimes against women)
- freedom from drudgery of laborious domestic chores
- Economic earning and productivity
- Ability to travel and control

speed

- Authority to make decision
- Sharing power and property with men
- A liberalising education that can prepare grounds for the above.

### **Even after half century of independence, 70% of the women in workforce are employed and getting paid only in unskilled jobs.**

First let us consider the crime situation. The most alarming pointer to the declining status of women in the last 50 years is the factor of rampant female infanticide. This has now worsened into female foeticide and pre-selection technique that prevents the very conception of a female foetus. The Census 2001 shows that the female to male sex ratio for the 0-6 group has declined to 927 from 962 in 1981. For women, the very right to be born is under jeopardy.

This decline is closely related to atrocities against women, within the family and outside. The cruelty shown to women in their married lives is a matter of grave concern. Annually, on average, the police registers nearly 5000 cases of dowry deaths and 30,000 cases of dowry harassment. The number of cases of bigamy, deserted women, and divorce by mutual consent (often agreed to by women to escape domestic torture) is going up. It is estimated that more than 5 lakh cases of deserted women are pending in various courts for maintenance.

This puts a question mark on the institution of family which is a

characteristic and a representative of Indian society. If a woman is unsafe, or under fear and tension in her own house, then empowerment is a far cry.

Safety to woman outside her home is equally important. Annually nearly 12,000 cases of rapes, 13,000 cases of kidnapping and abduction of women, 26,000 cases of molestation and 11,000 cases of sexual harassment are registered, which as per police estimate, represent only 10 to 25 percent of the crimes actually perpetrated on women. Even these are often affected by inadequate investigation, indifferent presentation in the courts, excruciating delays and insensitivity towards the problems and emotions of women victims. Even when women victims cope up with these inadequacies, the conviction rates which are as low as 15%, defacto denying befitting justice to women.

If freedom from fear is the first criterion of women's empowerment, then speedy justice delivery system needs to be ensured. We need to make our investigative machinery more efficient, the process of justice more sensitive towards women, and the punishment for sexual atrocities more stringent. There has to be a method of public monitoring of inefficiencies and delays. The entire justice delivery system may have to be revamped, going beyond the present monopoly of police and judicial machinery. What concrete steps and plans of action are before us for this? How do we present them for public monitoring?

Even after half century of independence, 70% of the women in workforce are employed and getting paid only in unskilled jobs. For example, on a construction

site, women carrying head-loads of cement, mortar, bricks etc. up and down the stairs several times a day undertaking much more physical exertion are called unskilled labour input. But men preparing the mortar once in a while, or laying bricks for the wall or keeping account of the material delivered are regarded as skilled workers and get more wages. Thus, in most of the sectors, all the excruciatingly tiring and monotonous jobs of the women come in the category of unskilled work and they are paid less wages.

Secondly, women continuously perform jobs for which they do not get any payment, for example, collection of fire-wood for the house, carrying pails of water from a long distance, cooking and cleaning the house, daily purchases, looking after children, etc. A woman spends nearly six hours on these domestic jobs which are neither counted as work nor are paid, but demand labour, create drudgery and monotony, and there is no escape for an ordinary woman. Her status or respect that is so essential for empowerment, is not elevated.

In our society, a man is generally not required to participate in these domestic jobs. If seen sharing them, he is ridiculed for his "woman like behaviour". It is extremely necessary that women get respect for these domestic works, get full participation of the men-folk in the family and gets occasional respite from these. Government alone can not create such a mind-set. Thinkers, writers and voluntary organizations will have to come forward. Even the religious organizations cannot escape their responsibilities.

The role of proper education can not be over emphasised. We

have heard the old saying "true education must liberate". On applying this litmus test we find that our education today needs a complete overhaul in favour of economic productivity. The system has to be more vocational oriented and has to promote skill building. It should be a tool to character building in which the values of truth, honesty, expertise, justice and patriotism are carefully inculcated. It should be more easily accessible and should invoke quest for knowledge and travelling. For women, a revamped system of education is the first critical input.

### **Our present system does not adequately provide for imparting vocational skills which alone can ensure a quick beginning of the earning.**

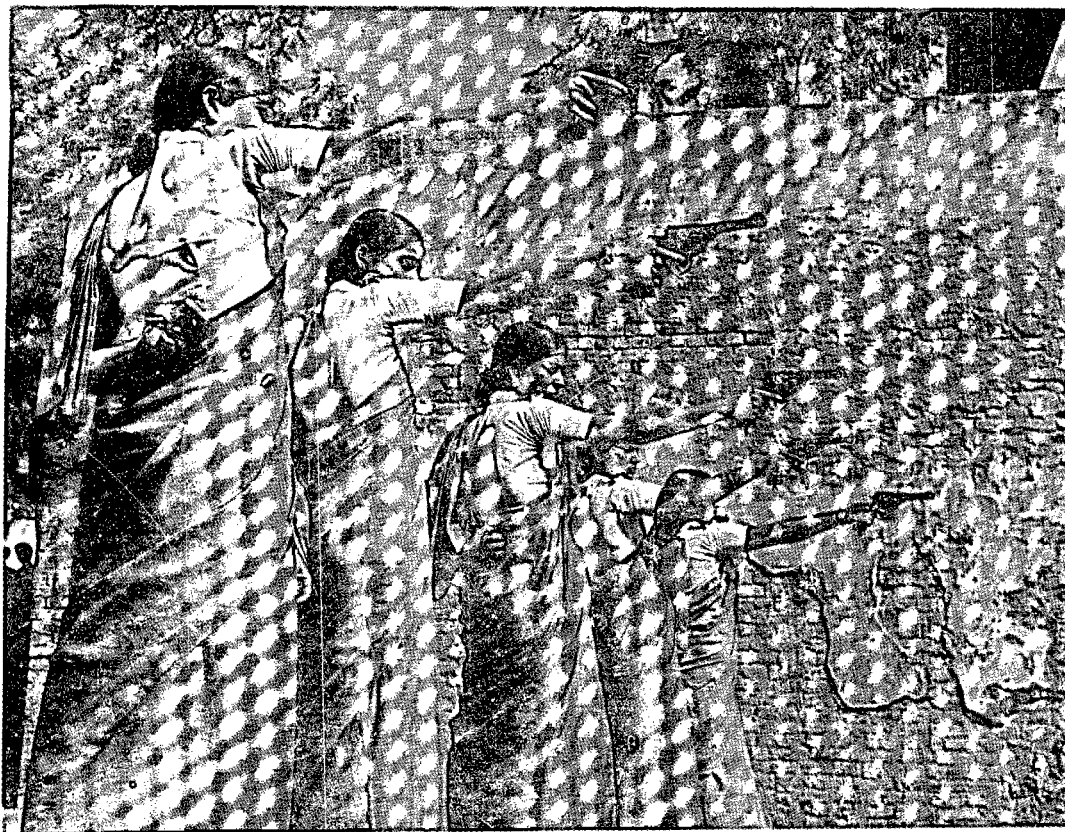
Our present system does not adequately provide for imparting vocational skills which alone can ensure a quick beginning of the earning. No vocational education can be started until 8 years of formal education. Women acquiring skills in traditional ways find no institutional arrangements for expanding or updating them. Whenever vocational skills are to be converted into actual production and earnings, there arises a need for further training in managerial aspects such as procuring loan, marketing, financial management, quality control, inventory control, pricing, etc. There are no training institutions where such short courses are available at lower cost as per the training needs of the traditionally skilled women.

Further some kind of self realisation is needed for empowerment. May I take the

liberty of putting up a personal experience! I had once launched a programme of economic rehabilitation of Devadasis in Sangli and Kolhapur district of Maharashtra. This included vocational training and some working capital for production. We found that the programme could go beyond a certain level only when we supplemented the vocational training programme with yet another training called personality development training which emphasised on 4 skills:

- i) Singing group songs
- ii) March past and saluting the national flag
- iii) Cycling and
- iv) Photography

Even among these four, mastering the skill to ride the cycle and commute on the cycle was most effective in making the training successful. In another example of training to the rural women, a group was given vocational training in masonry work. However, after three months, the women demanded that training emphasis should be changed. Accordingly they were trained not just how to work as a mason but further as to how to fill up the tenders for the works in the Gram panchayat and Taluka panchayat, how to engage construction labour, how to measure the work done, how to inspect quality of work done and accordingly decide the wage payment to the labourers etc. This women's group has now become the building contractor. The third is the example of many women Sarpanchs who attained spectacular success in their villages in areas of proper schooling for drop out girls, watershed management and other rural



**Guardians of the nation**

development works. These examples, show the importance of mobility, decision making authority and economic viability in the issue of empowerment of women.

One powerful medium of widespread vocational training facilities at a cheaper rate is the TV network that has grown enormously in the last 25 years. It is perhaps a sad commentary that the use of TV medium for imparting vocational skills to the millions of women residing in the farflung corners of the country can not compete with, the idea of using TV for entertainment programmes in order to generate more revenue for the government. The priority should be fixed up immediately in favour of vocational skill building because any plan of imparting vocational education through formal schooling is enormously costly.

The discussion of women's empowerment cannot be complete without discussing the issue of sharing power and property. The first step towards women's empowerment was taken in the country immediately after independence when every adult woman was given equal constitutional right to vote and to contest the elections. This right has been earned by the Indian women much before it was earned by the women in many other advanced countries. The contribution of Indian women in our struggle of independence earned them as much respect as to other freedom fighters. Immediately after independence, a large number of women were elected to Assemblies and Parliament. Later, this number started dwindling. On the other hand, the need to decentralise power upto the village level was also felt. This culminated in the 74th Constitutional Amendment under

which a new methodology of Gram Panchayat was envisaged, giving 33% reservation for women to be elected. This has resulted in a new wave of awareness and empowerment amongst women at grassroots levels. In the last 12 years, we have seen ample examples of the newly elected first timers among the women Panch and Sarpanch who were very effective in implementing the schemes of female literacy,

rural development, water and land conservation and prohibition. It must be said that the women have proved their capability for sharing political power as ably as the men folk.

Some eyebrows are raised on the issue of reservation for women not only in contesting the elections but also in admission to educational institutions or government services. It is enough to mention that the need for positive discrimination in favour of women was felt and provided for as long back as during the framing of Constitution, but the provision is being implemented only now, and is, therefore, totally justified. In final stage however women's empowerment can be considered as "complete" only when women, as a collective group no longer require any positive discrimination or reservation. It is a happy sign that lot of young women have started expressing that they would prefer to come up in life

on the basis of merit rather than through reservation. A right kind of "seed" for empowerment is already sown and it will be necessary to nurture this.

The sharing of power acquires a different dimension for the women from Scheduled Castes and Scheduled Tribes. They suffer for being women as well as for their backwardness. These are the women who after a long day's work return home with insufficient wages, only to be beaten up for the alcoholic needs of the husband. These have to suffer the rage of another more developed group in the village. When two tribal communities fight, these are the women who are either themselves the victims of atrocities by other tribe or are rendered widows. These are the women who have to bear maximum brunt of forced evictions either due to natural calamities or due to large scale land acquisition programmes of the government.

Perhaps the real way of empowering the tribals, especially the women, is through ownership of forests. There are two widespread misunderstandings: first that the tribals are the destroyers of forests and the second that the development of tribals has to follow the same course as that of development for others, even if at the cost of their centuries-old value systems and life styles. Throughout the centuries the tribals and the scheduled castes have been preserving a huge reserve of knowledge and skills. A proper module for empowerment of these women can be developed keeping their existing knowledge skills and traditional culture at the centre

of such development schemes. We have to go a long way in preparing, testing and implementing such a module.

A doubt has been raised as to whether our family system which is so unique to Indian culture, creates a hindrance in the empowerment of women. As I see the situation, the family

### **The sharing of power acquires a different dimension for the women from Scheduled Castes and Scheduled Tribes. They suffer for being women as well as for their backwardness.**

system is at the root of any bigger social system. It can, however, sustain only when there is an equitable sharing of roles, drudgery, responsibility and decision making authority within the family. This requires the sharing and caring of each others positive aspects and supplementing each other by respecting the inherent equality of the members of the family. The question of sharing property by the women is therefore important. Even when the share of women in production and productive skills is acknowledged, there is a great reluctance to allow them a share in the property rights. In recent times, many legal amendments and other administrative methods have been tried to ensure a due right to women in the property. It is unfortunate that these efforts are also being vehemently opposed.

As the awareness for rights of women and their assertion increases, women will invariably

be forced with retaliation and a temporary increase in intolerance against them. This is one challenge in way of women's empowerment. The other challenge comes as a mental attitude in which it is still believed that women do not have a place in certain "manly" areas. Unfortunately, we are witnessing unprecedented deterioration in family system resulting from domestic violence against women. Surely, it will be very unwise to lay the blame on women whose self confidence and self esteem has increased and hence, her demand for equality within the family, while the sensitivity of the men in the family has not developed at the same rate and hence, frictions.

An important aspect to consider for future will be the impact of information technology and bio-technology. Both these technologies are capable of creating either immense centralisation or immense decentralisation. They are also capable of creating large scale opportunities for women provided the women are given the right kind of know-how and the right kind of authority to take decisions that decide the economies and productivity from them. With half of our female population still reeling under illiteracy and another one-fourth of women population dropping out of school before completing primary education, it will be a challenge for all of us to ensure that these very women are taken at the controlling heights of these two technologies in the coming century. Let us hope that our secular democracy and the rights given to every citizen will allow us to move in the right direction to ensure this. □



Thus, **Geography and you** believes a direct, hands-on approach to the subject is necessary, engaging the students in activities and provoking them to react to different topics, sensitively and responsibly. Based on modern, scientific methods of teaching, the magazine also tries to incorporate matter which is pertinent to academic syllabii of educational boards all over the country.



## YOJANA August 2001

# Human Development And Food Security

Seema Singh

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**This is a pilot programme to field-test an innovative model of development initiative in food security based on improvisation for enablement of landless women agricultural workers through interactive capacity development and convergence of other suitable agencies.**

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**S**AWERA STANDS for Sustainable Agriculture and Gender Empowerment through Rural Approach, and is the name given to the programme by the team working on it.

It proposes a preliminary exposure of the programme which is a new UNDP supported on-going programme in Uttar Pradesh. This small scale, low profile sub-programme, nonetheless employs a cutting edge development dynamics, and intentwise and contentwise represents a significant paradigm shift and promises to be of special interest to development scientists and workers.

This incorporates a number of new design features in respect of concept, strategies, tools,

methodologies, objectives and goals. But this is not a primary level, stand alone parallel programme. It is a very carefully conceived composite package of coordination, cooperation, collaboration and convergence. All the usual elements of a socio-economic action programme remaining, peripherally though, it is predominantly a strategy application operation and this makes it a new generation experiment. This is a three layered package, where the action and the impact proceeds simultaneously in three concentric zones of the existing system configuration, comprising the community (women farmer collectives), organizational systems (department of agriculture etc. and other agencies) and

government at policy making and planning level.

Its major concern is human development; focused area is food security; its status is that of programme support action, and target is empowerment of women agriculture workers from landless and marginal farmer families. The immediate tangible outcome is the rehabilitation of about 6,000 women in the six selected districts of Uttar Pradesh (old), and the real and lasting achievement is the capacity building of the existing government systems and sub-systems of agriculture, and impact on the policies and planning of the governments.

The source for all information and action lies in three documents, viz., the MOU signed by the Government of India and of Uttar Pradesh, and the UNDP, the manual called the Sub-programme Document and lastly the National Executive Guidelines. The 'Formal', 'Focal' and 'Functional' profile presented here after has been derived from this trilogy.

The UNDP has called it a Sub-programme under their Country Cooperation Framework, Cycle-I

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initiatives in India, primarily intended to be an auxiliary component of Government of India "Food Security" Programme. The descriptive title given to it in the MOU is "Sub-programme on Empowerment of Women Farmers for Food Security, Uttar Pradesh". Classification information given in the MOU identifies the primary focus as "food security" while the secondary focus as "women in agriculture". Primary intervention has been described as programme support, and the secondary intervention is capacity building. Further, primary target beneficiaries are named as landless women agricultural workers, and secondary target beneficiaries government/NGOs/CBOs/autonomous bodies/extension departments. The MOU goes on to offer a significant clue to the objectives by stating that it focuses on 'feminisation of agriculture and the increasing burden of household food security on women, thereby mainstreaming gender concerns and capacity building'. Focus in capacity building will be on gender issues in agriculture, sustainable agriculture, regeneration of waste and fallow lands, appropriate technologies and natural resource management.

Primary actors have been described as the organisations of women farmers from landless and marginal farmer families, who will be enabled to link with the Department of Agriculture and agriculture extension systems to gain access to productive assets including land, credit, technologies, inputs and subsidies.

Nominally the Government of Uttar Pradesh, or more precisely

the Department of Agriculture, is the implementing agency, and operationally it is SIMA, State Institute of Management of Agriculture, U.P. at Lucknow, where the UNDP has set up a Gender Core Team to this end. The primary beneficiaries identified are the women farmer groups already raised and run by two prominent NGOs, viz., the UNDP Gender Core Team (SIMA)

**The immediate tangible outcome is the rehabilitation of about 6,000 women in the six selected districts of Uttar Pradesh (old), and the real and lasting achievement is the capacity building of the existing government systems and sub-systems of agriculture, and impact on the policies and planning of the governments.**

along with UP Mahila Samakhya and UP Bhumi Sudhar Nigam, is that of a Facilitator or Enabler or Manager. The last two

NGOs are charged with management at the community end, whereas, SIMA (i.e., the Gender Core Team) is the instrument of management at the government end.

Target area demarcated in the original document refers to the undivided state of U.P., and comprises a total of 6 districts in two groups. They will be found strategically distributed over the state of U.P. One group is of 4 districts, which is being covered by the NGO, UP Mahila Samakhya, and two districts are those where UP Bhumi Sudhar Nigam has developed women self help groups. Both have their head offices at Lucknow. The main criterion for identification of target areas was the presence of strong and active women groups at grassroots level. Nine development blocks from four districts had pre programme groups or Mahila Sanghas initiated by Mahila Samakhya, and were as follows:

The UP Bhumi Sudhar Nigam Women Self Help Groups were selected from two districts; one block from each of them as shown below:

1. Rae Bareilly Harchandpur
2. Unnao Nawabganj

| Sl.N. | District      | Development Block               | Remarks                                                                                                               |
|-------|---------------|---------------------------------|-----------------------------------------------------------------------------------------------------------------------|
| 1.    | Banda         | Chitrakoot                      | In view of intra state reorganization of districts, the concerned villages now in Karvi Block of Chitrakoot district. |
| 2.    | Varanasi      | Chandauli Sewapuri              | Varanasi is not divided into Varanasi and Chandauli. Thus the is placed in both the new Block.                        |
| 3.    | Tehri Garhwal | Pratap Nagar Jakhori Bhliangana | Tehri now is in the state of Uttranchal.                                                                              |
| 4.    | Saharanpur    | Rampur Baliakheri Nagal         |                                                                                                                       |

As per original stipulation UP MS was to identify 200 women farmers groups, at the rate of 50 groups per district which had been developed by it. The UP BSN was allowed a share of 100 women self help groups, again at the rate of 50 groups per district which had been formed by it.

The direct and immediate beneficiaries of the sub-programme will be about 300 groups of women farmers, comprising about 6,000 individual women agriculture workers, from landless or marginal farmer families, i.e., economically and socially marginalized women.

The working model on trial represents a very significant conceptual break from the traditional policies based on introduction of heavily loaded development exercises. This emanates from a new sharp perception of an enormous and persisting failure in engagement and transmission capacities of the existing systems at all levels. It is now believed that the existing systems, infrastructure and the resource outlay is generally enough to meet the demands of development. But the development deficiencies are clearly attributable only to management disability. Therefore, the crux of this programme is the visualization and application of a strategy to enable the existing system configuration to discharge its designs or appointed function by achieving inter-face engagement and enabling the beneficiary to absorb the inflow of inputs already being provided.

Essentially UNDP has not proposed any new programme. Nothing is sought to be invented or

reinvented, to be created or recreated, or invested. The sub-programme provides for a small, short life (24 months) auxiliary outfit, i.e., the Core Team, strapped on to the chief functional component of traditional system, viz., the Department of Agriculture and its accessory systems, with a view to reactivating and reinforcing it. If any additional material inputs have been provided in this programme like micro capital, they are only incidental, minor and supportive.

**Primary actors have been described as the organisations of women farmers from landless and marginal farmer families, who will be enabled to link with the Department of Agriculture and agriculture extension systems to gain access to productive assets including land, credit, technologies, inputs and subsidies.**

Simultaneously it contemplates increased community activism and participation at grassroots level, which calls for a key role on the part of NGOs as active partners.

This sub-programme has identified already motivated, tenacious and strong groups of women agriculture workers, who have been raised by the nominated NGOs, UP MS and UP BSN. These groups have almost taken off but need a critical support to achieve a sustained career. Therefore, it is contemplated to link up these groups with Department of

Agriculture and Agriculture Extension Services to gain access to productive assets like the land, micro capital, credit, subsidies, appropriate technologies, training, skills, expertise, knowledge of suitable agronomic practices, land and water shed development means, and other inputs and services. Through this selective coordination, it is intended to make Department of Agriculture and Agriculture Extension System responsive to needs and priorities of women farmers, and handle gender issues more sensitively. Through collaboration of UP MS and UP BSN, these women farmer groups will be enabled to realise their entitlements as primary agriculture workers.

All the three facilitators will coordinate and collaborate without any reservations to seek achievements of a direct, deep, extensive, productive and lasting interactive interface between the marginalized women farmers collectives and the Department of Agriculture and its subsystems like the Agriculture Extension Services, other training systems, Krishi Vigyan Kendras. Efforts will also be made to mobilize resources and inputs from diverse government run programmes for land reclamation, afforestation, watershed development, animal husbandry, dairying, fisheries, women welfare, Rural Development and so on, to support those women farmers groups, who have been able to identify land for cultivation. UP MS and UP BSN will also facilitate and coordinate interaction between their women farmers groups and the DOA, panchayats, DRDA, banks and the markets. Joint efforts will also be made to activate linkage with other women's groups and NGOs of

proven competence in sustainable agriculture. A new approach will be out sourcing of extension services from progressive farmers or NGOs, for moderate fees. This agenda will also take up convergence with other programmes supported and run by UNDP or World Bank or other agencies for the development of women and women friendly agriculture technologies in order to enabling the women groups to access and experiment with new knowledge. Feminisation will show up in the training, curricula, TLM, TOT Modules, methodologies, implement designs etc. Lastly, the centrality of women will be reflected in the policies and planning of the governments. The Gender Core Team will be rendered redundant, and in time will be jettisoned. But it is foreseen that the role of NGOs will become more and more prominent.

The approach of the architects of this sub-programme design seems to have been based on ideas and the considerations described hereinafter.

(1) Firstly it is to be noted that though the resource deployment in India from national and international sources has been colossal but the resource convertibility and retentivity rate in the last about fifty years of socio-economic development history in India has been dismal. Secondly, more lamentable fact is that its penetration to the grey peripheries of humanity has remained completely blunted. Thirdly the delivery systems suffer such distortions as make the transmission deflected or diffused or dissipated. Fourthly, for long government

had been the only development agency. Only in recent times, NGOs are emerging in the field, and some of them are certainly equipped with professional expertise.

(2) It is a paradox that today the national scene presents 'poverty amidst plenty'. At least as of now production has reached surplus levels, yet hunger and malnutrition affect some 204 million Indians, which is almost 20% of the population. Obviously the cause is not paucity but inaccessibility to food and nutrition on the part of a large size of population who have highly restricted purchasing power. They are relegated to the 'shadow' side of the economic hump, where development has failed to cross over. The programme design has made provision for this road block also.

### **Paradox**

(3) There is yet another observable paradox. In the country side women have remained a major wage earning work force. But their constant grinding chase of fodder, fuel and food, and water on the one hand and stranglehold of debt and bondage on the other, does not leave them sufficient days of remunerative work. Their full potential remains unutilized. Then their work is devalued. They are denied fair wages. They do not get fair market for their produce. They are the main providers of subsistence for self, their children and families, manager of scanty family resources and are even emerging as head of many

households, yet their presence is invisible and voice inaudible. Their labours have no recognition and they have no say in decision making. They are denied any role in the family or the community. The most conspicuous and damaging imbalance thwarting the community development processes is this banishment of the half of population, i.e., the women folk. That is why the focus of this programme is on women agriculture workers.

(4) Thus poverty afflicts most the landless women agriculture workers. Major hurdles before them are lack of access to land, capital, credit and technology. They can improve their circumstances by pooling their labour, skill, knowledge, experience and whatever meager inputs they may have. This can help them sustain their activities, improve productive capacity and enhance earning value, access facilities and entitlements as primary workers in agriculture, from the Department of Agriculture and the Agriculture Extension services. The groups of women agriculture workers can have better chances of convergence with resource groups, NGOs, development programmes of the government, or World Bank or UNDP or any other organization. The mediating agents in this process will be NGOs like UP MS and UP BSN.

The strategy is so designed that as provider of food and nutrition to family the burden of household food security is increased on the

women agriculture workers collectives. Eventually this burden will be shifted to the community level. This will mean the achievement of self sustainable community participation on continued basis in securing food and nutrition.

It is envisaged that these linkages will continue on lasting basis beyond the sub-programme and will contribute to sustainable and ongoing processes of learning, exchanges and refashioning in the ambient systems, and further will suitably impact the policies and planning of the government and the behaviour of the community. Very importantly, it will create means of continuous feed back and sharpened responsiveness of the systems to the needs and priorities of the women farmers. Experiences of working with women's groups will be documented and analysed for their policy implications and shared with the governments at state and national levels. Lessons deliberately learnt from addressing the feminisation of Agriculture, and finding concrete practical solutions for this end, gender concerns and capacity building at the government level will be mainstreamed.

### **Developmental Goals and Achievement Targets**

- A. (1) Special achievements will be development of technologies for sustainable agriculture with focus on rain fed, marginal, waste, fallow, degraded land and resources and utilisation of community land. (2) It will help setting up a community level food production cum distribution system, which will be a better alternative to public food

procurement and distribution system, and will eliminate exploitative distress food sale, and entrapment in the vicious debt and bondage situation. Of course, the primary objective fulfilled will be the continued availability of food and nutrition to the families and children of women agriculture workers, improvement in their purchasing power, better control on their own lives, leading to up gradation in quality of life. The essential end product will be the integration of gender concerns in the policies and planning of the governments.

- B. Immediate beneficiaries are numerically 300 women farmer groups, in 11 Blocks of 6 districts in the (old) state of UP, at the rate of about 1 group a village making a total of about 6,000 women farmer beneficiaries from landless families or families of marginal farmers.

**It is now believed that the existing systems, infrastructure and the resource outlay is generally enough to meet the demands of development. But the development deficiencies are clearly attributable only to management disability.**

These groups have already been identified and developed by the two designated or nominated NGOs, viz, UP MS and UP BSN, in their respective operational areas, which are not overlapping. These

are government created NGOs but stand on their own legs. These women are fully motivated and have achieved a certain level of development. They have also proved their earnestness and durability.

The development modalities/ strategies adopted by the two NGOs are different, through the objective or goal is the same, i.e., gender empowerment. The MS group formation mechanism is more generalized and open ended, but literacy, awareness and livelihood constitute the main plank. While BSN group formation mechanism is specific and has a narrow focus. They have developed self help groups aiming at generating micro capital capacity along NABARD lines. Technical constraints do not leave flexibility of structure or purpose.

It is foreseen that once these women farmer collectives are fixed, a number of other self evolved, or assisted women farmer groups will proliferate by emulation or induction. These groups will realise their entitlements by becoming 'demanding'. They will be delivered services because by now the systems would have been 'enabled'. Eventually, the phenomenon will become replicable universally.

- C. Second line beneficiaries are the Department of Agriculture, Agriculture Extension Services and Government of UP. Their reach and penetration is significantly extended, expanded and enhanced. They are made to cross over the hump.

The goal/target set for them over this time frame is given below



Women picking up vegetables grown by them

as indicated in terms of 'increase' from the Base Line Mark. \*

(D) Third level or last rung beneficiaries are the governments, who will capture significant, meaningful and the true feedback with fidelity which will make the policies and planning realistic, meaningful, result oriented, productive and focused.

(E) Quintessential, a clear-eyed development perspective will emerge; systematized, calibrated and reliable wisdom and knowledge will be generated from primary sources in the framework of universal replicability and acceptability. Many insights, at many levels will be found. Pointedly useful concepts, tools and devices will be

discovered and invented. Strategies will be evolved for resource application with high convertibility, retentivity and auditability.

In conclusion let it be seen that this is a support level pilot programme to design and field-test "An Innovative Model" of development initiatives in food security for its validation for

replication and wider application. Strategically, it is an exercise in management based on improvisation for enablement of landless women agriculture workers, through interactive capacity development of DOA and AES, Department of Agriculture and Agriculture Extension System, and convergence of other suitable NGOs and development agencies. □

|                                                                   |     |
|-------------------------------------------------------------------|-----|
| 1. Number of women beneficiaries (in the schemes operated by DOA) | 25% |
| 2. Number of women farmers accessing bank credit                  | 25% |
| 3. Number of days of work available to women farmers              | 40% |
| 4. Number of land lease to women farmers or groups                | 20% |
| 5. Area of waste of fallow land under cultivation                 | 50% |
| 6. Production of pulses, vegetables or cereals                    | 20% |

# ... And the National Policy—2001

**T**HE PRINCIPLE of gender equality is enshrined in the Indian Constitution in its Preamble, Fundamental Rights, Fundamental Duties and Directive Principles. The Constitution not only grants equality to women, but also empowers the State to adopt measures of positive discrimination in favour of women.

Within the framework of a democratic polity, our laws, development policies, Plans and programmes have aimed at women's advancement in different spheres. From the Fifth Five Year Plan (1974-79) onwards, there has been a marked shift in the approach to women's issues from welfare to development. In recent years, the empowerment of women has been recognized as the central issue in determining the status of women. The National Commission for Women was set up by an Act of Parliament in 1990 to safeguard the rights and legal entitlements of women. The 73rd and 74th Amendments (1993) to the Constitution of India have provided for reservation of seats in the local bodies of panchayats and Municipalities for women, laying a strong foundation for their participation in decision making at the local levels.

India has also ratified various international conventions and human rights instruments committing to secure equal rights of women. Key among them is the ratification of the Convention on Elimination of All Forms of Discrimination Against Women (CEDAW) in 1993.

The Mexico Plan of Action (1975), the Nairobi Forward Looking Strategies (1985), the Beijing Declaration as well as the Platform for Action (1995) and the Outcome Document adopted by the UNGA Session on Gender Equality and Development & Peace for the 21st century, titled "Further actions and initiatives to implement the Beijing Declaration and the Platform for Action" have been unreservedly endorsed by India for appropriate follow up.

The policy also takes note of the commitments of the Ninth Five Year Plan and the other sectorial policies relating to empowerment of Women.

The women's movement and a wide spread network of non-government organisations which have strong grassroots presence and deep insight into women's concerns have contributed in inspiring initiatives for the

empowerment of women.

However, there still exists a wide gap between the goals enunciated in the Constitution, legislation, policies, plans, programmes and related mechanisms on the one hand and the situational reality of the status of women in India, on the other. This has been analyzed extensively in the Report of Committee on the Status of Women in India, Towards Equality, 1974 and highlighted in the National Perspective Plan for Women, 1988-2000, the Shramshakti Report, 1988 and the "Platform for Action, Five Years After-An assessment".

Gender disparity manifests itself in various forms, the most obvious being the trend of continuously declining female ratio in the population in the last few decades. Social stereotyping and violence at the domestic and societal levels are some of the other manifestations. Discrimination against girl children, adolescent girls and women persists in parts of the country.

The underlying causes of gender inequality are related to social and economic structure, which is based on informal and formal norms, and practices.

Consequently, the access of women particularly those belonging to weaker sections including Scheduled Castes/Scheduled Tribes/Other Backward Classes and minorities, majority of whom are in the rural areas and in the informal, unorganized sector—to education, health and productive resources, among others, is inadequate. Therefore, they remain largely marginalized, poor and socially excluded.

### Goal and Objectives

The goal of this policy is to bring about the advancement, development and empowerment of women. The policy will be widely disseminated so as to encourage active participation of all stakeholders for achieving its goals. Specifically, the objectives of this policy include :

- (i) Creating an environment through positive economic and social policies for full development of women to enable them to realize their full potential;
- (ii) The de-jure and de-facto enjoyment of all human rights and fundamental freedom by women on equal basis with men in all spheres—political, economic, social, cultural and civil;
- (iii) Equal access to participation and decision making of women in social, political and economic life of the nation;
- (iv) Equal access to women to health care, quality education at all levels, career and vocational guidance, employment, equal remuneration, occupational health and safety, social

security and public office etc.;

- (v) Strengthening legal systems aimed at elimination of all forms of discrimination against women;
- (vi) Changing societal attitudes and community practices by active participation and involvement of both men and women;
- (vii) Mainstreaming a gender perspective in the development process;
- (viii) Elimination of discrimination and all forms of violence against women and the girl child; and
- (ix) Building and strengthening partnerships with civil society, particularly women's organizations.

### Policy Prescriptions

#### Judicial Legal Systems

Legal-judicial systems will be made more responsive and gender sensitive to women's needs, especially in case of domestic violence and personal assault. New laws will be enacted and existing laws reviewed to ensure that justice is quick and the punishment meted out to the culprits is commensurate with the severity of the offence.

At the initiative of and with the full participation of all stakeholders including community and religious leaders, the policy would aim to encourage changes in personal laws such as those related to marriage, divorce, maintenance and guardianship so as to eliminate discrimination against women.

The evolution of property rights in a patriarchal system has contributed to the subordinate

status of women. The policy would aim to encourage changes in laws relating to ownership of property and inheritance by evolving consensus in order to make them gender just.

### Decision Making

Women's equality in power sharing and active participation in decision making, including decision making in political process at all levels will be encouraged for the achievement of the goal of empowerment. All measures will be taken to guarantee women equal access to and full participation in decision making bodies at every level, including the legislative, executive, judicial, corporate, statutory bodies, as also the advisory Commissions, Committees, Boards, Trust etc. Affirmative actions such as reservations/ quotas, including in higher legislative bodies, will be considered whenever necessary on a time bound basis. Women-friendly personnel policies will also be drawn up to encourage women to participate effectively in the developmental process.

### Mainstreaming a Gender Perspective in the Development Process

Policies, programmes and systems will be established to ensure mainstreaming of women's perspective in all developmental processes, as catalysts, participants and recipients. Wherever there are gaps in policies and programmes, women specific interventions would be undertaken to bridge these. Coordinating and monitoring mechanisms will also be devised to assess from time to time the progress of such mainstreaming mechanisms. Women's issues and concerns as a result will specially be addressed

and reflected in all concerned laws, sectorial policies, plans and programmes of action.

## **Economic Empowerment of Women**

### **Poverty Eradication**

Since women comprise the majority of the population below the poverty line and are very often in situations of extreme poverty, given the harsh realities of intra-household and social discrimination, macro economic policies and poverty eradication programmes will specifically address the needs and problems of such women. There will be improved implementation of programmes which are already women oriented with special targets for women. Steps will be taken for mobilization of poor women and convergence of services, by offering them a range of economic and social options, along with necessary support measures to enhance their capabilities.

### **Micro Credit**

In order to enhance women's access to credit for consumption and production, the establishment of new, and strengthening of existing micro credit mechanisms, a micro-finance institution will be undertaken so that the outreach of credit is enhanced. Other supportive measures would be taken to ensure adequate flow of credit through extant financial institutions and banks, so that all women below poverty line have easy access to credit.

### **Women and Economy**

Women's perspectives will be included in designing and implementing macro-economic and social policies by institutionalizing their participation in such processes.

Their contribution to socio-economic development as producers and workers will be recognized in the formal and informal sectors (including home based workers) and appropriate policies relating to employment and to her working conditions will be drawn up. Such measures could include :

- (a) Reinterpretation and redefinition of conventional concepts of work wherever necessary e.g. in the Census records, to reflect women's contribution as producers and workers.
- (b) Preparation of satellite and national accounts.
- (c) Development of appropriate methodologies for undertaking (a) and (b) above.

### **Globalization**

Globalization has presented new challenges for the realization of the goal of women's equality, the gender impact of which has not been systematically evaluated fully. However, from the micro-level studies that were commissioned by the Department of Women & Child Development, it is evident that there is a need for re-framing policies for access to employment and quality of employment. Benefits of the growing global economy have been unevenly distributed leading to wider economic disparities, the feminization of poverty, increased gender inequality through often deteriorating working conditions and unsafe working environment especially in the informal economy and rural areas. Strategies will be designed to enhance the capacity of women and empower them to meet the negative social and economic impacts, which may flow

from the globalization process.

### **Women and Agriculture**

In view of the critical role of women in the agriculture and allied sectors, as producers, concentrated efforts will be made to ensure that benefits of training, extension and various programmes will reach them in proportion to their numbers. The programmes for training women in soil conservation, social forestry, dairy development and other occupations allied to agriculture like horticulture, livestock including small animal husbandry, poultry, fisheries etc. will be expanded to benefit women workers in the agriculture sector.

### **Women and Industry**

The important role played by women in electronics, information technology and food processing and agro industry and textiles has been crucial to the development of these sectors. They would be given comprehensive support in terms of labour legislation, social security and other support services to participate in various industrial sectors.

Women at present can not work in night shift in factories even if they wish to. Suitable measures will be taken to enable women to work in night shift in factories. This will be accompanied with support services for security, transportation etc.

### **Support Services**

The provision of support services for women, like child care facilities, including creches at work places and educational institutions, homes for the aged and the disabled will be expanded and improved to create an enabling environment and to ensure their full cooperation in social, political and economic life. Women-

friendly personnel policies will also be drawn up to encourage women to participate effectively in the developmental process.

## **Social Empowerment of Women**

### **Education**

Equal access to education for women and girls will be ensured. Special measures will be taken to eliminate discrimination, universalize education, eradicate illiteracy, create a gender-sensitive educational system, increase enrolment and retention rates of girls and improve the quality of education to facilitate the life-long learning as well as development of vocational/technical skills by women. Reducing the gender gap in secondary and higher education would be a focus area. Sectorial time targets in existing policies will be achieved, with a special focus on girls and women, particularly those belonging to weaker sections including the Scheduled Castes/Scheduled Tribes/Other Backward Classes/Minorities. Gender sensitive curricula would be developed at all levels of educational system in order to address sex stereotyping as one of the causes of gender discrimination.

### **Health**

A holistic approach to women's health which includes both nutrition and health services will be adopted and special attention will be given to the needs of women and the girl at all stages of the life cycle. The reduction of infant mortality and maternal mortality, which are sensitive indicators of human development, is a priority concern. This policy reiterates the national demographic goals for Infant Mortality Rate (IMR), Maternal Mortality Rate (MMR)

that are set out in the National Population Policy 2000. Women should have access to comprehensive, affordable and quality health care. Measures will be adopted that take into account the reproductive rights of women to enable them to exercise informed choices, their vulnerability to sexual and health problems together with endemic, infectious and communicable diseases such as malaria, TB, and water borne disease as well as hypertension and cardio-pulmonary diseases. The social, developmental health consequences of HIV/AIDS and other sexually transmitted diseases will be tackled from a gender perspective.

To effectively meet problems of infant the maternal mortality, and early marriage, the availability of good and accurate data at micro level on deaths, birth and marriages is required. Strict implementation of registration of births and deaths would be ensured and registration of marriages would be made compulsory.

In accordance with the commitment of the National Population Policy (2000) to population stabilization, this policy recognizes the critical need of men and women to have access to safe, effective and affordable methods of family planning of their choice and the need to suitably address the issues of early marriages and spacing of children. Interventions such as spread of education, compulsory registration of marriage and special programmes like Balika Samridhi Yojana should impact on delaying the age of marriage so that by 2010 child marriages are eliminated.

Women's traditional knowledge

about health care and nutrition will be recognized through proper documentation and its use will be encouraged. The use of Indian and alternative systems of medicine will be enhanced within the framework of overall health infrastructure available for women.

### **Nutrition**

In view of the high risk of malnutrition and disease that women face at all the three critical stage viz., infancy and childhood, adolescent and reproductive phase, focussed attention would be paid to meeting the nutritional needs of women at all stages of the life cycle. This is also important in view of the critical link between the health of adolescent girls, pregnant and lactating women with the health of infant and young children. Special efforts will be made to tackle the problem of macro and micro nutrient deficiencies especially amongst pregnant and lactating women as it leads to various diseases and disabilities.

Intra-household discrimination in nutritional matters vis-a-vis girls and women will be sought to be ended through appropriate strategies. Widespread use of nutrition education would be made to address the issues of household imbalances in nutrition and the special needs of pregnant and lactating women. Women's participation will also be ensured in the planning, superintendence and delivery of the system.

### **Drinking Water and Sanitation**

Special attention will be given to the needs of women in the provision of safe drinking water, sewage disposal, toilet facilities and sanitation within accessible reach of households, especially in rural areas and urban slums. Women's

participation will be ensured in the planning, delivery and maintenance of such services.

### **Housing and Shelter**

Women's perspectives will be included in housing policies, planning of housing colonies and provision of shelter both in rural and urban areas. Special attention will be given for providing adequate and safe housing and accommodation for women including single women, heads of households, working women, students, apprentices and trainees.

### **Environment**

Women will be involved and their perspectives reflected in the policies and programmes for environment, conservation and restoration. Considering the impact of environmental factors on their livelihoods, women's participation will be ensured in the conservation of the environment and control of environmental degradation. The vast majority of rural women still depend on the locally available non-commercial sources of energy such as animal dung, crop waste and fuel wood. In order to ensure the efficient use of these energy resources in an environmental friendly manner, the policy will aim at promoting programmes of non-conventional energy resources. Women will be involved in spreading the use of solar energy, biogas, smokeless chulahs and other rural application so as to have a visible impact of these measures in influencing eco systems and in changing the life styles of rural women.

### **Science and Technology**

Programmes will be strengthened to bring about a greater involvement of women in science and technology. These will

include measures to motivate girls to take up science and technology for higher education and also ensure that development projects with scientific and technical inputs involve women fully. Efforts to develop a scientific temper and awareness will also be stepped up. Special measures would be taken for their training in areas where they have special skills like communication and information technology. Efforts to develop appropriate technologies suited to women's needs as well as to reduce their drudgery will be given a special focus too.

### **Women in Difficult Circumstances**

In recognition of the diversity of women's situations and in acknowledgement of the needs of specially disadvantaged groups, measures and programmes will be undertaken to provide them with special assistance. These groups include women in extreme poverty, destitute women, women in conflict situations, women affected by natural calamities, women in less developed regions, the disabled widows, elderly women, single women in difficult circumstances, women heading households, those displaced from employment, migrants, women who are victims of marital violence, deserted women and prostitutes etc.

### **Violence Against Women**

All forms of violence against women, physical and mental, whether at domestic or societal levels, including those arising from customs, traditions or accepted practices shall be dealt with effectively with a view to eliminating its incidence. Institutions and mechanisms/schemes for assistance will be created and strengthened for

prevention of such violence, including sexual harassment at work place and customs like dowry; for the rehabilitation of the victims of violence and for taking effective action against the perpetrators of such violence. A special emphasis will also be laid on programmes and measures to deal with trafficking in women and girls.

### **Rights of the Girl Child**

All forms of discrimination against the girl child and violation of her rights shall be eliminated by undertaking strong measures both preventive and punitive within and outside the family. These would relate specifically to strict enforcement of laws against prenatal sex selection and the practices of female foeticide, female infanticide, child marriage, child abuse and child prostitution etc. Removal of discrimination in the treatment of the girl child within the family and outside and projection of a positive image of the girl child will be actively fostered. There will be special emphasis on the needs of the girl child and earmarking of substantial investments in the areas relating to food and nutrition, health and education, and in vocational education. In implementing programmes for eliminating child labour, there will be a special focus on girl children.

### **Mass Media**

Media will be used to portray images consistent with human dignity of girls and women. The policy will specifically strive to remove demeaning, degrading and negative conventional stereotypical images of women and violence against women. Private sector partners and media networks will be involved at all levels to ensure equal access for women particularly in the area of

information and communication technologies. The media would be encouraged to develop codes of conduct, professional guidelines and other self regulatory mechanisms to remove gender stereotypes and promote balanced portrayals of women and men.

## **Operational Strategies**

### **Action Plans**

All Central and State Ministries will draw up time bound Action Plans for translating the policy into a set of concrete actions, through a participatory process of consultation and Centre/State Departments of Women and Child Development and National/State Commissions for Women. The plans will specifically include the following :

- i) Measurable goals to be achieved by 2010.
- (ii) Identification and commitment of resources.
- (iii) Responsibilities for implementation of action points.
- iv) Structures and mechanisms to ensure efficient monitoring, review and gender impact assessment of action points and policies.
- (v) Introduction of a gender perspective in the budgeting process.

In order to support better planning and programme formulation and adequate allocation of resources, Gender Development Indices (GDI) will be developed by networking with specialized agencies. These could be analyzed and studied in depth. Gender auditing and development of evaluation mechanisms will also be undertaken along side.

Collection of gender

disaggregated data by all primary data collecting agencies of the Central and State Governments as well as research and academic institutions in the public and private sectors will be undertaken. Data and information gaps in vital areas reflecting the status of women will be sought to be filled in by these immediately. All ministries/corporations/banks and financial institutions etc. will be advised to collect, collate, disseminate and maintain/publish data related to programmes and benefits on a gender disaggregated basis. This will help in meaningful planning and evaluation of policies.

### **Institutional Mechanisms**

Institutional mechanisms, to promote the advancement of women, which exist at the Central and State levels, will be strengthened. These will be through interventions as may be appropriate and will relate to, among others, provision of adequate resources, training and advocacy skills to effectively influence macro-policies, legislation, programmes etc. to achieve the empowerment of women.

National and State Councils will be formed to oversee the operationalisation of the policy on a regular basis. The National Council will be headed by the Prime Minister and the State Councils by the Chief Ministers and will be broad in composition having representatives from the concerned Departments/Ministers, National and State Commissions for Women, Social Welfare Boards, representatives of non-government organizations, women's organisations, corporate sector, Trade Unions, financing institutions, academics, experts

and social activists etc. These bodies will review the progress made in implementing the policy twice a year. The National Development Council will also be informed of the progress of the programme undertaken under the policy from time to time for advice and comments.

National and State Resource Centres on women will be established with mandates for collection and dissemination of information, undertaking research work, conducting surveys, implementing training and awareness generation programmes etc. These centres will link up with women's studies centres and other research and academic institutions through suitable information networking systems.

While institutions at the district level will be strengthened, at the grassroots, women will be helped by government through its programmes to organize and strengthen into self-help groups (SHGs) at the Anganwadi/village/town level. The women's groups will be helped to institutionalize themselves into registered societies and to federate at the Panchayat/Municipal level. These societies will bring about synergistic implementation of all the social and economic development programmes by drawing resources made available through government and non-government channels, including banks and financial institutions and by establishing a close interface with the Panchayats/municipalities.

### **Resource Management**

Availability of adequate financial, human and market resources to implement the policy will be managed by concerned departments, financial credit institutions and banks, private

sector, civil society and other connected institutions. This process will include :

- (a) Assessment of benefits flowing to women and resource allocation to the programmes relating to them through an exercise of gender budgeting. Appropriate changes in policies will be made to optimize benefits to women under these schemes;
- (b) Adequate resource allocation to develop and promote the policy outlined earlier based on (a) above by concerned departments.
- (c) Developing synergy between personnel of Health, Rural Development, Education and Women & Child Development Department at field level and other village level functionaries.

- (d) Meeting credit needs by banks and financial credit institutions through suitable policy initiatives and development of new institutions in coordination with the Department of Women & Child Development.

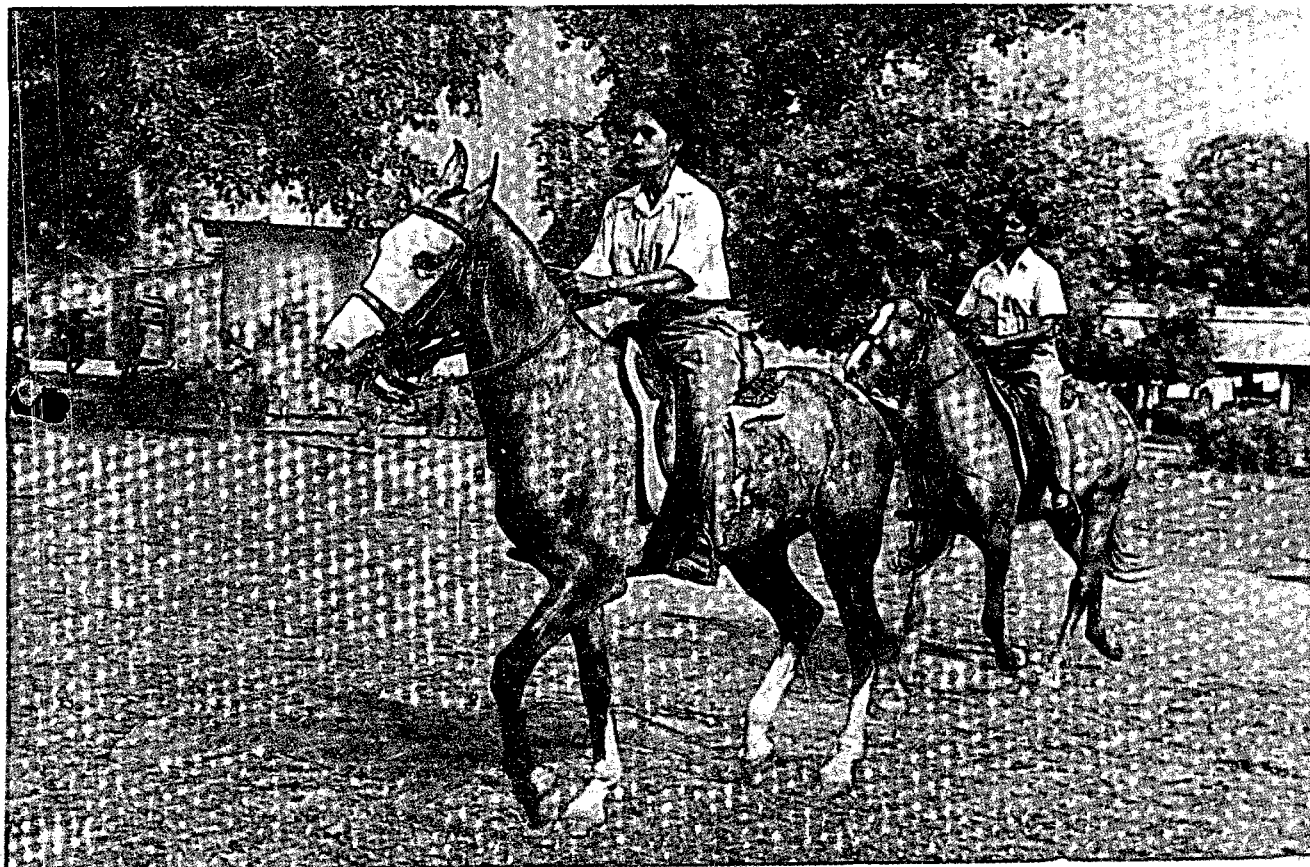
The strategy of Women's Component Plan adopted in the Ninth Plan of ensuring that not less than 30% of benefits/funds flow to women from all Ministries and Departments will be implemented effectively so that the needs and interests of women and girls are addressed by all concerned sectors. The Department of Women and Child Development being the nodal Ministry will monitor and review the progress of the implementation of the Component Plan from time to time, in terms of both quality and quantity in collaboration with the

Planning Commission.

Efforts will be made to channelize private sector investments too, to support programmes and projects for advancement of women.

### Legislation

The existing legislative structure will be reviewed and additional legislative measures taken by identified departments to implement the policy. This will also involve a review of all existing laws including personal, customary and tribal laws, subordinate legislation, related rules as well as executive and administrative regulations to eliminate all gender discriminatory references. The process will be planned over a time period 2000-2003. The specific measures required would be evolved through a consultation process involving



Watchwomen of law

civil society, National Commission for Women and Department of Women and Child Development. In appropriate cases the consultation process would be widened to include other stakeholders too.

Effective implementation of legislation would be promoted by involving civil society and community. Appropriate changes in legislation will be undertaken, if necessary.

In addition, following other specific measures will be taken to implement the legislation effectively:

- (a) Strict enforcement of all relevant legal provisions and speedy redressal of grievances will be ensured, with a special focus on violence and gender related atrocities;
- (b) Measures to prevent and punish harassment at the place of work, protection for women workers in the organized/unorganized sector and strict enforcement of relevant laws such as Equal Remuneration Act and Minimum Wages Act will be undertaken;
- (c) Crimes against women, their incidence, prevention, investigation, detection and prosecution will be regularly reviewed at all Crime Review fora and conferences at the Central, State and District levels. Recognised, local, voluntary organizations will be authorized to lodge complaints and facilitate registration, investigations and legal proceedings related to violence and atrocities against girls and women;
- (d) Women's cells in police stations, women police stations, family courts, mahila courts, counselling centres,

legal aid Centers and Nyaya Panchayats will be strengthened and expanded to eliminate violence and atrocities against women;

- (e) Widespread dissemination of information on all aspects of legal rights, human rights and other entitlements of women, through specially designed legal literacy programmes and rights information programmes will be done.

### **Gender Sensitization**

Training of personnel of executive, legislative and judicial wings of the state, with a special focus on policy and programme framers, implementation and development agencies, law enforcement machinery and the judiciary, as well as non-governmental organizations will be undertaken. Other measures will include:

- (a) Promoting societal awareness to gender issues and women's human rights;
- (b) Review of curriculum and educational materials to include gender education and human rights issues;
- (c) Removal of all references derogatory to the dignity of women from all public documents and legal instruments;
- (d) Use of different forms of mass media to communicate social messages relating to women's equality and empowerment.

### **Panchayati Raj Institutions**

The 73rd and 74th Amendments (1993) to the Indian Constitution have served as a breakthrough towards ensuring equal access and increased participation in political power structure for women. The PRIs will play a central role in the process

of enhancing women's participation in public life. The PRIs and the local self governments will be actively involved in the implementation and execution of the National Policy for Women at the grassroots level.

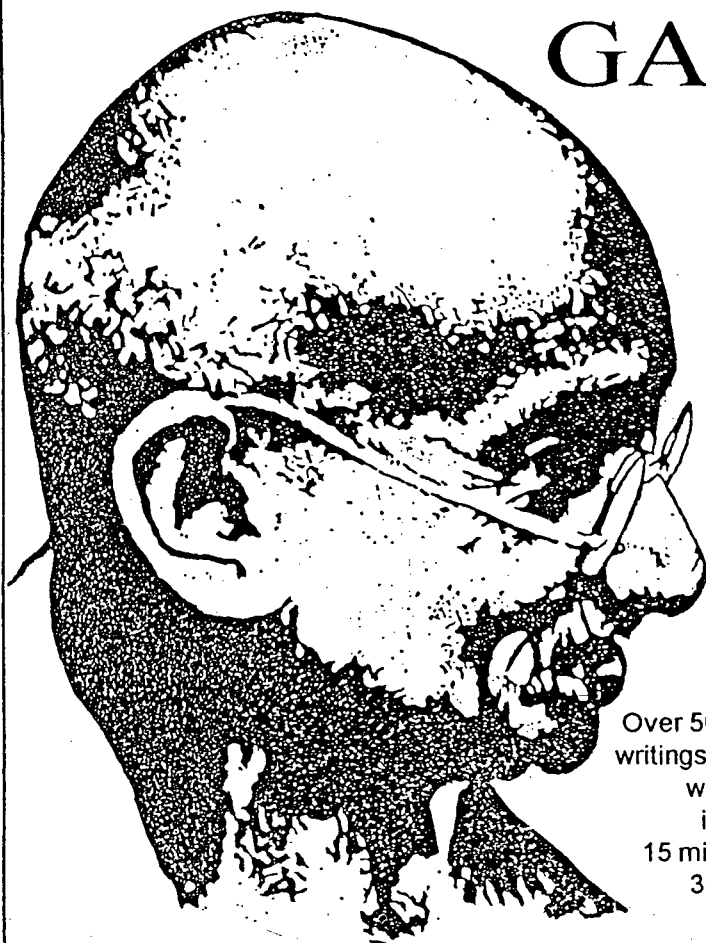
### **Partnership With the Voluntary Sector Organizations**

The involvement of voluntary organizations, associations, federations, trade unions, non-governmental organizations, women's organizations, as well as institutions dealing with education, training and research will be ensured in formulation, implementation, monitoring and review of all policies and programmes affecting women. Towards this end, they will be provided with appropriate support related to resources and capacity building and facilitated to participate actively in the process of the empowerment of women.

### **International Cooperation**

The policy will aim at implementation of international obligations/commitments in all sectors on empowerment of women such as the Convention on All Forms of Discrimination Against Women (CEDAW), Convention on the Rights of the Child (CRC), International Conference on Population and Development (IPCD+5) and other such instruments. International, regional and sub-regional cooperation towards the empowerment of women will continue to be encouraged through sharing of experiences, exchange of ideas and technology, networking with institutions and organizations and through bilateral and multi-lateral partnerships. □

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