

Women's Perspectives on Public Policy

Plenary Abstracts

IXth National Conference on
Women's Studies

8-11 January, 2000,

NISIET, Hyderabad.

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PLENARY I

WOMEN'S PERSPECTIVES ON PUBLIC POLICY: INCOMPLETE OR LOST AGENDA ?

Public Policies and Women's Movements: A Blurred Focus?

Nirmala Banerjee

For over a quarter of a century, Indian women's movements have continuously sought for public policies to achieve women's economic empowerment. And from the mid-seventies, policy-makers have paid lip-service to that goal and offered scheme after scheme for that purpose. The results, however have been far below expectations. This is partly because, whatever the fanfare, the actual funds and organisational efforts allotted for these by the state have been very meagre: but it is even more so because the schemes themselves were designed not for their avowed purpose of empowering women, but for harnessing women's efforts as well as organisations to serve some imperatives of political authorities. For women activists, the issue has been clouded over by the desperation of the women concerned in their search for some economic opportunities. And their position has been further confused because of the mixed signals emanating from mainstream political parties. The need of the day is for the movement to reassert itself and to take a stance according to its own ground experience and research findings.

Banking With Women in Poverty - Women in Micro Credit

Nirmala Buch

The mainstream system consisting of the formal financial institutions is inaccessible to the poor. It generally fails the poor because of high transaction costs of lending small quantities to a number of customers, the approach of risk aversion leading to reluctance to lend to these unknown non collateralised borrowers and the social distance between the formal sector bankers and the poor. The informal sector is exploitative in character consisting as it does of the money lenders, traders and suppliers of inputs and equipment and services who tend to be monopolistic and seen to use their economic power to exploit the poor. They take the help of friends and relatives for emergencies.

Poor women have all the dis-advantages of the men of their class in access to credit and, in addition to these being enhanced in their case, they have additional specific disadvantages due to their own illiteracy, ignorance, seclusion and also because of the social practices and attitudes. In the 70's the increasing concern with the issues of equity, poverty alleviation, capacity building and empowerment of the hitherto marginalised sections led to a search for new approaches and development policies. The decade showed beginnings of experimentation to identify credit as an important instrument of promotion of employment, production and poverty alleviation.

The decade saw beginnings of experimentation by non-governmental institutions with micro-credit for income generating projects for the poor and particularly for women. The focus on women came partly as a result of conviction of their need, but also because women were found with better repayment behaviour leading to a number of NGOs moving to focus more on women borrowers. The experimentation of grameen bank in Bangladesh and other experiments in developing countries of Asia, Africa and Latin America produced success cases of the approach using credit as an agent of social change. The decade of 1980's saw development theories strongly advocating use of credit as an instrument for poverty alleviation.

In India the CSWI noted the non availability of capital and the reluctance of credit institutions to advance loans to women as one of the most important constraints for women entrepreneurs. The Shram Shakti - Commission on self employed women and women in the informal sector(1987) recommended innovations in the credit mechanism to assist poor women and setting up of an exclusive credit body for poor and self employed women . Government of India adopted the strategy of group approach in poverty alleviation strategy for poor women and included credit as an important component of DWCRA- a special scheme of IRDP focused on women below the poverty line. In IRDP a percentage benefit was earmarked for women. In 1993 government set up RMK -the first and only national credit fund for women to increase access to credit of women below the poverty line in rural and urban areas.

Recently Indian government has re-structured its poverty alleviation programmes in the rural areas and those which are for self employment, are grouped under Swarnajayanti gram swarajgar yojana (SGSY) where organisation of the poor into self help groups for saving and credit is an important component. Hence, it is time to have a look at the instrument of credit as a policy instrument for addressing the need of poor women.

Banking on and with the poor and particularly women is feasible as well as socially desirable. Small loans to the poor have positive impacts for development as well as for alleviation of poverty. Small increase in earning for BPL families living at the margin of survival can become a substantial improvement in their capacity for making economic choices. However, it is to be seen if it is equally feasible for all the poor in the 'poverty pyramid' particularly for those who are the 'core' poor or the poorest.

The credit institutions and instruments for the poor have generally included features for increasing access of the poor, risk aversion through screening of the non-poor and non-suitable and incentives to repay the loans. There is also effort for reducing the transaction cost and risk in lending small amounts to large number of un-known persons who have no collateral to offer. This is done by using social intermediation in place of financial and using peer pressure or local community pressure for re-payments.

In this paper we look at the context and evolution of micro credit as an important instrument of poverty alleviation and development for poor women and for social change. We then look at the features of the institutional models developed with a view to seeing their strength and limitations for poverty alleviation and social change. In the context of the poor, and particularly women, we look at the issues of lending to individuals or through groups, access and control of the loan, its use and its investment, the impact on incomes and social relations, the empowering impact on women, use of peer pressure, the issue of giving only production loans or meeting the need of consumption loans and whether the most poor or the core poor are able to increase their access to credit. The issue of minimalist approach or supply of services other than credit is also important. Finally in the context of the public policy debate, we particularly look at the Rashtriya Mahila Kosh (RMK) and its experience and in this context an over view of the recent studies of RMK and its impact.

We finally indicate a few directions for more effective access of the poor and to look at their credit needs in totality, the protective role of credit instead of only looking at it's promotional role. In this respect we also look at the issue of credit being for poverty reduction as is seen in most of the models or for reducing the vulnerability of the poor arising from unforeseen emergencies and from the assetlessness of the poor or for both.

Women, Education and Empowerment: The Mahila Samakhya Programme

Kameshwari Jandhyala

Issues of women's status have been the centre of public debate and discussion for over a 100 years. Education has always been privileged as a key instrument in the transformation of women's status. It is but appropriate that as we stand on the threshold of the new millenium that we reflect on a unique government initiative launched during the last decade to educate and empower women. The Mahila Samakhya programme is a women's education and empowerment project being implemented in over 7,000 villages in 8 states in the country.

The formulation of the New Education Policy during the 1980's drew upon the perspectives of the women's movement to articulate a clear policy commitment towards education for women's equality and empowerment. The translation of this commitment into a viable programme of action resulted in the designing of the Mahila Samakhya programme, (hereafter MS) which sought to address the obstacles to women's equal participation in the education and development process.

MS is a programme with a difference . Unlike conventional welfare and development programmes, MS is neither target driven nor is it a conduit for service delivery. The focus is on processes to empower rural, poor women and to develop programme interventions based on the agendas set by rural women. Institutional arrangements provide space and flexibility for a wide cross section of women, NGOs and women's groups to participate.

Evaluations have indicated that the programme strategy of mobilising and organising poor women into Sanghas (collectives) has been effective in enabling the empowerment of women. Sanghas in diverse contexts have been proactive in several ways , meeting the practical needs of everyday life of water and civic amenities, addressing livelihood and environmental concerns, ensuring educational opportunities for themselves and their girls in particular, dealing with violence against women, learning to be healthy, making the system more responsive and raising their voice in the sphere of governance. The Sanghas at work provide us insights into the manner in which poor women negotiate, challenge and change the State as it impinges on their lives. To enable this to process to develop into a grassroot level movement is the challenge. MS also provides a counterpoint to the dominant paradigm of organising women around the concept of micro-credit.

The challenges and dilemmas that face us today are many both at the sangha as well as at the programmatic level. To take the empowerment process to a logical end , the effort is on to make sanghas independent of the programme in the form of federations. This has raised several questions of capacities to be built, ensuring resource support in the future and building networks that would help in keeping the empowerment agendas alive . This has also raised the critical issue of the futures of the women working within the programme.

Mainstreaming of MS strategies and ideas as well as convergence has been a daunting task. While the MS success at group formation strategies has been easily adapted, the focus on the educational and empowerment process has not been as easily upscaled. Programmatically at this juncture the ability of the programme to impact and influence mainstream education and other related development processes has been limited. Ensuring that the programme does not fall into a set routine that would stifle the creativity and dynamism of its approaches and strategies is the challenge that lies ahead of us.

Public Policy and the Family in India

Murli Desai

The paper introduces the family and then discusses its relation with the state. The Constitution and developmental policies of India are discussed with reference to the family. As the liberal development policy, adopted by India, is based on production and consumption, technological advancement, industrialisation and, now, liberalisation, it has led to increased consumerism among few and migration and displacement among many, leading to community breakdown, ecological degradation, pavement and slum dwelling, and of course poverty.

Due to increased migration, unemployment and alcoholism among men, labour force participation among women and children have increased, and in the unorganised, low paying jobs with no social security. While the macro-economic planning is seen as gender neutral, women's issues are confined to the micro level welfare schemes. Such an approach erodes the independent production capacity and economic autonomy previously enjoyed by women. Moreover, the welfare schemes do not address the issues of patriarchy, women's poverty, their lack of access to resources, and care of their children. The result is feminisation of poverty and neglect and abuse of children. Women's roles have increased but they continue to remain marginalised. Men continue to be the nominal heads of households even in the female-headed households. Children, women and the disabled were already marginalised in the patriarchal families. With industrialisation and liberalisation, even the elderly, who earlier enjoyed a high status in the family, are marginalised, as they are considered unproductive. The headship of the family has shifted from the eldest male to the earning male. The explicit family policies and the family are discussed with reference to the Family Welfare Programme and the family laws. Indian Government runs a Family Welfare Programme but with the limited goal of promoting planned parenthood with one/ two children norm, through independent choice of family planning methods. The National Policy on Education (1986) highlights the "small family" norm as one of the ten national and social values. Family welfare is, thus, reduced to a small number of children. On the one hand, India does not have an explicit family policy, based on a comprehensive analysis of the family for an identification of comprehensive goals for the family. On the other hand, all the personal laws and developmental and welfare policies and schemes of the government seem to affect the family, for example, they all reinforce the patriarchal family structure. India's secular laws as well as personal laws with reference to marriage and its breakdown, inheritance, maintenance, and custody and guardianship of children, perpetuate male domination in the family. Legislation does not give recognition to alternate family patterns such as families with adopted children. Attempts towards a uniform civil code threaten of homogenisation of the prevalent plurality of family practices. The implicit family policies and the family are analysed with reference to the sectoral policies. Individuals meet their needs and have problems in the context of their families and the families' environment. In the absence of a family policy, different policies and schemes formulated for different family members, and for different needs, often contradict each other, more so as these lack coordination among them. Instead of promoting family welfare, such a segmental approach fractures the family and makes the family's environment more complex. For example, the Juvenile Justice Act (1986) and the Persons with Disabilities Act (1995) do not mention the family. The National Health Policy (1985), the National Housing Policy (1988) and the Draft Policy for Women also do not mention the family. The National Policy for Children (1974) does emphasise the role of the family but the National Plan of Action for Children (1992) and the National Plan of Action for the SAARC Decade of the Girl Child (1992) do not mention the family. The National Policy for Child Labour (1987) does emphasise the family, recommending that the income/employment generation programmes under the anti-poverty programmes should cover families of child labour. However, generally the beneficiaries of the existing schemes are the relatively better off families, as they do not

reach out to the vulnerable families such as those of landless and marginal farmers, the unorganised labour, those living in the disaster prone areas, and so on. The pension amount of the old age pension schemes of the Government of India and the states are grossly inadequate and yet their criteria discourage family assistance. The National Policy on Older Persons (1999), yet to be implemented, includes a section on the family. Liberalisation has also promoted consumerism and commodification of family relationships. It has reduced cohesion and communication and increased self-centeredness and indifference among family members. This has led to increased conflicts, abuse and violence in the family. The survival and housing rights of the marginalised groups in the family are affected, with increase in female foeticide, infanticide and dowry deaths and abandonment or institutionalisation of children, women and elderly. In the absence of a policy for prioritisation of family and community-based services, institutionalisation has got a boost, though it aggravates the problem by attempting to solve it away from its source. Addiction to substance use, physical/ mental illness, crime, and so on are other outcomes of disempowered families. In the International Year of the Family, in 1994, the Ministry of welfare had held a Consultation Meeting and a National Seminar, that culminated into a document called India's Commitment to Family Well-being. This document analyses the challenges faced by the contemporary family with reference to the traditional norms, on the one hand, and the socioeconomic changes, on the other. It then draws up the goals for family well-being with reference to the individual's rights and responsibilities in the family, a family's rights and responsibilities in its environment and an individual's right to have a family. It concludes with an agenda for action towards these goals. This process halted here, as priorities of the Ministry changed. The paper concludes with the discussion on the need to reopen this discussion and lay down the agenda for the next millennium.

PLENARY II

TRIBAL ISSUES AND THE WOMEN'S MOVEMENT

The plenary will seek to understand tribal politics and the relevance that it has for the questions being raised within the women's movement. The issues that the tribal women confront today are in many ways linked to those faced by the tribal community as a whole -- the deprivation of their collective rights over the forest area and its produce, the loss of their cultural identity, the irrelevance of their traditional occupations in the present market economy, displacement from lands which they have been inhabiting for years, loss of income and employment are among the problems that the tribals face today. In this context the tribals have been providing their critique of the state and its agenda of modernisation. The plenary session will therefore engage with these issues in an attempt to understand how these issues are pertinent for the women's movement as well.

Shyamala Devi Rathore's presentation will analyse the impact that processes of development and modernisation have on tribal economy and life styles. The effect on tribal women will be highlighted. The example of some tribes in particular demonstrate that the process of economic transformation results in the breaking up of the tribal economy. Though there are attempts made by the state as well as different non-governmental organisations to integrate the tribal economies into the competitive market, these have not proved beneficial to the tribals. Shyamala's presentation will thus provide a critique of the economy from the point of view of the tribals.

The Anveshi Law Committee will provide an overview of the different frameworks within which the tribal question has been addressed. Beginning with the colonial move of instituting the "tribe" as a racial, anthropological and administrative category, the presentation will map the other approaches as well - the naming and identification of the "scheduled tribe" followed by the drafting of different policies by the state, the approach taken by the Left and the Right in relation to "adivasis", the understanding and involvement of non-governmental organisations in the various issues of land, forest, development, displacement, health, education etc. that effect the tribals. Tribal politics itself engages with these different frameworks in a multiplicity of ways that the law committee will attempt to delineate.

Vasavi's presentation will focus on the situation of Jharkhand in terms of its identity, politics, and economy. The demand for a separate Jharkhand initially began in the early nineteenth century as an assertion of tribal identity. This demand gradually became a demand for separate statehood of an area which is no longer predominantly tribal in its population. In speaking of this general marginalisation of the tribals, Vasavi also seeks to understand how the situation of women in particular is affected. The problems faced by the tribal women she asserts is different from that of mainstream women.

Jarjum Ete will discuss the Indian state's attempts at reconciling the mainstream conception of national identity with the predominantly tribal identity of the North-Eastern states of India. These attempts are fraught with tension and are contested in diverse ways. The presentation will also highlight, through the particular instance of Arunachal Pradesh, the issue of women's rights within a tribal community. In the context of the widespread notion that a tribal society allows for an egalitarian relationship between men and women, Jarjum will examine the actual functioning of tribal customary laws and of the demand made by different women's groups to codify the customary laws such that women's customary rights are strengthened and the discriminatory aspects removed.

The speakers at the plenary will therefore present different dimensions of the tribal issue in order to understand the areas of overlap and difference that exist between the questions raised by the tribals and those taken up by the women's movement.

PLENARY III

MOVING BEYOND WOMBS FOREGROUNDING WOMEN'S HEALTH AGENDA

The Overview on Women's Health and Population Policies

Manisha Gupte

Women's health has for long been understood only in the context of maternity, both by the family as well as the State. Whereas a woman's worth in the family depends on her being able to produce sons, the State targets its family planning programme on women, especially after experiencing political repercussions of the forced vasectomy campaigns during the Emergency period. Year after year, women's access to safe, effective, reversible and user-controlled contraceptives has reduced, making them vulnerable to long-acting, provider-controlled, hazardous methods of fertility control. Women's access to health care, both to the public as well as the private sector is poor for economic and social reasons. The public sector lacks adequate infra-structure, whereas the unregulated private sector that operates on profit motives is hardly available to women economically.

We need to focus attention on the fact that women's general health, including occupational and mental health are grossly neglected by today's health care system. Globalisation, privatisation, reduced State expenditure on health and increasing disparities between the rich and the poor will only make the situation worse. The constant threats of poverty, destitution and desertion, coupled with physical, emotional and sexual violence in society are violations of women's human and constitutional rights. We need to highlight the fact that the present political climate (with increasing fascist tendencies, religious bigotry, fear of riots and war) in the country is also extremely detrimental to women's mental and physical well-being.

The challenge before us then, is to negotiate for women's safety within this dismal scene through the creation of women's spaces from where we launch the demand for universal access to health care, irrespective of one's capacity to pay. Fortunately, the women's movement in India has considerable experience in creating 'alternatives', spearheading campaigns and struggles against the violation of reproductive and sexual rights, and in organising for women's right to self-determination.

A Public Health Vision of Reproductive Health

Imrana Qadeer

Public health itself may not have one and only one perspective to offer. In fact, the history of public health itself is a chequered story of doctors, scientist, health personnel, discovering and rediscovering the implications of larger societal forces on health and thus the limits of medical technology. The outcome of this historical vision is the evolution of a holistic perspective in public health as against the dominant technology based, large scale therapeutic and interventive perspective of public health.

Reproductive health is part of primary health care and therefore the responsibility of the state. Reproductive health concept as advanced by the state and the aid agencies focuses on fertility regulation irrespective of health and developmental strategies. Its operationalisation into techno-centric strategies, rather than into social, structural and

legislative alternatives, its neglect of major general health problems, and its inability to confront the detrimental impacts of structural adjustment policies on women, make it amenable to appropriation by the technologically oriented population control lobby. The official concept of reproductive health, then, is not necessarily pro-women, it is only women-centered.

There is no denying the fact that reproductive health constitute an important aspect of women's health. The challenge is to define priorities within it according to the objective and subjective definitions of women's needs and to make it a part of a larger developmental program, based not only on equity of distribution but also on access and control of productive resources.

Depo-provera

C. Sathyamala

Since the mid sixties Depo-provera has been available as a injectable contraceptive in the international market. However, due to adverse toxicological effects seen on animal models, the United States Food and Drug Administration (USFDA) withheld its approval in the US, the country of parent company Upjohn. It was only in Oct. 1992, after the publication of the World Health Organisation collaborative multinational study on Depo-provera and cancer that permission was granted by the US FDA. Following this ruling, the Indian Drugs Control Authority gave approval for the sale of Depo-provera in the private sector. Despite the recommendations by a section of medical community including the Indian Council of Medical Research, and the pressure brought on by the international population lobby, the Indian government is hesitant to distribute the contraceptive through the national Family Planning Programme. This hesitation is not out of concern for the health and wellbeing of women at whom the contraceptive is aimed. It is the consequence of the powerful opposition in the country from the women and health groups to the contraceptive. The struggle against the introduction of hazardous contraceptives is one of the greatest success stories of the women and health movement in the country.

In this presentation, the forces shaping contraceptive development, research and distribution in the current scenario of liberalisation will be illustrated through the case study of

Depo-provera.

Agenda for Action

Forum for Women's Health and Saheli

Women's health was never considered a priority area by policy makers in independent India. Women have been targeted primarily for their reproductive role. Over the years, the politics of population control has dominated public discourse and demanded a response from women's organisations. While we continue our struggle against the medical violence in the name of 'demographic stabilisation', we need to make a more rigorous effort to define and articulate what really needs to be done. The issues raised by women's groups and health activists and lessons learnt over the last twenty five years will continue to shape our thoughts and actions today and tomorrow. The onslaught of globalisation has underlined the importance of building and sharpening feminist vision which is the mainstay of our campaigns as well as our efforts at building alternatives and creating new spaces.

The spectrum of action should include demands for comprehensive primary health care, focussed programmes for specific age-groups of women who have so far been neglected (e.g. adolescents, menopausal and post-menopausal women); reversing the anti-people trends of budgetary cuts and privatisation in the field of health care; specific campaigns against hazardous contraceptives and population control policies. We need to push for due attention to women's health needs. The demand has to come not only from women's groups and health activists but should also become an agenda of people's movements struggling for survival and livelihood issues. The presentation will elaborate on the challenges that lie ahead.

PLENARY IV

RESERVATIONS POLICIES AND THE WOMEN'S MOVEMENT

The subject of reservations – that is, the creation of statutory quotas for various disadvantaged groups in the legislatures, public services and institutions of higher education - has repeatedly emerged as a critical issue in the political history of twentieth century India. No other issue has raised so many fundamental questions about the nature and composition of Indian society, and how the structures of modern governance may promote equality and citizenship within it. And yet - even though they have often provoked major conflicts and controversies both before and after Independence - reservations policies have not produced the kind of informed public debate or serious scholarship associated with other development policies. The specific subject of this panel – reservations for women - has to be seen within this larger context.

Significant sections of the women's movement are now – for the first time in its history - in favour of reservations for women. This marks a major change, not only from the 1920s and 30s, but even as recently as the 1970s, when the possibility of introducing reservations for women was resisted or rejected by most women's organisations. Beginning with the introduction of 33% reservations for women through the 73rd and 74th Amendments in local self-government in the late 80s, followed by the current demand for a similar provision in Parliament and state assemblies, there has emerged an ever widening consensus in favour of reservations. However, instead of simply urging for the rapid passing of the 81st Amendment Bill and viewing its repeated stalling in Parliament since its first introduction in 1996 as a defeat at the hands of patriarchal forces, this panel attempts to open up the complex issues involved to further debate. Indeed, we need to recognize that, in the present conjuncture, the Bill itself may only be the proverbial tip of the iceberg.

Its coordinator Mary John (Centre for Women's Development Studies, New Delhi) introduces the panel. The introduction explores some of the major conceptions about the social and political structure in India that have provided the rationale for reservations policies in the past and present. These conceptions have foregrounded problems of caste (variously defined and redefined as the "depressed classes", backward classes", the Scheduled Castes and Scheduled Tribes, and so on); problems of the proportionate representation of different communities, especially "minorities"; and, finally, problems relating to the position of women. "Mainstream" debates on caste, class and minority-based criteria, on the one hand, and the fluctuating demands of women's organisations on the other, have rarely been connected in the few existing accounts of the history of reservations policies in India. Moreover, many current approaches are fundamentally flawed because they pay such poor attention to the successful reproduction of elite dominance in contemporary India. Our understandable emphasis on the poor and underprivileged has meant that we know far too little about the changing composition and aspirations of the "middle classes" and elites, who play a critical role for any process of social transformation.

The second speaker Bhagwan Das (lawyer and human rights activist, New Delhi) takes a closer look at the specific site where most of the knowledge and debates relating to reservations have been generated, namely, the legal system and the courts. He outlines the genesis of reservations policies in colonial India, as well as certain important judgements in the post-independence period responding to legal challenges against policy implementation. While certain "moments" and cases have attained some visibility in recent years - the contest between Gandhi and Ambedkar over separate electorates in the 1930s, the debate over the first Constitutional Amendment in 1951, and the furore over the implementation of the Mandal Report in 1990 -- other lesser known cases are equally significant for exposing the presuppositions of the judiciary about the nature of equality

and discrimination, the “national interest”, or questions of merit. It is therefore vital to uncover the biases embedded in what is seen to be the impartial and just rule of law.

With this background, the next presentation by Nivedita Menon (Lady Sriram College, New Delhi) explores the evolution of the current demand by a number of women’s organisations for one-third representation in Parliament and state assemblies, and the ongoing debate around the 81st Amendment Bill. The range of positions that have been articulated need to be examined with some care and cannot be collapsed into being simply “for” or “against” the idea that women require a system of reservations in order to participate more effectively in institutions of governance. It is particularly interesting that much of the contest centres around the very category of “women” – not just their presumed abilities and disabilities as political leaders, but the anticipated composition of those women who are most likely to be elected, as well as their relation to their respective political parties and to the women’s movement. It would be impossible to make sense of the history of reservations in the Indian context without recognizing that this history has many distinct regional strands which have developed quite independently of one another, whether in Southern India, the Western states of Maharashtra and Gujarat, or the regions of the North. The present national debate about women’s representation in the legislatures has in turn impacted on these regional histories in different ways. The state of Karnataka has had one of the longest histories of reservations in response to social movements among the backward classes and Dalits. The next presentation by Sharada (Manasa Monthly Magazine, Bangalore) looks at how a Bangalore-based women’s organisation has responded to the national debate in light of local issues and priorities. Political movements in the state of Andhra Pradesh have also been newly energized over the last decade by local and national demands relating to the politics of reservations. Sections of students on the campus of student’s councils more representative of the student body as a whole. A discussion by one of the members of the Joint Action Committee for Women’s Representation, University of Hyderabad, will show how the demand to ensure women’s presence in student councils was articulated, what alliances were formed in the process and the resistances that were encountered. India is by no means the only country to have experimented with a reservations policy. In the West, some of the better known examples include the affirmative action policies of the United States, Canada, and the Scandinavian countries of northern Europe. The final presentation by Danielle Haase-Dubosc (Columbia programs in Paris, France) draws a comparative connection to France, where sections of the women’s movement have recently made a strong plea in favour of “parity”, i.e., equal representation of men and women in Parliament. Her account delineates how this particular demand emerged, the distance travelled from the 1960s and 70s (when the general tendency was to shun public politics), and the problems and challenges that lie ahead.

PLENARY V

CENSORSHIP AND SILENCE: PERSPECTIVES ON THE FREEDOM OF EXPRESSION

"The Tongue Set Free"

Ritu Menon

The irony of a plenary in the year 2000 on the issue of censorship and silence, can escape no one. The very idea of such a force operating in the era of internet, the ultimate medium for the free flow of information, is laughable. Yet, consider this: a serious weighing up of the pros and cons of publishing a controversial text is part of most publishers' editorial decisions today. Whether extremist, militant, fundamentalist or chauvinist, "thought police" exist in every part of the world and go about the business of silencing as effectively as ever. But, overt censorship apart, insidious and subtle censorship is exerted by: literary and educational establishments, social and cultural morays, the market, the family, community, political ideology and the state. This form of censorship is pervasive, and inflicts long-term injuries of the kind that more dramatic forms of censorship obscure. This presentation will look at experiences of women writers, women's studies and feminist publishing in an attempt to expand our definition of censorship and examine the circumstances under which women write and are read, as well as those that determine how, when and why they are prevented from doing so.

To Censor or Not to Censor: Film and Public Policy

Volga

Among the fundamental rights guaranteed to the citizens in the Indian Constitution, the freedom of expression and freedom of speech under article 10(1)(a) are central to our discussion. Literature, music, visual arts and films covered by this article and provide the space for citizens to express their opinions freely and without fear. Article 19(2) enumerates the reasonable restrictions to this freedom which include causing danger to national sovereignty, peace and security, affecting moral values, disrespect for the institutions of justice, encouraging crime, affecting relations with other countries etc. Given the power of cinema as a medium to affect large sections of the population the state set up a Film Censorship and Certification Board. The Cinematography Act came into force in 1952 with several amendments since.

Present day films testify to the fact that this censorship does not exist. Violence is glamourised, degradation and humiliation of images of women, reinforcing traditional stereotypes are all an integral part of today's cinema. Either out of respect for the freedom of expression or a general disinterest we are passive spectators. The difference between cinema and other arts lies not merely in its capacity to make a powerful impression on people. The political economy of cinema puts it in a different class. Cinema is viewed more as a business industry as work of art than as a work of art by those who control it. The government recognises film as an industry. To understand the political, economic and social aspects of cinema needs a different framework and set of tools from those needed to interpret a work of art. Where does the investment come from? Who decides and controls it? What is its nature? Its uses? It is only if we address these questions that we can understand the role of cinema today.

That cinema is closely linked to politics is a well known fact. We need to analyse and examine that connection to grasp the power that cinema carries as an art form. Can

public policy on cinema rest on its being viewed as an art form? What about the political economy of cinema? Should film censorship remain in its present form? Should it be scrapped completely? Is there a need for the law be amended from a gender perspective? There are questions that we need to address with seriousness in the present context.

Censorship and Silence: Perspectives On The Freedom Of Expression (With Specific reference to Maharashtra)

Pushpa Bhave

It is true that freedom of expression has been a right enshrined in the Indian Constitution for the last half-century. But the political philosophy of the makers of the constitution is hardly supported by the present political culture. Apart from the chasm between the ideology and political behaviour which is hardly surprising, one must consider the complex ethos of the Indian Society.

We at the IAWS cannot look at the problem of censorship only as a conflict between the State and people's movements. The code of silence was and even exists to-day as a patriarchal 'diktat' perpetrated in the name of femininity. And it is duly internalised by many women.

The problem is political in more than one sense. In women's studies we analyse this problem from the point of view of control of women's perception and expression. Language, more specifically discourse is controlled by the mainstream patriarchy. Very often in recent times progressive discourse has been cleverly manipulated by rightwing rhetoric.

The problems of censorship are so complex that it would be naïve to divide them into problems of political censorship and that of obscenity. In this presentation I would like to cite a case-study which can explain the complexities of the problem of censorship. The case refers to the play by Vijay Tendulkar (1972) and the fight fought by Kamalakar Sarang the director for the freedom to stage 'Sakharam Binder'. Historically this was just before the emergency. The fight was fought in the court and outside on the streets as well. Some of the important points of the said case are –

- * Three women along with other men supported the case.
- * The forces which stood against the play tried to win public sympathy by taking a cultural stand, saying overtly that they were fighting for women's honour, while the real fright in the minds of the militant groups was the way the institution of marriage was challenged by the protagonist in the play.
- * Hidden agenda of a gender-caste conflict within the controversy.
- * An attempt by the media and cultural leaders to divide women into two camps.

Reference will also be made to another controversy about 'Ghasiram Kotwal' by Vijay Tendulkar and how patriarchal caste conflict was reflected in it, focussing on how critics of the right and left wing lost sight of the gender-caste perspective. Censorship against women's magazines which gave expression to violence – Sexual assault within family – will also be discussed. Right wing rhetoric, which on the surface is sympathetic towards Muslim women, at a deeper level reflects an attempt to restrict Muslim men, project a crude image of the Muslim man through this discourse. An analysis of right wing writing will be made to demonstrate this point.

In conclusion the paper will underscore the importance of discourse analysis within women's studies to raise the level of women's consciousness of the contemporary scene.

While discussing public policy it would be more worthwhile to analyse the official language of women's policy as well as the public rhetoric relating to women.

Word as Censor

Mridula Garg

Some censorship is inherent in the use of language. Cultural hegemony declares some words to be decent, others indecent and goes on to control meaning and thought. I propose to examine how the power structure has changed over time to make the graph of control more complex and subliminal. The weapon used is always the word. Starting from direct blotting out of certain words it has gone on to reduce the shades of meaning a word could have and finally brought a divorce of word from meaning.

Religious leadership was the first source of censorship. Since initially all art and literature, whether folk or classical was inspired by religious thought, excellence of the word came to be associate with the worship of god. Those words and expressions, which questioned this, were termed blasphemous and obscene.

In India this became enshrined in the principle of Shivam, Satyam, Sundaram. It emerged as a sublimating influence on creativity. But became restrictive when the artist or writer wanted to question what actually constituted Shivam, Satyam, Sundaram, or wanted to redefine its parameters.

In other words, as personal faith in God or Cosmic Will became subservient to determinist ritualistic modes, it started censoring the individual's quest for a creative and philosophic vision. All religious censorship tended to place the main onus of constraint on the female of the sexes. This was something, which remained unaltered in all subsequent forms of control.

Political power was the second source of censorship of language. As the dominance of religion lessened, temporal power came in ascendance. It immediately imposed a code of conduct on the use of language to retain a dependable stable of literate supporters. The use of verbosity and jargon to channelise thought and literature in a particular direction has been amply recorded in all dictatorships, monarchical, military, or ideological. But the economic and cultural power centres have equally dictated the permitted forms of language in the so-called liberal democracies.

The market became the third major source of censorship. The weapons used are advertisements and political campaigns. Hyperbole is an essential characteristic of both. They borrow the language from literature but distort it for the market use in a manner that word is divested of its meaning. For example, when an advertisement says "*Better than perfect*", perfect ceases to mean anything.

The enlargement and finally the globalization of the market has centered the source of censorship in international marketing giants. Religion has become one of their tools. The real danger of indirect cultural market centered censorship lies in the fact that thought it does not impose visible curbs on the right to think and seems to allow freedom of expression, it curbs or corrodes the ability to think and finally the desire to think for oneself.

Example: We find that in the past two decades, there is an increasing and excessive use of quotations in literary and social science discourses. In the field of philosophy, social sciences, and literature, anything other than a statistic is only an opinion, not a fact.

Quoting other opinions to buttress our own is a symptom of the fear of taking sole responsibility for what we think. The desire to think for oneself, by oneself and to stand by it alone is diminishing in a world, which considers itself free and non-conformist.

It is interesting that non-conformity or rebellion from the politically powered centres has come to gradually build a prison of political correctness. Censorship comes not only from the political power centres but also from the collectives of the unempowered margins.

I conclude that literature, along with other visual and plastic arts can help fight the subtle forms of censorship practiced today. All of them retain the multi-linearity of thought. Literature has always found escape routes from the power polemics by giving new multiple meanings to words. It can continue to do so in future if it is supported in some measure by the media.

The State, The Market and Freedom of Expression: Women and the Electronic Media

Uma Chakravarti

In the newly constituted public sphere available to women, a space created largely by the women's movement, the debate on the freedom of expression has tended to be reduced to taking sides in what may simply be called the 'obscenity' issue—it is as if 'women' have focussed solely on obscenity and have had no other concerns in the context of the media's handling of women. Some feminists too have criticised women's groups for allegedly having an excessive concern with the obscene portrayal of women and have been critical of the power of the state to impose bans on positions not acceptable to them in the name of morality. Apart from somewhat exaggerating and simplifying the concern expressed by a section of women on the manner in which women are often portrayed in cinema and TV what is being missed in this critique is that the market and 'civil society' too have a similar, and sometimes greater, power to silence a whole range of issues even while appearing to be pluralist in its handling of images. This is done by privileging the urban, well placed consumer as *the* viewer. Thus what we need to recognise is the nature of a conjuncture where a right-wing state silences women and other marginalised groups through the power of the state to send out signals as well as censor certain points of view, ways of thinking and expressing creativity, and right wing forces display their power on the street to achieve the same silencing. Simultaneously, market forces that the right wing state has consolidated systematically obliterate many points of view through the power of money to determine what messages are to be put out. The question that arises is: from the point of view of women, especially the non elite sections among them what does freedom of expression imply? Has freedom of expression in the age of globalisation any relevance for reflecting women's real concerns?

In the context of the absences and exclusions of certain categories of people and issues reflecting their lives from the electronic media an analysis of the dominant trends in serials, news features, chat shows and ads indicates that the opening up of the electronic media to private channels has not substantially altered the biases of total state control over the media. In fact it has brought in new biases. Fully capable of reflecting the state's ideologies on nationalism, militarisation and nuclearisation, as well as religious majoritarianism, as effectively or even more so than the state controlled channels, the private channels have exacerbated the regional, class and caste biases, and the gendered representations of the earlier era of state monopoly over the media. Rural India has virtually disappeared from the media, except to figure as disaster arenas in the news. On an everyday representational basis rural India has been reduced to a trope figuring in a

new ethnicised glossy or comic depiction depending on the product being advertised. The continuing poverty, illiteracy, inequality and vulnerability of most sections of rural men and women has been completely erased from the screen and from the consciousness of globalised India.

How do we as women address the problem of these absences and exclusions? How can we reinstate these excluded people and issues back into the frame of the electronic media and how can we make the media more genuinely representative to include the social and regional diversities of India and Indian women? Creative and sustained strategies are required from women to counter the informal censorship of the right-wing state now in command and the profit driven market of global capitalism, something for this forum to think about.