

Changing terms of Political Discourse: Women's Movement in India, 1970s-1990s

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**Introduction:**

= The paper examines the goals and directions of women’s movement in India and identify some of its strengths and weaknesses.

**International context:**

= 20<sup>th</sup> century promoted the cause of gender justice as it brought about the internationalisation of struggles for equality by women and other oppressed people. Women’s struggle were intertwined with ideologies and other movements based on freedom, independence, democracy, equality and justice. After the World Wars and the defeat of fascism and retreat of imperialism there was social-political changes which included gender relations among the broad objectives of human rights and ending iniquitous social orders. But by 1990s, the context in which international struggle for advancing women’s rights was based had transformed. Issues like empowerment, choice, reproductive rights, autonomy, etc are being appropriated by forces inimical to the goals of women’s movement.

= And women’s movement in India is also influenced by such international developments. The authors spelt out 3 parameters within which the movement in India have developed:

- a. United Nations Conference on Women, 1975 and initiatives from Non-aligned Movement.
- b. History and relationship between earlier movements for freedom, equality and democracy, values enshrined in the constitution and the constraints felt towards achievement of these in independent India.
- c. Lastly, influenced by the women’s liberation movements of the West.

## **The Indian Movement:**

= After highlighting the international developments that have influenced India's women movement the authors look at the question of women during India's struggle against colonial rule which also marks the awakening of women although, there was a projection of different contentious images of identities for women. However, the Indian National Congress, 1931 described in its Fundamental Rights Resolution that freedom, justice, dignity and equality for women as essential for nation building. These were assured as rights in the constitution.

## **Post-Independent India:**

= In the post-independent India, women attempting to explore avenues for socio-economic and political mobility were limited by the state. Basically, there is a conflict between their new rights and the patriarchal values that's been promoted in the society and polity. Because of social disabilities and gradual isolation from the larger politico-ideological struggles that were shaping the nation-building process led to the fragmentation of women's movement and women's question took a backseat in the public arena.

= It is not saying that there were no struggles. Except for the public discussion during the Hindu Code Bill, 1956 there was no major agitations that caught the public imagination cutting sectional demands and organisations.

## **Resurgence of women's movement in contemporary India**

= Renewed interest in women's rights and struggles came about because of 1) 1970s emergency period in India marked by crisis of the state and the government, 2) post emergency period where there was an upsurge for civil rights, 3) Mushrooming of women's organisations in early 1980s and bringing in women's issues on the public agenda and 4) Deepening of crisis with regard to state, government and society in the 1990s.

= Women's movement in India is an effort at reassertion of citizen's claims to participate as equals in the political and development process. This brought women's struggle in direct confrontation with conservatives & reactionaries

- = Another limitation to women's struggle was the onset/acceleration of market capitalism because it strengthened the powers of the oppressors.
- = Not only was there obstacles to women's struggle but there was an attack to existing rights of women as well in the mid 1980s by arguing that its against tradition or culture and emphasised women's role to reproduction as natural and historical one.
- = Then the authors analysed the national context within which the state and women's movement interacts.
  - = India was transitioning to a democratic country so focus was more on national economy and politics because of which issues related to women's problems, identity, gender relations across different classes got side-lined. This got reflected both in the governmental structures and in their attitudes towards women's movement.
  - = Another problem facing the government was also how to respond to women's question in the political agenda. The government was caught between the conservative forces and the radical forces.
  - = It is important to note that even the women's movement was going through immense transformations – it was diverse, ideologically fragmented and had uneven regional growth
  - = The report of the **Committee on the Status of Women (CSWI)** also highlighted to the diverse gender roles in India's plural society and culture although, it mentioned all the issues and concerns which were raised by women's movement. The committee played an important role in questioning the model of development and modernisation that ignores the differences involving caste, class and ethnic hierarchy and for exaggerating the influence of religion, culture and social attitudes on gender role prescriptions. Thus, the committee asked for renewed interest on women's issues that reflect real life issues and aspirations of the majority of the women and questioned the continued '**invisibility of women**'

= So the authors draws our attention as to why women were disenchanted with post-independent development. It was because of decline sex-ratio, increasing gender gaps in life expectancy, mortality and economic participation etc. And the failure of state policy to address this issues. The CSWI also reported clearly on the linkages between the socio-economic disparities and women's status in education, economy, society and polity. It strengthen the demand for equality and it also formed the starting point for women's studies.

## **Scope of the paper**

The paper focuses on movement's responses to **violence, fundamentalism and economic role and processes**.

= their assumption is that there is a close link between violence on women and their marginalisation as economic beings.

= women are projected as consumers and reproductive beings rather than as producers. And also women belongs to one or the other community which seeks to establish a political identity by right of birth, religion or culture. As such, fundamentalism provides the ideological framework and globalisation/market provides the operative instrument to demolish women's claims to equality, freedom and dignity.

= There are other non-gender issue areas where the movement have intervened as well that concerns national transformation e.g. education, science, technology, research an development, management of natural resources and food security.

= The paper is not about writing a history of women's movement. It is about the issues, trends and challenges.

# Violence

= since late 1970s violence on women has been a major issue. It brought visibility to the movement, in fact, it is its rallying point. Unfortunately, intentionally or unintentionally violence is propagated through the state, community and the family. They guard against any transgression that threatens the *status quo* and discipline people to fall-in-line in the name of defending age old customs and traditions, religious or caste identities. However, such perception has been changing over the years.

## **Rape**

= One of the main issue of sexual violence is rape. In 1979-1980, on the Mathura case there was a nation wide agitation and women's issue was brought into the public agenda. These were:

- i. Changes made in the Evidence Act, the Criminal Procedure Code and the Indian Penal Code including the introduction of a category of **custodial rape**.
- ii. Concept of **power rape** was recently admitted through the amendment in the Civil Rights Act.

= however, it was a limited success as the definition of rape doesn't extend to **marital rape**. There is a conflict between Child Marriage restraint Act and the rape law. Under the child marriage restraint act, 18 is the legal age for consent so the contradiction with rape law is that if the wife is under 18yrs then she is not considered as being raped as marital rape is still not criminalised. (But this article was published in 1995, laws have changed. In 2017 the Supreme Court amended section 375 of IPC and further noted that marital rape is not considered for girls above 18yrs, meaning aged between 15-18yrs girls will be treated as minors and they have no consent to sex. **Further discussion once class resumed**) Nevertheless, their movement have been significant – they fought against '**character of the victim**' for determining rape. They argued that sometimes the law enforcers misused earlier laws and even the Supreme court have violated the principle of custodial rape. Another case in point is the concept of '**provocation**'. Provocation like wearing certain clothes, gestures, etc. has been used as a defence to reduce the sentence of the perpetrators stating their inability to resist temptation so that rape is categorised as '**a crime of passion.**' they also pointed out the inability and unwillingness by state machineries to collect evidences for proving rape

## ***Anti-Dowry Agitation***

= Dowry and dowry related violence is the one that have touched the public imagination. Headlines like 'Atrocities against women' and slogans like 'brides are not for burning' captured the attention of the media. In this anti dowry agitation women themselves became the agency for social change. Some of the changes were

- i. Amendments in the Criminal Law, Section 498-A. it extended the definition of cruelty to include not only physical cruelty but also mental cruelty as well. Most common clauses in case filed by women was on the issue of domestic violence within the family.
- ii. In 1982, organisations built up evidences of dowry related murders being passed off as 'suicide' or accidents. At times, cases were dismissed by authorities citing it as internal family matter. There was a widespread mass campaigns mounting pressure on the government to act. Accordingly the Law Commission undertook a study on improving the law and the Parliament joint committee review the working of the Dowry Prohibition Act.
- iii. During the campaign they found a link between dowry and the urge to accumulate consumer items as well as mobile resources to be used as 'investment' or 'capital' to start businesses. The perception of the High court was that it was customary gifts. Despite the fact there was an increasing cases of harassment and torture registered with complaint cells and legal aid centres. There were criticism against the movement for focusing more on dowry deaths and legal remedies than fighting dowry itself. However, fighting dowry in a social context where caste and consumerism are deeply embedded examples can be seen in the matrimonial columns. That is the reason why the Dahej Virodh Chetna Manch demanded legal changes in the inheritance/succession/property laws. This have prompted some feminists to 'rethink' dowry. Dowry had became the fastest way to make quick money in India while claiming social sanction and legitimacy. Because of the prevalence of dowry it strengthened son-preference and sex selection in society

## ***Amniocentesis and Sex Selection***

= In 1975 the All India Institute of Medical Sciences (AIIMS) came to know about the misuse of amniocentesis (which was used for detecting foetal abnormalities) the test was followed by abortion of female foetuses. AIIMS stopped the tests by 1979. But in Punjab it was reported that medical entrepreneurs openly advertised their services referring to daughters as liabilities to families and a threat to nation's population problem.

= In 1982, meeting held at New Delhi on this issues and came to the following positions –

1. Requested to restrict the use of amniocentesis to only teaching and research establishment.
2. Indian Medical Council to take severe actions against members indulging in unethical practices.
3. **Women's organisations to remain vigilant.**

= Government issue circulars but no actions taken. Meantime **sex determination** business had come to stay. It is more rampant in North India and where in some places which earlier practices female infanticide, female foeticide has come in.

= In 1985, **The Forum Against Sex Determination and Sex-Pre-Selection** (FASDSP) was formed in Mumbai. It undertook surveys and filed a public interest litigation.

= in 1988, Maharashtra government adopted a bill to move into action and the central government in 1994. But the bills had some problems and one of the raising concerns by campaigners is regarding the culpability of the women who practice female foeticide or infanticide. The new laws treated them as guilty and punishable regardless of the fact that in India many times it is not the women who decides or have the right to choose.



## ***Population Policy***

= During the emergency period, the Government of India (GOI) formulated a population control policy. After the earlier attempts at vasectomy (male sterilization) was met with stiff resistance, the policy listed a series of birth control measures on women which includes **contraceptives** – steroids and hormonal injectables with long term effects on the health of the user. Women's organisations fought against these hazardous contraceptives entry and also against proposals for coercive measures such as changes in the **People's Representation Act** to disqualify those with more than two children, and in the **Maternity Benefits Act** to restrict the benefits up to two children while increasing leave provisions for abortions.

## ***Political Violence***

= Women's movement attempts to contextualize the women victim within the structure of social inequality and social divisions because in every incident of violence against women the crime itself was underplayed by focusing on the identity or position of the perpetrator as well as the victim. That position or identity can be based on caste, community, regional and other politico-ideological. As such, although rape is a punishable crime the administration condoned rape and other atrocities on women and others in Punjab, Kashmir, Manipur, Nagaland, Assam and Tripura under the cover of action taken to put down subversive activities. This is a perverse pro-national activity in complete violation of constitutional guarantees, human rights and women's rights. The narrative of 'teaching a lesson' to curb dissidence is a disturbing one. This kind of violence can keep the women away from public life.

= The same case as the societal response (violence) to women's breaking a given norms of social behaviour which is defined along the lines of caste and status. Thus, violence upon Dalit women were a socially accepted phenomenon and which have led to the increase in violence on Dalit women including that of witch hunting.

= Although, movement have identified violence against in many ways there has been differing perspective on its causal analysis on the pattern of violence. Unfortunately, there is parallel development of discussing communal violence, fundamentalism, economic conflicts within the framework of 'violence against women' which gives primacy to gender perspective of violence but it oversimplify other levels of societal existence.

# Fundamentalism and Communalism

= They argued that all religious, ethnic or cultural fundamentalists are basically hostile to gender equality. Few cases:

1. In 1983, Akali Dal tried to struck a deal with GOI to introduce a separate personal law for Sikhs for withdrawing their demands for a separate state. The bill would have deprived sikh women of their rights to a share in their father's property, right to divorce and would have legitimised polygamy. Protest from national women's organisations and others compelled GOI to change its mind and no bill was introduced.
2. In 1985, GOI started compromising with fundamentalist's demands as it make effort for liberalisation of economy. This can be seen in the **Muslim Women's (Protection of Rights on Divorce) Act 1986** which deprived divorced Muslim women of their right to seek maintenance under section 125 of the Criminal Procedure Code. Another case cited took place in **Deorala in 1987, where a young bride Roop Kanwwar committed sati**. Few people watched and chanted slogans glorifying sati. Few media came out strongly against it but majority were narrating it as a return to the pristine past. Sati was projected as a sort of ethnic re-assertion of indigenous womanhood. State government was paralysed as women groups protested in massive numbers.
3. The 1992 Babri Masjid case sparked communal riots and growing intolerance in parts of the country that the state and the government was in crisis. There was danger of extreme religiosity and communal propaganda that communal politics was seen as big challenge to the movement. Fundamentalists and communalised tried to take advantage of women's attachment to religion and tried to channelize them for communal purposes as women's role as mothers, progenitors and defenders of faith was flaunted. Another outcome was the systemic violence, rape and humiliation inflicted upon women to devalue and demoralise members of the other community because in patriarchal society family and community honours are carried by women. Irony, is that while women are appreciated for their compassionate role in protecting members of other community they run a high personal risk of being the primary targets themselves in communal riots.

= According to the joint delegation of national women's organisations in 1992

1. women who were most affected during the riots were the ones whose needs were least attended to.
2. Some communal relocation of populations due to urban housing schemes had contributed to alienation and suspicion along with communication gap between groups
3. Women were not included in the peace committees set up to restore normalcy
4. No facility for psychological rehabilitation of traumatised children who witnessed acts of violence

### ***Women as Economic Beings***

= Violence was the rallying issue for women's organisations but marginalisation and impoverishment of the majority of women within the transforming economy was the entry point for academics into the movement. Women across the country voiced against the declining women's value in the economy and society. There was an increased research on 'invisible' women i.e., poor working women in rural and urban areas. Not only was there new information to the movement but transformed many academics into active participants.

= Emergence of large organisations of poor women in the informal sector. Their struggle became a major focus in the search for alternative strategies of development. In 1980, a network of national women's organisations came into being who pressured demands which were recommended in the memorandum by the Planning Commission and the ICSSR's Advisory Committee on Women's Studies. They made a joint statement that developmental needs of women should be provided to stop the declining conditions of women. Family/Household approach in programme be replaced by explicit mention of women as a target group and view women as an individual in her own rights and not view her through family and household. This will make women more visible and get more resource allocation, cater to their needs like child care centres and also land titles in their names. There was a sharp exchange with the authorities as they defended the family/household institution. The dialogue was supported by several women MPs from opposition parties and resulted in the appearance of a chapter on Women and Development in the Sixth Five-Year Plan for the first time in the planning history of India.

=women played crucial role in the struggle for land and forest rights, against the havocs created by construction of dams and ecological disasters, fishing rights and also workers rights for equal wages and better working conditions. Defenders of family accused women's organisations for arresting distributive justice by demanding women's right to a share of productive resources, one such case took place in Rajasthan Canal Area where peasant women challenged their exclusion from getting titles to redistributed lands.

=In 1988, there was a huge divergence between the GOI perspective and the movement-base initiatives on gender roles, issues and participation.

1. One such case can be seen in the GOI active promotion of women's role in the self-employed and home-based sectors. Some activists have problems with this approach as they felt that it reinforced the process of women's marginalisation in the family/household production rather than the truly bringing them out in the productive sphere. They are not questioning that limited economic opportunity per se but rather they are highlighting the issue of how one has to settle for bits and crumbs for the sake of survival of the household. The point was that gender equality should have been harder.

2. The National Perspective Plan for Women faced opposition as they made a draft without consulting any women's organisations. They held a debate in Delhi followed by state level discussions after the GOI ignored their demand for a national debate. They criticised the NPP proposal to bring women into the mainstream development for they ignored the fact that marginalisation of women is also the result of that very mainstream development. Another criticism was that NPP demonstrated a trend towards centralisation, disregarding the ongoing debate on the need to de-centralise and democratise the planning process. They also opposed the proposal for filling the 30% seats for women in elective bodies through nomination in the initial stage seeing it as GOI interest in subverting the representative process.

=Women's organisations have grown over the years and have raised the issues of both workplace and family environment. Although, women's participation in trade union is low and this has been highlighted as a class and gender bias.

=women's organisations criticised macro-policies on 3 major grounds: increase inequality among the general public, women working in informal sector will be more vulnerable and it would contribute to violence and social turbulence against women and children. Along with these, they also condemned violence stemming from consumerist lifestyles that traps women into the stereotype of being objects and subjects of consumerism. The purpose for the criticism is to introduce a pro-women approach within the parameters of using constitutional guarantees. However, they faced new challenges in the new economic policy

=In the new economic reforms in the wake of liberalising the economy there was the structural adjustment programmes (SAP) and packages that Indian women saw it as a threat to their earlier goals and were apprehensive of future national goals by successive governments. The problem is that SAP ignores the reality of women economic roles in India. 94% of women workers are part of the informal sector and constitute half the labour force in the unorganised sector so their future is in question where the economy is going to be model of sustainable development orchestrated under the SAP.

## **Conclusion**

=Contemporary women's movement covers a wide range – there are small as well as large national level organisations, some are of recent establishment while others goes back to 50 or 100 years of existence, some focus on single issues while others works on multivariate issues, organisational structures and activities differs. Given this diversity, needless, women movement has been fraught with tensions, rifts and differences. Nevertheless, over the years it has become easier to come together today compared to earlier years of struggle.

The movement has grown over the years and its outreach is far and beyond. It is deeply rooted that even at the grass root level they are able to take women into their confidence and launch an effective response to literacy campaigns in several states.