

# Newsletter

February 2005

# **IAWS**

# Indian Association of Women's Studies

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# Editor's Desk

Dear Friends,

The preparations for the Goa Conference, May 2005 have gathered momentum as this special issue on Goa goes to press. We bring you details of the subthemes and plenaries of the conference and the names and addresses of the Goa contacts. The detailed brochures will soon be reaching members.

This issue of the newsletter is guest edited by Pushpa Bhave and is meant to introduce IAWS members to some of the concerns of feminist activists and scholars in Goa. We are grateful to Sheila and Nishtha for contributing to this issue, despite being preoccupied with pre-conference work. Vibhuti Patel's report in a sense initiates a dialogue on the theme of the conference-pushing us to think out issues of gender, community and citizenship. The next issue is planned as an introductory issue on the theme of the conference 'Engendering Citizenship and Sovereignty'. Do write to us with your suggestions, contributions at wsc@unipune.ernet.in

Several of our members did us proud by receiving awards and prizes for their active practice and scholarship on gender issues - we congratulate them in our section 'Felicitations'. We request you again to send us details of awards, felicitations received by members for their work on gender issues. We shall miss our member and scholar-activist Meenakshi Moon who passed away recently. The obituary in this issue written by Urmila Pawar gives us a glimpse into Meenakshi's life and work.

Please do visit the website www.iaws.org which is being updated constantly with conference details.

Sharmila Rege

# **Guest Editorial**

# Pushpa Bhave

The editorial team hopes to find you all in a mood for rededication to the cause of change in the quality of women's life - that is what we celebrate on 8th of March. Sometimes it is a week-long celebrations in various forms.

Spring is around and we are all eager to meet each other at the XIth national conference on women's studies. This year the Indian association of women's studies (IAWS) has organised a conference at Goa, on sovereignty, citizenship and Gender, from 3rd to 6th May 2005.

Though it is customary to choose a theme for the conference, our choice of Venue is also important. We like to have a view of the regional and culture specificity of women's problems. So before we prepare ourselves for the conference at Goa, the newsletter would like to project Goan women's problems specifically. We have invited our friends from Goa who are also giving us a helping hand for the conference, to write about Goa's unique civil rights provisions, and the problem of child sex tourism. Though Goa's common civil code or 'Codigo Civil Portugues' of 1867 is supposed to be unique, the problems of sex tourism are by no means confined to the region. Some cases were advertised by the media, but our friends in Goa need not feel compromised because of it.

Shaila Desouza in her article 'Ave just laws Enough?' Has looked at the Myth of the Goan civil code critically. She views the practice of the legal system and the social structure which supports it from a point of view of gender justice. Nishtha Desai of the 'children's Rights in Goa' writes about - 'Goa: A Destination for child Sex Tourism?' She has looked critically at tourism related paedophilia. We are all aware that tourism in the contemporary market economy is talking a vicious shape. The author has looked into the legal provisions to safeguard children's rights in Goa but makes us aware that the menace of tourism related paedophilia is a problem that has to be addressed in all tourist - destinations of India.

The third article in this issue is by Dr. Vibhuti Patel a scholar in her own right and a determined activist as well. She writes about 'Peace begins from Home...' Which is about women's Grievances cell of Mohalla Committee, Mumbai. This relates to the general theme of governance and citizenship of the conference. I hope our readers will find the experience of WGRC really illuminating. We do hope you will find the issue interesting. We do hope you are preparing for the Goa conference, you have the abstracts and presentations ready. Looking forward to seeing you - women's studies activist and aea denicions together in Goa - the land of Greenery and water, land of a long history of co-habitation of Christians, Hindus under the impact of Latin culture.

# Goa Conference Details (3 May-6 May 2005)

# Plenary and sub themes

# Main Plenary

Sovereignty, Citizenship and Gender Coordinator: Dr. Uma Chakravarti (chakfam@mantraonline.com), New Delhi.

# Plenary 2

Goa Plenary Session Coordinator: Ranjini Swamy

# South Asia Plenary

Engendering Sovereignty & Citizenship Coordinator: Prof. Asha Hans (swsutkal@vsnl.net) and Ms. Ritu Menon (ritumen@giasdl01.vsnl.net.in)

# Women's Studies Panel

Coordinator: Dr. Kumud Sharma

# Sub Theme 1

Pluralism, Nationhood and Differential Citizenship: Contemporary Issues

Coordinators: Anupama Roy (roy\_singh@rediffmail.com) Delhi and Nandini Manjrekar (Nmanjrekar@yahoo.com), Baroda.

Nandini and Trupti (sahiyar@softhome.net) will be organising the session on Gujarat. Anupama Roy will organize the sessions on Citizenship practices.

### Sub Theme 2

Citizenship, Livelihoods, Work and Natural Resource Rights

Coordinator: Sumi Krishna

(sumi\_krishna2002@yahoo.com), Bangalore.

# Sub Theme 3

Women in conflict and militarization Coordinator: Ilina Sen, (sen\_ilina@yahoo.com/ ilina@senonline.com), Chhattisgarh. Sub theme proposed to be coordinated by Ilina Sen and Sonia Jabbar (sjabbar@vsnl.com)

# Sub Theme 4

Citizenship and the politics of sexuality Coordinator: Nandita Gandhi (gandhinandita@yahoo.com), Mumbai.

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# Sub Theme 5

Development induced displacement: Impact on women Coordinator: Urmimala Das (urmidas1@yahoo.com.au), Berhampur.

## Sub Theme 6

Migration, Displacement and Borders Coordinator: Urvashi Butalia (zubaanwbooks@vsnl.net), New Delhi.

# Sub Theme 7

Education and citizenship Coordinator: Dipta Bhog (nirantar@vsnl.com), New Delhi.

### Sub Theme 8

Impaired citizenship and forms of exclusion (ageing and disability)

Coordinator: Prof. Asha Hans (swsutkal@vsnl.net), Bhubaneshwar.

# Sub Theme 9

Engendering legal education: Citizenship and entitlements Duration: Two days, comprising four workshops of three hours each

Coordinator: Dr. Kamala Sankaran (gala@wcl.american.edu), Delhi.

# Information on Paper Presentation

The guidelines for presenting papers for any of the sub themes are as follows:

- · The abstract should clearly contain the following:
  - Title
  - · Name of the author/s
- Institutional affiliation (if any)
  - Full address for correspondence (of one main author in case of multiple authors)
  - Phone numbers (Residence and Office)
  - · E-mail ID
- · The abstract should be between 600-800 words.
- The abstract is to be sent to the sub theme coordinator whose contact information is available at the end of the sub theme write-up.
- Abstracts should preferably be sent in electronically via e-mail. The e-mail subject should be "Abstracts for IAWS Conference". The abstract should be in .doc or .rtf format.
- Paper presenters are also requested to send a hard copy to the sub theme coordinator.
- Abstracts should reach the sub theme coordinators on or before 15 March 05.

- Intimation of acceptance of papers for presentation at sub theme sessions will be provided in due course.
- All participants whose papers are accepted for presentation should book their tickets to Goa in time to ensure availability of train/flight tickets.

### **Travel Grants**

The IAWS Conference is attempting to seek travel grants for those participants who may require them. The Secretariat cannot, at this point, promise travel support; however, depending on the funding situation, it may be able to selectively fund students and activists.

# **Publication of Abstracts**

Following the acceptance of abstracts by the sub theme coordinators, instructions will be issued regarding the full paper/presentation of the paper. The abstracts, meanwhile, shall be posted electronically on the IAWS website (www.iaws.org). In addition, the abstracts will be published in the conference proceedings.

# Information on Registration to the Conference

All Participants are requested to register for the conference before 10 April 2005 (The registration form and fee details are available on IAWS website) to enable the organising committee to make adequate lodging, boarding, crèche and other conference arrangements. Accommodation on hostels will be organised on first-come first-served basis.

Crèche facilities will be organised at an extra charge, provided there is sufficient requirement. Participants desiring crèche facilities should register in advance and will then be intimated about arrangements and payments.

Arrangement for ground floor accommodation will be made for disabled persons and senior citizens.

Since May is a vacation period, it is suggested that participants book tickets well in advance to ensure ease of travel.

### Goa contacts

 Shaila Desouza (shailagoa@yahoo.com), Local Coordinator in Goa for the IAWS Conference 2005, C/O Centre for Women's Studies, Goa University. Taleigao Plateau, Goa. Tel: 0832:3090725, 09822133146.  Prabhat Kumar, Conference Assistant, C/O Centre for Women's Studies, Goa University, Taleigao Plateau, Goa, Tel: 09822151040

# Conference Venue and other details

# International Centre Goa, Dona Paula

Contact Persons: Capt A. Rodrigues, Ms. Hasina, Ms.

Sandra

Contact Details: The International Centre, Goa Goa University Road, Dona Paula Post Office, Dona

Paula, Goa 403 004

E mail: goa@sancharnet.in

Website: www.internationalcentregoa.com

Fax: 0832: 2452812

Tel: 0832: 2452805 -10, 5641869

# Film Screening

Those who would like to screen their films at the conference a film screening room will be made available. Those interested may kindly contact Ms. Gayatri Konkar at konkars@sify.com or at 0832: 2464376 by the 1st April 2005 as a prescreening will be necessary. A forward copy will be necessary along with an introduction, brief curriculum vitae and synopsis.

# Stalls

20 stalls will be available on a first come first serve basis. Commercial establishments will be charged Rs. 5000 per stall for the three and a half days of the conference and NGO's will be charged Rs. 1000 per stall. Those desirous of availing of this facility may kindly contact: Ms. Radhika Nayak at rsnayak3@rediffmail.com or at 0832: 2315000 or mobile: 9422439876

Ms. Ritu Menon at ritumen@giasdl01 or at 011: 26521008/26864497/26964947/ 26491515/ 26496597.

# Are 'Just' Laws Enough? 1

# Shaila Desouza

Goa is the only State in India that is governed by a Common Civil Code. While there are discussions on whether or not to introduce a Uniform Civil Code in the rest of the country, most people are unaware of Goa's unique civil rights provisions. The 'Codigo Civil Portugues' or the Portuguese Civil Code of 1867, or as is often referred to as the Common Civil Code based on the French Civil Code (Code Napoleon) has been in effect in Goa since 1870. After Goa's liberation in 1961, the Government of India assured Goa that the prevailing laws would remain. The PCC, therefore, continues to exist with some modifications. All communities in Goa are governed by the PCC and is seen by certain sections as the realization of India's dream of a uniform civil code as here the personal laws are not applicable. The PCC laws apply to marriage, divorce, inheritance and succession, children and adoption.

This has lead to the popular notion that women in Goa enjoy a better status than women in the rest of the country. There may be some truth in this. However, the reason that is often attributed to this advantaged position of women in Goa is debatable. Law is largely inaccessible to the majority of its people, as its very language is difficult to comprehend. The complexities of social life have to be understood and dealt with before we can even hope that a set of laws can determine or improve society and more particularly women's status within it.

Political parties in lobbying for a Uniform Civil Code often cite the perceived advantages that the Civil Code holds for women. But these proclaimed advantages of the law in reality contribute only marginally to women's advancement in society. We will discuss this by looking at a few provisions of the Civil Code regarding 'marriage' and some laws regarding succession and inheritance.

# Registration of Marriage

Under the Civil Code, registration is mandatory, registration not only of births and deaths but all marriages too. This proof or recognition of marriage is meant to

This paper critiques the Civil Code in Goa, India, but in no way seeks to suggest that the Civil Code be replaced by the personal laws that govern the rest of the country. The author also does not claim that the paper is exhaustive as only a few aspects of the law are discussed. This paper is a shortened version of the article published in the issue of the Parmal (Vol. III) of the Goa Heritage Action Group.

ensure a certain amount of security to a married woman as the law also assures a married woman of a share in her husband's assets.

Although registration is mandatory for all communities in Goa, the implementation differs from community to community. The procedures for registration are as follows:

- 1. The two parties entering into the contract of marriage have to first declare their intention to marry at the office of the Civil Registrar by signing the declaration in the presence of two witnesses.
- 2. A period of two to three weeks is then sought by the Civil Registry who has to post this intent on the door of the Civil Registration office to invite objections, if any to the marriage.
- 3. Objections are referred to the civil court for examination before a decision is taken. If there are no objections, the couple must appear before the Civil Registrar after the stipulated period of time to confirm their intention and to sign the Book of Registration, again in the presence of two witnesses.
- 4. For Catholics wishing to marry in the church, the procedure is different. After declaring their intent to marry at the Civil Registry, a no objection certificate is obtained from the Civil Registrar, which is handed over to the church. The officiating priest is granted the power of a Civil Registry. This was given under the treaty signed in 1946 between the Roman Catholic Church at the Vatican and the Portuguese Government under Antonio de Oliveira Salazar. At the church after the marriage rites have been performed, the couple sign a register in front of witnesses and an extract of the church register is then sent to the office of the Civil Registrar who prepares the civil marriage certificate.

The flaws in this system are numerous, not least among them being that the procedures are too cumbersome and in reality do not apply uniformly to all communities. Very often the declaration of intent to marry has been mistaken by women as the civil marriage itself resulting in several cases where women have believed themselves to be married when they are actually not in the eyes of law. If the intent is not confirmed within a year the declaration ceases to be valid. Women's organizations in Goa have found several such cases, which came to light especially when women wished to take legal recourse to marital problems. A religious marriage alone is not a valid marriage in the eyes of the law, leaving many ignorant women in vulnerable positions. Then, unlike Sections 405 and 406 of the Indian Penal Code, where a denial to stridhan (the wife's personal property) is considered a criminal offense, under the Civil Code, a woman cannot immediately claim from her husband any of her belongings without going through the court to

retrieve them. So, if a woman has been thrown out of her marital home she cannot even take with her clothes and personal effects, leave alone her rightful share in the family assets, without applying for the same through the court. There is no distinction between personal property and communion of assets. Further amongst the Hindu and Muslim communities, many are oblivious of this mandate. There are several who have been married by religious rites only, which, in the eyes of this law is invalid.

Another problem with the system is that there are civil registries only in the Talukas (administrative headquarters) and not in the village panchayats. As records in these offices are not yet computerized, it is very difficult for the offices to check if the partners seeking to marry are in fact married before or not. With the growing anonymity in cities, it is not uncommon that a man has registered in the same office marriages to two different women.

A study conducted by the Centre for Women's Studies, Goa University showed that although women were not aware of the actual procedures of registration, the awareness for need to register marriages was fairly high particularly among the Muslim women. The provisions in the Civil Code are quite contrary to the Muslim personal law, which might be an explanation for the high degree of awareness among people in this community.

Another contributing factor to the general awareness of this need to register marriages is the tax benefit that is made available on the registration of marriage. Income from all other sources is considered joint property and taxed likewise, that is each partner is taxed on only half the total amount of assets owned.

# Marriage in Goa

Law views marriage as a contract and according to the Civil Code, there are four systems by which a marriage can be contracted. Therefore, before civil registration an Ante Nuptial agreement is to be signed by the two partners entering into marriage stating clearly how the properties of each party are to be held. If no agreement is signed prior to the marriage, the marriage is considered to be contracted under the first type of marriage system, that is

a. Communion of Assets: All wealth and properties here, regardless of the source owned by both partners are considered as joint family assets and both partners own equal shares. It might be interesting to note here that the husband cannot sell or do away with his property without the consent of his wife. Even in the event of non-payment of a loan taken by the husband alone half share of the property belonging to the wife cannot be attached. In other cases however, the division of properties cannot be done during the subsistence of the marriage. The collective property can be partitioned only on dissolution of marriage that is in the event of death or divorce. The main drawback with this system is that the administration of common assets rests solely with the husband. If there are children, the family assets are further shared between sons and daughters equally.

- b. The second system is total separation of properties or no communion at all which is a very rare agreement signed before marriage as it is not in keeping with the sentiment surrounding marriage. Here the partners hold all their properties independently.
- c. The third is where there is total separation of the properties and assets owned prior to the marriage and a communion of those assets and properties acquired subsequently. This type of agreement was not very common until very recently. This might reflect on the nature of marriages today.
- d. The fourth system is the system often mistaken to be dowry. It is the Dotal Regime. The bride is given a certain share of her father's property and assets, which are handed over to her husband at the time of marriage. The husband is bound to return to his partner all the property and assets should the marriage be dissolved. It is not a consideration for marriage but a 'trust' in the hands of the husband. In case of his death, his heirs are liable to pay the wife the corpus of the amount.

Regardless of the system of marriage, all children have a share in the family property and sons and daughters are treated alike. It is therefore, impossible for parents to disinherit their children as only half of their share of the property can be disposed off according to their wishes. In the absence of descendants, ascendants are entitled to the share and in their absence, brothers and sisters and their descendants are entitled to equal shares. However, the reality is something different. Property rights exist only on paper. Very often daughters get a certain amount of gold at the time of their marriage and are asked to sign off their rights to the family property. It is not common that daughters fight for their share of the parental property and if there are such cases invariably, it will be because of the informed son-in-law who wishes to claim his share. There exists awareness about inheritance and succession laws and the spouses have equal shares in family assets but awareness of the other provisions of the Ante Nuptial agreement is low. A problem that has been noted by women's organizations in Goa is that invariably it is the husband's name that is recorded in the land records unless the wife insists that her name be included which is very rare. Therefore, a man wishing to dispose of his property and disinherit his wife can do so by concealing the fact that he is married.

In Article 1204, which talks of the separation of persons and properties, adultery committed by the wife is a ground for separation. However, for the husband, only adultery with public scandal, or complete abandonment of the wife or keeping a mistress in the conjugal domicile are grounds for separation.

# Bigamy in Goa

Bigamy is not uncommon in Goa. At a workshop organized by *Bailancho Saad* and the Goa State Commission for Women in October 1999, the incidence of bigamy was noted to be very high in the state. It was noticed that the Article 3 and 4 of the section on 'Usages and Customs of Gentile Hindus of Goa' in the Family Laws made provisions for polygamy. However, the women's organizations have noted also that the cases of bigamy are not legal cases. In the Family Laws, polygamy is permitted only under a certain conditions.

Interestingly, bigamy is prevalent in all Hindu, Catholic and Muslim communities. This is despite the fact that Section 494 of the Indian Penal Code considers bigamy as an offense. Prior to 1955, in the eyes of law there was no such thing as a monogamous marriage as there was no mention of polygamy as an offense. Divorce laws also did not exist.

Law is one way by which societies provide protection to individuals, guarantee civil liberties and promote equality. However, it is often law that has to be modified for development, especially those laws that delay or distort development efforts. Just laws are not enough!. Law has not helped to improve women's access to economic resources, incomes and employment nor has it helped to improve women's health, nutritional and educational status. In reality, women have not been able to exercise their rights nor do they have freedom and protection against violence. The number of reported cases of violence has been on the increase in Goa.

Shaila Desouza works with Women's Studies Center, University of Goa. She is the coordinator of the forthcoming Goa Conference.

# Goa: A Destination for Child Sex Tourism?

# Nishtha Desai

Tourism related pedophilia is highlighted by the media every now and then. While people are fairly conscious of the reality of sexual abuse committed within our society by family members, neighbours and others, people respond with shock to the fact that young children are preyed upon by foreign tourists. The most recent waves of shock were created by a story on the issue investigated by the Tehelka news agency and telecast by *Aaj Tak* news channel on 6 August 2004. This was followed by a detailed expose carried in the Tehelka weekly paper. Tehelka also screened a film made by them in Goa, Mumbai and Delhi in which certain cases were highlighted:

- A local person running a shack (a beach restaurant) says he can provide a young boy at the rate of a thousand rupees a night and even shows a child to the Tehelka investigators posing as event managers.
- In July 2001 German national, Jorg Harry Ringelmann 'marries' a young girl from a Mumbai slum, suspected to be a minor at the time of her marriage. In December 2001 claiming to be an 'Indian inhabitant' and a 'Hindu' he makes an adoption deed on Rs. 20 stamp paper and 'adopts' an 11 year-old-girl from Mumbai under the Hindu Adoption and Maintenance Act of 1956. He then moves to Goa and takes a house on rent in a small village and stays with these two young girls.
- A French man, Bernard, comes to Goa every year and uses a young boy as his 'companion'. He frequently travels between Goa and Rajasthan. He pays a Goan couple five to ten thousand rupees every few months to 'look after' the child for him in his absence. The young couples know that this man's interest in the boy is sexual.

Tourism related pedophilia is not a recent phenomenon in Goan society nor is it specific only to Goa. Take the case of Freddy Peats, convicted on 15 March 1996. He was running a pedophilia racket under the guise of a shelter for children for fourteen years before he was first arrested. Little is known about his activities prior to this, but by his own admission, he was in Calcutta.

Tourism related pedophilia is possibly associated with Goa because the case of Freddy Peats received media attention internationally and also because organisations in Goa have been actively addressing this problem. NGOs have also been pointing out the lacunae in existing laws and have worked to ensure that the Goa Children's Act (2003) contains provisions to deal with this problem.

The Goa Children's Act passed in July 2003 is a unique piece of legislation conceived of by Rina Ray, formerly Secretary of Women and Child Development. It attempts to make the provisions of the United Nations Convention for the Rights of the Child enforceable in Goa. NGOs were invited to take part in the drafting process and some of the suggestions received by a panel of NGOs were included.

Under this Act, there are various provisions to deal with the problem of pedophilia:

- Since penile-vaginal intercourse is not the only act
  of sex child abusers engage in, the definitions of
  sexual offences and grave sexual offences
  encompass a wide range of sexual offences
  committed against children.
- The Director of Women and Child Development is authorised to initiate an inquiry against an adult staying with an unrelated child.
- Hotel owners and managers are responsible for ensuring the safety of children in and around their premises.
- All children's homes are to be registered, and their functioning to be monitored.
- The police are authorised to conduct undercover investigations.
- A special children's court with child-friendly procedures prescribed, is to try all offences against children.

Foreign tourists visiting Goa say that the problem is as bad if not worse in Kovalam and Rajasthan. Non-governmental-organisations from Mumbai, Tamil Nadu, Karnataka, Orissa and Delhi have said that they too have come across cases of foreign tourists befriending children in suspicious circumstances. In March 2003, a Swiss couple was convicted for committing sex crimes against children in Mumbai. Reports of foreigners being investigated for pedophilia in Vishakapatnam, Puri, Mahabalipuram and Mumbai have appeared in the press over the last few years.

The menace of tourism related pedophilia is a problem that has to be addressed in all tourist destinations of India. For this there has to be action at the state level as well as a national level plan to prevent pedophiles from operating in India. Unfortunately, while it is often difficult for Indians to obtain visas to travel to the west, we issue visas to foreigners who have been suspected of being pedophiles in the past without hesitation. There is clearly a need for the state to deal with the issue of sex tourism in a decisive manner if it is safeguard the welfare of its children.

Nishtha Desai works on the issue of child rights in Goa.

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# In Memoriam Meenakshi...... Quiet and Simple - Yet a Powerful Personality!

Urmila Pawar

Meenakshi Moon while talking with us always recalled two incidents of her childhood. Once she had gone to a Krishna temple on the occasion of Gokul Ashtami to see how Gods in the temple look like, the temple priest recognized her as a Mahar (Untouchables in Maharashtra) girl and threw her out of the temple. He beat her and screamed aloud how her entry in the temple had made it impure. Since then there were apprehensions in her mind about the concept of God. Another incident is about 'Dharmantar'. Meenakshi was from Nagpur. She had been present on the Dikshabhumi for the Dharmantar with her parents and siblings. This was where she was first introduced to Dr. Babasaheb Ambedkar's movement. Memories of the presence of thousands of people on Dikshabhumi and getting twentytwo oaths from Dr. Babasaheb Ambedkar had overwhelmed her, especially after being introduced to the movement. The seeds of Meenakshi's social work were in these two incidents.

I was living in Government's quarters at Bandra since 1977. Meenakshi came there in 1979. We met in the Buddha Vihar where women like Sonkamble, Kadlak, Sonawane, Deshbhratar, Tayede and young boys like Prakash Sonawane, Ashok Kadlak had built a small dome for the Buddha Vihar. At that time I was the Vice Chairperson of our women's group. Later Meenakshi also became a part of our group.

She was the wife of Vasant Moon, writer, thinker and government officer. But she never carried any false pride about this.

Meenakshi would go around in the housing society even to the houses of class IV employees in a simple sari, blouse, simple slippers on her feet and carrying in hand a purse and bag for vegetables. In the bag there would be some papers and receipt books. Meenakshi was a good cook. She could prepare several dishes easily. She liked to feed others. The taste of her <code>pithla</code> (curry made of gramflour) and rice was so good that even any spicy lentils could not beat that.

She would appeal to women from higher official's houses

to come for the Buddha Vandana in Buddha Vihar. In the Vihar she talked to women and also inspired other women to talk. At the Buddha Vihar her personality developed from that of a housewife to an activist, a writer to founder editor. While involving herself in the programmes organised for shaping activities of the Buddha Vihar she started writing stories of Buddha Bhikuni's (Women ascetics in Buddha dharma). She started coming with Bhimsen Dethe, Vaman Howale and me for live literary narration programmes.

Once at Bhandup, on Dr. Ambedkar's Birth anniversary Vasudev Pawar, Ananta Tambe, Lakshuman Kirloskar and others had a organised programme of literary narrations. Vasant Moon, Hiratai Bansode, her husband Gulabrao Bansode, sister Sulochana Waghmare and my husband Harishchandra Pawar and myself all of us had gone for the programme. For Meenakshi, this was the first experience of public narration of her writing. She was restless. She was worried about her performance. We were convincing her that she would do well. "Do not be tense, narrate as if you are having usual routine conversation, and imagine that nobody is there in front of you "we kept telling her. Meenakshi stood in front of the mike. But while talking she was constantly moving back. Hira and me who were sitting at the back were constantly pushing her and helping her. But as her story moved she took hold of the audience.

The story was about Pattachari, a Bhikuni who stood like a rock after losing her husband, son and other relatives. I don't know about the others but that story become inspirational in my entire life. After that Meenakshi there was no turning back. Her first book on 'Ideal Bhikunis in Buddha Dharma' was published in 1989 in Mumbai at the hands of R.S.Gawai. Her second book was 'Melting Girls'. She had narrated some stories from these books on radio programmes.

Meenakshi and myself wrote a book 'We too made a history' by collecting information from newspapers and interviewing women who have participated in the Ambedkarite movement. This book was released at the hands of the great scholar and researcher of the Ambedkarite movement Dr. Eleanor Zelliot, Dr. Berstein, a linguist residing at Phaltan, Dr. Bhalchandra Mungekar, Dr. Yeshwant Manohar, Prof. Pushpa Bhave, Chhaya Datar, Hira Bansode and others in their speeches, underlined how we had made history by writing this book.

Dr. Zelliot is a scholar of Ambedkarite movement and literature. Many a times she would stay with Meenakshi.

Meenakshi learnt a lot through the discussions with Dr. Zelliot, Dr. Berstein and the cooperation and guidance of Dr. Moon. In the same period under the chairpersonship of Hira Bansode we established Samwadini, a forum for Dalit women's literature. We distributed the duties among ourselves and Meenakshi became the vice chairperson and I became the secretary.

I have written in my autobiography, 'Aaidan' about the ways in which we contacted women for this endeavour. Women who came in to contact with Meenakshi later became members of Samvadini. When we visited different houses, at first people would know her as the wife of Vasant Moon. But after interacting with her this introduction would take a back seat and her independent image would begin to have an impact. Now Meenakshi was not only a housewife. In 1988, she went to America with her sister for the wedding of her niece. In those three months she interviewed some women. These interviews were published in a Delhi based Hindi magazine. She was constantly in touch with different women. She had established a woman's group called 'Yashodhara Mahila Mandal' by organising women in Bandra.

In few days she had started the magazine called 'Amhi Maitarnee' (We friends). With the contributions of Kumud Pawade, Aruna Lokhande, Abhinaya Kamble, Pradnya Lokhande, Hira Bansode, Nalini Somkunwar and other writers; readers upheld the magazine 'Amhi Maitrini'. Articles written in different languages were also included for non-marathi readers.

In the Ambedkarite movement different mouthpieces of the movement initiated by male members have been popular. Several weeklies, magazines, tri-monthlies, irregular magazines were being published. But 'Amhi Maitarni' started in 1992 by a woman was the first mouthpiece for Ambedkarite women. This fact will inevitably go into the history. Meenakshi's image was of one who collected high quality literature, subscriptions, a strong editor, writer and activist and one who even delivered issues from house to house.

She had participated and delivered speeches in different Sahitya Samelans organised by Asmitadarsh, Dalit, Bauddha, and Phule-Ambedkarite literary conferences. She had chaired various programmes too. Different institutions had felicitated her for her sustained efforts. She had worked as the trustee and deputy director of the Dr. Ambedkar Library and Research Institute built in her house at Nagpur.

Meenakshi's natal and in-laws' home was wealthy and well educated. Meenakshi's brothers have held high posts. Her elder sister Hirabai Nimgade's husband has worked in Foreign Agriculture department and Sheela her younger sister's husband Vasantrao Khobragade is a retired collector. Meenakshi's three sons-in-law are doctors and her daughter Sushma is a doctor too. Her only son Milind is working in the Bank of Indore and holds a high post. Her daughter-in-law is a science graduate and has done diploma in social work. Meenakshi had lived a very fulfilling and happy life with her daughters, sons-in-law, daughter-in-law and grand children. She would have lived an even more contented life if she had lived long. Because of an incurable disease like cancer, she had to leave her relatives, friends, her work and commitments. Meenakshi used to narate the story of Bhikuni Pattachari's sad life. But today with Meenakshi saying farewell to this world, hearts of all of us who knew her are full of sorrow ..... Our salutations to her memory!

(Obituary published in the newspaper Samrat and translated by Swati Dyahadroy)

Urmila Pawar is a well-known author and has co-authored the classic "We too Made History: Women in the Ambedkarite Movement with Meenakshi Moon.

# Peace Begins from Home... Women's Grievances Cell of Mohalla Committee Movement, Mumbai

Vibhuti Patel

Mohalla Committee Movement (MCM) in Mumbai was formed with a firm understanding that the quest for peace is an eternal pursuit for human fulfilment. Peace or absence of antagonistic, violent, or destabilising conflict is essential for existence to become life, for survival to become human. Human beings can become human and humane only in conditions of peace. Creativity, spirituality, individual and collective achievements attain grandeur and glory only when there is peace. Qualities of compassion, forgiveness, love, sharing and universal solidarity become cherished and sought after virtuous attributes only when a community, society or nation is at peace - within and without. War on the other hand, internal or external, civil or military, declared or undeclared valorises bravery - the capacity to kill or be killed - the destruction of human life and accomplishments; it mocks compassion and conscience; it belittles refusal to erect artificial walls that divide human beings in the name of one identity or the other; it glorifies the destructive principle and devalues the principles of creation and life. The war mongers are invariably persons with few qualms of conscience, ever ready to eliminate and exterminate human life, emotions, thought, ideas, achievements.

MCMs were formed in Mumbai to counter communal frenzy during Bombay riots in 1992-93. In the words of its founder member Julio Francis Ribeiro, "After the riots in Mumbai in 1992, a long term, interventionary and developmental solution was deemed necessary. The creation of Mohalla committees was one of the solutions proffered and their proliferation in various areas of Mumbai has made a measurable difference in the life of this metropolis. These committees were seen as simple, people-centred and appropriate mechanisms through which peoples' participation in the peace process is highlighted." MCM made a crucial contribution to restore peace and confidence among different communities. Moreover, it promoted developmental activities such as education, civic issues and programmes for youth and students. As MCM has a gender-sensitive approach and does not believe that 'Women's issues can wait', it decided to focus on women- both in the community as well as in the domestic arena.

Formation of Women's Grievance Redressal Cell (WGRC)

Women in the communities have been mainstays of the

MCM. Women's response to the proponents of 'World Peace' was *Peace begins from home*'.

Peace of course can have two faces, two forms- Public and private. Peace in the community, go hand-in-hand with the peace in the family life. Hence the need to deal with domestic violence and women's grievances. There may be an apparent stability and absence of conflict in situations of successful intense repression-beating, abuses, psychological torture wherein all dissent is brutally, immediately, and surgically suppressed. This is a condition in which only one group (men, in-laws, bully neighbours) dominates, in which women's views and dignity are not allowed to exist.

The other situation is one in which democracy and human rights reach their pinnacle in each and every core of the community and domestic lives. It is the condition in which there are always avenues of settlement of differences and disputes without a breakdown of the framework of mutual respect, recognition of the rights of the other, and belief in good faith of the 'adversary'. It is the condition in which negotiations and persuasion are the methods of overcoming even major digressions in points of view. It is a condition in which people have the right to be different and where difference is not denied. It is also the state of affairs in which difference is not a cause of hierarchy, where the other is not the enemy or the lower or the higher being.

To create such condition, the MCM initiated a project-Women's Grievance Redressal Cells (WGRC) in March 1997, first at the MIDC and on 2<sup>nd</sup> April 1998 in Andheri (E) to enable women of different communities to come together on a common platform.

Distressing Condition of Women in the Community While working in the community, MCM activists realised that women were doubly oppressed, both socially and economically and hence needed an outlet to voice their grievances. Most of the women led submissive lives and suffered in silence. Ironically, even though communal harmony prevailed in the area, marital conflicts disturbed the peace and tranquillity of the families. Many of them had to face physical violence their personal lives.

Even so they were apprehensive of lodging a complaint at the police station, either out of fear of society or due to fear of retaliation/ backlash from the family members, especially husbands. It was in this background that the members of MCM along with the police conceived the idea of WGRC in order to help women in distress.

These Cells made the people aware of a common link between women and the community they live in. As a result, effective outreach programmes were developed and major extension activities were initiated to promote peace, communal harmony and constructive activities for area development. These Cells, being projects of MCM are working in collaboration with the local police and 3 NGOs function twice a week at the MIDC and Andheri (E) police stations.

Awe inspiring experiences of these two Cells, motivated the members of MCM to start similar Cells in Bandra, Nagpada and Worli.

# Objectives of WGRC:

- To work with individual women and men, families, groups and communities to create harmonious gender relations and to promote ethos of cultural pluralism.
- 2. To give the women a listening ear and to take cognisance of the offences perpetrated on them.
- 3. To coordinate with the police in cases of crimes against women.
- 4. To conduct training programmes/workshops for women as well as the family members on wide range of issues and themes concerning multicultural existence, developmental problems and skill and capacity enhancing projects.
- 5. To network with women's organisations and other like-minded organisations for collaborative work.
- To facilitate and mediate out of court settlements and if needed, to organise legal services for women at affordable rates.

# Approach of the WGRC:

As the thrust of the Cell is on mediation and reconciliation, all the concerned parties are invited to the Cell and given a fair chance to voice their grievances against each other. Some of the meetings can be very time consuming. However in some cases, redressal process is shorter and cases quickly get resolved.

Due to consistent activities of MCM in the community, the Women's Cell could get easily established and legitimised as many women who approached the Cell were also the members of MCM and attended MCM meetings regularly in their respective beats.

The following examples delineate the processual dimension of WGRC's intervention:

a. Easing of tension between Hafeeza Shaikh and Vimal Pawar (MIDC)

For several years, Hafeeza and Vimal were at loggerheads. Even thought their fights revolved around

issues such as garbage and drainage, their anger and hatred towards each other was immense. Both had lodged complaints and counter complaints against each other at the police station. But to no avail, the animosity between the two continued to prevail. Finally, the duty officer at the police station asked them to visit WGRC

On visiting the WGRC, both complained bitterly against each other. While Vimal blamed Hafeeza of witchcraft, Hafeeza blamed Vimal for provoking the fights and instigating the neighbours against her. It was evident that both did not want reconciliation. It was a Herculean task for the members of the Cell to bridge the gap between the two as they belonged to two different communities. However, after a continuous dialogue with them at the end of the third session, both agreed to bury the past and forgive each other. The Cell members were jubilant as they were able to resolve the problem that existed for many years and most importantly they were able to bring about peace in the area, especially since Hafeeza's was the only family from the minority community living in a majority dominated area.

# b. Reformed Swami and relieved Vasanthi (Andheri)

Vasanthi, a young girl, married C. Swamy in 2003. However, on the very next day of her marriage, her husband demanded money to set up his business. She was shattered. In order to keep her marriage intact, she borrowed a small amount of money from her father and gave it to her husband. Still he continued to harass her mentally and physically for more money. Moreover, he forcibly took her gold ornaments and sold them for a large amount of money. Torture by her husband was so her unbearable that she left her matrimonial home to live with her parents. Her parents felt so cheated by their son-in-law that they decided not to send Vasanthi back and decided to call of the marriage. It was at this point in time that distraught Vasanthi approached the Cell and related her woes to the members. Vasanthi's husband was subsequently called to the Cell and there was a major showdown between the spouses. The members made uphill effort to seek reconciliation between them. But it was only after the second session that Vasanthi's husband agreed to return the money and jewels and do a service job. After the third meeting both the spouses agreed to give their marriage a try and Vasanthi returned to her husband. They are in touch with WGRC and the Cell members have found that Swamy has changed for better.

# **Nature of Grievances**

 Marital conflicts (wife-beating, extra-marital relationships, alcoholism, unemployment, financial constraints)

- 2. Problems concerning in-laws
- 3. Disputes with neighbours
- 4. Conflicts with kith & kin
- 5. Sexual problems (impotency, violent sexual encounter, pervasive and lustful behaviour)
- 6. Love affairs resulting into elopement & marriage
- Divorce, desertion, maintenance, illegal second marriages

# Support Work of WGRC for Women in Distress

Year	MIDC	Andheri	Bandra	Worli	Nagpada
1997	60				
1998	150	140	tenus el	Harie.	
1999	150	150	60	115	135
2000	160	155	50	120	155
2001	170	165	45	135	160
2002	175	170	60	135	170
2003	175	173	75	160	185
2004	195	190	75	190	210
Total	1235	1143	365	855	1015

# Legal Intervention

The cases that could not be resolved through negotiation were either referred to the family court at Bandra or to individual lawyers. Some women filed their petitions in the family court for maintenance and divorce while others sought the help of their lawyers in connection with illegal marriages, child custody and dowry demands made by their husbands. An advocate from Tata Institute of Social Sciences (TISS) also helped with her legal expertise at the Cell at MIDC.

# Teamwork Between the Police and WGRC members

In all the Cells, the police constables are a part of the team. Their presence helps WGRC to get a better insight on the problems faced by numerous women and moreover it gives an opportunity to empathise with the victims in need of help. The police also play an important role by visiting the home of the victim and inviting the spouse to the Cell for mediation.

## Follow-Up Work

WGRC visits the homes where the conflict is of a serious nature so as to assess the prevailing situation. If the relationship continues to be strained, the spouses are once again invited to the Cell for further mediation.

# **Empowerment of women through Education**

WGRC believes that public education is the major tool to women's empowerment. Hence, it organised five workshops on gender sensitisation at Bandra-Kurla police station for the police personnel of the west region. The team from the legal aid cell of justice and peace commission conducted sessions on The Universal Declaration of Human Rights, laws related to women and crimes against women. The five-day workshop provided legal training to three hundred police personnel that included constables, sub inspectors, inspectors and assistant commissioners of police. Even women police took active part in the workshop that was divided into a lecture, a group exercise and a slide show.

WGRC has also organised workshop on women and health, counselling, legal provisions, communication skills and unlearning communalism through creative methods of role-play, story telling, group exercises, street plays, screening of films, vocational training programmes, haldi kumkum samaroha, rangoli and poster competitions and teaching precautions like first aid, fire extinguishing skills.

# Commemoration of International Women's Day

8 March, International Women's day, that symbolises solidarity, sisterhood and strength of women, has been a focal point for women from all five Cells to meet at one place and get a feeling of empowerment. For the past seven years, the Cell has been celebrating this day with vigour an enthusiasm reflected in singing of group song, experience sharing, presentation of annual progress report, speeches of dignitaries and children's stage shows. These events have instilled a feeling of confidence and leadership qualities in women.

## Pre-emptive measures

Knitting Communities together has been the most effective tactic for preventing communal conflagration. In 2002, after the communal carnage in Gujarat, there was a lot of tension in the community. Women Grievance Redressal Cell (WGRC) worked with the police and held meetings all across the city through the MCM. WGRC also participated in the MCM-organised painting competitions, cultural programmes on communal harmony, sports like volley ball, gymnastics and athletics, table tennis and 'cricket for peace' as friendly and healthy competitions to inculcate a spirit of recreation to counter cut-throatism and promote peace making. After these programmes, many participants have expressed their feelings, 'Until now we were very scared and prejudiced about the police and did not feel we could approach them. But these past few days have helped us to overcome this.'

# Study Rooms

The other strategy implemented by the Mohalla Committees has been in the setting up of study rooms, as in many slum colonies young students do not have a quiet space where they can study. Often many of them need help with their studies. By using the classrooms of local municipal schools, which are free and unused in the evenings, the Mohalla Committees have been able to provide a much-needed service to their communities.

# Seven steps (1997-2004) to Women's Empowerment

During the last seven years of its existence, WGRC, has played an important role in cementing the bonds between communities, spouses, neighbours and enlightened the youth. It is an acknowledged fact that WGRC has played a useful role in forging a meaningful relationship between individuals in the family and also expanded the meaning of family that encompasses the whole community. At the time of communal tension (at times of religious festivals, release of controversial films depicting interreligious love marriage, during ongoing unsecular episodes happening elsewhere) both police and the Cell members play a proactive role and display courage of conviction to diffuse the tension. This has been possible due to the close and constant co-operation between the police and the Mohalla Committees.

### Conclusion

The work of MCM has been successful only in areas where police officers have taken personal interest and have ensured that the right kind of people are inducted in the Committee. After seven years of functioning of the WGRC, both the communities and the police have realised that the process requires constant vigilance and evaluation. WGRC member are torchbearers of women's dignity, bodily integrity and gender-justice. Activities of WGRC have brought women's issues on the agenda of MCM. Now, members in the community accept that women's rights are human rights.

(I am thankful to Ms. Maria Ishwaran, Secretary, WGRC-MCM and Retired Inspector General of Police, Mr. Julio Rebeiro, President of MCM for providing relevant information for this article.)

Vibhuti Patel is Professor and Head of the Post Graduate Department of Economics at SNDT Women's University, Mumbai

# Research in Progress

# An interview with a Tamasha (Folk Theatre of Maharashtra) Artiste

Shailaja

I got interested in dalit studies to satisfy my own curiosity, confusions, doubts, and a whole lot of questions. These questions in many ways were though at that time not so clear to me, related to my own identity as a dalit woman researcher. After some initial groundwork, I decided on my methodology and entered the' field'. I conducted a number of in-depth interviews with the dalit women in Pune. Initially I tried to explore the educational experiences of the Scheduled Caste women from Pune. I interviewed women belonging to six predominant Scheduled Castes in the city of Pune. I interviewed women from varied backgrounds...educated, uneducated, rural, urban, employed and unemployed. This was to study the variation in the 'dalit women's experience' and to try to trace both the common thread and the differences of class and community through the different experiences. Presently as a Ford Foundation scholar at the University of Warwick, I am trying to understand and locate in history the narratives of one particular category of dalit women- namely tamasha artistes.In this section on 'Research in Progress', I wish to share with you one such narrative - seeking to share with you the ways in which the interview with Kamala (name changed) transformed me and my research concerns.I saw Kamala at Balgandharva, one of the leading theatres in Pune. I was a little tense as I was going to interact with a tamasha artiste for the first time in my life. I have seen a number of marathi movies depicting this folk art, but was meeting an artiste for the first time. When I saw the women artistes in the room I was reminded of the marathi movies which I had watched in my childhood (on DD1). They depicted the difficult but 'colourful' life of the tamasgirs. These women with all their accessories, a nachya (a male dancer) like Ganpat Patil, the whistling audience, other members of the troupe....all as if had come alive.I was introduced to Kamala by one of the artistes. She was seated in a small room which was well furnished and had big mirrors on the walls. She was sitting in front of the a 'linga' and a photograph of the Hindu deity Shankar. There were many incense sticks burning for the puja she was performing. She heard her name being asked for an interview, looked back, turned again towards 'her God', and continued praying. I sat inside the room, observing her, waiting for her to finish. She took quite some time, was praying with all concentration. Her co-stars were moving about hurriedly as they were getting ready for the show at 12 noon. There was all hustle and bustle around...everybody busy, shouting, getting ready for the show. Then I told her the purpose of my visit and she said that she was very busy and that I should have come earlier or should come later. Then I took her contact numbers and asked her a few questions and left. I knew I would have to really pursue her if I wanted to listen to her narrate her experiences for what was now seeming to me as 'my selfish' motives and research questions. I then caught up with her whilst she was performing in a village. When I entered from the side of the big arch announcing her and her son's name, I spotted her sitting near the stage. I waved out to her and she recognised me immediately. She was laughing and walked towards me asking me, 'kashala evhada'? (Why are you taking so much pains?) Why are you working so hard...to come here in this village from Pune...what are you going to get with all this trouble. I told her that I had no clear cut answer for her question but that it was all for my studies, it was all for my interest in her life. Kamala is just about literate. I wonder where she picked it from as she said that she had been taken out of school when she was in class two. She maintains a proper register 'hajeri ani pagar pustak' (attendance and pay register of members in the troupe). She checks accounts too. Kamala said that she was burdened with a loan of Rs 5,00,000 and that tamasha was not paying enough like the earlier years. She lamented, Ha tar remix, orchestracha jamana haye (this is the world of remixes, orchestra) and so there is less public for tamasha. Earlier there used to be a lot of crowd but now the crowd has reduced. Earlier the public used to announce prizes, daulat jadda (touching of hand, pressing of hand...as in Chouphula, Pune's Aryabhushan theatre) was popular, but we don't have it here. Whilst speaking about the world of tamasha which is a considered 'low art', Kamala said,"If you sing some traditional lavnis, they have 'ashlil shabda' (obscene words) and we have to dance accordingly as people like it only then, 'ashlil adaa pan karavi lagate' (we have to make obscene gestures, in response to the public). To take an example, 'choli mazhi tattatli, kaya mazhi bhijli (my blouse is getting tight and my body is getting wet). How do you show this? You have to show your full breasts and show how the choli (blouse) is tight and how the body is under water...can't help. To quote another example.. 'kiti mee halavu, kiti mee halavu...thand garavaa' (how much do I move/shake..cool breeze) you have to show everything...I asked Kamala to sing a few lines for me. And she sang, laaj dhara pavana janachi manachi, potasathi nachatey me parva kunachi (the pavana is here in the audience. Pavana literally means the guest So the dancer is asking the guest to refrain himself and take notice of the public and his conscience as she is dancing to fill her stomach). dava dola zhakun khunavu naka ho, knunvu naka... asa tumhi hinavu naka ho hinvu naka..aathavan dete mee panachi...potasathi nachate mee parva kunachi (we are dancing to fill our stomachs, so please try to understand that rather than whistling and winking at us, making us feel so low). She was very silent after this ... reflecting on these words then telling me the pains of a dancer, which the public didn't understand. She was also making me understand what the dancers actually felt and that there was nobody to lend them an ear. Whilst she was talking to me, Nitin, her youngest son asked her for three hundred rupees and she raised her eyebrows immediately...asking him as to why he needed that money. When he told her that it was for filling diesel; she reminded him that that was just done the day before. She didn't want to argue with him in my presence so she gave him the money from her 'tijori' (her money safe, where all the cash is under lock and key) and told him to get the receipt back to her. I recalled that when I asked her at Balgandharva as to who controlled her income. She had replied that her sons and husband did it all. And I found a different picture here. I also saw that when the show had finished, all the cash had come to her and she was putting it inside the tijori, after counting the money. She also asked a man as to how much foodgrains, rice..and vegetables would be required. This was for the daily ration for the troupe. She gave him the money for that after calculating the money for grains as well as for the grinding. What a woman! I thought. She managed the whole troupe and handled everything...an efficient manager!. Her education is not in the formal schools but on this stage, which has taught her so many things apart from earning her livelihood. It is the art

tall as one of the leading tamasha dancers in the region, a self-made, strong woman. Talking about school Kamala said, "I was taken out from school when I was I class two and nine years of age. There tamasha was running short of women and so my mother wanted me to dance." This was usual for tamasha artistes. School and the importance of education is still a very middle class concept, I felt. Tamasha artistes were always on the move and that they could not to be afford be bothered about schools when they were moving with their families and children. They had no time even to check whether the child had had a meal, forget education.

Shailaja is presently working on her M. Phil in History at University of Warwick.

# **FELICITATIONS**

# Heartiest Congratulations to our Members

- Kumud Pawade recipient of the Kusumtai Chaudhari Award 2004
- Saudamani Rao recipient of the Maharashtra Foundation Award 2004
- Vidyut Bhagwat recipient of Samaj Vignyankosh Trust Award 2004 for her book 'Stree Prashnache Vatchal'
- Urmila Pawar recipient of Ramabai Ambedkar Award 2004
- Manisha Gupte and MASUM recipients of the Maharashtra Foundation Award 2004

form, which has made her what she, is today, standing

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