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Editor's Note

A

As in the early 1980s which saw the emergence of women's studies in India and also the founding of IAWS, we are today, once again, debating the inter-linkages between the development process and gender relations. Be it the liberalization of the economy, the impact on sources of livelihoods, nature of work and earnings, the legal environment or women in decision making and democratic processes—all address some fundamental questions which are as relevant today as they were in the early 1980s. These questions were posed when the startling findings of the government's Committee On Status Of Women (CSWI) in 1975 highlighted the declining position of women, particularly since independence. This decline was noted in trends such as the accelerated decline in women's employment since 1950s. Also noted was the growth of social attitudes and values, 'a regression from the norms developed during the freedom movement.' The questions posed were: whatever happened to the promises of equality that was built into the Constitution of free India? What had led to increasing marginalization of women? Was it the problem of lack of implementation of programs or was it something deeper and intrinsic to the processes and plans of development?

Locating itself in ongoing debates to rethink development, IAWS has, over the years, highlighted the need to change indicators and concepts to measure women's work. It critiqued official categorization and recognition of only waged work as 'work', ignoring the value and contribution of large majority of women in India in non wage productive work and subsistence activities so crucial for poor households. A growing body of studies focused on prevailing social norms that assigned to men and women different and unequal relationships with: ownership, access and control over productive resources, work roles, work loads, earnings and entitlements, occupational mobility, distribution of subsistence resources (food, health care, etc). Also brought into sharp focus was the question of power relations between men and women in households and whether these varied according to caste, class, community and region. Changing forms of division of labor and wider economic processes constantly redefined the role of women in varied ways. Labour, work is the focus of this issue of the IAWS Newsletter, drawing on studies, articles, reports, narratives from varied institutional sites and forms of engagements, as also from different regions.

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LAWS SEMINAR

Feminist Archiving: Possibilities and Challenges

The seminar (13 -14th December 2012, Mumbai) organized jointly by Dr. Avabai Wadia and Dr. Bomanji Khursehdji Wadia Archives For Women, Research Centre for Women's Studies and University Library, SNDT Women's University and Indian Association For Women's Studies (IAWS) brought together historians, social scientists and activists to discuss the framework for a feminist archives. It explored historiography through the experiences of scholars who made innovative use of archival records and rewrote women's history through oral/written narratives including autobiographies, private papers, photographs. In a packed hall which also included many students, lively discussions followed presentations by *Ilna Sen (Keynote), Uma Chakravarti (Presidential address and session paper), Kumkum Roy, Samita Sen, Kamla Ganesh, Meera Velayudhan, Sonal Shukla, Anju Vyas, Mosina Mukadam, Nandita Saldaha, Ranjana Mishra, Urmila Powar, Joica Thorat, Jaswandi, Indu Agnihotri, Malavika Karlekar, Sumi Krishna, Vrunda Pathare, Sushma Powdwal, Chhaya Datar, Usha Thakkar, Veena Poonacha. International participants included Genevieve Rail, Christabelle Sethna. The sessions were chaired by Ritu Dewan, Nandini Manjrekar, Anita Ghai, Sushma Paudwal, Shaila D' Souza. The seminar concluded with an inspiring Valedictory Address by well known feminist writer, CS Lakshmi.*

Ilna Sen spoke about women and other dispossessed communities do not have the social, cultural and material artifacts that survive over a period of time to be able to reconstruct their histories. Their oral narratives and songs, for instance, cannot be easily woven into the rigid historical frames. Tracing the growth and development of feminist historiographies, **Dr. Uma Chakravarti** critiqued conventional historiography. History was a grand narrative of power. Those without power were not allowed historical representation. The exclusions in history are deeply political projects, aimed at maintaining the power and privileges of the upper classes. The importance of the French revolution was precisely because people conventionally excluded from history-- the working class and peasants-- were now finding a place in history. These people had challenged the established political power. Subaltern histories in the 1960s challenged the accepted tenets of historiography and opened exciting new venues for historical enquires. However, it did not include women. Attempts to recover histories from below should also read the silences and recognize that the formal sources of histories are also skewed. There is a need to search for alternative sources and frame them within a paradigm. The importance of recovering women's histories is because their absence justifies social structures that promote inequalities.

In order to indicate the creative possibilities of writing, reading and teaching history differently, **Dr. Kumkum Roy** discussed an experiment that she undertook, a part of a project initiated by the National Council for Education Research and Training (NCERT) to develop more inclusive history text books for schools. The scholars working on the project made every effort to ensure the experiences and perspectives of different groups of people were represented. As a case to point, she presented the chapter on the French Revolution introduced to students of Std. IX. While highlighting the importance of the French Revolution in expanding the scope of human rights, the text book, she said, also points to its limitations. It gave women limited rights, to education, participate in trade and also divorce; but it did not give women electoral right—a right which women acquired in France in 1946. The writing of history, representing the diversity of voices and experiences are useful in removing social prejudices. It should remain an important project for historians.

Dr. Samita Sen stressed the need for archival research in the recovery of women's histories. The preservation of archival materials also represents state power and control over knowledge production. Despite limitations, the writing and recovery of history requires accessing state archival resources. There are often gaps in the preservation of historical materials: sometimes, the destruction of valuable archival materials may be due to carelessness in handling, maintaining and preserving papers; and in others, there may be deliberate political action in erasing certain records. Historical documents preserved in archives are public records which may not directly yield data on women or their lives. The quest for alternative sources overlooks the fact conventional sources can also reveal glimpses of women's lives.. Discussing the Age of Consent Bill in 1891, she said that the death of eleven-year-old Phulmani in Bengal, highlighted the need to legislate on the age of sexual consent in marriage. The public debates on the issue shed valuable light on the construction of bodies, sexuality and reproduction. She observed that the various legislations of a given period were often in tangent with each other. For instance, there is considerable difference in the definition of a child in the Age of Consent Bill and the Labour Legislations of the same period.

Dr. Kamala Ganesh discussed the archival project that she had undertaken for the Dr. Avabai Wadia archives for women to recover the records of the Cancer Research Institute in Chennai which was founded by Dr. Muthulakshmi Reddy- the first woman doctor in South India. Focusing on the many personal and public intersections in the development of an institution, she pointed to the need to examine written records along with other unconventional sources of history such as interviews and discussions. These alternative sources shed light on the intersections between the personal and the public. While documenting the history of the institution, it is possible to map the trajectories of personal relationships that shaped the institution.

Meera Velayudhan drawing on the soon to be published autobiography of her mother, Dakshayani, *spoke* of a unique journey of her mother who came from an agrestic slave community (Pulayas) in Cochin and who goes on to become the first dalit woman graduate, a member of Cochin Legislative Council and later, one of the eleven women members of the Constituent Assembly of India. Memory is

contested and dynamic, there can be layers of meanings and multiple frames of reference. Dakshayani's life traversed several modernities. She was a Gandhian yet worked with Babasaheb Ambedkar in the Constituent Assembly in the framing of the equality principle in the Constitution. There were many assertions, like not making way for upper castes on the road or come out with a brilliant academic record despite the science teacher refusing to guide her in the laboratory. Tracing her mother's life journey, Meera spoke about group specific relations to past (caste, family, party, region, etc)-an individual's identity shaping and the coming into being of a community and class as a process, terming it as 'social labor' in the context of Kerala in the 1920s-30s..

Dr. Chritabelle Sethna discussed her on-going research on a set of declassified documents from the Security Service of the Royal Canadian Mounted Police (RMPC) from the mid 1960s to 1980s. This was a period which coincided with the cold war and the rise of the Canadian second wave feminism. The declassified files contain dossiers compiled by the RMPC on individual feminists, groups and events. The material indicates the extent to which the state perceived feminism as a threat to national security and also reveals the gendered nature of surveillance. She also raised questions on the extent to which the identities of the various protagonists need to be protected.

Sonal Shukla's account of the history of the freedom movement through the oral histories of women uncovers the contribution of ordinary women to the freedom movement—a contribution that may not be recognized in the writing of history. **Anju Vyas's** presentation on *Information Resources for Feminist Archives* began with a classification of the various primary, secondary and tertiary sources of history and also categorized the informal and alternative sources. Indicating the challenges of acquiring, classifying and storing grey literature, she concluded by indicating the rich collection of historical resources preserved by the Centre for Women's Development (CWDS), New Delhi. **Mosina Mukadam**, discussed her current project undertaken jointly with Dr. Sushma Powdwal on cook books. The presentation analyzed the language, content and structure of cookbooks as reflections of women's lives and argued that it was possible to trace social change through these books. Some of the other important speakers were Dr. Nandita Saldaha, Dr. Ranjana Mishra, Dr. Urmila Pawar, Joica Thorat and Dr. Jaswandi.

Pointing to the intersections between the public and private spaces in history, **Dr. Indu Agnihotri** recalled her own participation in the women's movement. Her journey into feminist politics and struggles began with her participation in the First National Conference of Women's Studies in 1981 in this campus. The conference showcased the 200 poster exhibition-' Marching Towards Equality' prepared by the Jawaharlal Nehru University Women's Committee, New Delhi. This experience shaped her ideas and initiated her personal journey into archiving. She, along with other activists, was out in the streets during the day and the night was occupied in preparing the pamphlets, posters and other documentary materials. There is no separation, she said, between the public and private. It was necessary to examine archival records to gain fresh insights into women's political articulations, both written and oral sources of histories were important. There can also be a process of forgetting: Dr. Vina Mazumdar's memoir is a rich source on the history of the women's movement. In the preliminary drafts of her memoir, she had forgotten to mention her own considerable contribution in international forums to promote gender equality until its significance was pointed to her.

Dr. Genevieve Rail drew from her experiences in Quebec of connecting some of the smaller archives. Drawing from the theoretical shifts that have occurred in feminist history and the writing on women's bodies, she critiqued the grand historical narratives. Her critique of the dominant positivist, heterosexist, sexist, racist and colonial historiographies emerged out of the epistemological challenges posed by poststructuralists and feminists. The writings of Lata Mani and Kanchan Illiya along with other scholars from Africa posit important aspects of post-colonial political, epistemological, methodological and discursive challenges to the writing of history and the representation of women's bodies. She argues for solidarity across borders in remembering/rewriting of women's bodies and transnational feminist histories across borders. A women's archive project is built on the notions of social justice and recognizes the importance of pleasure and emotions as epistemological turning points. The archive, however, is not the preserve of historians but also others. The challenge of developing an archive in the digital age was considerable.

Dr. Malavika Karlekar focused on the immense possibilities of recovering histories through photographs in discussing the preparation of the CWDS 2013 calendar on Kalpana Joshi ,well-known in history for her involvement in the Chittagong Conspiracy Case during the freedom struggle. The calendar, a mix of diverse historical materials, indicates the sub-text forms of archiving materials. **Dr. Sumi Krishna** presentation focused on her experiences of establishing the IAWS's digital archive and the nitty-gritty struggle of going through the grey literature to create this archive. **Vrundha Pathare**, drawing from her experience of developing the Godrej archives, said that archival materials often provide new insights into the known histories. As an organization, Godrej had decided views on employing women on the shop floor and yet their archive had a 1967 photograph of women workers on the shop floor. Discussions with long-time employees of the company revealed that the company had employed women in their factory in Malaysia because women were perceived as better workers than men. The success of the initiative in employing women encouraged the Company to employ women in its factories in India. She then discussed the techniques of preserving materials for the future. Describing archives and libraries as memory institutions, **Dr. Sushma Powdwal** spoke about conservation, preservation and restoration of archival material.

Dr. Chhaya Datar's presentation focused on the action research study that she had undertaken to document the lives of the *beedi* workers in Nipani, located on the borders of Karnataka and Maharashtra. Their stories were stories of courage and resistance. Some of these women resisted the cultural definitions of their lives as *devadasis*. They refused to perform the ritual which required them to carry the image of their patron goddess on their heads. The process of unionizing the women however was not easy. The prevailing caste and religious identities were important markers in their lives. It was difficult to get women to overcome these identities and collectivize against their exploitation.

Dr. Usha Thakkar began her presentation by remembering the early struggles to get Women's Studies accepted in the University system as a legitimate area of enquiry. Recalling the contribution of Dr. Neera Desai and Dr. Maithreyi Krishnaraj in providing the needed leadership to the development of Women's Studies, she that early production of Women's Studies knowledge aimed at getting the word out. Those were the days when the present-day technologies were not available. Letters, notes, publication materials had to be carefully typed, proof read and cyclostyled—these were techniques that young people are not familiar with today. Her engagement with Women's Studies made her realize the limitations of her own discipline of Political Science in defining power and political participation; in the process, the existing divide between the personal and the public was blurred. Memories, she said, have both an individual and a collective dimension. She also pointed to the blurring of the divide between conventional and unconventional sources. What was unconventional some years back, had now gained acceptance in the writing of histories. She also pointed to the importance of women's writings in the reconstruction of social history.

Dr. Veena Poonacha recalled one of the early lessons that she learnt in Women's Studies of the experiential bases of knowledge. This lesson infused her choice of research subject. Feeling devalued by the representation of her community in M.N. Srinivas's book *Religion and Society of Coorgs in South India*, she decided to examine the Coorg society from the standpoint of women's experiences. The study indicated the differences in the colonial and indigenous sources of history. Subsequently, focusing on her family history, from 1860-1950, she narrated her experiences of locating three generations of women within the broader context of social change. While it would be wrong to assume that individuals are products of their times, it cannot be denied that the choices they make are defined by the opportunities and possibilities of the period.

Dr. C. S. Lakshmi's presentation began with the provocative question - how do you consume an archive. She located her arguments within her broader critique of the process of knowledge creation and in her inimitable style illustrated her arguments on the importance of seeing, understanding and writing differently. Her first illustration was the tendency of copy editors to translate and explain Indian words used in the text through a series of footnotes. By doing so, Lakshmi argued, Indian customs, motifs, expressions and even food items were reduced to a series of footnotes. Seeing this as an example of the colonial/western project of knowledge management, she argued, that words from other European languages used in English texts are not always explained to this degree.

Her second illustration focused on the need for empathy and respect while researching. Her third illustration was a critique of scholars to romanticize Indian culture. She said that a well-known scholar had claimed that Indian women had powerful religious archetypes to claim personal power. The basis for this argument she said was the mythological story that creation was triggered when the Goddess Lakshmi tickled her husband Vishnu's feet. Lakshmi said that she asked the scholar, if the Goddess was so powerful to be able to trigger creation by tickling her husband's feet, why did she not tickle her own feet to initiate creation?

Finally, drawing from her immense experience of recovering women's histories, Lakshmi said it was necessary not to stereotype women in research. Women made autonomous choices and these choices cannot be slotted into preconceived notions. Her mother was born in a traditional Brahmin family and much of her life was within the framework of traditions. Yet she was very liberal in her attitudes. When her son married a Christian, she attended the church wedding and mixed freely with her daughter-in-law's family. Her mother's feminism was also apparent when Lakshmi lost her father. Her mother insisted that she would go to the crematorium to witness her husband's last rites. This request was in contravention with customary sanctions. She insisted on accompanying her husband's body to the crematorium even against the expressed injunction of the priests. The priests tried to bolster their argument by citing the Vedas. Her mother then asked the priests to show her the religious text which dictated the custom. At the crematorium, her mother remained dry-eyed and without a tear in her eye sang a song as the funeral pyre was lit.

Dalit women pre-dominate manual scavenging. An estimated 800,000 Dalit women today clean latrines/remove night soil by hand despite the ban on manual scavenging. Although Dalit male household members may have an opportunity for "upward mobility" as sweepers in municipal corporation offices and government hospitals, the women and girls from such communities continue work in manual scavenging. The government announced end 2009 that it would end this practice by 2010. It also announced 100% (as against 50% earlier) pre-matric scholarships, attention to retention in schools and quality education, besides, self employment schemes for manual scavengers, training and extension of loans, subsidy – all in a mission mode. In response to a public interest litigation in 2003 by manual scavengers, the Supreme Court ordered the government of India and state governments in 2005 to verify facts and indicate within six months of a time bound program where manual scavenging is confirmed. Many states responded that dry latrines did not exist in their states.

National Commission on Human Rights (NHRC) Report on Prevention of Atrocities on Scheduled Castes, Sec.VIII, pp 161-162, 2004.

DISCUSSION

Domestic Workers in India

■■■ Neetha N. and Rajni Palriwala

Domestic workers are largely absent from state policy in India, be it in labour laws or social policy. This is despite their long presence and the phenomenal growth of paid, domestic workers over the last decade or more. The spate of labour legislation in the years immediately following independence shows governmental resistance—active or through neglect—to regulating this sector. Minimum wages, maximum hours of work, a weekly day of rest, fifteen days paid leave annually, casual leave, and the maintenance of a register of domestic workers by the local police remain central to any discussion regarding the rights of domestic workers and, indeed, of most informal workers in India, whether in designing law or in its (non-)implementation.. The government ignored the 1974 recommendations of its own Committee on the Status of Women in India (CSWI) as well as the recommendation of the statutory National Commission on Self-Employed Women and Women in the Informal Sector(1988) to establish a system of registration for domestic workers, a minimum wage, and legislation to regulate conditions of employment, social security and security of employment.. There was a need to look at the ability of existing law and legal concepts to deal with the specific nature of the workplace and employment relations as well as the particularities of the workers, including their gender and other social demographics.

Central to the difficulties in the legal recognition of domestic workers is the denial that the “homemaker” is a worker and that unpaid domestic work is work. In highlighting the patriarchal divisions and valuations of activity that are important in understanding the dynamics of paid and unpaid domestic work, two important dimensions are signalled. One is the devaluation and invisibility of domestic work specifically, which ties into the second dimension. This is the persona of the workers or who they are assumed to be—their gender, class, caste, and ethnic characteristics. The social characteristics and work-related commonalities that are shared between paid and unpaid domestic workers, on the one hand, and paid domestic workers and informal workers in other sectors, on the other hand, underscore the inextricable entanglement of gender with other axes of stratification—in particular, class and caste in India. A host of institutions determine the work and life conditions of domestic workers—their social network and own household, the employing household, placement agencies, habitat-related concerns (shelter, infrastructure/amenities), and state policies. This complexity is reflected in the different local rules that domestic workers are subject to in their labour market engagements. The heterogeneity and local variations make it difficult to arrive at general, abstract, or uniform legal categories. To add to these problems, there is very little background literature or evidence-based documentation to enable an understanding of how these complexities may be incorporated in the regulation of the working conditions for domestic workers.

Long-term quantitative data on paid domestic workers is minimal, in part because of their [refers to domestic workers] relatively small numbers but also in keeping with the paucity of data on most forms of women's informal work. There has been a growing recognition of the significance of paid domestic work in female employment, and the category “private households with employed persons” was included in the last two rounds on employment and unemployment in the National Sample Survey (1999–2000 and 2004–05). Most domestic workers, especially women, have little formal education. In 2004–05, 57 percent were “illiterate,” which is an indication of their socio-economic backgrounds. Scheduled Castes (SC), who were viewed as “untouchables” in the Hindu social hierarchy, form a large proportion of domestic workers (33.4 percent) and the majority of migrant workers. Although the lines between categories of domestic work are not always sharp in everyday practice, SC workers are much more likely to be housemaids/servants and governess/babysitters than cooks. However, in recent years, their numbers in the last category are gradually increasing. Ideologies of childcare and a persisting caste ideology of purity and pollution are important factors that shape this pattern. Upper- and middle-caste Hindus would not allow a lower caste person or Muslim to enter their homes, let alone their kitchen.

Micro-studies have found that employers are allowing their need for domestic workers to take precedence over these “purity” norms, especially in metropolitan cities and for specific tasks. The process of migration has also facilitated the relaxation in caste rules. A large proportion of domestic workers would not have been allowed into the domestic spaces of the upper castes in their place of origin. Similarly, people who are asserting their social status would not have considered working as domestic “servants,” but they are willing to do so subsequent to migration. They may, however, decline to perform certain tasks in order to assert that they are not of “low” status. For instance, workers from “Other Backward Castes” have been known to refuse to undertake “polluting” work such as cleaning toilets in order to assert that though they are domestic workers they are not ready to do “undignified” work. Thus, the shift in caste norms is many sided, and the correlation between a “low” caste rank and a domestic worker is not absolute.

The supply of workers is maintained through a regular flow of “distress” migrants of varied and shifting rural origins and socio-economic backgrounds. They are vulnerable due to their absolute need for income, their unfamiliarity with the language and culture of the towns and cities they have moved to, the power of the “landlords” in the slums and “unauthorized colonies” where part-time workers live, the threat of being forced to move again, and their lack of “powerful” support networks, voice, and political clout. The increase in the demand for domestic workers has been related to both cultural factors and economic trends that are associated with the changes that have occurred in urban India. The growth of the urban middle class, a nouveau riche, and a rural elite (with urban links) in the form of contractors, agents of multinational corporations, traders, and transporters is noticeable over the last two decades and, given the low wages for domestic workers, has allowed the expansion of a “servant-employing” class.

Until a few decades ago, non-familial, domestic workers, both rural and urban, tended to be attached to a single household in work relations that may be described as feudal. These are changing. First, the tasks and hours appear to be more clearly defined than in the past and separated from each other by employee and in payment. Second, the market and the language of contract explicitly frame the terms of employment since monetary wage rates are fixed by task (unquantified perks in kind are a supplement (albeit important), rather than central, to the payment, as was the case earlier). Third, the personal relation remains significant, and this is not only because of the intimate nature of the work or the nature of the labour market, but also because of the lack of any state social security. Fourth, a much wider range of households hire domestic workers, such that the demand for hired domestic workers has cut across caste, religion, and region. Fifth, while employer-worker relations in the past have been based on shared cultural norms and values, these are now manifestly absent since workers and employers are no longer likely to be from the same region. The fragmented nature of their work, the multitude of tasks, a multiplicity of employers, and the instability of employment pose challenges in documenting and research on these domestic workers, in calculating their wage rates and terms of employment, and in attempts to organize them. The intimacy engendered between domestic workers and their employers, their dependence on personal rapport, and the hope that employers will help in an emergency, further hamper unionization.

The growing role of placement agencies in recruitment and in mediating the terms of work for live-in work is important from an organizational and legislative perspective. There are also agencies that are run or managed by an individual or individuals with purely commercial objectives and profit considerations. Religious and kinship networks also help in the supply. There are no regulatory mechanisms that ensure the accountability of placement agencies. The wage structure and service packages are very complex and variable, making it problematic to arrive at a uniform wage rate for domestic work even for a specific locality. This makes for difficulties in unionization and legislation and is used as an argument to justify the lack of regulation. The ambiguities arising out of the categorizations such as live-in and live-out or part-time and full-time workers, the complexities in wage fixation, and the variation in wages and hours and terms of work add to the difficulty of organizing domestic workers.

The lack of unionization is a critical factor in their exclusion from labour laws, the violation of national, legal norms in their wage fixation, and the absence of entitlements to various social security benefits. Organizations of varied perspective have initiated efforts to unionize domestic workers in recent decades in different parts of the country. The National Domestic Workers Movement (NDWM) played a role along with other organizations in bringing in minimum wage legislation in Karnataka and a state welfare board bill for domestic workers in Maharashtra. There are several ongoing debates on what should be standard practice: whether the wage ought to be time rated or piece rated; whether it should be based on house size or the number of persons per household; whether it should include payments in kind or not; how the costs to the employer of boarding, medical care, and other necessities should be calculated; and the multiplicity of employers. In addition, the constant inflow of workers and the inability of lower middle-class households to afford higher paid workers also seemed to make the fixing of wages problematic.

Domestic and international pressures have, however, brought the concerns of domestic workers into the public sphere. Thus, some state governments have opted for state legislation to rescind the exclusion of domestic workers from the 1948 National Minimum Wages Act. Counter-political pressures are evident, however. Domestic work was removed from the scheduled list under the Minimum Wages Act in the state of Karnataka in 1993, a year after it was first included. In June 2005, Karnataka again brought "domestic work" back into the schedule. Other states where a preliminary or final notification including domestic workers in the minimum wages schedule has been announced are Andhra Pradesh, Bihar, Kerala, Maharashtra, Rajasthan, and Tamil Nadu. Laws to enable domestic workers to avail of social security provisions have been amended or passed in Kerala, Maharashtra, and Tamil Nadu. However, the gaps between the existence of a law or welfare program, knowledge of it among potential beneficiaries, and the actual operation and coverage have to be noted.

After much lobbying, domestic workers were brought within the ambit of the recent 2008 Unorganized Workers Social Security Act. Most striking is a new criterion that was introduced, which mandates that benefits will be available only to those who are officially declared to be below the official poverty line. No regulation on conditions of work—hours of work, mandatory holidays, job security, trade union rights, minimum wages—have accompanied the social security bill. The specificity of paid workers who are women, as is the case for most domestic workers, has been ignored. The debates and discussion around these bills include the definition of a domestic worker, an employer, and wages, the mode of delivery of welfare benefits, and the criteria for determining minimum wages. Rules and laws that recognize domestic workers as workers in the home, which regulate their working conditions and pay as well as the agents who mediate the worker-employer relationship, could have a fundamental impact on the conditions of work across the informal sector and the nature of social policy in India as well as on the valuation of women's work and the gendered divisions in work, marriage, and the family.

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DISCUSSION

They finally made it: a success story of domestic workers

■■■ Nalini Nayak (Protsahan & SEWA, Kerala)

If at all there was one great victory for women in 2011, it was won by the Domestic Workers of the world in getting the ILO Convention 189 – Decent Work for Domestic Workers. For this section of workers, the majority of whom are women, this has been a long but silent and invisible livelihood struggle which on the one hand has been the basis on which women in general have won the freedom of mobility both professionally and geographically, and on the other hand, is a victory that finally indirectly gives a 'value' to women's work in the household and the care of the family. What was significant about this victory was that it was won by the domestic workers themselves and not just the trade unions who are the actual 'social partners' in the ILO tripartite – *social dialogue* as it is called. While there are some Trade Union Centres in India that had begun to recruit domestic workers in the unions just prior to the discussion in the ILO which commenced in 2009, the majority of trade union centres had no real understanding or positions on the issues of domestic workers. The two larger platforms that mobilised domestic workers on the global level in order to advocate for their cause, were the *International Domestic Workers Network* and the *International Migrant Labour Forum*.

As SEWA is a member of WIEGO (Women in the Informal Economy Globalising and Organising), I will share a bit more on this process. WIEGO had begun work on the subject of domestic work earlier on around 2006. Considering that it should be domestic workers who should lobby their cause, WIEGO, assisted by the *International Union of Food Workers*, (IUF) in Geneva, hosted the process of getting domestic workers organisations from different parts of the world together through contacts with federated unions of the IUF and others. In this way a global network of domestic workers was created and WIEGO took the responsibility to assist these workers in building their network and developing informed positions on the upcoming ILO tripartite discussion. This group got to understand the working of the tripartite discussion a year in advance and they began to develop a strategy both in their own countries and internationally while also making the connections between the local domestic worker organisations and those of migrant domestic workers. They created the International Domestic Workers Network (IDWN) electing their own committee and functioned very democratically. As they strategized their advocacy, many of these workers were also able to become official delegates of their trade unions at the ILO negotiations – which meant that for the first time, a huge group of women leaders represented their trade unions. Some of these leaders like from South Africa and the Caribbean were already leaders in their unions at home but struggled to be designated as the representatives at the ILO negotiations. Moreover, as several of them spoke English, Spanish or French, they were able to make easy contact and communicate between themselves- with the help of WIEGO members. Some other organisations particularly the International Migrant Workers Forum and from India, the National Domestic Workers Movement brought along domestic workers but they were observers and in this way there was finally a rather large group of domestic workers in the discussion hall. The participants of the IDWN worked really hard, meeting every morning at 8 am to get briefed on the day's programme and to work out the lobbying strategy and they followed attentively every step of the discussion. The level of participation was exemplary. For all those who have participated in these laborious negotiations on a regular basis, they remarked that this was the first time that an issue was so passionately defended as even the spokesperson for the workers, *Haleema Yacoob* from Malaysia, was admirable in the way she defended the position of the workers.

The Indian Government unfortunately led the opposition to the Convention in 2010. Subsequently all the organisations from India and some from the Trade Unions took this up at home and with pressure from the National Advisory Committee (NAC), this position was changed and the GOI voted for the Convention in 2011 although the employers delegate voted against the Convention. This is not surprising as we all know the contempt with which domestic work is regarded in our country. So the way ahead is going to be difficult. Nevertheless, the Ministry for Labour and Employment, GOI, went ahead and with the help of a Task Force, created a Policy for Domestic Workers which was put up on the website for reactions but is still not notified. Personally I think *this policy makes a breakthrough in proposing both a regulation of work and social security for workers together with an implementing mechanism to take it ahead*. In the last two years, 9 states in India have scheduled domestic work and announced a minimum wage and some states have announced a number of schemes for domestic workers as also their access to the Rashtriya Swasthya Bima Yojana (RSBY) but as such there are no states that have produced effective legislation to put domestic workers on par with all other workers. This indeed will be a long struggle ahead.

There is still no reliable data on domestic workers in general and the issues of domestic workers who migrate within the country and outside the country. With the mushrooming of labour contractors, poor women who migrate for domestic work are at the mercy of lecherous agents and suffer badly. There is no legislation to protect them. In a recent study that we in SEWA have undertaken in Kerala through the *Kutumbashree* network, we understand that 20% of all poor working women are domestic workers. This is a very large number. Hence developing mechanisms to regulate this work and protect these workers is of utmost urgency. However, after a great struggle, the Ministry of Women and Child agreed to include domestic workers in the Bill on Sexual Harassment at the Workplace as they were earlier specifically excluded. Several of us unions and organisations have created a *National Platform for Comprehensive Legislation for Domestic Workers*. There have been earlier attempts to get a central legislation but to date there is none. It would be great if more women's organisations from different states apply their skills both to acquiring good data as well as getting social protection for domestic workers.

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DISCUSSION

Are Women Really More Risk Averse than Men?

Julie Nelson, Professor & Chair, Department of Economics, University of Massachusetts, Boston, USA

You would think so, to read the popular press. In the realm of women's economic activities, it is often suggested that women's (presumed) greater risk aversion handicaps us, relative to men, in labor markets, entrepreneurship, and investment. Gender gaps in economic status would be reduced, it is implied, if (fearful) women just acted more like (courageous) men.

But this surmise deserves a closer look by feminist scholars. I spent much of the last year delving into this issue, not only through examining work in my own field—economics—but also work in philosophy, linguistics, and psychology. This broad review leads to a clear finding that the conclusion that "women are more risk averse than men" reflects both (1) a fundamental confusion about what empirical, data-grounded evidence can tell us, and (2) considerable bias in reporting about what the empirical studies actually show. I want to share this finding with feminist scholars more widely, in case you find similar processes going on in the areas you study.

First, let's look at the fundamental confusion: The phrase "women are more risk averse than men" communicates a metaphysical belief, not—as it is usually presented—an empirically-supported claim. The statement is what philosophers and linguists call a "generic statement." A generic statement makes a claim about the essential characteristics of some category: That is, it implies that women, by virtue of being women, are more risk averse.

Is greater risk aversion an "essential characteristic" of being a woman? There are many who would argue this, making casual reference to research on genes, hormones, neuroscience, etc. (and making the big assumption that genes, rather than, say, gender identity, is the appropriate classification tool). But this is shoddy science. It is impossible to draw a simple, direct line from genetic factors to adult behavior, since the latter also reflects the effects of confounding variables such as childrearing practices, social beliefs, location in hierarchies of power, situational context, brain plasticity, and so on. The most interesting neuroscience on this issue, in fact, may be about how our brains come to construct categories and related beliefs in "essences"!

Second, the findings of sex differences in risk behavior tend to be greatly exaggerated. The differences found are in mean values derived from lottery or investment studies, e.g., the average number of lotteries entered into by male subjects versus female subjects. Most articles in the economics literature report only that differences in means are statistically significant (that is, unlikely to have been found purely by chance), and do not address the substantive size of the differences found. While people have a bias towards interpreting statements such as "women are more risk averse than men" in easy, dichotomous, Mars-versus-Venus terms, a study of the actual empirical findings reveals that this is wildly erroneous. The sizes of the differences in means tend to be rather modest, when described using a statistic called Cohen's *d*. The sizes of the differences in risk behavior are far, far smaller than, say, the observable difference in the distributions of average male and female heights. We also created an "Index of Similarity" that describes the proportion of the women and men who are similar, in the sense that their behaviors studied in a particular survey or experiment exactly match up with someone in the opposite sex group. While the articles stress "difference," generally over 80%—and sometimes as much as 96% or 98%—of the men and women could actually be matched up in this way. Some studies also find no statistically significant difference in risk behavior, or evidence in favor of greater female risk-taking—though these results are not emphasized.

An additional interesting piece of evidence comes from the psychology literature on gender and risk. Deliberately bringing gender stereotypes to mind in one group of men (or women), but not in another group of men (or women), seems to result in within-sex differences in risk-taking that are often substantively larger than those found between the sexes. That is, social beliefs about how men or women should act in the face of risk could well be a more powerful explanation than any "essences."

A last point to make is that the broad conclusions about sex and risk have been made from a very limited set of cultural locations, and use a very narrow range of risk scenarios. The greater risks women face from childbirth or domestic violence, for example, are not examined.

Why is this important? Since my working paper on this was disseminated and covered in the press (including in the Times of India, Abcnews.com, and NPR Marketplace), I have received grateful emails from people who work in the area of financial advising. The stereotype that women are more risk averse is not borne out in their experience, and they believe that the popularity of this stereotype closes off options for women. Since "women's greater risk aversion" could be used as an excuse for discrimination in labor markets or the provision of entrepreneurial opportunities, combating this misconception is important there, as well.

And yet one final dimension of this stereotyping is important, as well. Why should greater risk aversion be considered a bad thing? While the economics literature largely treats it as bad, the broader psychology literature also looks at cases where excessive risk-taking can be a bad thing—for example, when operating a motor vehicle, or making decisions that impact health. When examining important

global issues such as financial market instability and climate change, on which economists' advice is often sought, it seems to me that economists' tendency towards macho-stereotyped risk-taking is highly maladaptive. A more balanced and thoughtful evaluation of risks, by practitioners and policy-makers of any sex, would, I believe, be helpful in avoiding future crises.

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VOICES FROM GRASSROOTS

Women in Peoples' Movements in Gujarat

The coasts, agricultural land, forest land, wastelands, pastures and other forms of common property resources are the most contested spaces in Gujarat today. These contests involve fishing communities, pastoral communities, Adivasis (tribals), dalits, small and middle farmers, landless, salt pan workers, artisan households, etc to protect their entitlements and rights to livelihood against a predatory state bent on 'development' at the cost of the people. Gujarat's 'development' is largely dependent on private investment, with generous concessions and incentives provided to industrial and infrastructure projects. The voices of women given below are drawn from a study of peoples' movements against the Nirma Cement Plant in Bhavnagar district and the struggle of fishing community, salt pan workers and pastoral communities, small farmers against the Adani multipurpose port/SEZ, power plant and metallurgical industries in Mundra, Kachchh district.

Women strongly sense the threats posed to their livelihoods, their asset bases and their own work roles as well as the insecure environment for women and girls leading to sexual harassment, violence by company officials, guards, 'outsiders'/workers, curbing their mobility as well. Loss of land is deeply felt by women. A woman leader, Dhaniben Mansukhbhai Gujarja (Akhtaria village) stated: "With the setting up of Nirma workstation, women are not able to move around freely within the village and currently, move around the village from morning till night to sell their vegetables. Even before the company was set up, a differently abled girl was harassed by some company officials... threats were also felt from 'unknown migrant workers roaming the village'". Women leaders active in the fishworkers movement in Mundra expressed similar fears. According to Ujjas Mahila Sangathan member, Aminaben Ibrahim Manjaliya (Randhbandar-port) who has been representing women in the fishworkers committee since 2001 and the Fishermen Rights Struggle Committee since 2004, "Questions pertaining to women's security are increasing with each passing day... like indecent behaviour by company officials..."

Haseena Ibrahim Kungara (Baavli-port) involved in fishing for past fifteen years, said, "Earlier girls and women could roam around freely from our village to the port but now a days, it is not possible to send our girls alone". A prominent woman leader from UTTHAN organization, Devuben Nanalalbhai Bhaliya (Doliya village) held, "Our women are facing difficulties while going alone to work in farms since they have to pass by the Nirma company." Ibrahimbhai Manjaliya (Randh port, Bhadreswar) said, "The company officials are found lying drunk on the fields posing a threat to women in our village and also prevent women from moving out of the house to sell vegetables."

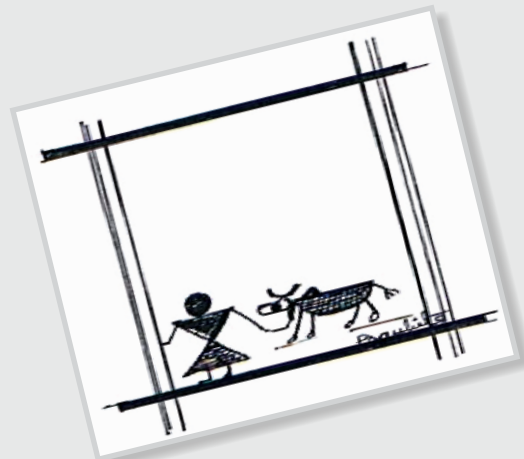
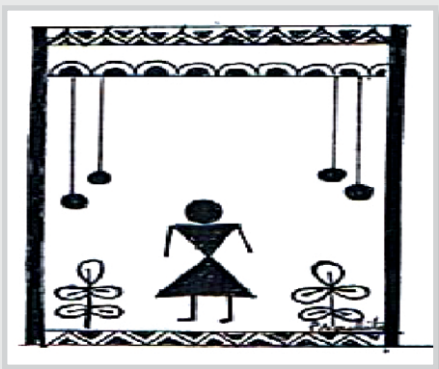
According to Kadviben Bhaliya (Dudheri), "With the establishment of the Nirma Cement Plant, the fertile soil will get washed away. The dam weir land near Nikol, Maalan and Samdhiala fetched us very good yields – that will also get destroyed. The establishment of the company would destroy and harm the environment. Land is the only source of livelihood for us in the current scenario. We are able to till the land, grow crops and procure some income. With some land holding/fields with ourselves, we do not have to move out of the village in search of livelihood options. With the establishment of the company, intruders will enter our village; posing a threat for the women and children of this village. There are a number of problems with migrants. Firstly, the addition of these company personnel will lead to a disturbance of the harmonious environment in the village; overall prices of the land holdings and plots would augment as well as the vegetables and fruits would become more costly to obtain" Also, Kadviben added, "It was only when the company's plant remained closed, that we were able to get some water. It was only after obtaining some water that we were able to fetch some crops and work on the fields. In addition to all these, the Nirma personnel were troubling the girls; who went for attending their schools. Those personnel used to tease the girls, call them by nick names, molest them and block their way by standing in front of them."

"We can see the towers of the new port in the distance, our day's catch is getting smaller and smaller. We are being slowly pushed further from the sea. But the sea belongs to everyone. The sea will not let us down," says Jannatbai (Mundra). According to Aminabai, "women now take a smaller basket to the market, and men have to go further into the sea in their small boats, dwarfed as they are by the big ships"... Sakinaben Siddique, (Luni), joined in the protests along with 40 others from her village because "it was everybody's issue". According to Aminaben Ibrahim Manjalialia, 'since the company, Adani port and SEZ, was established, much destruction and exploitation is taking place day by day... we are no longer able to carry out any fishing activities, so we are fighting for the ocean, the port and the wealth which is present deep inside the ocean, cheria (fish)... The immediate effect can be seen among those who carry out fishing activities, their family members the next to be affected since no one in the family is acquainted with any other occupation other than fishing. Sakinaben (Randhbandar) said, "It is important to get our land back, make safe our livelihood and prevent the company from establishing itself as it is affecting our community, our business, our children and women".

- Excerpts from joint study by UTTHAN and Kachchh Mahila Vikas Sangathan (KMVS), 2012

ART

■ ■ ■ Pranhita Sen



Pranhita Sen, a young graduate in Fine Arts and trained in cinematography, has worked with tribal women artists from Chhattisgarh and Mandla, and was assistant cinematographer in the films 'That Girl in yellow boots', and 'Jab tak hai Jan'.

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REPORT

A Bill on Sexual Harassment of Women at Workplace...

■■■ Aparna Eswaran, PhD Scholar, Women's Studies Programme, School of Social Sciences, Jawaharlal Nehru University, New Delhi

The Women's Studies Programme in Jawaharlal Nehru University (Delhi) organized a workshop on the 20th of November, 2012 to critically engage with the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Bill which was passed with very little discussion by the Lok Sabha (lower house of Indian Parliament) in September'12 amidst debates around the 'coalgate' scam. The workshop, which was organized around three sessions, included an in-depth discussion on the legal provisions of the Bill, a sharing of experiences of various Sexual Harassment Prevention Committees, and specific engagement with the process of inquiries of such committees. Though there was a general consensus that the broader framework of the Bill is in agreement with the spirit of the Visakha judgment, there was also a refrain of caution against specific provisions of the Bill which undermined its effectiveness.

Kumkum Roy (WSP) and Pratiksha Baxi (CSLG) set the tone for the discussion by flagging the problems of the Bill at the three levels of definition, procedure and jurisdiction. Baxi was extremely concerned about the "flattened out" definition of 'workplace' in the Bill which excluded the alternatives to and specific demands of different workplaces like the Universities. This exclusion, she argues doesn't prevent complicating the situation for the ones excluded; for e.g. the students. Her co-speaker Anita Abraham (independent lawyer) concentrated on the legal issues that the Bill can give rise to. She addressed the question of the legal authority of bodies like GSCASH and the Delhi University Ordinances in the case of a potential conflict in future with the Bill, once passed as a Law. Falling back on the history of case laws she says that even though the Saving Clause in the Bill, Section 28, claims that 'the provisions of this Act shall be in addition to and not in derogation of the provisions of any other law for the time being in force', in a situation of conflict, the later special law, in this case the Bill on Sexual Harassment, will trump the previous law. Further, an amendment of these bodies in future will also be in jeopardy because of the clause 'for the time being', leading to a casting in stone of these provisions unmindful of the requirements of changing times and situations. She problematized the definition of 'aggrieved woman' and 'respondent' in relation to the definition of 'workplace' in the Bill, and says that this could lead to a probable reading in the future in the court of law that both of them should belong to the same working place. She also pointed out the loophole through which student-student relations is excluded from the purview of this Bill in a university setting.

Ratna Kapur (Jindal University) concentrated on the definition of sexual harassment as provided in the Bill and the separate clause that deals with 'quid pro quo harassment' to contend that in casting its net wide to include sexual gestures, offensive remarks, lurid stares and embarrassing jokes, the legislature risks a curtailment of sexual speech in the workplace and can encroach on the rights to equality and sexual autonomy. She drew attention to the tensions around sexual harassment being defined in relation to a set of "unwelcome acts or behavior". The burden to prove that the conduct was unwelcome, she argues, will rest on the complainant. She also feels that the complainant may be discriminated against if she fails to conform to dominant sexual norms. She concluded her argument lamenting that the powerful endorsement of sexual harassment as a violation of women's rights found in the Preamble of the Bill is lost in its technicalities and poorly conceptualized provisions.

While agreeing that the Bill is poorly drafted, Vrinda Grover (Independent lawyer) and Ayesha Kidwai (CLE) part ways with the argument of Ratna Kapur by arguing that a rich definition of sexual harassment is necessary in the contexts to it is applied. While agreeing that the question of sexual rights is pertinent and very important, they disagreed that a shrinking of the space for such rights can occur because of the broad definition of sexual harassment. Kidwai responded in the debate by stating that a mere narrowing of the scope of the definition will not check the societal impulses of the moral and sexual policing of women. Vrinda Grover further pointed out the negative implication inherent in the Clause 14 of the Bill which makes provision for punishment of false or malicious complaint or evidence. This could act as a deterrent to aggrieved women who are tentative about complaining in the first place. Grover argued that this could lead to the penalization of women.

In the second session presided over by Albeena Shakeel (SLCS), experiences of specific sexual harassment committees in Delhi University were discussed by Janaki Abraham, Nandita Narain and Neeraj Malik, who had served on these committees. Janaki Abraham talked of how the metaphor of family is frequently resorted to silence the complainant and how when students belonging to different colleges were involved, the colleges closed ranks around their students. She also drew attention to Section 14 of the Bill which provides for an Internal Complaints Committee (ICC), wherein all members are to be nominated by the employer. This gives a hierarchical prerogative to the employer. In smaller institutions, she wonders how the necessary pressure will be exerted on the employer to constitute the committees. She also pointed out the need for gender neutrality in the provisions highlighting the high prevalence of male-male violence in campuses with regard to ragging. Nandita Narain gave a rich account of how cases of sexual harassment were dealt with during Pre-Vishakha judgment days and after the Vishakha judgment. She illustrated how the authorities have a huge upper hand in the way committees work and how in certain cases the authorities backed the accused and did not take any action. The College Committees have also been attacked and campaigns led against them in case of an unfavorable judgment to the accused. This shows the ways in which hierarchy can severely constrain the unbiased nature of a Committee. In the light of these anecdotal evidences, the provisions of the bill which provide authority to the employer to constitute the committee take on an ominous colour. Prof. Neeraj Malik talked of how the confidentiality of the witnesses and the victims were severely compromised in the interface of the courts and committee when the accused approached the court and the court asked for the depositions to be sent to the

accused. She also talked of how the autonomy, the principle on which these committees were constituted has been severely eroded time and again in Delhi University with an active siding along with the accused.

The third session which looked at the inquiry processes of universities was chaired by G Arunima (WSP) who brought out the importance of looking at the university space as a workspace in the light of the Bill, considering the complex forms of sexual violence that students face. Ayesha Kidwai shared the experiences of serving in JNU's Committee, GSCASH, and talked of the issue of monetary compensation being routed via the employer according to the income of the accused in the Bill which absolves the employers of the responsibility to provide a safe working environment for women. She quotes the example of how domestic employees included under the purview of GSCASH rules were terminated from service or had to leave their jobs in the face of a complaint being registered by them and how the question of monetary compensation assumed importance in this regard. She also posed the question of how to make the Committees themselves accountable. On another tangent she points out how there isn't a mention of the ways charges shall be framed after the enquiry. She also said that the Clause 16 of the Bill must be opposed in its overriding the Right to Information Act. This can give overwhelming powers to the ICC granting it immunity. She asserted that the blanket of secrecy surrounding the processes of inquiry is detrimental to the women's movement and that we have to remove the shame associated with harassment. Kanika Singh (Ambedkar University) looked at the process of inquiries of IGNOU and Ambedkar University and emphasized on the importance of wide representation. She points to the problem of representation of committees symptomatic of new universities where Group C and Group D employees are not permanent. They are either contractual laborers or brought via the *thekedar* (contractor). This complicates the situation and she says there is no consensus on how they will be represented. Drawing on the IGNOU's Committee ICASH, where the enquiry committee has to be headed by a person senior to the defendant, she asks if this wouldn't lead to an institutionalization of hierarchy. Also in IGNOU which has centers all around the country and is severely constrained with respect to its staff requirements, it will be difficult to coordinate cases from the headquarters. Here a decentralized policy where local committees are constituted could be of help. She also addressed the prevalent problem where there is an opposition to record the proceedings, considering that court looks at the procedures of enquiry and not the end evidence. She also pointed out that IGNOU ensures the implementation of the recommendations of the committees and also provides for a time frame in this regard; a provision which she feels will hold us in good stead in future if implemented in other universities as well.

All in all, the discussion made it evident that there was need for far more inputs before the bill is introduced in the Rajya Sabha and becomes law. Their way by standing in front of them.

REPORT

(IN)VISIBLE WOMEN, UNTOLD TALES

Garment Workers Tribunal, Bangalore

■■■ Pushpa Achanta, Journalist, Bangalore

Gap. H&M. International labels that people crave to own and wear in spite of the exorbitant amounts that they cost especially if they are certified as original. But how many persons are aware of the pain that is associated with the production of these brands that are sought after across the world?

Well, one might justify that there is no gain without pain. But it is not acceptable that some people take in all the misery with hardly any benefit. This latter is the harsh and unfortunate reality of people who slog it out in inhuman working conditions with paltry earnings both of which are gross violations of labour laws. They are commonly referred to as garment or textile workers and are employed in the apparel factories of Bangalore, the capital of Karnataka or the knitwear industry of Tiruppur in western Tamil Nadu, or Gurgaon in the National Capital Region (NCR)

During the year 2010-11, Readymade Garments account for almost 45% of the total textiles exports and apparel and cotton textiles products together contribute nearly 70% of the total textiles exports. The total textile exports from India for the year 2011-12 is USD 33161.74 million. However, garment workers who contribute to a large part of this figures, barely make anything from them.

Toiling for a pittance

“We are compelled to stitch up to one hundred and fifty pieces per hour. When we began to work in the apparel production industry, the hourly output expected used to be an average of around sixty pieces. If we are unable to meet our targets, we have to work overtime in spite of valid reasons such as pregnancy, ill health or fatigue, for the shortfall. Otherwise, a penalty will be levied. There are no contributions by the employers towards provident fund, health insurance or bonus. Further, we are subjected to oral insults by our immediate supervisors on a continuous basis. In fact, some members of the managerial staff who are predominantly male, also indulge in sexual or physical abuse”, revealed Madina, in her mid thirties who worked in a garment manufacturing factory for over ten years. Irrespective of the location of their employment, garment workers, a majority of whom are women, are usually hired on a contract basis. This denies them most of the labour or workplace rights. Bombay Rayons which manufactures global brands like GAP, Tesco and H&M has been reported for labour and gender rights violations like the confinement of women workers in December 2008.

According to Prathibha R, aged around forty, a member of the Garment and Textile Workers Union (GATWU), the wage that garment workers in Karnataka have been receiving is Rs. 101 per day from 2001 onwards. This is not on par with the cost of living in a metropolitan city like Bangalore where a number of these workers reside. Further, they do not get benefits such as time off with pay or assistance for healthcare. There are cases in which the services of the workers are terminated under the guise of their low productivity, the employer not having obtained expected profits or the employees having outstanding loans which they have taken at the time of joining the job or during the course of it. This is true of young women and girls who were trapped through the Sumangali Thittam (bride scheme) that was popular in Tamil Nadu. Under this provision, young unmarried women like Malar and Ramya from economically backward rural households were bound to work in garment factories through 2-3 year contracts. There are instances where the contractors are untraceable or have alleged that the women did not complete the agreed duration of work.

The workers request for leave for obvious reasons like pregnancy or are not present because of medical ailments, personal commitments or in an emergency is met with threats of retrenchment. Due to their separation from their families or familiar surroundings, the lack of awareness of their rights, garment workers are afraid to raise their voice against the deplorable working conditions. A few of the garment workers who had dared to speak out against their employers, faced extreme backlash that included murder or sudden disappearance. This had happened in the case of Roopa, a 17-year old garment worker with Golden Seam Garments whose burn ridden body was found on in Bangalore in March 2010 but was projected as suicide.



One of the options that garment workers in Karnataka have to register their grievances is the GATWU affiliated to the New Trade Union Initiative of India (NTUI). The violations human and workplace rights that Choice Apparels had committed was one of the first instances that the union had brought to light way back in 2005. Garments Mahila Karmikara Munnade (Women Garment Workers' Front) advocates for the rights of women employed in garment production factories. Munnade also takes up domestic and external harassment issues of women garment workers as it has an active base in local self-help groups that exist in their residential neighbourhoods. The GATWU and Munnade have been instrumental in bringing attention to the issues of garment workers and lending necessary assistance in about a thousand specific instances during the last few years. And NGO's like Cividep (which advocates for the rights of unorganized workers in electronics, chemical, garment and other factories) have been giving vital support to the garment workers' unions.

After listening to the various statements, the jury at the Tribunal including Gianni Tognioni, Secretary General, Permanent People's Tribunal, Italy; Coen Kompier, Senior Specialist on International Labour Standards, ILO recommended the following:

- a. The responsibility of the competent public authorities to that the compulsory legal provisions to prevent, judge and redress the rights of the workers andated in the Constitution and International Conventions are followed.
- b. Living wages should be effectively paid as a human and constitutional right and should take into account changes in the cost of living in keeping with Article 43 of the Constitution on the right to living wage and Article 21 on right to life.
- c. Identify and redress wage theft, Planning Commission and financing authorities allocate sufficient resources to labour ministries.
- d. As per Article 19(1) (c) of the Constitution , all citizens have the right to form unions, the labour department should actively process requests for trade union registration
- e. Clothing brands must accept their complicity in the violation of the basic rights of workers,

Referring to the impact of such a tribunal in India, the jury opined that garment workers who were at the forefront of many worker rights movements and especially those involving women labourers must continue to strive for their fundamental rights and entitlements like their counterparts in domestic, construction, sex, municipal cleaning, private security, hospitality, driving, agricultural, catering, tanning, healthcare, stone quarry or similar work which is increasingly 'outsourced' to agents who supply them 'contract' employees who provide affordable and quality services.

REPORT

IXth International Conference on Labour History

From AIHL report

The IXth International Conference on Labour History jointly organized by the Association of Indian Labour Historians and V. V. Giri National Labour Institute (VVGNI), NOIDA, March 22-24, 2012 saw a record 40 paper presentations, large participation of Indian and international scholars, students and labour activists. The overall rubric of the conference was entitled “Work/Non Work: Histories in the Long term” aimed at providing a historical perspective on the division between Work/Non work, a division that seems to parallel so many of the divisions of modern worlds, namely between home and workplace, crime and work, leisure and labour, paid and unpaid work etc. Since the world of work is recognizably changing in front of our eyes it was thought fitting that historians of labour discuss and deliberate on a long-term perspective on these changes. Three subthemes were : war and work or military labour, law and regulation of work and non-work and also the many ways of archiving labour and work related issues. A special panel discussion on a book by Professor G Balachandran “Globalising Labour”, two specially invited film presentations and the IVth Arvind Das Memorial Lecture by Praful Bidwai, “Climate Change: What Does It Mean for the Economy, Employment and Labour Rights?” were the other highlights of the conference.

The discussion on two parallel groups on the theme of Coolies, Colliers and Slaves and the other on the Archiving Labour in the panel brought to the fore questions of free/unfree labour divide and their common subjugation to market and the question of workers experience of unfreedom, which shaped historical processes. In addition the questions related to global history of labour with different yet linked chronologies and rhythms were also subject of discussion. Questions were raised about the specificity of Labour Archives vis a vis general archives, relation of the Archives to society and social movements and also the fundamental issues pertaining to what gets archived and what is missed. A panel was on 'Crafts traditions and Artisanal Practices' , dealt with the demise of urban crafts following an international trade agreement, ethno-religious division of labour in Ottoman artisanal production. Karuna, D W's paper “Caste and Work: Weaving in nineteenth century South India” raised a very important question of what does the disappearance of Paraiyas (ex- untouchables) from the handloom weaving industry contribute to the understanding of work and caste and how these shaped the “modern workplace” where a kind of social stigma is attached to certain groups. In doing so, she raised an important issue of ritual purity and occupational purity. Bidisha Dhar's paper “Mapping the Artisan labour in Lucknow” was about politics of the two kinds of archiving: one, by the modern colonial state and another by community institutions like Anjuman e- Zardozan. She also examined how these policy decisions were implemented, their impact on the work ethos, methods and traditions of the Indian artisans and the reactions to their implementation and how politics of omission was entwined with the politics of documentation and also the politics of such a classification in creating stereotypical categories of work.

Meera Velayudhan's study of craft communities of Kachch region raised a very important point about seeing craft as a common link between communities and the basis for cultural mobility and cultural exchange. The significant relation one draws from her work is about the ways in which the craft communities responded to external stress. She delineated the links and of relationships between communities which are socially embedded. Each change and response to them then is relational and embedded in the communities themselves. Questions around relationships between different occupational categories and a need to understand such relationships came out very strongly from the discussion. Also the kinds of relations, which could be drawn, between artisans and power (talking about power relationships not only between state and artisans but also a multiplicity of power relations among the artisans themselves) was one of such themes. There was also some discussion over the problems of classification of occupational groups like artisans and how people can appreciate the different classifications. The discussion led to conclusions about how to distinguish between the three levels of classification: where an act of observation is itself an act of intervention; classification as some kind of a social construction and classification with a view to institutionalizing regulation. And finally the discussion highlighted the significance of the ways in which we could decipher what the people themselves, who were classified, thought about the classification.

The central contention of a paper on peaceful strike (2005-2006) by metal polishing workers in Okhla, Delhi was that Satyagraha (truth- force) was instrumental in creating linkages and bridges with people and spaces (outside the labour fold) which ultimately led to the success of the workers struggle and their re-absorption in to the factory. A paper on Jute Workers and Unions in Bengal, 1929 sought to revise the theoretical understanding of the binaries- agency of workers and union's strategy, in the making of a strike. Instead of negotiating these binaries, it is important to see the 'dialectical relationships' that existed between the workers and the unions. A paper focused on Migrant workers in the Kashmir Valley in the wake of the rape and killing of a 14 year school girl in 2007 in which some migrant workers were involved along with native workers. The paper unravels a plethora of prejudices that characterized native perception of migrants. The natives consider these workers as a threat to their culture, job, communitarian norms, and the Kashmiri way of life in general. The paper's central contention was that the politics of natives against migrant workers is unbecoming of their struggle against nationalist hegemony and avowed distance from Nationalism. Another paper makes a case for the self-organization of the plantation workers much before the advent of unionized struggles in 1946-47, that primordial (communitarian/religious) identities and class identities can co exist together in working class movements as in the case of Oraons workers in the Dooars Tea gardens.

A paper on Paraya uprising of 1796 at Poonamallee critiqued the existing historiographical assumptions regarding the uprising and argued that there was no single voice, which conspired against the British or a unified social order, that there were multiple lines of

protest with shifting positions that are to be studied in the broader context of 18th century lower class protests. The discussion in the session raised important issues of comparison of what is specific and what is general to working class protests. Issues regarding evaluation of success and failure of protests and criteria of judgment were also discussed.

Panels on “Regulation of Labour” and “Work Culture and Identity” explored the connection between debt and bondage, the relation between Labor Laws and dismantling of slave system. It further examined the continuity of slavery in practice by its conversion into debt- bondage despite its abolition in legal terms. Shahana Bhattacharya's paper on “Regulating custom, fixing labor: Labor Control and Resistance in Leather Tanning C 1870 – 1950” addressed issues of caste ideology, stigma attached with leather work and contestation between cattle owners and flayers over the control of carcasses and struggle over definition of rights. Shahana focused on the ways in which legal regulation and workers struggle and customary rights interacted to shape workers form of protest (cattle poisoning to organised resistance). A paper on informality and the debasement of labor rights under Neo-liberal dispensation argued that much of informal sector and its usual attribute of self-employment is disguised labor primarily because of its genderization and its association with home. The paper raised some very crucial questions about the subjective and instrumental identity of workers and about the binary of formal versus the informal.

A paper focusing on three major moments of industrial unrest – the Homestead lockout of 1892, the Pullman strike of 1894 and the Anthracite strike of 1902, maps out the role of individual leaders and how that was decisive in defining the nature of the movements. A study on “Chinese Reforms” and the Labor Laws put forth the idea of Compulsory Arbitration as a medium of containment of unrest.

A common theme of the discussion was that similar regulatory mechanisms can actually push development in different directions and have varied outcomes while quite different types of labour relations could lead to similar responses. There is no teleological or fixed trajectory of movement. Work and workers in practice are not solely dictated by the legal set up, but in fact moulded by a varied set of determinants. Nevertheless there was a dialectical relationship between labour movement and the regulatory mechanisms. This is also to say that the choice of form of regulations, formal or informal or a combination of the two, does not tell us much about the degree of freedom or agency or even the direction in which events would progress and unfold.

Vidya Raveendranath's paper on the municipal scavengers of Madras City in the 19th century outlined the constant struggle between the State and the scavengers over issues of sanitation, work and wages. A variety of state regulations were enacted to curb sanitation worker's militancy deeply shaping the nature of their protest and their identity as workers. The discussions in this session focused on the complex ways in which workers identity was shaped by State action and social status. The apparent contradiction between traditional status and modern employment was reconciled through different means ranging from resistance to accommodation with the dominant ideologies.

The discussion on “Redefining the boundaries of work” and on “Stories of Life and Work” focused primarily on the relative gains made by extending the category of labour. Worker, work and wage etc. the amplification of the category necessarily blurred their analytical sharpness. However the historical gains made by incorporating time periods, and social categories hitherto excluded from labour history makes up much time the analytical fuzziness pointed out by the discussants. The session on approaches to life history and histories of workers' experience was enlivened by a lively presentation and interview of retired railway worker and militant unionist, Comrade Burmi. His narration brought to life the ways in which politics of work and workplace and workers consciousness and experience are mutually constituted.

Nandita Mondal's paper, using the feminist oral history method, locates the experience of Koli fisherwomen in Mumbai in face of momentous political, social, economic changes. The discussion in this lively panel focused on the great advantages and disadvantage of oral history method as well as the issues of verifiability, authenticity and subjective bias. Nevertheless there was a unanimity on the importance of oral history in opening aspects of subjective world which are inaccessible even in the best objectively authenticated sources.

The special panel on notions of work in early modern times led to a lively discussion on the world of the scholar and their work in early modern era North Europe, the world of work and ideas of work lacking in the standard sources, the lifestyle of social groups, artisans and their representation in official sources, a comparison of military, economic and market institutions to explain the differing trajectories of organization of military and soldiering, monetization and proletarianization in India linking it to levels of copper coinage.

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A meeting to support the survivor of rape case in the Delhi and equally gruesome cases of Vadodara, Gujarat, was organised on 24-12-2012. 11 rape cases are recorded in Vadodara in last 11 months, out of them 3 cases are of rape with murder of girls. The meeting was organised to discuss consistent long term strategies for the struggle against rape and sexual violence against women. Representatives from Sahiyar (Stree Sangathan), Paryavarn Surksha Samiti, Olakh, United Youth Organisation, Vikasjyot Trust, Sahaj Shishumilap, Trust For Reaching The Unreached, Jyoti Karmachari Mandal, Nagarik Forum, Lakshya Trust, Manthan-Yuva Sangathan, Sangini, Mahila Sanskrutik Sangathan, Jamat-e-Islami-Hind, PUCL, Students from Law Faculty, Lawyers, Students, etc. participated in the meeting. Most groups and individuals agreed for a long term consistent struggle. However, death penalty remained a debatable point.

REGIONAL REALITIES

Women's Experience of Migration - Chhattisgarh

■■■ Iliina Sen, Professor, Sociology, M G International University, Wardha and President, IAWS

Chronic and large scale outmigration in search of work is at least a hundred year old practice in Chhattisgarh, a new state in south central India. Severe droughts, and structural factors related to landlessness may have been the early prompts that began a process in which Chhattisgarh sent workers to the Tea and jute industries. Today, workers from Chhattisgarh are a major factor in the construction and public works sector. The special experience of women as migrants is determined both by the underlying socio-economic developmental context and the existence of gender asymmetries in all spheres of life.

Contrary to the sometimes prevailing view among demographers that female migration is largely explained as a function of neo-local residence of married women, women migrants do play a major economic role. Many women migrants are the principal or major wages earners in their respective households, and they migrate both singly, and together with the entire family. At the same time, they continue to be subjected to socio-cultural discrimination, as indicated by the case studies given below.

Porterage in Wholesale Market of Nagpur

At Nagpur and at nearby Kamptee in Maharashtra, a very large group of Chhattisgarhi migrant workers have settled. Many families have lived here for 15-20 years, yet they all maintain links with their native villages and many visit their villages annually where they still have marginal land rights. While the men work mainly in construction and porterage (Handcart pulling), the women concentrate in working as porters in the various city markets. One of the largest of these markets is the Dhanbhgyan Kalamna wholesale market in Nagpur and the women porters there are organized under the Maharashtra State Hamal Bhapari and Bhaathadi Mahila Shramik Sanghatana, Nagpur. This union has women members only, and we interviewed several of them.

Bhuribai from Rajnandgaon district, works in the Kalamna Market and is a shop floor trade union leader. Her in-laws, also in Rajnandgaon district, owned some land and Bhuribai, now almost sixty, remembers a time many years ago, when they produced 25 quintals of rice on their fields. However, with her father-in-law's death, division of the property and repeated droughts, Bhuri and her husband could no longer live off agriculture and came here 20 years ago. Bhuribai has worked in the market for over 15 years. Her husband did odd jobs until about five years ago, but today is completely dependent on her earnings. Although her daily earnings show some variation, Bhuri makes an average income of Rs. 400/- per month. After paying for rent and food, they are barely able to manage, yet once every 2 years or so, Bhuribai visits Rajnandgaon and goes to her natal and marital villages. Her two daughters, now married, and her son aged fourteen work as an itinerant labourer from time to time. Her younger son is eight years old. None of the children have studied.

Punia Bai is forty-four years old and lives along with her three married daughters, all of whom work in the market with her. She came here with her children from Murhipar in Durg district after her husband's death. She has been here for at least twenty-five years. She has two sons as well, but none of the children have gone to school. Her income is around Rs. 300-400 per month. Her daughters earn independently and maintain visiting relationships with their marital families which are in the same neighborhood, but which, nevertheless, take the incomes they earn. Punia and children have constructed a small hut on encroached public land at Mini Nagar Jhopra, a suburb of Nagpur. She does not spend on rent, but her other expenses—food, medical treatment (on which she spends around Rs. 50/-), protection money to the neighborhood toughs, keep her in debt permanently. She now has no links with her natal or marital family.

Women Carpet Weavers from Surguja

Surguja is the northernmost district of Chhattisgarh. Large portion of the terrain is hilly and the population is mainly tribal except for recent immigrants who are concentrated in the towns and plain areas. Mainpat, the highest range in the Maikal hills is in Surguja, and to the north of the district are the forested areas of Mirzapur in Uttar Pradesh.

The involvement of women from the Oraon tribe in Surguja in the carpet industry of UP can be traced to the settlement of Tibetan refugees in Mainpat in 1962. Once settled there, the Tibetans began their traditional work of wool making and carpet weaving. Large developmental loans and inputs were made by government to the Tibetan settlers at this point. While most of the carpet weaving units in Mainpat were co-operatives, some were individually owned and managed. The Tibetans began to employ Oraon women as weavers, and within a span of 10-15 years, Oraon women of Surguja developed a skill in carpet weaving. At this time, around the mid 1970s, the carpet industry in Uttar Pradesh, the main centres of which were Bhadoi, Varanasi and Mirzapur, was in a crisis because of bad management and labour problems. Once the expertise of Oraon women who were willing to work for far lower wages than prevalent locally, became established, they began to be recruited for the UP carpet industry around 1979-80. The connection has flourished ever since because for the tribal community, the wages earned in carpet weaving mean a lot, particularly since, with industrialization and growing national control over forests, their traditional lifestyles are increasingly in disarray.

We interviewed seven women from village Khasgona, Kamleshwar, and Keshgaon in Ambikapur Tehsil who had gone to Varanasi or Mirzapur for periods of one or two years. They all reported economic compulsions as the main motive for this migration. All were locally recruited by agents from the carpet weaving companies, and transported there in groups at the entrepreneur's expense. Once in the unit, they worked in groups of 3 or 4. It took one group about two months to weave one full size carpet. Women were paid by the square meters they wove and by the wool they consumed, the cost of which was deducted from their wages. The wool was however supplied by the entrepreneurs. A woman worker made an average income of Rs. 250-350 per month. The women live together in large camps or dormitories and were controlled tightly by the company. They had no leave to go out of the premises, had no holidays and their wages were not paid to them in full until the maturity of the contract. However, the contract was by and large honored and once it was over they were paid their full wages and either allowed to leave or sign on for an additional period. Two of the women, Beri Bai, aged forty, and Bari Bai, twenty two, reported that the entrepreneurs and their agents made sexual advances to the women, who customarily travelled alone, and not with entire families as is common elsewhere in the region. An estimated number of 30,000 Oraon women work today in the carpet centres of UP which are controlled by capital through a nexus of contractors and sub-contractors.

From field visits and Indian Jute Manufacturers' Association (IJMA) records, we know that Chhattisgarhi migrant workers-men and women worked in six major jute mills in West Bengal). Today the number of Chhattisgarhi male workers in the jute industry is less than 2000, and not a single women worker is to be found. In the Jute industry women earlier worked in the stitching, coloring, and winding departments. It appears that today, in the sectors in which Chhattisgarhi migrant workers predominate, there is little recognition that women are highly skilled and highly creative workforce. This was not always so, for in the Assam tea estates, female labour was highly prized, and women were selectively employed as pluckers, plucking the leaf and bud, while not damaging the plant.

In the construction gangs and brick making groups, payments are generally made to the gang sardar (head/leader), and in turn, the sardar distributes it to the individual members. Where husband and wife work together, it is common for the earnings of the couple to be handed over to the husband and thus married women have little control over the fruits of their labour. Women are paid separately when they are working on their own, without a male partner. In either case, the calculation of women's contribution is priced at about Rs. 2 or 3 below the calculation of male contribution. This distinction is apparently maintained regardless of actual wage levels. In the Tea Industry, a similar wage differential can be seen.

Lal Kuan is on the Mehrauli-Badarpur Road near Delhi, and after Faridabad, offers the largest concentration of Chhattisgarhi workers in the National Capital Region. The Chhattisgarhi workers there are mostly from Naila and Champa in Bilaspur district and they live in nine camps opposite the highway after crossing Tughlaqabad Fort when we go from Delhi. Phulsing's camps, where we conducted our survey, has 40 families. The men in the camp work in the crushing plant, as well as in the mines. Women are responsible for removing the overburden and stone splinters in baskets as head loads and dump this outside. They are also piece rated, but make an average wage of Rs. 350-400 per month.

An important problem that women in the Lal Kuan camps face is with regard to health and ante natal care. Sonkali Bai, whose daughter-in-law died last year in child birth, and all other women here are totally without health support services. Many families when they leave home, bring their own supplies "Jarhi Booti" (herbal remedies) for common ailments from Bilaspur. Many of the women migrants we have spoken to, speak of sexual abuse and molestation by contractors, and security guards at the big construction sites. A group from Khamharia reported that one of the women from their group was abducted and never heard of again, when they were working near Allahabad. Several children were also lost during travel, quite apart from the death of children due to malnutrition, disease, and lack of medical care. A family from Charbhata lost their only daughter in Ludhiana railway station, and was able to trace her three years later in a state orphanage.

Apart from the blatant discrimination, women are also the victims of the cultural backwardness and patriarchal norms of their own communities. At a construction work camp, a child fell ill and did not get well despite the parents attempts with country and western Medicare. One of the workers supposedly had supernatural powers. He was consulted and gave his opinion that the child was under a witch's spell. That evening all the women in the camp were made to sit in a circle with their hair open. At the centre of the circle a fire was lit and the smoke blew in the direction of the wind, which happened to be where a woman worker, Nirmala, was sitting. She was identified as the witch and all the men present rushed to beat her. It was with great difficulty that her husband managed to save her. After this the couple was ostracized - they wanted to leave but were afraid that this would point to Nirmala's guilt. Fortunately, the child did get better after about a week. The couple left for another work site.

On the other hand, migrant women have played an important role in preserving the cultural values of mutual help and self help, and traditional knowledge systems with regard to social mores, diet, herbs and medicines. This can be illustrated most clearly with reference to the way all Sukhvasis and particularly the Sukhvasins, (women migrants) cope with their general and reproductive health problems. Unable to afford the high costs of treatment and medicine around migration sites, Sukhvasins carry their traditional herbal medicines and care systems to the constructions sites and to the remote camps. Generations of Sukhvasins keep their traditions alive while they continue to work in contractual employment in building the capital of India and its many states. Similarly, Sukhvasis also carry their traditional occupational knowledge that continues to make them a desired workforce even in these difficult times. It is facts like these that have helped on oppressed group like the "Sukhvasis" to continue to stake a claim to a share in the national economy.

This article is drawn from a part of Ilina's study on migrant women in Chattisgarh.

REGIONAL REALITIES

TOURISM & MINING IN GOA

■ ■ ■ Shaila Desouza, Centre for Women's Studies, Goa University & Pranab Mukhopadhyay

Does a high economic growth rate translate into more empowerment for women? Does it improve women's control over decisions about the family, their ability to earn and their ability to control finances? The term women's empowerment is defined as the extent to which women have control over their own lives, bodies and the environment. It has been defined as 'control over material assets, intellectual resources and ideology' (Batliwala, 1994:193) and also the 'processes by which those who have been denied the ability to make choices acquire such an ability' (Kabeer, 2005). This paper looks at Goa, a small state on the western coast in India, which has witnessed rapid economic growth in per capita income in the recent past and is currently the highest per capita income state in India and examines the status of women in two of its leading sectors – tourism and mining, that are also directly linked to the global production of goods and services and therefore to the dynamics of globalisation. Tourism and mining have been drivers of Goa's economic growth in the last few decades. Goa, like Kerala, presents an interesting developmental case study: high achievements in many of the development indicators – high literacy rate, per capita incomes, health indicators – life expectancy, fertility measures, age at marriage. One of the (Portuguese) colonial legacies has been the Common Civil Code that continues till now and which provides for equal inheritance between men and women in a family. Yet, the indicators of women's empowerment cast a shadow of doubt on the state's social development process.

There is growing evidence that in Goa, like the rest of the country, there is a male child preference among eligible couples (NFHS 2009). The juvenile (0-6 years) sex ratio in 2001 (at 933F to 1000 M) is lower than the adult sex ratio (960F to 1000M) implying that in the near future there will be even less female to male adults. At the taluka level, in Bardez, where a part of the tourism study is located, the sex ratio is not favourable to women (956F to 1000M) with a difference in urban and rural areas (996F in the rural areas but only 929F to 1000M in urban areas) (see). The juvenile (0-6) sex ratio is more skewed (925F to 1000M) with a negligible urban rural difference. In Sanguem taluka where the mining study is based, the sex ratio was a little higher than in Bardez (967F to 1000M) and here the sex ratio in urban areas (980F to 1000M) was higher than that in rural areas (964F to 1000M). The juvenile sex ratio was high (981F to 1000M) but a significant difference exists between the rural areas (997F to 1000M) and the urban areas (911F to 1000M). In both these talukas, the juvenile sex ratio was lower than the adult sex ratio.

The mining and tourism sector, the focus of this study, by 2007-8, were the highest contributors to the state domestic product. They also absorb a large part of the labour force but they operate in geographically non-overlapping zones. While tourism is concentrated in the coastal areas – primarily Salcete and Bardez, mining is concentrated in the hinterland adjoining Maharashtra and Karnataka – the talukas of Sattari, Bicholim, Sanguem and Ponda (Noronha, 2000). While sectoral contribution to GSDP is available, there are no accurate estimates of the number of people employed in both these sectors. Tourism in Goa is largely concentrated in the coastal areas. The main beach stretch in North Goa is from Sinquerim to Baga, and in South Goa it runs from Velsao to Caveossim. However, there is wide heterogeneity in tourist concentration and therefore of infrastructure quality. The category of hotels across the two districts also differs. While most of South Goa has a concentration of up-market accommodation, North Goa is largely for the mid-segment and budget category tourists except for the Taj group. We segmented the tourism areas into three – luxury, budget and back packing. Three villages were purposively chosen – Calangute, Vagator/Chapora – (North Goa), and Varca (South Goa). Calangute is the most frequented tourist destination in Goa attracting largely budget and mid-category domestic tourists. Vagator/Chapora attracts back-packing category tourist and is exclusively a foreign tourist destination of the low-budget category. Varca on the other hand is home to up-market luxury hotels. In the tourism area survey, a stratified random sampling technique was used to select a total of 300 women but due to non-response from 20 selected women a total of 280 were covered. The hotels and beds data was taken as a proxy for tourism concentration. Bardez in North Goa and Salcete in South Goa had the highest number of hotels in the two districts and were selected for the study. Of the 280 women interviewed, the village-wise breakdown was – North Goa: 69 from Calangute, 156 from Chapora and Vagator, South Goa: 55 from Varca

The mining belt extends over 14 – 18 per cent of Goa's land area. Mining operations are carried out in lease holdings of about 100 hectares or less. There is no local market for the 'low grade' ore produce of Goa so all of it is exported. Goa accounts for 60 per cent of India's iron ore exports. In the 1960s, mining was the driver of growth and employment in Goa. It also led to in-migration of workers from neighbouring states. Women have been involved in the mining industry either as direct workers or as supporters, care givers, housewives to those employed in the mines. A different strategy for respondent selection was followed in the mining area. The survey was conducted in the twin township of Savordem/Curchorem (Sanguem taluka). The reasons for this are: (a) this town is the hub of the mining area in south Goa and is expected to show the greatest beneficial impact in socio-economic outcomes due to mining and, (b) the smaller hamlets in the mining area are sparsely populated and geographically distant. A listing of households was done in this town to ascertain which households had their chief source of income from mining activities. A random sample of 300 households was then selected based on the criterion that their chief source of income was from a mining related activity. This includes direct employment in mines as well as ancillary activities including transport. Of the total 300 respondents interviewed for this study, 41 (of the total number of 52 working women) were paid workers in the mining industry. The remaining 259 had either husbands or children who were working in the mines or related activity.

Since there is little socio-economic data on women in the tourism and mining industries, we used information from two surveys on women residents of these areas. These two surveys independently collected information from women in the age category of 15-65 in the mining area and 18 to 70 years in the tourism area and included not only those who were working (outside their homes) but also those who didn't undertake paid work. Our expectation was that workforce participation in the tourism and mining sectors would be significantly higher than the state average. Goa's combined (rural and urban) female workforce participation rate (PR) at 22 per cent is lower than the all-India figure 32 per cent (as per Census, 2001). However, the urban female participation rate in Goa (18 per cent) is larger than the all-India average (11 per cent). The state's urban female PR was 18 per cent and rural was 26 per cent. In the tourism area only 19 per cent of the women reported as being employed in comparison to only 17 per cent in the mining area which is near equal to the state's urban average and much higher than the all-India figure. The male workforce participation rate in Goa was about 54 per cent for both rural and urban segments indicating a large gender divide in the economic domain. The low female PR in the two sectors is most likely a combination of a lack of opportunity on the demand side as well as social inhibitions from the supply side in the labour market. This would be especially true in the mining area which reported a lower PR as the work in this sector is probably considered 'dirty' or not women-friendly. A closer look shows that married women are less likely to be part of the workforce than the never married category in both the sectors in Goa. This is interesting because some see such a phenomenon as reversion to patriarchy – once a woman is married, she has to follow the stereotypical role of a housewife rather than a working independent woman.

In tourism areas the most frequently reported family size was 5-6 (36 per cent) closely followed by the 3-4 (34 per cent). In the mining area the most frequently reported family size was 3-4 (46 per cent) followed by 5-6 (33 per cent). This indicates a preference for a smaller family size in mining areas in comparison to the tourism area. This difference in family size could be due to higher average economic status in tourism resulting in larger family size. A related demographic indicator is the number and composition of children in the family. In the tourism area we found no families that have more than two children but no male child. Presumably, those who did not have male child within the space of two children presumably did not seek to have a third child. There are 32 families that have 1-2 girl children but no male children. In contrast there were 39 families that had children but no girl child. In the mining area, there were 51 families that had 1-4 girl children but no male child (of which 11 had 3-4). There were however 72 families who had only male children (ranging from 1-5 children of which 63 of them had 1-2 children and no girl child). These numbers need careful interpretation. In both these areas the number of women reporting single girl child exceeds single boy child.

However, for higher number of children this trend reverses, lesser number of families had two or more girls than boys. This implies that while people are acceptable of one or two female child they prefer to have more male children than female as the number of children increases in the family. This could be interpreted as an indicator of male child preference.

The degree of equality achieved at home can be inferred from the extent of sharing of household duties (Kabeer, 2005). In our surveys, respondents were asked about the participation by wives and husbands (only for currently married couples) in four routine household jobs: cooking, washing, swabbing/sweeping and shopping. The total score (one for each activity, and zero if not) was calculated for each respondent and her husband. The maximum score indicating participation in all activities was four and minimum was zero. Only scores between one and four were considered for analysis as it is reasonable to expect that the husband would at least undertake shopping if not any of the other activities. While 81 per cent of the women in mining undertake all four activities, only 24 per cent of the husbands in mining do the same. In comparison, only 65 per cent of women in the tourism sector undertake all four activities while only 2 per cent of the husbands undertake all four activities. The gender gap in household activity is larger in the tourism sector.

In terms of educational levels, in both the sectors, the most women belonged to the category 'upto 10th class'. The next largest group was the 'illiterate' segment followed by 'upto Class 6 category'. The proportion of illiterate respondents was significantly higher in the mining area. This could be due to: a) access to better education infrastructure in the tourism areas, b) social demand for literacy in tourism areas (which has traditionally) been a more economically prosperous area, and c) demand for better educated labour force considering that the clientele is largely non-Goan (Indian as well as foreign). The employment outcomes suggest a non-linear relationship in both the sectors. There is a U-shaped relation between education and work status. In the tourism belt, 31 per cent of the women who are in the paid labour force are in the graduate and above category and it declines to 8 per cent for those who have less than Class X but rises to 11 per cent for women who have less than Class VI attainment. However, for the illiterate category, the percentage increases to 22 per cent. In the mining area the story is similar except that the highest participation is from the 'illiterate' category.

The data suggests that those who are literate but have only studied upto 10th have lower levels of absorption in the workforce than the other three groups in both the sectors. It seems that those who are illiterate take on unskilled work while those with higher secondary education and above are more likely to be in the workforce than anyone else. Those who do not complete higher secondary education are the least likely to be in the workforce either because the skills required are higher than they have and/or they are unwilling to accept wages that are paid to unskilled workers. This throws up interesting differences in the empowerment debate of the two sectors.

It seems that the nature of work that these two zones offer result in educationally empowered women to participate more in the workforce in tourism than in mining. So, educational intervention seems to be economically empowering if it has a conducive industry in the vicinity (i.e. in a segmented labour market). It is possible that the tourism sector which is part of the services sector offers better opportunities to educated women. This has important policy implications for Goa where the drop-out rate at 22.5 per cent (at primary level) is alarmingly high

A woman may or may not be part of the workforce but her ability to control the purse-strings is a good indicator of her position in the family. The presence of an individual bank account is one such indicator. The percentage of women who had individual accounts is

marginally higher in the tourism sector (19 per cent) than the mining sector (17 per cent). In the tourism sector, half of those who have individual accounts are also involved in paid labour. In mining, however, the proportion of those who have an individual account and are part of the workforce is much less.

To conclude, women's empowerment in this paper was discussed along 3 broad measures – demographic, social and economic. The family size in mining areas was smaller but more families had only male children in comparison to the number that had only female children than that in tourism. In mining areas, husband's contribution to household work was significantly lower than their wives while husbands in tourism areas contributed a lot less than in the mining sector. In the paid labour market, while the women's participation rate (in the studied sectors) was much higher than the national average it was not different from the state average (urban) with tourism having marginally higher rates than mining. In any case, women had much lower workforce participation rate than the male in Goa. Interestingly, fitting the stereotypical traditional women's profile we find (in our sample) that married women are less likely to be in the paid labour force than unmarried women.

In terms of educational attainment, the literacy rate in the mining area matches the state average but in the tourism areas it is significantly higher. Did this help women achieve economic independence? In the tourism sector the graduates and above had the highest participation rates while in mining it was the illiterate category that had the highest contribution to paid labour (though the second highest category was graduate even in mining). So education does seem to matter. Also, women are better off pursuing a higher degree than dropping out after 12 years or less as they have a better chance of employment. This seems to pay off in the labour market as the average reported incomes among women there is Rs 4000 but the mining figures are significantly lower.

It is significant that even in the lead sectors, women have not been able to break the glass ceiling. Also increased economic opportunity does not lead to automatic breaking of traditional patriarchal shackles within the household. However, emergence of a modern service sector offers hope for entering into the paid workforce with higher educational attainment and is an area of public intervention that needs to be further explored. It is also clear that links to the global dynamics does not necessarily imply libertarian options that enhance women's empowerment. The nature of the industry makes a significant difference in the nature of employment offered.

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REGIONAL REALITIES

TATTERED TAPESTRY

■■■ Samhita Barooah, TISS, Guwahati, Assam

When I visited a plastic industry in Tinsukia, a district in the uppermost tip of Assam in 2006, I remember meeting some of the women workers in that industry. Their job was to cut the plastic bags so that handles can be carved out. This work was quite monotonous and the job was tedious. The wage for the women was Rs 40 per day and the wage for the men for the same work was Rs 75 per day. I asked the women whether they were satisfied with the wages. They said, "Earlier we used to get 60 paise per day and now we get Rs 40 per day, so it is a big hike." The wages have been hiked a little more, but there is no way are the women earning equal wages. It is a very dismal picture when it comes to labour in private sector. Women labourers in Assam are mostly involved in the tea industry, weaving and handloom sectors and very rarely in agro and allied activities. There is a recent trend of women labourers in construction work, brick kilns and in manual work under different Government schemes. Most of the work within the gamut of unskilled labour comes under the unorganized sector. A huge chunk of women also work as domestic workers in homes, taking care of children and elderly people as well as supporting working professionals. Issues of conflict, migration, trafficking for trade, employment and flesh trade are very closely linked to such work. Women workers in homes come with an exploitative past or they are bread-winners of dependent family members. Many of them are sold in different parts of India especially in North Indian states of UP, Haryana, Delhi etc.

Women in the North East are enterprising and they are ready to venture out in diverse areas of work. Even in many state-run schemes for employment, women are working as labourers in manual jobs across the region. Most of this work is unskilled, but the wages they get are more than regular wages in highly skilled jobs like weaving, sowing, reaping or transplanting. Women do not get a fair share in agricultural and allied activities when it comes to their work. Women are hardly unionized and organized to fight for their entitlements. All India Democratic Women's Alliance is one such body which raises the issues of women workers, but there is hardly any trade union or labour union who can amplify the genuine demands of the women workers. In different parts of Assam, Meghalaya, Manipur, Mizoram and Nagaland women work as domestic workers in their own relative's homes. They look after younger children and frail elders but such work is never monetized and considered to be part of duties. Many young women had to leave their education half-way to meet the needs of family and maintain cordial relations with extended families. Such kind of labour is unaccounted, ignored and considered as part of the role of a woman in this region. In fact, if someone demands some share in monetary benefits or in property, then such women are socially out casted. This kind of phenomenon is common in many lower, middle and upper middle class communities across the region. Women's work within households is not recognized as productive labour.

Many women have lost their male counterparts in the conflict affected areas of the North East Region. Suppose the family was dependent on the male for his skills in a particular livelihood like fishing, handicrafts, bell-metal work or ethnic jewellery work, the skill dies with the individual, if it has restricted gender dimensions to the work. In many communities within the NER, certain livelihood skills are confined to either men or women. In Nagaland, women weave for both home and commercial production and men make bamboo baskets. In Assam, also women weave for homes but men also weave for commercial production and men make bell metal products and bamboo handicrafts. These roles are well-defined and they hardly deviate from the stereotyped gender roles except for a few exceptions. Under such circumstances, when conflict affects the household, whether the conflict is due to factional clashes, state-sponsored anti-terrorism missions, land disputes or ethnic cleansing, adverse impact of loss of livelihood falls on women and other dependents in the family. Moreover even climate and natural hazards also jeopardize livelihood options for communities depending on natural raw materials for their livelihoods. In Nagaland, many weaving communities have been deprived of cotton yarn which used to be woven into shawls in the olden times, due to the non-availability of black soil conducive for cotton production. Now the communities either procure cotton yarn from states outside the region or they use Thailand yarn due to cost benefits.

Certain livelihoods in the river side areas of Assam, especially when it comes to fishing, pottery and even traditional house building has come to a standstill due to changing patterns of climate and natural ecosystem. In Nagaon district, across the foothills of Karbi Anglong, many tribal communities have given up their primary livelihood options of fruit and vegetable farming due to elephant and monkey menace. In Majuli in Assam, many communities dependent on pottery and fishing had to migrate to urban centres in search of livelihood options, as the river Brahmaputra played havoc through extensive soil erosion and also led to changing patterns of fish ecology. Many farming communities of Assam in the flood affected belts of Dhemaji, Lakhimpur, Jorhat, Tinsukia, Sonitpur, Darrang and Nalbari districts have shifted to alternative vocations. Most of the men have migrated to bigger cities and metropolitans across India, leaving the women behind to battle with harsh weather, unemployment, multiple vulnerabilities of exploitative conditions. Many such women have also become prey to regressive customary practices like witch-hunting and land alienation. In most of the states of North East Region, women do not have access to ancestral land and they do not inherit family property. Even though some of the matrilineal societies in Meghalaya have societal norms of property inheritance for women, but such traditions have just made women the token custodians, while the decisions are mostly taken by men. Women have very little bargaining power under such restricted parameters when it comes to her livelihood options.

Currently, many Fast Moving Consumer Goods-FMCG- companies and packaging industries have begun their industrial firms in the outskirts of major cities and big towns of Assam, Sikkim and Meghalaya. Many young women have been employed in such set-ups. They join these firms after their class 12 exams and earn a living for themselves and their families. In tribal pockets of Sonitpur district, many young girls have started collective farming of vegetables to earn some extra pocket money. In tea garden areas of Assam, women's work is confined to plucking of tea leaves; there are hardly any women workers who have ventured into the processing and management of machinery within the tea industry. So the gender roles of the women in tea gardens are very strictly defined. Some of the women in tea gardens who have got educated, have not continued with tea plucking, and got into various jobs like school teaching while many have joined politics as well.

With the resurgence of urbanization and rapid influence of the western professions many young women from remote areas of North East Region have migrated to metropolitans like Bangalore, Hyderabad, Pune, New Delhi, Mumbai in search of urban professions. Mostly women from the tribal belts of North East Region are preferred in cities for cosmetic and hospitality industries. In recent years, young women from Manipur, Nagaland and probably other states of NER have been offered international house-keeping jobs in luxury cruises across different continents. In spite of the big money in these jobs, the women hardly get a share of their earnings as she has to support her younger siblings and ailing family members. These jobs are never free from different levels of exploitative practices.

In a recent visit to a state-run home for women in distress in Guwahati in Assam, I came across some women from different tribal communities of NER and even from Myanmar. Most of them have been lured into the flesh trade in lieu of better employment prospects and sometimes even to get rid of them as they had some physical or mental ailment. In spite of their horrific past, these women are now engaged in some sort of livelihood options for a period of 3 years. These include beautician, stitching and embroidery, weaving skill-based training. I had one revelation where I felt that women who have been exposed to vulnerabilities do not have too many choices of their own, state run schemes approach them with pity and discrimination where their views are never consulted but a standard norm is imposed on them. Whether these women want to stitch or not, they are bound by the parameters of these schemes. As if it is only after they stitch and engage in such minute manual work, they can be rehabilitated in the mainstream society. Unfortunately most of these women are also discarded by their own families as they become objects of ridicule and stigma for their respective societies. There are many such women who could have become skilled workers in many workplaces but because of their troubled past they are restricted to confined institutions.

As a progressive, conscious society, women with influence, education, power, position, class and ethnic privileges have been elevated to high profile consumers and employers, but there is a huge chunk of vulnerable women who are turned into mechanical producers and employees whose empowerment and dignity have been severely compromised. Somewhere this skewed graph of women workers and their plight needs to be pondered upon. There seems to be a tattered tapestry which every service, primary or secondary sector is struggling with, when it comes to issues of equitable distribution of resources and benefits for women.

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FOCUS

DISABILITY AND WOMEN'S WORK IN INDIA

■■■ Renu Addlakha, Associate Professor, Centre For Women's Development Studies (CWDS), Delhi

A core defining parameter of disability is functional limitation, be it a product of physical/mental impairment or social, economic, cultural and attitudinal barriers or both. The productive capacities of persons with disabilities have been suspect: historically in India as elsewhere in the world the disabled have not only been portrayed as medical anomalies, but also helpless victims and a lifelong burden for family and society. Disability is configured to involve considerable social investment in care work to enable the survival of persons regarded as biologically 'unfit'. Persons with disabilities carry the taint of partial personhood casting them with a die of weakness, incapacity, incompetence, passivity, dependence and socio-economic futility. When a gender lens is brought to bear on this configuration, then the situation of women with disabilities becomes starker, since a disabled woman is also considered incapable of fulfilling the normative feminine roles of homemaker, wife and mother. Reproductive and care work are critical components of social constructions of femininity, which means that women with disabilities are not only considered incapable of productive work like their male counterparts, but they are also normatively excluded from the domain of domestic work and childcare.

To my mind, it is this almost universal and trans-historical association between disability and functional incapacity that resulted in the segregation of disabled persons in medical institutions, special schools and sheltered employment. That is why the first step towards any move to ensure equality of opportunity to persons with disabilities necessarily involves enhancing educational and employment opportunities in order to promote economic self-reliance. Many disability advocates and scholars bemoan the seeming 'overemphasis' on issues of education and employment resulting in the neglect of other critical life issues such as sexuality, parenthood, leisure and recreation. But to my reading even the intersection between work and disability in contexts like India remains largely under-explored. While the Indian census provides a macro-view of disability and work, a more nuanced understanding of the situation, particularly with reference to gender, is provided by small area-specific cross-sectional comparative studies such as the National Survey Organisation 58th round (2002), Harriss-White and Erb (2002), Klasing (2007) and World Bank (2007).

According to the Census (2001), around 65% of the disabled population is classified as non-working which means not engaged in remunerative work. Over 50% of them are reported to be dependent on their families, followed by another 25% falling in the category of students (who are also dependent). This means that a lot of domestic labour, which disabled persons may engage in, especially women, is simply not counted as work. Contrary to the popular view that beggary is the main occupation of disabled persons, only 1% reported it as their occupation, most of who were persons suffering from mental illness.

Of the 35% disabled persons reported to be engaged in the labour market, work participation rates are higher in rural areas than in cities. This could be due to higher relative population and greater flexibility of the agricultural economy to absorb a larger number of disabled persons in gainful work. Overall, the highest work participation is among the visually challenged followed by those with hearing disability, while the lowest work participation is among those with mental disability (mental illness and mental retardation in urban areas) and multiple disabilities. Seasonal self employment seems to be the norm among working disabled adults in rural areas. They may only be employed during peak periods when other workers are not available or have migrated.

The job profiles change in the urban areas with greater access to special educational institutions and job reservation possibilities. Government employment as orderlies, office clerks and teachers predominate with a higher employment rate for disabled women. However, the likelihood of disabled persons being employed is over 20 percent higher in rural than urban areas, and highly significant statistically.

The employment rate of disabled women relative to non-disabled women is significantly higher than for disabled men relative to non-disabled men. A possible explanation is that the gender factor has an important additional effect on employment rates, which dilutes the independent effect of disability among women on their employment rates. According to the World Bank (2007), having a disability reduces the probability of being employed by 31% for males in rural Uttar Pradesh, and 32% for males in rural Tamil Nadu. In contrast, it reduces the probability of being employed only 0.5% for rural females in Uttar Pradesh and by 11% for females in rural Tamil Nadu. However there is a considerable gender gap between employment of disabled men and women, ranging from 37% and 11% in rural areas (NSSO 2002).

According to Harriss-White and Erb (2002) disability pauperises and it does so in a gendered way. Around 80% of total disabled men in their field site in Tamil Nadu were economically and domestically inactive. Although work-wise unproductive, all these men engaged in community life, were self sufficient in terms of self-care and were not socially dependent. However, performance of gendered female occupations like cooking, cleaning, fetching water and child care would result in their social humiliation. Caring for such men was part of the normal caring role of a female member of the household. Full-time female carers cannot take up wage employment, whose loss is an opportunity cost of disability to the individual and the household. Around 45% of households with a disabled member reported an adult missing work mainly due to care-related work (World Bank 2007).

On the other hand, disabled women could not forfeit their domestic duties, and most of them engaged in some kind of household work. Indeed, they have to show a considerably high level of incapacity to justify their non-participation in domestic work and childcare. In

the empirical studies cited above, severity of disability was very high in inactive disabled women with most of them requiring assistance in feeding, dressing and personal hygiene. Additionally, gender bias in favour of men results in disability being identified earlier in males, and the gender gap in treatment against women is also empirically highlighted. If household expectations regarding female productivity means that they have to experience and display a greater level of incapacity to be entitled to care and economic dependency, then it also implies that disability is somewhat less impairing for them than for their male counterparts.

Another interesting gender facet of work and disability is the fact that disabled men, such as those with intellectual disabilities in rural Haryana, may engage in domestic labour (Mehrotra 2006), reversing the sexual division of labour with the husband taking on household responsibilities and the wife taking on more outside wage work.

From the above, it is clear that the disability-work-gender interface has the potential for generating interesting findings that can contribute to enriching our understanding of both women and work in general and women's work in particular.

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APPEAL FOR DONATIONS

As IAWS enters into its fourth decade, we are conscious of our many achievements, including the thirteen National Women's Studies conferences we have organised, the many smaller regional events that have provided a platform to Women's Studies scholars from all over the country. All of this has been possible through the active involvement of our members.

As President of our Association for the term 2011-14, I have been studying the minutes and records of the last several General Body meeting of the Association, and trying to understand the concerns of the members. One major concern needing urgent action is about the financial health and viability of the IAWS.

Over the last several years, IAWS has been able to carry out its regular activities through grants from several national and international organisations. Despite the generosity of several such grants, we have had to raise fund specially each time a national conference is planned and held. In the current EC, we are trying to come to terms with the fact that one of our major institutional grants is into its last year. In the current political economic climate, donor funding is getting more and more difficult, and the next EC is likely to face economic hardship unless we are able to take some steps to secure a comfortable economic base soon.

Some of these concerns were discussed at our last GBM on Jan. 23, 2011, at Wardha and opinions were expressed there that the only way we could be financially independent was if we created a Corpus, and used the interest out of that for our regular activities. The idea of launching an appeal to members for their contribution to build up the Corpus was also floated there, and my letter to you today is in continuation of these discussions.

I would like to appeal to all Life Members to make a contribution of Rs. 5000/- each (More is welcome!) towards our Corpus – to begin the process, the members of the EC have already made their contributions. Once we have raised a respectable sum, we can brainstorm together about approaching individual well-wishers for larger sums, so that IAWS can go ahead in carrying out its mandate with some financial security.

Please send your contribution to:

The Treasurer, IAWS,
C/o. Centre for Women's Development Studies,
25 Bhai Vir Singh Marg,
New Delhi-1.

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- Illina Sen, President, IAWS

BOOK REVIEW

Rights of Adolescent Girls in India: A critical Look at Laws and Policies

Author: Saumya Uma,

Published 2012, Vacha Publications, Mumbai

Prof. Vibhuti Patel, Head, Dept. of Economics, SNDT University, Mumbai

This is a timely publication on the most neglected segment of our society, adolescent girls. Perceived as burden by parents, neglected by policy makers, subordinated by patriarchal system, adolescent girls in India have to tread a tight rope walk. The author rightly avers that in India, experiences of adolescence for girls are greatly different from that for boys. For boys, adolescence is marked by greater autonomy in decision making about career, financial independence, enhanced status and expanded participation in family, community and public life. While for girls it is always differential treatment as compared to their male counterparts. According to Amartya Sen (2001), "The burden of hardship falls disproportionately on women" due to seven types of inequality- mortality (due to gender bias in health care and nutrition), natality (sex selective abortion and female infanticide), basic facility (education and skill development), special opportunity (higher education and professional training), employment (promotion) and ownership (home, land and property) and household (division of labour)."

The author defines the analytical perspective informed by 'theory of social exclusion' and discusses six crucial issues pertaining to adolescent girls' rights: health, education, right to and rights in work, age of marriage and agency in marriage, violence against girls and juvenile justice. While providing situational analysis on the subject, the author highlights major indicators for the status of Girls in India. For large majority of Indian girls, the cumulative effect of poverty, under nourishment and neglect is reflected by their poor body size/ growth and narrow pelvis as they grow into adolescence, making child bearing a risk. Although, child marriages are declining, yet nearly one fourth of girls are married before they complete 18 years. In the last decade, increasing number of girls have been protesting against this custom by running away from home, approaching government officers and local police, teachers, writing essays and poems.

Analyzing the apathy of government towards adolescent girls and their rights as citizens, the author states that schemes and programmes for girls are guided by stereotypical understanding girls' role as future wives and home-makers. Even as adolescent girls struggle for formal and vocational education, the most challenging issue is drop out of adolescent girls from school due to their inability to pass the mathematics, science and English exams. There is an urgent need for bridge courses, remedial education, distance and IT enabled courses, vocational training for girls from marginalized sections. The government's Industrial Training Institutes (ITI) have strong gender-bias, training as beautician, secretarial practice, stenography, COPA and tailoring, while boys have training courses for hundreds of courses.

'Girls at Work', a significant chapter, focuses on both paid and unpaid work of adolescent girls. In the intra-household distribution of labour, girls shoulder the major burden of economic, procreative and family responsibilities. NSSO, 1991 revealed that nearly 10% of girls were never enrolled in schools due to paid and unpaid work they had to do in homes, fields, factories, plantations and in the informal sector. Sexual abuse at the work place is a hidden burden that a girl worker endures. Child labour policies do not spell out anything specific to girl child workers. There is no implementation of prohibition of girls working in hazardous occupations as per Child Labour (Prohibition and Regulation) Act, 1986. About 6% of the boys and girls in rural areas and about 3% males and 2% girls in age group 5-14 in urban areas were found to be working during 1993-94.

For the Transnational Corporations and Multinational Corporations located India, Sri Lanka, Bangladesh, Indonesia, the Philippines, Thailand, the cheap labour of Asian adolescent girls and young women is regarded as the most lucrative way to enhance profits. Globalisation is riding on the back of millions of poor girls and women and child workers in the margins of the economy. The shift from a stable/organised labour force to a flexible workforce has meant hiring women part-time, and the substitution of better-paid male labour by cheap female labour. State support is given to corporate houses that are closing down their big city units and using ancillaries that employ women and girls on a piece-rate basis. Sub-contracting, home-based production, the family labour system, all have become the norm. The casual employment of urban working class girls and women in the manufacturing industry has forced thousands of women to eke out subsistence through parallel petty trading activities or known as 'informal' sector occupations. Adolescent working class girls are multi-tasking.

Health challenges concerning a girl child cover mortality, morbidity, nutritional status and reproductive health and linked to the environmental degradations, violence and occupational hazards, all of which have implications for her health status. It is intricately related to the socio-economic status of the households to which she belongs. Due to the competing demands on their time and energy as well as their socialization, girls tend to neglect their health. The lesser access to food coupled with neglect invariably leads to a poor

nutritional status and a state of ill health for most of the girls. Changing determinants in the survival struggles of girls have created an alarming situation.

As in the late 19th century when Age of Consent was in the context of death of 11 year old Phulmani on the first night of her marriage due to forced intercourse in 1890 in Calcutta Presidency, in the 21st century too many girls in poor health, marry between the ages of 14 – 16, bear children while still young and malnourished themselves. An upswing of female deaths in the age group 15-19 years indicates the high mortality rate of teenage mothers. Nearly 45 % of Indian girls are married off before they attain majority. Child marriages and teenage pregnancy with and outside marriage are the major problems faced by girls in the developing world.

Adolescent girls account for more than their share of abortion related complications and deaths. Unwed pregnant girls (victims of rape, incest or seduction), turn to abortion, whether or not it is legal. Faced with unintended pregnancy, they take desperate measure resulting into health risks of unsafe abortions such as sepsis caused by unsanitary instruments or incomplete abortion, haemorrhage, injuries to genital organs such as cervical laceration and uterine perforation and toxic reactions to chemicals or drugs used to induce abortion. Domestic violence in parental and matrimonial home, battering, physical tears, death due to bleeding, rape, sexual harassment at home, workplace and public places, eve teasing, kidnapping and abduction, prostitution, sexual assault, molestation, rape, child sexual abuse, nuisance calls cause psychological disturbances among girls and women and throw major health burden on girls. It was found that girls who undergo extreme sexual violence, experience a loss of self and self-esteem following the shock inflicted on them. Incidents of child rape and abandonment have increased. Major problem in cases of crimes against girls is that of underreporting.

Bureaucratic lethargy, political vested interests, sexual exploitation of girls, embezzlement of funds earmarked for food, education, vocational training, and lack of transparency have eroded the credibility of the Juvenile Justice (Care and Protection of Children) Act 2000 that covers functioning of institutions dealing with adolescents. Apart from state responsibility under international human rights law, the National Commission for Children has a special mandate for girls which states that 'Adolescent girls are not merely "claimants" or "beneficiaries" of pre-defined rights; they play an important role in defining the contents of rights.'

The book brings out voices of girls by citing a survey (September-October 2012) based on a representative sample of 112 adolescent girls from underprivileged communities in Mumbai. The study highlights the agency of adolescent girls who are convinced about the importance of education for empowerment; perceive child / early marriages as a major impediment to growth; aspire to be economically independent, are extremely concerned about personal safety and security; deplore honour crimes and assert the right of girls to choose their life partners; are conscious of societal discrimination and injustice against girls, and wish to see it eradicated; do not give adequate importance to aspects of health, food and nutrition; feel positive about government schemes, reiterate the need for proper implementation of laws; cherish spending time with friends, going out, playing and studying; wish to improve life skills and believe that self-assertion of rights is a key to their empowerment.

This book is a must-read for educationists, thinking youth, policy makers and practitioners dealing with problems and challenges of girls and youth in general.

The Politics of the Collective in Trade Unions

■■■ Nandita Dhawan, Asst. Professor, School of Women's Studies, Jadavpur University, Kolkata

A strong working class movement is imperative for safeguarding the rights and economic upliftment of unprivileged workers in the present economic and political conjuncture in India. The unity of the working class requires an active engagement and participation of majority of workers from both organised and unorganised sectors in trade unions. The trade unions have, in the past, contributed towards strengthening the working class vis a vis capital but the limitations of the politically affiliated traditional trade unions have also been well documented. The bureaucratic and politically shackled trade unions have stifled militant workers' struggles, particularly in states where the unions are affiliated to the ruling party. For example, in the state of West Bengal, under the Left rule for more than three decades, there have been critiques of the state government for having remained indifferent to the plight of the workers (Sen 2011, Roy 1993).

The trade union movement has been weakened by the splits within, due to various factors ranging from ideological differences between political party affiliated trade unions, individualisation of trade union movements to caste or regional considerations (Venkata Ratnam 1993, Das 1999). Scholars have also referred to declining membership of trade unions (Sheth 1991, Sarath 1992) and the increasing alienation between trade union leadership and their members (Sheth 1991, Ramaswamy 1988, 89). A marked discrepancy has also been observed between trade union politics at the national level and the local firm levels which has led to critical rhetoric at the national level and reluctant acquiescence at the unit level (Roychowdhury 2010). From the 1990s, when the country formally embraced economic liberalisation, the concept of regular, full-time wage labour has been giving way to a more diverse process of informalisation. Also, 96% of all women employed in the economy work in the informal sector are largely outside the purview of any meaningful regulation of employment. Thus, the lack of rights and protections of different kinds of workers in the heterogeneous labour market has given rise to new challenges for trade unions, leaving them with no choice other than widening both their constituency and discourse.

The School of Women's Studies, Jadavpur University, Kolkotta (West Bengal) has conducted a year-long study on trade unions in the states of West Bengal and Gujarat. One of the prime objectives of the research has been to assess the presence of women in politically affiliated trade unions in membership and leadership roles. Have the trade unions been proactive in organising women workers? Does women's presence in the unions lead to a wider recognition of women's work and thus help trade unions' agenda, policies, strategies and struggle to be shaped by a gender perspective? The research team has conducted a study on 126 trade unions in both states to primarily study the structure, activities, members, objectives and ideological framework in which they function. This was followed by semi-structured interviews with trade union leaders of 60 organisations.

Our research findings have shown that sectors like coal, steel, textiles, engineering, fertilisers & chemicals, etc that formed the vanguard of early trade unionism in the country still have a predominantly male workforce in its unions. The participation of women in trade unions in these sectors has been less than 10% of the total membership of trade unions. While mid-day meal & aanganwadi workers, vegetable and fruit vendors and unions of nurse/ayah have 100% membership, sectors like bidi have 90%, tea & forest workers 80% and zari workers have a 70% representation in trade unions. If we look at the membership of women in central trade unions, all trade unions have a women membership of less than 25% with the only exception being SEWA. Only those sectors which have a predominantly female workforce have women members at the helm of the union affairs and a significant female membership. In other cases, it is not unusual to find women members as mere titular members of the executive committee or state committee having little knowledge about the mainstream functioning of the trade union.

With the withering strength of the organised workforce, the unions are left with no other choice but to build a base in the heterogeneous unorganized sector which has a large percentage of women workers. The leaders confidently claim that there is no gender bias in the unions in general. The demands for equal wages and maternity benefits are a part of their union's national demands – a proof to their union's gender sensitivity. But most of the central trade union leaders are of the opinion that women will have to give leadership and themselves take the responsibility of organizing their fellow workers. The male leadership of the trade union however reassures women workers of supporting their struggle. It is interesting to see how women and ideas of femininity intersect the masculine space of trade unions when male union leaders legitimize their distancing from women workers on grounds that a man interacting with women workers may lead to problems in the latter's families. For example, a woman attempting to speak with a trade union male leader may invite speculation, gossip and rumours leading to problems in her family life. Thus, even access to political resources of trade unions remains contingent on discourse of sexuality and family. There are instances of male leaders hesitant of taking tribal women for national level training workshops due to the fear that they may not return home. Discourses on family, appropriate roles of women and politics of sexuality still remain central to the politics of collective. Women have succeeded in seizing a place for themselves in the masculine enterprise of trade unions fighting against all odds which include their poor literacy, dual burden of work and gendered socialization. In sectors which have a dominant male workforce, trade union leaders conclude that gender issues are irrelevant – a perception better understood in the prevailing traditional 'macho' image of trade unions. It is no surprise to find one of the women members mention that her greatest fight has been against the internal patriarchal attitudes of the trade union itself.

The question then arises – is there a woman-oriented culture of unionism? Are women different kinds of workers who are inherently inimical to the masculine style of trade unions and therefore difficult to mobilize? None of the central trade union male leaders respond in the affirmative to this question. They either did not feel the need to engage with such a possibility or they reject such a suggestion. Some of them are however critical about ways in which women participate in unions with a utopian mindset and retrace their steps if they do not foresee a revolution, without being committed to the cause of a long term movement. The attitude of women workers may be understood in the context of their immediate and urgent daily needs to solve the problems of their family. Some of the young trade union leaders who have initiated 'alternative' trade union movements describe women as process oriented vis a vis men who are task oriented, thereby making the former stronger in organizational building capacities. They grade the tenacity of women as higher compared to men which makes women go all out to achieve their objectives, once they are convinced about them. The union leaders share how women have a different language and a varying perspective than men which may be a consequence of their specific situational and experiential context. They are more open to discussions on issues of familial tensions, tensions related to participation in union activities, and participate in giving strategic advice, demanding meeting days and times according to convenience of women members, better crèche and bathroom facilities at the workplace, etc. There are many strong young women dalit and tribal leaders at local levels for whom inability to speak in Hindi or English poses a major obstacle in communication at the national level. It is difficult to conclude whether their participation lead the unions towards more women-oriented culture of unionism, but what is evident is that female membership in the masculine space definitely opens up the space for different experiences and opinions to seep in union discussions. Otherwise, it has been seen especially in the case of political party affiliated trade unions that women workers' issues remain in the periphery.

Some of the new generation trade union leaders experimenting to set up 'new' collectives have emphasised on the importance to create institutional mechanisms to bring working class families in the trade union movement. This, according to them, will help family members of workers become aware of working class struggles and unions role in the labour movement. This will further encourage the family members of the workers to access the political resources of trade unions more freely. But as feminist scholars have already pointed out, the 'family' ensures certain exclusions. It is based on the assumption that the male worker is the primary earning member of the family who supports the women and children of his household. This is regardless of the fact that the latter provide 'supplemental' income of the household from the unorganized sector. The employers lower the cost of labour in the informal sector by paying women and children low wages to maximize their profit. As long as they are paid less, women and children of the household will remain dependent on husbands and fathers. This will ensure that gender ideologies and practices and age privileges are reproduced both in the realms of the household as well as labour market. The woman worker will never be a competitor to the male worker and the latter will continue to demand a higher wage in the labour market.

One of the major opposition to class-based trade unions has been from the Bharatiya Mazdoor Sangh (BMS), the trade union of the Hindu Right, with its motto being, 'Nationalise the Labour' and which regards industrial relations as family relations. The founder of BMS, D.B.Thengadi, targets communism as 'enemy number one' describing their ideology as factional, foreign and subservient to state and party. He criticizes their trade unions as instruments of intensifying class conflict which is held responsible for the disintegration of the society. Thengadi follows an organicist analysis specific to Hindu nationalists and believes that the horizontal division of the world is a fiction, while the vertical arrangement of it is a fact. In a similar vein, the Bharatiya social order according to him implies the industry-wise arrangement and not the class-wise arrangement. While the BMS ideology differs from that of Leftist unions, it has affinities with that of INTUC (Indian National Trade Union Congress), trade union affiliated with the Congress Party. Both BMS and INTUC reject certain aspects of the 'class struggle' and are in favour of worker participation in company management, which the red trade unions refuse to accept. The INTUC has preferred a form of harmony in lieu of social conflict (as a legacy of the old Congress ideology). This approach was articulated first by Gandhi, whose rejection of class struggle was rooted precisely in his will to restore a harmonious and organic social system, the distant model for which was none other than the Varna Vyavastha (caste system). From this flows the idea of 'trusteeship' in which the parties involved in the economic system repress their own individual interest in favour of the common good. In contrast, trade unions affiliated to the Communist-Marxist ideology conduct their union activities as instruments of class struggles, linking workers in urban and rural sectors in a unified effort to secure the protection of the state against the prerogatives of capital.

The BMS trade union leaders expect the women workers to reinforce culturally dominant forms of femininity and motherhood according to 'Bharatiya Sanskriti'. They further claim that women from their union do not believe in aggressive behaviour unlike women from other unions and are against competition between man and woman. It is therefore not surprising when aanganwadi workers working for a 'high quality care, low cost model' are advised to look at their work as equivalent to work of 'Yashoda Mata' which simultaneously depoliticises the issue of workers' exploitation and ignores the need to fight against it towards a 'high quality care, high cost model'. While women workers have made a space for themselves in the masculine enterprise of trade unions, they are advised to make continuous efforts to reassure their male colleagues that their participation will not radically question culturally dominant ideas of masculinity and femininity for the larger cause of the 'joint industrial family' which will lead to national welfare. It is even within this context that trade union leaders have not viewed women as equal partners in their organisations. A number of NGOs and new trade unions have also adopted non-confrontational strategies over wages and working conditions, with their framework of activism focuses on developmentalism of a certain kind. Here too, community, rather than class, has become the potential recipient of welfare outputs. This shift has been underlined by a general disillusionment with left affiliated central trade unions that had developed expertise in public sector organisations. With marginalisation of the PSU-related issues in industrial labour, many unionists disenchanted with the traditional trade unions move towards organising the informal sector workers like those from garment industry where the capital has relocated part of its activities such that it may use underpaid, non-unionised, female workers in the third world (RoyChowdhury 2005).

There has been a proliferation of a variety of independent trade unions and NGOs formed in response to the failure of the traditional trade union movement. However, their small-scale approach limits their potential to challenge the larger framework in which economic exploitation is occurring, and ironically makes them perfectly acceptable to the World Bank and its associates. According to this approach, NGOs have a better outreach to the grassroots and are more 'flexible'. They detach the unorganised sector workers from wider class-based movements on the one hand and from unions fighting for rights of organised sector workers on the other. All central trade unions too realise the need for a common platform to respond to the existing crisis of working class with regard to neo-liberal policies and globalisation. There is a need to come together on common issues like contract abolition, minimum wages, anti-price rise, release of blocked amounts of bonus, PF, gratuity, etc. and the nationwide strike on 28th February 2012 is an instance of a successful issue-based unity of trade unions. However, each trade union is more interested in claiming credit for mobilising workers for such successful programmes under their flag, ideology and leadership. There is thus an urgent need for increased coordination and cooperation between different trade unions to combine ideological commitment and practical integrity and involve the organised and the unorganised sector workers in a wider movement.

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A recent International Labour Organisation (ILO)-sponsored study, "Decent Work in Ahmedabad: An Integrated Approach" has said that the enforcement of labour laws in Gujarat has declined "considerably in the past two decades". The study, carried out by Prof Darshini Mahdevia says, "In some areas, there is no full-time labour officer. Regular inspections are dismal due to the amount of legislation and hence the efficacy of the laws was very weak. On account of such a dismal situation of the Labour Division and the lack of political will, the minimum wages set in the state are far lower than the neighbouring state of Maharashtra, which is also an industrialized and urbanized state, and surprisingly lower than that of the central Government."

The study says, "In the 2011-12 state budget, the outlay for the Labour and Employment Department was just 0.9 per cent of the total budget. In comparison, 28.9 per cent of the budget was allocated for mega irrigation and water harnessing projects (such as the Narmada dam, Kalpasar project and water supply) and 8.2 per cent of the budget for urban development."

STATEMENT

CONDEMN SEXUAL VIOLENCE, OPPOSE DEATH PENALTY

■■■ Citizens' Collective against Sexual Assault (CCSA), endorsed by progressive women's organizations and individuals

On 16 December, 2012, a 23-year old woman and her friend hailed a bus at a crossing in South Delhi. In the bus, they were both brutally attacked by a group of men who claimed to be out on a 'joy-ride'. The woman was gang raped and the man beaten up; after several hours, they were both stripped and dumped on the road. While the young woman is still in hospital, bravely battling for her life, her friend has been discharged and is helping identify the men responsible for the heinous crime. We, the undersigned, women's, students' and progressive groups and concerned citizens from around the country, are outraged at this incident and, in very strong terms, condemn her gang rape and the physical and sexual assault. As our protests spill over to the streets all across the country, our demands for justice are strengthened by knowing that there are countless others who share this anger. We assert that rape and other forms of sexual violence are not just a women's issue, but a political one that should concern every citizen. We strongly demand that justice is done in this and all other cases and the perpetrators are punished.

This incident is not an isolated one; sexual assault occurs with frightening regularity in this country. Adivasi and dalit women and those working in the unorganised sector, women with disabilities, hijras, kothis, trans people and sex workers are especially targeted with impunity – it is well known that the complaints of sexual assault they file are simply disregarded. We urge that the wheels of justice turn not only to incidents such as the Delhi bus case, but to the epidemic of sexual violence that threatens all of us. We need to evolve punishments that act as true deterrents to the very large number of men who commit these crimes. Our stance is not anti-punishment but against the State executing the death penalty. The fact that cases of rape have a conviction rate of as low as 26% shows that perpetrators of sexual violence enjoy a high degree of impunity, including being freed of charges. Silent witnesses to everyday forms of sexual assault such as leering, groping, passing comments, stalking and whistling are equally responsible for rape being embedded in our culture and hence being so prevalent today. We, therefore, also condemn the culture of silence and tolerance for sexual assault and the culture of valorising this kind of violence.

We also reject voices that are ready to imprison and control women and girls under the garb of 'safety', instead of ensuring their freedom as equal participants in society and their right to a life free of perpetual threats of sexual assault, both inside and outside their homes. In cases (like this) which have led to a huge public outcry all across the country, and where the perpetrators have been caught, we hope that justice will be speedily served and they will be convicted for the ghastly acts that they have committed. However, our vision of this justice does not include death penalty, which is neither a deterrent nor an effective or ethical response to these acts of sexual violence. We are opposed to it for the following reasons:

1. We recognise that every human being has a right to life. Our rage cannot give way to what are, in no uncertain terms, new cycles of violence. We refuse to deem 'legitimate' any act of violence that would give the State the right to take life in our names. Justice meted by the State cannot bypass complex socio-political questions of violence against women by punishing rapists by death. Death penalty is often used to distract attention away from the real issue – it changes nothing but becomes a tool in the hands of the State to further exert its power over its citizens. A huge set of changes are required in the system to end the widespread and daily culture of rape.
2. There is no evidence to suggest that the death penalty acts as a deterrent to rape. Available data shows that there is a low rate of conviction in rape cases and a strong possibility that the death penalty would lower this conviction rate even further as it is awarded only under the 'rarest of rare' circumstances. The most important factor that can act as a deterrent is the certainty of punishment, rather than the severity of its form.
3. As seen in countries like the US, men from minority communities make up a disproportionate number of death row inmates. In the context of India, a review of crimes that warrant capital punishment reveals the discriminatory way in which such laws are selectively and arbitrarily applied to disadvantaged communities, religious and ethnic minorities. This is a real and major concern, as the possibility of differential consequences for the same crime is injustice in itself.
4. The logic of awarding death penalty to rapists is based on the belief that rape is a fate worse than death. Patriarchal notions of 'honour' lead us to believe that rape is the worst thing that can happen to a woman. There is a need to strongly challenge this stereotype of the 'destroyed' woman who loses her honour and who has no place in society after she's been sexually assaulted. We believe that rape is tool of patriarchy, an act of violence, and has nothing to do with morality, character or behaviour.
5. An overwhelming number of women are sexually assaulted by people known to them, and often include near or distant family, friends and partners. Who will be able to face the psychological and social trauma of having reported against their own relatives? Would marital rape (currently not recognised by law), even conceptually, ever be looked at through the same retributive prism?
6. The State often reserves for itself the 'right to kill' — through the armed forces, the paramilitary and the police. We cannot forget the torture, rape and murder of Thangjam Manorama by the Assam Rifles in Manipur in 2004 or the abduction, gang rape and murder of

Neelofar and Aasiya of Shopian (Kashmir) in 2009. Giving more powers to the State, whether arming the police and giving them the right to shoot at sight or awarding capital punishment, is not a viable solution to lessen the incidence of crime.

Furthermore, with death penalty at stake, the 'guardians of the law' will make sure that no complaints against them get registered and they will go to any length to make sure that justice does not see the light of day. The ordeal of Soni Sori, who had been tortured in police custody last year, still continues her fight from inside a prison in Chattisgarh, in spite of widespread publicity around her torture.

7. As we know, in cases of sexual assault where the perpetrator is in a position of power (such as in cases of custodial rape or caste and communal violence), conviction is notoriously difficult. The death penalty, for reasons that have already been mentioned, would make conviction next to impossible.

We, the undersigned, demand the following:

- Greater dignity, equality, autonomy and rights for women and girls from a society that should stop questioning and policing their actions at every step.
- Immediate relief in terms of legal, medical, financial and psychological assistance and long-term rehabilitation measures must be provided to survivors of sexual assault.
- Provision of improved infrastructure to make cities safer for women, including well-lit pavements and bus stops, help lines and emergency services.
- Effective registration, monitoring and regulation of transport services (whether public, private or contractual) to make them safe, accessible and available to all.
- Compulsory courses within the training curriculum on gender sensitisation for all personnel employed and engaged by the State in its various institutions, including the police.
- That the police do its duty to ensure that public spaces are free from harassment, molestation and assault. This means that they themselves have to stop sexually assaulting women who come to make complaints. They have to register all FIRs and attend to complaints. CCTV cameras should be set up in all police stations and swift action must be taken against errant police personnel.
- Immediate setting up of fast track courts for rape and other forms of sexual violence all across the country. State governments should operationalise their creation on a priority basis. Sentencing should be done within a period of six months.
- The National Commission for Women has time and again proved itself to be an institution that works against the interests of women. National Commission On Women's inability to fulfil its mandate of addressing issues of violence against women, the problematic nature of the statements made by the Chairperson and its sheer inertia in many serious situations warrants that the NCW role be reviewed and audited as soon as possible.
- The State acknowledges the reality of custodial violence against women in many parts of the country, especially in Kashmir, North-East and Chhattisgarh. There are several pending cases and immediate action should be taken by the government to punish the guilty and to ensure that these incidents of violence are not allowed to be repeated.



Regarding the Criminal Law (Amendment) Bill 2012, women's groups have already submitted detailed recommendations to the Home Ministry. We strongly underline that the Bill must not be passed in its current form because of its many serious loopholes and lacuna. Some points:

- There has been no amendment to the flawed definition of consent under Sec 375 IPC and this has worked against the interest of justice for women.
- The formulation of the crime of sexual assault as gender neutral makes the identity of the perpetrator/accused also gender neutral. We demand that the definition of perpetrator be gender-specific and limited to men. Sexual violence also targets transgender people and legal reform must address this.
- In its current form, the Bill does not recognise the structural and graded nature of sexual assault, based on concepts of hurt, harm, injury, humiliation and degradation. The Bill also does not use well-established categories of sexual assault, aggravated sexual assault and sexual offences.
- It does not mention sexual assault by security forces as a specific category of aggravated sexual assault. We strongly recommend the inclusion of perpetration of sexual assault by security forces under Sec 376(2).

MEMORANDUM

To
The Police Commissioner
New Delhi

19th December 2012

We, the undersigned women's organizations and concerned citizens, express our strong condemnation of the rising incidence of heinous crimes against women in Delhi, and demand rapid justice for the medical student who was gang raped on 17 December 2012.

This horrific case of a young girl being assaulted, gang raped, and brutalized in a moving bus in the heart of the city points to the complete lack of safety for women in the national capital of the country. It is a shameful pointer to the sad state of law and order, and the general apathy and insensitivity that the system has towards women. Reports show that the culprits were drunk, and were looking to have some "fun", which to them meant targeting a vulnerable girl, and sexually assaulting her in the most bestial fashion. Such violence is not just an attack on an individual, but acts also as a deterrent to women's mobility and right to safety and freedom in public places.

We call on the Delhi police to ensure immediate arrest of all the perpetrators, carry out efficient investigation, and take measures for a speedy trial leading to stringent punishment of the culprits.

We also note the disturbing frequency with which crimes are being committed in the National capital region. The NCRB data shows that in 2011 alone there have been 522 rape cases within the city, the highest in any metro city within the country. In 2012, the reported cases have already gone up to 600. This state of affairs cannot be allowed to continue. The police, and the Government must send out a strong message of zero tolerance on cases of violence against women.

In this context, the undersigned women's organizations and others demand that the following measures be undertaken by the police authorities on an emergency basis:

1. Increased patrolling and deployment of police, including police women in public places so that such incidents can be prevented, and women's safety assured; improved infrastructure to make cities safer for women.
2. Fast track courts to deal with rape cases, hearings to be held on a day to day basis, so that sentence can be delivered within a period of 6 months. Police investigation to be conducted in a time bound manner.
3. Standardized investigation procedures to be circulated to all police stations, with action taken against police personnel who do not implement them properly;
4. Increased sensitization, effective investigation and accountability of the police in dealing with heinous crimes against women.
5. Immediate relief, legal and medical assistance, and long term rehabilitation measures to be provided to survivors of rape, without delays and hassles.

We demand that the security of women in public places, and the rights of women to safe travel, without fear of violence, should be assured by the Delhi police in an effective manner.

- All India Democratic Women's Association
 - All India Dalit Mahila Adhikar Manch
 - All India Women's Conference
 - Centre for Policy Analysis
 - Centre for Women's Development Studies
 - Guild of Service
 - Jagori
 - Joint Women's Programme
 - Muslim Women's Forum
 - National Federation of Indian Women
 - Progami Mahila Sangathana
 - Rashtriya Dalit Mahila Andolan
 - Saheli
 - Swastik Mahila Samiti
 - Young Women's Christian Association
 - Catholic Bishop Conference of India (office for women)
 - Catholic Bishop Conference of India (JPD)
 - National Council of Churches in India
 - India Alliance for Child Rights
 - Women's Coalition Trust
 - National Council of YMCAs in India
 - Student Christian Movement of India (SCMI)
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THE INDIAN ASSOCIATION FOR WOMEN'S STUDIES (IAWS)

The Indian Association for Women's Studies was established in 1982 by a resolution adopted by the first National Conference of Women's Studies held in Mumbai in April 1981. IAWS is registered under the Registrar of Societies (No.S/12936 New Delhi) and under FCRA. The Association provides a forum for interaction among institutions and individuals engaged in teaching, research or action. The membership includes educational and social welfare organisations, and individual academics, researchers, students, activists, social workers, media persons and others concerned with women's issues, and with women's development and empowerment. One of the major activities of IAWS is organising a National Conference of Women's Studies once every two / three years focusing on a particular theme and several sub-themes. Hundreds of members from all-over India and some from other countries in South Asia attend the National Conference. Ten Conferences have been held at: Mumbai, Thiruvanthapuram, Chandigarh, Waltair (Vishakapatnam), Jadavpur (Kolkatta), Mysore, Jaipur, Pune, Hyderabad, Bhubaneswar and Dona Paula (Goa). Themes have included: Women's Struggles and Movements, Women's Perspectives on Public Policies, Sustaining Democracy, Challenges in the New Millenium etc. IAWS members can

- initiate activities along with the Association in an effort to augment IAWS interaction, networking, research, documentation and dissemination objectives;
- participate in various activities and conferences organised by the Association;
- participate in running the Association by voting on the membership of the Executive Committee and standing for the elected offices;
- contribute to and receive a periodic Newsletter that disseminates information about Association activities in different parts of the country, explores gender issues, and may include book reviews, announcements, seminar/ workshop reports and lots more.

IAWS EXECUTIVE COMMITTEE (2011 - 2014)

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