



PUBLIC SERVICE BROADCASTING TRUST PRESENTS

REHANA: A QUEST FOR FREEDOM
by Gargi Sen & Priyanka Mukherjee

DISCUSSION GUIDE

ABOUT THE FILM

The film presents the life and work of Rehana Adib, who works with women from marginalised communities in Muzzafarnagar, Uttar Pradesh. A woman from a minority community, a mother of six, a challenger of traditions, a crusader for social change – the film tries to understand the genesis of the emergence of this leader.

ABOUT THE FILMMAKERS

Gargi studied design at the National Institute of Design in Ahmedabad and later completed her Masters in Communications from the Leicester University. In the mid 80s she began to work with marginalised communities and took to making documentaries on social issues. She is one of the founders of the Magic Lantern Foundation and teaches film and communication.

Priyanka is working with the Magic Lantern Foundation. She had worked earlier as an assistant director on documentaries on a range of social issues and Indian Classical art and also as an assistant producer for international news. This film is her directorial debut.



DISCUSSION GUIDE

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WHAT IS GENDER?

- Gender is the social classification and definition of people as men and women, a description of their differentiated roles and behaviour and their relationships between and amongst each other.
- It is based on the **'biological' distinction** between the male and the female sexes, which becomes the foundation upon which different gender roles, norms, attributes, identities and rights are ascribed to men and women. Any digression of these codes is considered unnatural and an aberration.

ARE MEN AND WOMEN NOT 'NATURALLY' DIFFERENT...?

- The different anatomies of men and women have long been used to create, justify and sustain the inequality between them as natural and hence ahistorical and unalterable. **Biology is meant to be destiny**, that is, women's bodies and their role as child bearers is seen to translate into natural 'inferiority' which restricts their sphere of activity and confers upon them a weaker social position. Social inequality is seen as merely mirroring pre-existing 'natural' inequalities.

SO IS GENDER NOT NATURAL?

- Gender is a **social construction**, that is, not the result of any natural process, but rather the result of processes created by the social structure. Gender roles differ across various societies and time, and thus, gender identities are neither stable nor unchanging. They are dynamic and are produced and sustained as a result of the constant interaction of a number of factors - social, political, sexual, economic and historical. At the root of this gendered classification is the **sexual division of labour** whereby men and women are defined on the basis of what is appropriate labour for them, derived from their supposed 'natural' characteristics. The biological 'dispositions' of women and men are said to obviate their social roles. Women are associated with the home and hearth while men with the outside world; **women with nature and men with culture**; women with private and men with the public. **Culturally constructed masculinity and femininity** have operated historically to naturalise and sustain gendered and unequal power relations.
- A limited role is accorded to women that stems and revolves around their biological experience. Although this has changed historically due to complex changes in the socio-political and economic context and women's movements, the **hegemonic patriarchal ideology** that guides social behaviour and imagination remains strong and adapts to structural and social changes in order to accommodate and incorporate them.

HOW DO WE LEARN GENDER?

- The perpetuation of gender is based on its continuous **performance**. Gender identities are reinforced and reiterated through processes of socialisation and are

part of formal and informal structures that normalise and reiterate socially defined roles and patterns of behaviour. **They are a part of historical inheritance.**

- Socially imposed norms of gender appropriateness are regulated by public, legal and social discourses and affect both men and women. These identities are reinforced in the way we deal with people, the way we behave, our legal status, our dressing, our language, the choices we make, the professions we choose, etc.
- The dominant ideology of any society or state defines the socio-economic organisation such that the same patterns of domination and control are replicated in the economy, the workplace, the home, school, etc. **Cultural imagery** and language also perpetuate roles, behaviour, images, models and symbols ascribed to men and women.

GENDER AS POWER AND POLITICS...

- Power is the ability to influence, direct and control another individual/ group of individuals or phenomenon despite resistance from him/ her/ it. It operates not only through formal institutionalised structures but also relationships and other social interactions. Difference in power and social position is a significant basis of organisation and regulation.
- **Gender and sexuality are constructed and produced by effects of power.** Norms and practices function as socially and historically constructed rules designating **what is, what is not and what should or should not be.** Individuals internalise these norms and rules of behaviour through various processes, their conformity to which controls them. They are hence controlled not only by way of legally and institutionally defined norms but also as self-regulating, socially abiding individuals.
- Gender as an identity and as an experience affects both men and women negatively. Its impact is subjective and different people negotiate gender differently depending on their relationship with their ascriptive gender and the extent to which they want to and can challenge their gendered construction in their respective context.

DOES GENDER MEAN THE SAME THING TO MEN AND WOMEN?

- Men are also negatively affected by **socially imposed masculinity.** Men and boys who do not conform to masculine gender stereotypes are also severely persecuted. However, gender affects men and women differentially and is more oppressive and restrictive of women since it is appropriated by patriarchy to justify male privilege and control over women. Rigid gender roles created in particular patriarchal contexts pre-suppose a discriminatory gender-based hierarchy wherein women are treated as weaker and inferior and their efforts remain unrecognised.
- The irony of **gender socialisation produces dissimilar girls and boys.** Growing up is an entirely different experience for boys and girls, especially in the context of traditional conventions and beliefs that define morality, socio-sexual conduct and behaviour. Boys are supposed to prove themselves as men and expected to seek sexual enjoyment, and at the same time look for someone to marry, someone who will be 'homely, caring, respectful of his parents, take care of the house, produce

kids and bring them up'. The girls are taught to stay away from anything 'sexual'. Their earliest association with sexuality often begins with the perceived threat of violation (upon reaching puberty), which eventually lays down the boundaries within which girls' sexualities are addressed.

- Possessing a certain body, being of a certain gender – privileged over all other forms of existence and identities – results in a greater share of power and resources. Since power is exercised in every sphere of human existence and interaction, the privilege accorded on the basis of gender translates and pervades other institutions and systems which reinforce and preserve this dominant order: family and kinship systems, legal framework, social and economic organisation, knowledge and property systems.
- Girls are taught to be subservient, obedient, silent, self sacrificing, unquestioning, tolerant, including of violence and pain. Women are often the ones to be spoken of instead of the ones speaking. They internalise the outsiders' perspective and evaluate their selves from perspectives alien to them. Those who defy such expectations are termed as bad and immoral and with characters unbecoming of women.

WHAT IS PATRIARCHY?

- There are **cross-cultural and time variant definitions of manhood and womanhood** which serve purposes of social and sexual control at particular historical junctures. Patriarchy stands for an unequal system wherein the relationships and systems of power are in favour of men; where women are accorded an inferior status and subordinate position and hence restricted access to power, resources and privileges.
- The 'natural' distinction between masculinity and femininity is appropriated by patriarchy to justify an unequalitarian social system which is inherently hierarchical, non-inclusive, regulatory and exploitative. This differential power translates into **institutionalised male domination**, discrimination against women with regard to access to and control of resources, their bodies, sexuality, rights, decision making capacity, negotiating violence, identity and freedom of movement. Gender differences in power have real consequences for women and limit their agency and experience as human beings.
- Patriarchy is not the same across culture and time and its nature, extent and experience are subjective and vary. **Some cultures are more patriarchal than others.** Family, religion, state, education system, marriage, legal framework of the country, economy, all become the various sites in which patriarchy operates to create and sustain asymmetrical gender relations and privilege men over all others.

THE PATRIARCHAL IDEOLOGY

- Patriarchy is a system which works not only through tangible structures and actions, but also at the level of ideology. The **patriarchal ideology** is highly hegemonic and pervades every sphere of human interaction in a patriarchal culture and society. It informs and regulates our social and political understanding, imagination and interaction.

- Institutions such as the family, religion and the legal discourse regulate the lives of citizens and work to reinforce this hegemonic understanding of community and gender identities and ensure conformity to them.

ARE THERE ANY UNEQUAL FAMILIES...

- The family as the primary and immediate unit of society is the first agent and experience of people with inclusion, exclusion, gender, rights, behaviour and violence. It is an effective system through which unequal traditions and relationships are established and inherited.
- Crucial to the relegation of different realms to men and women are notions of their inherent characteristics. Men embody logic, rationality, thought, objectivity, individuality, independence and progress while women embody feeling, emotions, dependence, fickleness, subjectivity, possessiveness and feebleness.
- Such a classification **dehistoricises and naturalises unequal traditions**, customs and institutions like the family such that they are beyond any critical enquiry or interrogation.
- While the public realm has been the domain of the male, the women belong to private realm as wives, daughters, mothers and sisters wherein they are responsible for the passing down of traditions and the orderly upbringing of the next generation in consonance with rules traditionally defined by men, whose expectations they must meet.
- As feminist critiques have conclusively shown, it is the institution and ideology of the family which serves as one of the greatest instruments for the conservation and preservation of unequal sexual relations and gender hierarchy. The **sexual division of labour** ensures that women bear the major share of household labour and remain within the confines of that defined as domestic, the latter being their primary responsibility. The state apparatus endorses this view and replicates it in its policies.
- Most oppressive is the apparent inevitability with which women are destined to household work whether or not they are married, have a job, children, etc. The concrete activities that housewives carry out indeed differ, but they necessarily involve a common structure that includes providing for children and home, cooking, washing, cleaning, daily maintenance, caring for the aged, etc.
- Despite the rhetoric of the 'modern egalitarian family' and despite the disappearance of obvious, formalised manifestations of paternal power and authority, modern families continue to be sites of inequality and exploitation. The coming in of 'labour-saving technology', widely promoted by the mutual interests of advertisers and big industry in the name of more 'choice', has not reduced the burden of women, only sophisticated it and created the category of the new-age middle class 'homemaker', supposedly distinct from the classic housewife, with more choices and autonomy.
- The image of the 'New Indian Woman' is that of a smart homemaker (the newly emerging affluent consumer-woman) who is seen to exercise rights and control over the home and make conscious, budgeted choices about the way to 'run' the home and the household, spend money, who maintains a sparkling clean home,

looks after the husband, children and the elderly, maintains a family of the right size and kind and keeps everyone happy.

THE SACRED MARRIAGE CONTRACT

- Marriage is a form sanctified by tradition and religion, an indissoluble sacrament, considered to be an essential and mandatory function, especially for women. It is a historical bastion of male power and patriarchal authority, traditionally associated with the practice of '**giving away**' of the 'responsibility' of the '**virginal**' daughter by the father to the groom. It assumes women to be dependent beings, the only change being the male who bears their burden.
- Marriage is a deeply unequal institution which forfeits any legal action in the name of '**personal matters**'. It is based on an **unequal division of labour** whereby women's unpaid labour is invisibilised and remains unrecognised since it is considered to be the woman's duty, having pledged and exchanged it for the maintenance the husband provides her.
- Feminists have pointed out how the **marriage contract** is a unique contract, different from a regular contract since it is made binding by the force of religion, is followed by sexual intercourse, is presumed to be life long and is terminable on grounds approved by the state embodying the strictures of religion.
- The institution of marriage presumes consent for sexual intercourse whereby the wife cannot refuse sex to the husband. This is best exemplified by the non-recognition of marital rape and the absence of any law penalising it.
- It creates a **veil of privacy** behind which the worst of treatments is meted out to women, including mental and physical torture and violence, which had no legal recognition until the passing of the **Protection of Women from Domestic Violence Act, 2006**, under pressure from various women's organisations and lobbyists.

MYSTIC MOTHERHOOD!

- Motherhood is considered the highest ever achievement for women, the state of absolute fruition of their existence, without which they are deemed incomplete. What individual women experience as 'mothers' and as 'non-mothers', their joys and sorrows, physical and emotional experiences and thoughts about the concept and **construct of motherhood**, are certainly not a part of this understanding. While it is women who exercise their reproductive labour and must have absolute freedom to choose and take decisions, women's reproductive autonomy and decisions are negotiated by a whole set of factors other than themselves.
- Women rarely decide whether or not to become mothers and even if they do, they hardly choose the **social circumstances of their motherhood**. Patriarchy, caste, religion and class together lay down legitimate and illegitimate forms of 'motherhood' and their social conditions. They determine the type of motherhood which is legitimate and hence wanted and celebrated (often only symbolically and actually depending on whether it is a daughter or a son). The ideal motherhood is that which follows marriage, as per caste and religious norms, and results in a son,

hailed as the perfect and ultimate goals for every woman. Unmarried women and those who bear children outside marriages or in inter-caste or inter-religious marriages, cannot stake claim to being 'mothers' and are meant to be penalised for their 'immoral' acts. The former remain '**unmarried**' mothers and the latter '**illegitimate**' mothers and their children illegitimate forever. The biology argument is thus problematised, because it is not biology but society that controls and decides who or what a mother is and should be.

- While men as husbands and fathers can negotiate the level and extent of involvement they want with rearing children, women are obviously and naturally supposed to prioritise children over all other concerns and in many cases drop their jobs/ careers to be at home. Fathers are not expected to be equal partners in nurturing children and choose how much involvement they wish. However, how the children are socialised and brought up is dictated and supervised by the father to whom the mother is ultimately answerable. Thus, on the one hand the responsibility of motherhood is entrusted on women irrespective of their choice, and on the other, they are accountable to the fathers for the way the children are raised. Hence they **exercise little or no control over the products of their reproductive labour.**

WOMEN AND SEXUALITY REGULATION

- **Control and regulation of female sexuality** are critical and primary elements of patriarchal control. They sanction male privileges over the female body and deny women the ownership of their physical and sexual selves.
- Women are considered reproductive beings whose '**uncontrolled**' sexuality is a grievous threat to 'culture' and families and their 'purity', not only from their own vagaries but **undesired male attention of 'others'** who might target them in order to destroy community and family 'honour'. Women's sexual and reproductive capacities are controlled by way of traditions and customs that define **good and bad women** and the ideals that women should follow. There is a strict regulation of who can access the body and who cannot, while the will of women is of no consequence. '**Good**' women must exist in a state of sexual passivity.
- Such control is even more exacerbated when patriarchy works in conjunction with caste and religious stipulations which coalesce together in claiming and regulating women's lives and bodies.

GENDER AND CASTE HIERARCHIES

- The **subordination of women** is intimately linked to **hierarchical stratification** on the basis of **caste**. The caste system is a highly closed system ridden with **hierarchy, occupational differentiation, endogamy**, concepts of purity and pollution. A whole range of socio-sexual practices separate one caste from the other. Women become the cornerstones for maintaining the purity of the caste group and the control of their sexual and reproductive capacity is at the heart of maintaining purity of blood and caste.

- Caste rules, strictures and practices shape day to day economic, social and political behaviour and interaction. Each caste has its own customs and practices that are zealously guarded and distinguished from the others. Women are considered the **temples of caste purity** and it is their sexual propriety and 'purity' on which caste purity is ultimately and precariously hinged. The caste hierarchy and structure is preserved by severely curtailing the autonomy and movement of women and laying down the conditions of their social and sexual interaction. The purity of the caste is threatened when those not belonging to the group 'encroach' this strictly guarded sexual space. Brahmanical control over women is the severest since it is supposed to be at the top of the caste hierarchy and thus most susceptible to pollution from all other 'lower' castes. The movement of girls is thoroughly controlled and restricted and girls are often confined. Girls who have attained puberty are highly dangerous and 'fertile' sites and must be quickly married according to caste rules in order to avoid any potential threat to family and caste honour and purity.
- This overlap of the conceptual and experienced identities of caste and gender is a very potent tool for women's exploitation and oppression.
- Caste rules are strictly, and often violently, enforced by **Caste Panchayats** which are caste specific councils comprising the elders and powerful men from the caste, with no women in them, which traditionally arbitrate on matters concerning the community and work to maintain the strict caste hierarchy and discrimination. They have no legal status but are extremely powerful institutions which often overrule law and pronounce sentences, including death sentences – contradicting the provisions of the Constitution – and are given precedence over the village panchayats. They operate on the principles of purity and pollution in making strict pronouncements and rulings to preserve caste and patriarchal domination.
- There are innumerable instances of **killings** committed in the name of preserving the '**honour**' of the community and family in case of inter-caste marriages or relationships. Largely, the onus of the 'wrong' is on the woman who is punished with death and not so much the man, if he happens to belong to the upper caste. In many cases, the women belonging to the family of the 'accused' (or if the accused is a woman herself) are stripped and paraded or raped by the men of the upper caste.

RELIGION, WOMEN'S ROLES, RIGHTS AND SUPPRESSION...

- Every culture, society and tradition has its own subjective ways of defining men and women and the norms, regulations, practices, codes of conduct, dressing, professions, language, symbols and practices that regulate behaviour. Most religious practices are based upon the **interpretation of religious texts** which were written in particular historical, socio-political and economic contexts. Religious interpretations which govern social relations are conveniently utilised for the preservation of patriarchal domination over women, reinterpreted with each passing generation to incorporate the structural changes in the socio-economic context.
- **Religion is protective of patriarchal relations.** Since religion informs and strictly governs norms of marriage, divorce, property, rights and legitimacy, religious

customs and understanding, in conjunction with law, severely limit the rights and causes of women and deny them social, sexual and economic freedom.

- **Women are the deemed guardians of community and family morality and honour.** Like women are considered symbols of other identities, they are symbols and modes of cultural and religious identity and it is on their bodies and sexualities that these codes are inscribed.
- Communities and families are defined through the bodies and identities of women and women are defined through the identities of these communities. Women's bodies are intrinsically linked to questions of family and community honour and any encroachment of these bodies by other than those deemed legitimate, is a threat to the honour of the family and the community.
- This strict regime of sexual and social vigilance is not confined to any particular religion. Most religions tend to be patriarchal due to the patriarchal societies and culture that they are part of and shaped by. What differs is their degree and the forms patriarchal control takes.

IS THE NATION STATE PATRIARCHAL?

- Every state perpetuates and duplicates patterns of social, economic and sexual oppression that are part of its social structure. Being part of a patriarchal culture, the state justifies and legitimises the suppression of not only women, but of other categories of people as well who do not conform to ideal images. Women are believed to be by nature unsuited for political and economic activities and thus excluded from them and those part of these processes are considered deviants or surrogates at best.
- Women's lives are meant to be centered around their families more than those of men, especially in Asian countries. Patriarchy, religion, custom and culture are inextricably linked and work in conjunction to bind people to the roles assigned to them. The state upholds a patriarchal vision of the **ideal 'Indian woman'** by way of hegemonic, normalising and regulatory (imaginary) codes and characteristics that real women must live up to. There is a vast differential between imagined and real women and hence the manner in which the state understands and formulates its policies. The load of this symbolic assertion is borne by women and any defaulter is worthy of being punished and stigmatised by society and law alike.
- Such a construct assumes the **universal homogeneity of women**. The image of the ideal 'Indian Woman' is unmindful of the multiple differences among women across class, caste, religion, region, sexuality and other factors determining identities and experiences. The state assumes a singular, homogenous category of the 'Indian Woman', deserving of the same treatment and approach.
- These scripts do not remain the same and are rearticulated with time to serve the purposes of the changing context.
- While citizenship and the Constitution have made women equal to men in the formal statutes of law, in reality, this legal equality has not been able to translate into any real autonomy for women in socio-political, sexual and political spheres.

HOW DOES LAW AFFECT GENDER?

- While a common criminal code governs the citizens of India, different **Personal Laws** of religions govern and regulate each community by its own laws and customs with regard to marriage, property, divorce, inheritance, custody of children and other 'private' matters. This demarcation of 'private' matters has historically been at the heart of the discrimination women face in the name of religion and family as private affairs, including violence, while the state has no right to interfere in these matters in the name of preserving the privacy of the home and non-interference with matters governed by personal laws. Such an understanding negates the interrelationship between the **personal and the political** and the intricate relationship between the public and the private.
- The Indian legal discourse is not free from patriarchal biases and reinforces institutional inequalities. This inequality is compounded by the fact that most interpretations of laws are informed by the patriarchal biases of judges, invariably male, who bring to their judgements, their own moral and sexual predilections and understandings.
- Since law involves the codification and **uniformisation of cultural and social practices** and customs, often of the dominant majority, it tends to not only codify existent inequalities, but also foil any plurality of religious and cultural practices, making it even more difficult for women to transcend them and negotiate their status and position.
- Even though there are multiple forms of families possible, the law recognises only a particular concept of the family (the **patrilineal-patrilocal, heterosexual joint or nuclear family**) and ways in which it can/ must be constituted. Whether such families exist or not, this **familial ideology** is the dominant ideology through which particular set of gender and social relationships are naturalised, normalised, universalised and enforced. It forms the social, legal and imaginary yardstick against which real families and relationships are judged, evaluated, illegalised and penalised.

WOMEN AND THE NATION STATE RADICALISM, WELFARISM AND BEYOND

- **Women's rights have historically been subordinated to issues more 'urgent', more 'significant' and 'fundamental'**. They are considered secondary and subordinate to the concerns of the nation, the community and the family and are addressed in the context of the prevailing socio-political environment. At the time of the national movement, they were subordinated to the question of attaining independence from foreign rule and after independence, inferiorised to the task of nation building and development. The subsequent plans have formally addressed the needs of women as subjects in need of state aid and as **passive recipients of development benefits** rather than active agents who can spearhead and initiate change. Women are still not seen as autonomous beings capable of decision making.

- A Sub-Committee was appointed by the National Planning Committee of the Indian National Congress in **1939** to work out the **Role of Women in the Planned Economy**. The Report of the Sub-Committee was a rather radical document which concerned itself expressly with the economic rights of women.
 - It stated vociferously that to be free, an **independent income** is a necessity and that a woman worker should have full control over her earnings.
 - With regard to occupations considered unfit for women, it strongly suggested that instead of barring women from such work, the conditions should be so altered that women can safely work there.
 - It also condemned the practice of throwing women out of their jobs once they got married.
 - The WRPE Report was clearly against the tradition of making the family a unit of economic activity because it recognised that this made women subsidiary and secondary earners and provided justification for lower wages to them.
 - It observed that trade unions often sacrificed married women's interests in favour of men's interests and assumed women were not in need of **equal wages** because their husbands were employed.
 - It recommended that instead of the concept of the family wage, wages should strictly be calculated on the basis of the principle of equal pay for equal work – regardless of the marital status of the worker and availability of family support.
 - The most radical recommendation concerned **women's unpaid labour** both in the economic activities of the family and within the household. It recommended that the economic value of the work contributed by women in the family's economic activity must be recognised and in lieu of payment, the woman should have the right to claim all facilities given by the state to other workers, such as medical help, crèches, training, etc.
 - As compensation for work within the home, she should get absolute control over a part of the family income and also an **inalienable right to a share in the husband's property**.
 - Further, the husband should pay, on her behalf, the contribution necessary for any social insurance scheme for workers that the state may introduce.
 - There was also a mention that the husband should learn and practice household skills.
- Post independence, the Report was conveniently abandoned and erased from the political and national planning landscape. The perspective adopted was a harmless, naïve and stereotypical one that looked upon women as weak, timid beings in need of aid. In the subsequent plans, the thrust was on welfare and addressing the needs of women as mothers and housewives.
- **The WRPE report had been revolutionary** in that its focus was poor working women unlike much mainstream social 'reform' that had largely talked of middle class women. This radical streak of women as workers was totally lost after independence and women did not even feature in the plans as workers. The policies were now geared towards providing adequate facilities to women to fulfil **'their legitimate roles within the family'**. Their mention was largely restricted to such roles and at the most providing them training for mid-wifery and family

planning related work. Literacy was important since it was seen as a means of improving women's skills within their marriage, family and in tutoring children. They were not envisaged as playing any significant role in the wider socio-economic or political context.

- A similar thrust is discernible in the plans and the development paradigm followed till date. The focus has remained on an important, but certainly not the only concern, of maternal and child health care. After the **structural adjustments** undertaken since 1991, increasing **liberalisation** and integration of the economy with the world economy, the **state has increasingly abdicated responsibility** of providing services not only to women, but other groups in need to care and affirmative action. Increasing integration with the global market and the politico-economic fluctuations that affect labour and public policies within the country ensure that while the rich are getting richer, the marginalised are getting further pushed to the boundaries. Women, being at the bottom of the hierarchy, are the worst sufferers of such changes whereby the work load on women is increasing; there is **informalisation** of their labour on the one hand and the **feminisation of poverty** on the other.
- **The stronghold of patriarchy has not withered with development.** Rather, it has got even more deeply entrenched and more insidious and sophisticated with various developments, including new age technology which has worsened control over women's bodies. **Women lack control over their selves**, their bodies, type of work they engage in, the conditions of that work, over what they produce and create and over the remuneration received.
- The current status of women cannot only be ascribed to the existence of patriarchy. It is crucial to understand the linkages among patriarchy, the social structure, the state, the economy and the model of development undertaken, which together contribute to the particular status of women.
- There is a significant increase in the **ideological hegemony of the middle class**, the chief concern of the country's economy, the multinational industry and global and national advertising and commercial interests. The idea of the middle class with a high purchasing power has emerged as the ideal Indian citizenry and dominates not only the arena of public policy and perspective, but also the mainstream media and public discourse.

WOMEN, PUBLIC POLICY AND RIGHTS

- In the history of political and social thought, the denial of political and civil rights to women has been justified on account of the natural differences between the sexes which deem women unfit for certain actions, behaviour and liberties. Women are unfit as political beings and hence need not be provided the franchise adopted by the Constitution guaranteeing the right to participation and the right to choose their representatives.
- Equality before law and universal adult franchise that were incorporated as part of the Constitution of India were the most significant steps taken by independent India to confer equality upon all citizens, including women. The provision was a major step towards enshrining **constitutional equality**, in contrast to many other

countries. However, while women were created as legal equals, in practice, women's presence in the political sphere has been extremely negligible and poor.

- It would be incorrect to assume that women have been mere passive subjects of policies and programmes being thrust on them. The last three decades have seen a **surge in various social movements**, especially **autonomous women's movements** with their respective political and ideological positions which have put pressure on the state to make changes in the way policies are conceptualised and formulated. Women have also been increasingly active as part of **identity movements and mobilisations**, including caste and sexuality. All these movements have provided a space for renegotiating individual and group rights and widened the discourse. Women have been actively engaging with laws, acts and issues which intimately govern their lives, at multiple levels of family, community and the state.
- In the midst of these developments and the politics around social mobilisation, a significant step was taken by way of the **73rd and 74th Amendments** to the Constitution which provided for reservation of seats for Scheduled Castes, Scheduled Tribes and women in the Panchayats at each level. Although there continues to be resistance and scepticism about how the provisions actually translate at ground reality, the efforts have been important in that they have indeed succeeded in providing some women some form of participation and representation in the political process.

WOMEN AND WORK

- Women have historically performed and continue to perform **socially necessary unpaid labour**, which constitutes more than half the labour in the world, although it is considered economically unproductive and hence not valued as productive or deserving of remuneration. **Labour in the home does not contribute to the national product and is hence considered economically unproductive.** It is supposed to come 'naturally' to women by virtue of their capacity to produce children and care for them. To assume that this has always been the case is a fallacy and negates the particular economic and historical conditions under which household labour became the responsibility of women and the inequality of work burden and compensation thus received. Women are not naturally suited to household work. However, they are fundamentally constructed as suitable to the home in order to create a disproportionate system of labour and control. Women are said to be ruled by biology which sets limits to their achievement, especially beyond the home such that all 'intellectual' and 'hard physical labour' outside the home is that of men while labour at home that of women.
- Women, especially poor women, bear a disproportionately large share of the family's work burden, apart from formal work burden outside the home which they are often forced to undertake in exploitative conditions in order to sustain their families. However, not only is house work not assessed as an economic activity, house work and care escape all official statistics. It is a viciously reinforcing cycle wherein on the one hand women's labour is regarded as **simple and unproductive** and on the other hand by virtue of being considered unproductive, it constructs women as doing simple, un strenuous work.

- Women's experiences create a distinctive understanding of social reality which is different from that of men. This gendered understanding of their lives and realities is ridden with the experience of domination and a restriction of freedom and lack of control over self. Women have **deficient access** to education, resources and training programmes that augment skills and hone the potential to develop income earning capacity in newly emerging fields.
- **Gender hierarchies are reproduced at work places** wherein women are typically found at the lowest end of the job hierarchy. This hierarchy is visible not only in the job arena in general but also within the official hierarchy of the work space. Women are subordinated to male owners, managers and supervisors. Given the limited or no options at all, women tend to take up work under exploitative conditions with long hours of work in **poor working conditions, low wages, no job security, sexual harassment**, no trade unions to raise their issues and the real threat of being the first ones to be retrenched in case of any closure or business setback.
- Women form bulk of the **unorganised, socially and legally unprotected labour**. There is a high concentration of women in the unorganised and unregulated sector, including the almost entire **domestic labour**, and industries associated with sweated labour such as garments, textiles, handicrafts, bidi making, match stick making, sewing, casual labour in agriculture and the service industry, etc.
- The formal and legal right to equal treatment and access to resources that are competitively distributed does not take into account the fact that women are handicapped socially and by their role in society. In such a scenario, their access to constitutionally guaranteed rights is also severely restricted. Equal opportunities are extended to individuals only in a formal conception of equality, which is oblivious to the socio-sexual inequalities between men and women and differing needs given their distinctive experiences of the world and the structural inequality that women face.
- The Constitutional right to equality ignores the fact that paid employment itself is structured in a way that favours male norms, behaviours, values, lifestyles, career patterns which overlook the fact of women's differential position and experiences. Such biases and **institutional discrimination** is well illustrated in the context of night work for women, the debates shrouding women's recruitment in the defence forces, the reluctance to appreciate the need for maternity benefits, etc.
- A Directive Principle of the Indian Constitution lays down the objective of equal pay for equal work, but after being formalised as an Act, it extends only to public sector and not the private and unorganised sector which is the biggest employer of women at much lower wages than men. There is a clear preference for women and child workers in certain industries since they can be hired at cheaper wages.
- **The Minimum Wages Act 1948** attempted the statutory regulation of wages and some control of working conditions of labour in industries. However, a **considerable gap** exists between the lowest wages earned by men and women. The standard of women's wage calculation is considered different from that of a man. It is assumed that a woman would be dependent on the men in her life and not need to sustain or support a family and hence what she earns need not be commensurate to a family wage. Often it is even considered 'pocket money', despite the existence of **innumerable female headed households** in India,

especially in rural India where women increasingly support families after widespread migration by the men to cities in search of work.

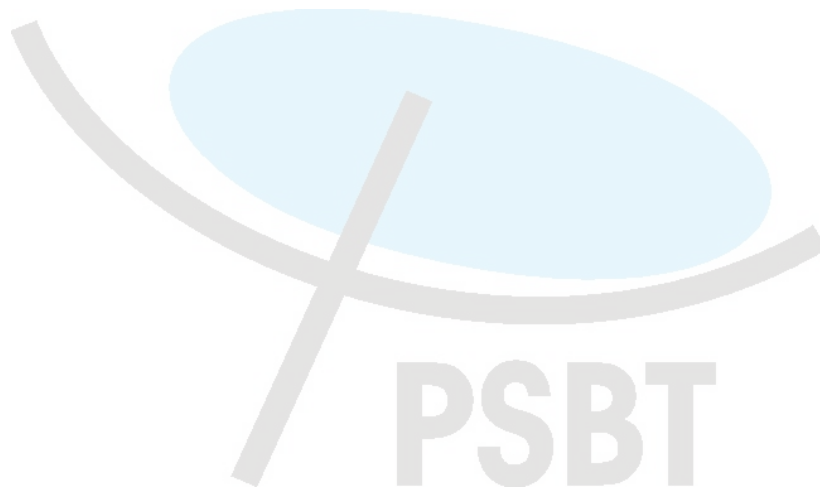
- According to the **Equal Remuneration Act of 1976** it is the 'duty of the employer to pay equal remuneration to men and women workers for the same work or work of similar nature'. Despite the existence of the Act, it is impossible for most women to achieve equal pay. First, the Act extends only to the formal organised sector industry while most women are employed in the unregulated unorganised sector. Second, 'similar' nature is a rather ambiguous and nebulous term which is open to interpretation and work is conveniently worked around by supervisors to avoid following the Act. In a majority of the cases, women's work is in a small range of jobs at the lower end where there is no male counterpart with whom to claim equality of work. As jobs become less attractive for men, more and more women tend to take them up and there is a feminisation of jobs.
- The status of women is the sign and product of modern development. **Marriage remains a normative expectation** of women across various classes. It is assumed that women will be dependent on their husbands who will maintain them and hence women are in no need of substantial wages to run or support families, to the complete neglect of the fact that a considerable proportion of the population cannot survive on the man's wage alone and also the existence of female headed households. There is a huge discrepancy between the patriarchal understanding endorsed by law and the real lives of women.
- The participation of women in the work force has definitely increased over the years and is even more visible. However, their position as paid workers is defined and negotiated in terms of being women which is a direct reflection of the hierarchical sexual division of labour. There are indeed few cases of women making it to high offices but the conditions that majority of women work in, especially those from the lower classes, remain oppressive.
- It would be simplistic to assume that the changes that have taken place have all been affected by a concern for women's rights and improvement in their economic status. The **changing economic system** has necessitated the **entry of women in to labour force** and their increasing importance as economic units as part of a capitalist structure. As in the past, women's entry into the work force or as part of any event/ movement has been dictated by the needs of the economy. During the world wars, the world-over, there was an increase in the number of women who were forced to join industrial production, since men were away at war and there was a lack of labour force. Once the wars were over, the women were conveniently asked to return to the fold of the home, their real station in life.
- A similar tenor was witnessed during the national struggle in India. Gandhi's call for women to join the struggle and his orations hailed them as 'mother' who must come out and join the struggle. **Gandhi's role in bringing in gender** into the nationalist discourse was to simultaneously refer to **women's empowerment** and **reinforce the stereotypical image of the Indian women**, and their nature and role, as housewives and mothers. While women's integration into the national movement did translate into autonomy, albeit restricted, for some sections of women, it did not mean much in terms of questioning the power equation vis a vis patriarchy or with the concept of the nation that existed or was to follow independence. Gandhi never spelt out clearly the role that women were to have

after the struggle was over. He **hailed** the image of the **home-loving, domesticated Indian women** who participated in the struggle, using means best suited to them – love and non-violence – and went back to their homes once they had performed their duty of fighting the enemy, the ideal Indian woman's haven.

FEMINIST ACTIVISM AND THE STATE

- **Feminist activism and scholarship** over decades have **radically altered the discourse** on gender, patriarchy, family, power and development at both grassroots and macro levels. Public policy is being forced to engage with more concrete and structural changes which can address institutional problems that women face. There is immense pressure on the state agencies to move away from the paradigm of piecemeal, tokenistic and unthreatening development projects dictated by concerns other than real empowerment.
- However, the institutional and ideological discrimination is deeply entrenched and thus most difficult to subvert. The debate before those dealing with women's rights is the negotiation and reconciliation between approaching the state for affirmative action while realising that the state itself is patriarchal and hence antithetical to the empowerment of women. On most occasions, upon violation of rights, the government apparatus directs women to turn to their personal laws which govern respective communities. However, the problem is compounded because in most of the cases, it is precisely these laws and structures such as caste panchayats and Jamaats and their rulings that are instruments of women's oppression and poor status.
- Being on public bodies is significant to finding a voice of their own and addressing concerns that affect women intimately. However, women are silenced in panchayats and refused any representation. There are strict rules of purdah and ghonghat which restrict women from not only speaking their mind but also occupying the same physical space as men. This physical seclusion leads to their complete absence from political and social spaces.
- There is a severe lack of spaces to talk about issues that concern women and articulate their concerns. Efforts from amongst the civil society and many women's groups are significant in this regard. There are many men and women who stand against and challenge the oppressive and unequal system of patriarchy and affect changes at personal and community levels and efforts such as those of **Rehana Adib**, who heads **Astitva**, an NGO in **Muzaffarnagar**, and **Disha** have been extremely useful and also empowering in giving the women they represent a voice to speak up and take action against violence, domination and discrimination.
- The women together question and challenge exploitation and discriminatory practices and claim their rights as women and citizens with equal stakes in the present and future of the nation and most importantly as people with rights over their own selves and their lives.
- Even by virtue of not falling into pre-defined categories of '**good women**', these women are subversive and destabilising of patriarchy which is considered a grave threat to its edifice.
- They have been active in resisting patriarchal rulings of the panchayats, violence in the homes and the silencing of women. They stress on the need for education for

girls and the need to be economically independent. They work towards the creation of a violence-free society where there is freedom for self-determination and lives of women are determined by women themselves and not ruled by injunctions of gender, patriarchy, caste and religion.



FURTHER READING

- *Gender and Politics in India* (ed.) Nivedita Menon, 1999.
- *What Is a Woman? And Other Essays*, Toril Moi, 1999.
- *The History of Doing: An Illustrated Account of Movements for Women's Rights and Feminism in India, 1800-1990*, Radha Kumar, 1993.
- *Recasting Women: Essays in Colonial History* (eds) Kumkum Sangari and Sudesh Vaid, 1997.
- 'Politics of Diversity: Religious Communities and Multiple Patriarchies', Economic and Political Weekly, Kumkum Sangari, December 1995.
- 'The Indian State and Patriarchy', Aparna Mahanta, in *State and Nation in the Context of Social Change* (ed.) T.V. Sathyamurthy, 1994.
- *The Gender/ Sexuality Reader: Culture, History, Political Economy* (eds) Roger N. Lancaster and Micaela di Leonardo, 1997.
- *Body and Flesh: A Philosophical Reader* (ed.) Donn Welton, 1998.
- *The Anti-Social Family*, Michele Barrett and Mary Macintosh, 1982.
- 'Whatever Happened to the Dreams of Modernity? The Nehruvian Era and Women's Position', Economic and Political Weekly, Nirmala Banerjee, April 1998.
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- *Recovering Subversion: Feminist Politics beyond the Law*, Nivedita Menon, 2004.
- *The Impact of Policies of Orthodox Stabilization and Structural Adjustment on Women: Some Evidence from India*, Madhura Swaminathan, Paper.
- <http://www.dishain.org/>
- <http://www.isiswomen.org/wia/wia199/index.html>
- <http://waf.gn.apc.org/articles.htm>
- <http://www.cla.purdue.edu/English/theory/genderandsex>

RELATED PSBT TITLES

BLOOD ON MY HANDS by Surabhi Saral, Manak Matiyani and Anandana Kapur

The film looks at how a woman's menstrual cycle is altered from being a marker of her fertility to something that renders her untouchable and hence subject to multiple taboos and regulations. As an individual, a woman or young girl is isolated in her struggle to come to terms with the transformations in her body.

BURU GARRA by Shriprakash

Poignant stories of a tribal journalist and a poet in Jharkhand, and how they express themselves through the new form and medium of self-resurrection of tribal identity and culture.

LAYING JANAKI TO REST by Madhureeta Anand

The film explores the symbolic relationship of Sita, a goddess from the epic Ramayana with the image of women in India.

MIRROR MIRROR ON THE WALL –“WHO AM I AFTER ALL?” by Naina Kapur and Smita Bharti

The film traces the engagement of students of the Uttam School for girls, Ghaziabad, with their dilemmas about sexuality, along with their parents and teachers. Gradually through the process, they move towards enabling questions, responsible choices and healthy sexuality.

MORALITY TV AND LOVING JEHAD by Paromita Vohra

The film looks outside the frames that weave the frenetic tapestry of Breaking News on India's news channels to uncover a town's complex dynamics – the fear of love, the constant scrutiny and control of women's mobility and sexuality, a history of communal violence, caste brutalisation and feudal mindsets.

MOUSTACHES UNLIMITED by Vasudha Joshi

The film explores masculinities and femininities through what moustaches mean to men and women.

ON MY OWN by Anu Srinivasan

Five single young women share their experiences of living on their own in Delhi as they justify their decisions to their families, come to terms with their own loneliness, and also discover some things about themselves.

PEDALLING TO FREEDOM by Vijay S. Jodha

An unusual story which shows how a humble object like bicycle can also dramatically change lives. The film revisits a unique initiative 15 years later in Pudukkottai, one of India's poorest districts, where mobility of women was seen as an important tool for empowerment and promoting literacy.

PRIDE OF PATHA by Gopi Desai

Set in Patha – a rocky plateau in the south-east corner of Uttar Pradesh – the film revolves around the lives of two women from the Kol tribe, working independently in the region and taking up issues connected to the Kol's daily struggle for survival.

SHAZIA by Arvind Sinha

An inspirational story of a girl from a slum in Kolkata who is educating herself while earning a living and running her family.

SHIFTING PROPHECY by Merajur Rahman Baruah

A film on the struggle of rural Muslim women in particular Sharifa Khanam to fight the sexist rulings of the conventional Jamaat (a group of Islamic male elders who decide on family issues of marriage, dowry, divorce etc) and patriarchal social order in Tamil Nadu.

THE FIGHT TO DANCE by Anish Patel

An observational documentary following the struggle of Mumbai's dance bar community to overturn the Maharashtra state government's ban on dance bars in 2005. The film is a positive tale of female empowerment and 'informal' leadership.

THE SEEDKEEPERS by Farida Pacha

The film looks at the transformation of Dalit women's lives through their involvement in an ecological movement for sustainable farming in Andhra Pradesh.

TWO LIVES by Samina Mishra

Smriti and Rupa live an hour away from each other but the only thing their worlds seem to have in common is that they are both mothers. Smriti is a stay at home mom, living in a posh South Delhi colony and Rupa is a domestic worker living in a basti in Gurgaon. Both are pregnant and as they wait for their babies to be born, they reflect on what it means to be a mother. As new worlds open up for women and old roles persist, the film looks at how women enact motherhood in our times.

+ VE LIVING by C. Vanaja

The story of HIV+ women, who defy destiny and persist on their journey in life, against social ostracism and an uncertain future, with dignity and hope.

