

Ultimate weapon

Women's St-4 20/12
Bizarre ideas from Maharashtra women's panel

There is more than a touch of desperation in the Maharashtra state committee for women's move to introduce Duryodhana and Rakshasa awards to condemn the derogatory portrayal of women in films, television serials and advertisements. The suggestion is that this is the "ultimate weapon" after persuasion and public campaigns have failed. No film-maker would relish the idea of being compared to the villain of the Mahabharata and publicly disgraced; his only solace would be that his work which might have gone unnoticed normally will now claim some passing interest. That may not be a bad idea. Remember *Fire* that shot into prominence mainly after the Sangh Parivar protests? And talking of *Fire*, what happens if the so-called derogatory references to women come in the work of women film-makers? Will the Maharashtra panel join hands with the firebrands to throw the films into the Ganga, which was precisely the method adopted when some people objected to the portrayal of widows in Deepa Mehta's *Water*? It might even proceed to gherao erring film-makers to live up to the militancy that Pramod Navalkar had preached during his days as Shiv Sena's culture minister. But all that it might eventually do is to invite the flak that it has run out of ideas when the real answer lies in stepping up the awareness campaign.

Not that there is much novelty either. There is one rabid outfit in America that challenges the Oscars by instituting "honours" for the year's worst films. Others might offer citations for the worst dressed politicians (there are plenty of them in India), for the year's most gruesome murders or for the ten silliest statements made by those holding public offices. The possibilities are endless. The panel may have been driven into such mindlessness by the British example of the "bad sex awards" for literary work but someone might have told the panel chairperson that bad examples are easier to follow than good ones. Whether the cause of promoting women's rights will be served is far from clear; what it will certainly do is to reduce the campaign to a joke.

THE STATESMAN

29 DEC 2001

Quiet genocide

WOMEN
S.V.A
Declining child sex ratios 17/12

There are figures at hand to measure the toll being taken in certain parts of the country by pre-natal sex determination tests. The 2001 Census, relates to the sex ratio in the 0-6 age group. The overall sex ratio in this category has declined since 1991 from 945 to 927, the phenomenon being particularly conspicuous in Punjab, Haryana, Chandigarh, Himachal Pradesh and Delhi. The Provisional Census Report points out, pertinently, that "the sharp decline in the child sex ratios is indicative of an underlying trend of sex-selective abortions." This is further corroborated by evidence gathered from Gujarat where the most backward districts of Dangs and Dahod have the highest child sex ratio, the lowest being recorded in Surat where sex test facilities are more widely available. A clinic in Mumbai reports that out of 8000 abortions performed by it, all but one related to sex selection imperatives. It is clear from these figures that the connection between development and gender bias is not necessary. The connection, at least as far as gender-related abortions are concerned, is to the availability of the sex determination instruments and doctors willing to use them for that purpose.

The relevant legislation exists, along with a recent Supreme Court ruling, the state is empowered to deal with the problem. That is hardly enough. The ultra-sonography machine is used for all sorts of things, it would be quixotic to place the machine itself under a ban. And if the machine exists, it is unrealistic to expect doctors not to use them. Haryana, where the problem is acute, has asked all ultra-sonography clinics to register with district health centres. This might help the authorities in monitoring the activities of such centres to some extent, but it cannot stop sex determination tests entirely, the sub rosa activity will only drive it underground and help make the practice more lucrative. There is proof that the demand does not come from the poor, but mostly from the urban rich. The source of the problem lies in the attitude towards the girl child, that stubbornly refuses to change. For this, the girl child must have a future considered by the parents to be worthwhile. Are we calling for a revolution?

THE STATESMAN

17 DEC 2001

Ensure equality, say Afghan women

BRUSSELS, DEC. 6. An Afghan women's summit ended on Thursday with a call on all political factions which will create a post-Taliban administration to ensure full equality and participation of women in setting up a democratic Afghanistan.

In their final declaration, more than 40 Afghan women leaders who came to the three-day summit demanded "equal rights for women including the right to vote, equal pay and equal access to education, health care and employment." The women, many of whom either travelled from remote areas in Afghanistan or had already lived in exile before the fall of the Taliban, welcomed Wednesday's agreement on the new interim administration but said that having just two women



Participants stand for a group picture during the Afghan Women's Summit in Brussels on Wednesday. — AP

in the Cabinet was not enough.

"We have to make sure these groups implement what they have signed," said Ms. Sima Wali, who

shuttled between the women's summit in Brussels and talks in Bonn, Germany this week. Ms. Wali was a member of the former

Afghan King Mohammed Zahir Shah's delegation at the talks. "It is not as complete as it should be but it is a first positive step," Wali said.

Despite international pressure to enshrine women's rights, delegates in Bonn said a Ministry of Women's Affairs was only created in a late compromise to secure a deal, and after the insistence of Ms. Wali, a U.S.-based activist for Afghan women's rights and two other female delegates.

In the end, Ms. Sima Wali, a 44-year-old doctor and women's rights activist currently based in Pakistan, was named as one of the Deputy Premiers and Ministers of Women's Affairs. Another woman, Ms. Suhaila Seddiqi, will be a Minister. — AP

THE HINDU

17 SEP 2001

17 DEC 2001

Afghan women fear new freedom may not last long

KABUL: For the five years that they ruled this city and most of Afghanistan, the Taliban held women under house arrest. They let them out of their homes only if escorted by a close male relative, and if hidden from public view by the burqa, a tent-like, head-to-toe shroud.

For Parwin Ashrafi, a 25-year-old literature graduate and writer who broadcasts her essays on Radio Afghanistan, the burqa is a portable prison cell, a detestable icon of women's suppression in this country. Now that Afghanistan's new, interim administration has allowed women to discard the burqa, educated women like Ashrafi are eager to do so.

Yet they dare not.

Two weeks after the Taliban's ouster from power, hardly a female face can be seen on Kabul's streets. Afghan women are still wearing the veil, many out of fear that this liberalisation is temporary. "Even if the prison door is now open, we don't dare step through it yet," said Ashrafi.

So what if the Taliban has been crushed? Their rule has changed Kabul's culture forev-

er, making it more hostile to educated, ambitious or assertive women. For the last five years, Ashrafi and other women have fought hidden wars against their imprisonment, studying or working secretly at home or with the collusion of male relatives or colleagues. Now, they hope to pursue careers and claim their rights in public. "But we must wait to see what kind of government will come before we take off the burqa or begin struggling for changes," Ashrafi said. "It could still turn dangerous for us outside the prison door."

Afghanistan has in recent centuries resisted change like few lands on earth. When outside influences have forced their way in, it has been through Kabul. And few battles between tradition and change have assumed more symbolic power than that over whether women may show their faces. In 1929, King Amanullah outraged tra-

ditional tribes and got himself overthrown for letting his queen be seen unveiled, and for ordering Kabul's women to follow suit. Only in 1959 did an Afghan government face down iron tribal tradition and village mullahs by declaring that it found no basis in Islamic scripture for forcing the veil on women.

For the next 33 years, Afghan governments — monarchist, nationalist and communist — discouraged the veil and expanded education, employment and public roles for women. But in 1978, Afghan communists, as eager and naive as Amanullah, again ignited rebellion, in part by trying to enforce Kabul-style rights for women in the more conservative countryside.

Now, the interim administration established in Kabul by the Northern Alliance has ordered women readmitted to the jobs and classes the Taliban threw them out of five

years ago. Ashrafi is broadcasting in her own name and voice. And Tarin and Hashemi have resumed classes at the medical school.

But with UN envoys struggling to negotiate the formation of a post-Taliban government, it is unclear just how liberal or restrictive the future may be. So Kabul's women are hedging their bets, and avoiding public actions that could get them in trouble should liberalisation lose out again.

According to Ashrafi, the battle for Afghan women's rights will dominate the rest of her life. "Change will come eventually, but nothing can be changed very quickly. We will have to be patient."

Also, as they re-emerge into public life, women are having to survey the city like enemy territory, calculating the potential for hostilities. In Kabul's traditional bazaar where many of the traders and shoppers come from the countryside, the Taliban rules effectively remain. There, "if you don't wear your tent, people will harass you and demand to know why you show them your face. And you should not be there without a man," said Tarin. (LAT-HP/SG)



War against children

By Kalpana Sharma

Women 12-10 30/11

CHILDREN IN Afghanistan are dying. The reason, we are told, is because of the war and the drought that preceded it, but which we failed to note. But when children die with frightening regularity in one of India's more prosperous and better-run States, what is the excuse?

None at all, except the never-changing reason of developmental neglect and the additional one of statistical jugglery. A new study recently released has come out with the shocking revelation that the official figures of child deaths in Maharashtra are five times lower than the actual number.

Earlier this year, when reports appeared of over 500 child deaths in the tribal area of Nandurbar, there was a little bit of a stir. Questions were raised about the nutrition and health status of infants in the State. Ministers made their way to this remote area. And promises, long forgotten, about bringing real development to these areas were repeated with renewed vigour.

Since then, Nandurbar like much else has slipped off the news pages and off the priority list of the State Government too. Instead, the business of politics is occupying our rulers even as children continue to die in the State. If the calculations of this new study are to be believed, a Nandurbar takes place every day in Maharashtra.

The study was initiated by the Gadchiroli-based non-governmental organisation SEARCH (Society for Action and Research in Community Health) on child mortality in Maharashtra. It covered a population of 2.7 lakhs in 231 villages and six slums in 13 regions of the State over a two-year period (1998 to 2000). Thirteen organisations worked together on the survey which was coordinated by Dr. Abhay Bang of SEARCH, who, with his wife, Dr. Rani Bang, has a distinguished record of work in the tribal areas of Gadchiroli district.

Dr. Bang decided to undertake this exercise when he realised that just in one block of Gadchiroli district, many infant and child deaths were not being properly

recorded. This is the job of not just the Health Department but also of the local anganwadi worker and the gram sevak. But as a higher number of deaths would bring the local administration into disrepute, there is pressure all down the line to fudge the figures or hide the truth. As a result, children die but their deaths are not recorded.

The result of such a conspiracy of silence is evident when one looks at the

poverty and malnutrition are endemic, the new, more rigorously gathered data, put the IMR at a more realistic 81.7.

The import of this kind of misreporting is obvious. If independent audits were conducted in all the poorer and tribal districts around the country, the IMR for India is likely to be considerably higher than what is touted. This is something that should not be hidden. On the contrary, this ought to be a call to action, and

NHFS II). Another worrying aspect that the study brings out is the absence of contrast between rural and urban IMR if you look at the population living in slums. The latter are supposed to have better access to health care. Yet, if the children of the urban poor are dying as easily as people living in villages, the Government needs to sit up and take notice.

Just one indicator of child health should suffice to show the real picture — the incidence of diarrhoea. In Maharashtra, in up to 11 districts, over one third of the children suffer from diarrhoea. An even larger percentage suffers from "breathing problem." However, even though the programme to make mothers aware of oral rehydration therapy has been on since 1986-87, less than half the children with diarrhoea were given this life-saving treatment. This suggests that the health education programmes are falling far short of their target.

So far, the State Government has refused to accept the findings of the study. In fact, it should heed the warning given by the startling data in the study. It should also consider the constructive suggestions that the study team has put forward. Dr. Bang rightly says, "If the Health Department does not know how many children are dying, how will they save them?" He suggests that it should be mandatory for the Health Department to record and report all child deaths and that instead of diligence being punished, not reporting should be penalised.

There are many more lessons that can be drawn from this study. It exposes the lack of application and interest in both the Government and the public and media on issues of health and child survival. While our media is full of fitness-related health reports for sedentary city-dwellers, there is practically nothing that exposes the worsening situation for millions of people living just outside our cities. Tragically, only when poor people, and particularly poor children, die in large enough numbers do we wake up and take notice.

When children die with frightening regularity in one of India's more prosperous and better-run States (Maharashtra), what is the excuse?

stark contrast between the number of deaths recorded officially by the State Health Department, and the calculations of child deaths that are based on SRS (sample register system). The year 1999-2000, for instance, should have recorded 1,609 infant deaths in Nandurbar district calculated on the basis of SRS data. But according to the Health Department, there were only 512 deaths. In other words, only 32 per cent of the deaths were recorded. This story repeats itself in district after district. Overall, the Health Department recorded only one third of the infant deaths that would have occurred. If you add to this children between the ages of one and five, the figure would go much higher.

Dr. Bang argues that in any case the figure would be higher because the SRS is a sample survey which is useful for working out data at the State level. It does not represent the variations at district levels. This can only be recorded if there is meticulous data collection at the block level, something that is just not being done.

In Gadchiroli, for instance, when Dr. Bang exposed the discrepancy in one block, the Collector decided to undertake an independent audit in another block. He found that while according to the Health Department data, the Infant Mortality Rate (IMR) was just 13, an impossibility given that this is a tribal block where

more directed action. It is inexcusable, and indeed criminal, to play around with numbers when the issue is the ability of infants and children to survive. At the end of the two-year period, the study has concluded that an estimated two lakh children die each year in Maharashtra. The highest number of deaths is still in the zero to one year group, that is infants. But children up to the age of five are extremely vulnerable.

Although the study looked at selected areas, the majority of these were neither remote, nor the worst off. Sixty-two per cent of the population was from rural areas, 90 per cent of the villages had anganwadis, and 92 per cent had village primary schools. This suggests that these areas were reasonably representative of the State in general. Therefore, the study cannot be accused of picking on the poorest areas and drawing sweeping conclusions from that data.

In any case, even if the calculations are 50 per cent off the mark, the figures are still more than worrying. A State such as Maharashtra should not have even one lakh children dying each year, or over 250 a day. It is supposed to be in the top five States in terms of ensuring that children between the ages of 12 and 23 months have been vaccinated. Its IMR (43.7), based on official data, is much better than the national average of 67.6 (1998-99

THE HINDU

30 NOV 2001

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N Alliance no better for women: Rawa

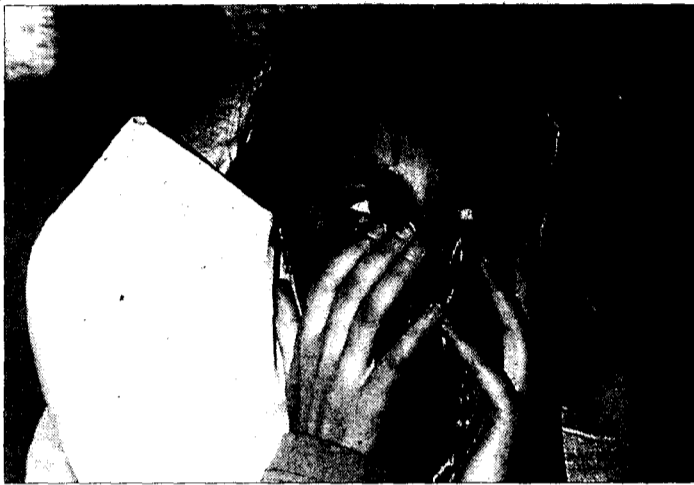
STATESMAN NEWS SERVICE

KOLKATA, Nov. 29. — India should think twice before backing the Northern Alliance's bid to form a government in Afghanistan, since the Alliance is only another face of the Taliban, Ms Saher Saba of the Revolutionary Association for the Women of Afghanistan said today.

She was addressing a press conference organised by the CPI-M women's wing.

Ms Saba, who has been living in refugee camps in Pakistan for the past few years, said it would be a mistake to believe that the Northern Alliance leadership will bring freedom to Afghan women or restore democracy in the country.

"The images of women taking part in TV programmes or enjoying music are only slices of the truth. The whole truth is that the Northern Alliance leaders are as fundamentalist, criminal and anti-democratic as their Taliban counterparts. They were in power between 1992 and 1996 and perpetrated the worst crimes against Afghan women. Think of their



The Rawa spokesperson, Ms Saher Saba, at a press conference in Kolkata on Thursday. — The Statesman

brutality at Kunduz and Mazar-e-Sharif," Ms Saba said.

According to her King Zahir Shah should be allowed to head an interim government till a truly representative government is formed the UN aegis.

There will not be any fundamental change in the US policy vis-a-vis Afghanistan "shaped as it is by its oil interests in the Middle East and the need for keeping Russia and

China at bay," Ms Saba said.

"The USA must have learnt a lesson from the 11 September strikes at the WTC towers and it would possibly not give Northern Alliance the free hand it gave to the Taliban regime. This could be the only change in US policy," she added.

She termed the Communist Nazibullah regime as nothing but a fallout of "Russian invasion".

THE STATESMAN

Afghan women reclaim their working life

By Kathy Gannon

KABUL: Marzia Adeel moved aside a tuft of her deep brown hair to reveal the red weal where a Taliban soldier hit her with a steel cable.

She had been buying shoes a few months ago. She couldn't see through the mesh of her robe and since there was only an elderly shoe salesman in the store, she took a risk and uncovered her head.

Suddenly two men burst in. One hit her with the cable. She fell back, struggled with her robe, couldn't get it down fast enough. He hit her again.

"I was bleeding. I was scared," she said. "The man selling shoes was scared. He said 'Sister, please go, leave.' But I couldn't see. Blood was dripping in my eyes."

Speaking at close to a whisper, in the halting English she taught herself during five years of enforced idleness, Adeel told her story this week while waiting at Radio Afghanistan to apply for a job as a news reader. She also writes poems, and her tape of one of them had already been played on the radio.

Women on the air, a beauty salon reborn, and, from this Saturday, no more sexual segregation in the hospitals; all are vivid evidence of the collapse of the Taliban social order.

Afghanistan was always a conservative place, and many women were wearing the

burqa, long before the Taliban seized power in 1996. But the Taliban's extreme reading of Islamic law made the *burqa* mandatory. Women were barred from working, and girls over 8 couldn't go to school.

People were exhorted to paint their ground-floor windows black so women couldn't be seen by passers-by. White stockings were taboo because the Taliban's flag was white.

Women were not supposed to move outside their home without a male chaperone. That seemed to be one of the few rules women ignored. They were always seen in small groups, unescorted, seeming to drift along the streets in their billowing *burqas*.

After Humaira's beauty salon was shut by the Taliban, she hid her cans of hairspray, her portraits of coiffured women and her cracked hair dryer. A day after the Northern Alliance moved in to Kabul, Humaira reopened for business. The chairs were old and torn. The Taliban had smashed her larger mirrors. They had painted over her sign, objecting to the words "beauty salon."

"We were like in prison," she said. "We had no life, nothing for us to do. We were not people."

In recent days Humaira scraped the paint off her sign and put her posters back on the walls. One showing a sassy young

woman, her hair in heavily curled pigtails, was the favorite of Humaira's daughter, Ghinza.

But the 7-year-old in red velvet pants and a jacket didn't see herself following her mother into hairstyling. She thought she'd like to be an engineer. "I think I would build things for my country."

Shireen, 26, was a government statistician before the Taliban suddenly sent her home. Now she was trudging from one government ministry to the next, looking for work. Like most women in Kabul, she still wore her *burqa*. Her gold-rimmed glasses were all that was visible behind the mesh.

She said she was waiting for a regular government to take office and give official clearance to shed the *burqa*. Until then, she remained cautious. She and several other women talked to a reporter only on condition that their surnames not be published.

The aviation ministry was closed, so Shireen went next door to Radio Afghanistan. "May be I could get a job as a news reader," she said. "I am educated. I have to work. I must work to contribute to my country and to my family," she said through an interpreter. "I have the right to participate."

For young women who have been unable to acquire other skills during the Taliban years, the radio seems to be favored as a

quick way back into the job market.

The medical profession also suffered under Taliban strictures. At Rabia Balkhi hospital for women, female doctors were forbidden to work alongside their male colleagues. Starting Saturday, that rule is also dead, by order of the new health ministry. But there is a lot of catching-up to do.

"Our new women doctors are not properly trained," said Dr Rahina Staniczai, the head of the hospital. The Taliban allowed women to take only three selected medical courses, at one hospital, and under strict supervision.

"Really this is our biggest problem today — lack of education," said Staniczai.

At Wazir Akbar Khan Hospital, women were secluded on separate floors, hidden behind walls built by the Taliban. The walls are to be torn down on Saturday.

Another applicant at the radio station, Parveen Hashafi, said that under Taliban rule "We were neither alive nor dead." Single, jobless, her life was a monotonous routine of waking, eating, cleaning, sleeping, she said.

But she wondered whether the world that condemned the Taliban's treatment of women would now force Afghanistan to enshrine their rights in a constitution. "Or, now that they have what they want, will they forget about us again?" she asked. (AP)

'Women worst hit by globalisation' ^{HD-15}

By Our Staff Reporter

VISAKHAPATNAM, NOV. 25. Women are among the worst affected in the ongoing process of liberalisation and globalisation, according to the National Federation of Indian Women (NFIW).

Ms. Amarjeet Kaur, general secretary of NFIW, told a press conference here on Sunday that with the NDA Government selling away national assets like the public sector undertakings to the multi-national companies on the pretext of liberalisation, women employees were in the danger of losing equal pay, maternity benefits and other social security benefits.

She pointed out that women employees were already being forced to accept the voluntary retirement scheme (VRS) under the threat of transfers and being separated from their families.

"It is a strange dichotomy. On one hand, the NDA Government promises one crore jobs to the youth, and on the other, its Finance Minister announces a two per cent cut in jobs. The country has been given to a jobless growth," she remarked.

Ms. Kaur, who is here to attend the ongoing national conference of the All India Democratic Women's Association (AIDWA), said women faced the worst working conditions in the Export Promotion Zones and garment export units which blatantly flouted labour laws by not allowing unionisation, not extending social security measures and not guaranteeing minimum wages. NFIW was for opening up EPZs for inspection and providing for unionisation of the workers.

She claimed that the labour reforms were being pursued by the

Central Government in the interest of the employers and aggressive foreign investors and under pressure from World Bank, International Monetary Fund (IMF) and World Trade Organisation (WTO).

According to her, even the Prevention of Terrorism Ordinance (POTO) was influenced by these international agencies to suppress the democratic movements and resentment emerging against globalisation and the WTO and was being sought to be passed under the cover of the threat of international terrorism as defined by the U.S. in the light of the September 11 attacks.

"There are strong public protests against the WTO all over the world. The reason why its last round of meeting was held at Doha was that demonstrations are now allowed there," Ms. Kaur

said. Ms. Kaur, who is also the secretary of the All India Trade Union Congress (AITUC), said that various central trade unions had forged unity in opposing the Bill of Labour Reforms and decided to observe a nation-wide strike if it was presented in Parliament for adoption.

NFIW had expressed its support to the agitation as the reforms would severely affect the interest of women, particularly those employed in the unorganised sector.

The NFIW would be holding its national conference in Chennai in April and the agenda for the event included empowerment of women, commercialisation and communisation of education, economic policies, oppression of tribal and dalit women and social evils and food security.

25 NOV 2001

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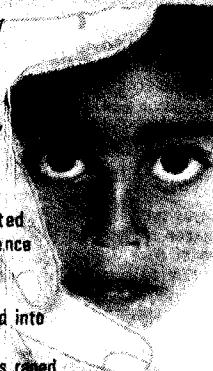
The ugly face of child abuse

Women 51-3

BITTER HOME TRUTHS

FACTS	MYTHS
<ul style="list-style-type: none"> 1 in every 2 girls is sexually abused before they turn 18 71% of the abusers are relatives or family friends 85% of the rapists are men, known to the victims Every 87 minutes 1 woman dies a dowry death 1 out of 2 women is subjected to some form of domestic violence 1 in 7 women is raped in marriage 5,00,000 children are forced into prostitution every year Every 34 minutes a woman is raped 	<ul style="list-style-type: none"> Children make up stories Abusers are strangers Rapists are strangers, unknown to the victim Happens in lower income uneducated families A slap or shove does not constitute violence There is no rape in marriage Child prostitutes don't exist She made me do it to her

Children who will have been sexually abused in India by 2002:
 ■ 4,15,94,735 boys ■ 6,28,53,160 girls



STATESMAN NEWS SERVICE

KOLKATA, Nov. 24. - One out of every two girls in India is sexually abused before they reach the age of 18. Every year, 5,00,000 children are forced into prostitution. By 2002, an estimated 10,44,47,895 children in the country would have faced sexual abuse of some form at some point of their lives.

These are some of the startling revelations that have shattered myths about sexual abuse. The relevant studies were conducted by a number of institutes and NGOs across the country.

While the international com-

munity gears up to observe 25 November as the day to mark Violence Against Women and the following fortnight till World Human Rights Day (10 December) as the fortnight to create awareness on the issue, child sexual abuse, irrespective of the sex of the victim, is fast emerging as one of the key areas of concern.

Among the projected number of victims, 4,15,94,735 are boys and 6,28,53,160 are girls. Child sexual abuse takes place at every income level, regardless of social standing and family background.

Studies by the West Bengal chapter of Save the Children, a UK-based organisation, re-

veal that boys are most vulnerable to abuse if living in institutions or homes and working under adult employers.

But the realities are more grim in case of girls. Statistics reveal that 71 per cent of the abusers are family members or close family friends.

Findings on violence against women are equally appalling. One out of two women is subjected to some form of domestic violence. Every 34 minutes a woman is raped and 85 per cent of the rapists are known to the victims.

Every 87 minutes there's a dowry death and one in seven women is raped by her husband.

THE STATESMAN

25 NOV 2001

Accent

SUNDAY 25 NOVEMBER 2001

2

Lenin
puja...



3

Three films made by intrepid filmmakers screened at the recently concluded 7th Kolkata Film Festival depicts women from different circumstances, moving in the same rotunda of oppression

4

An eclectic mix of fusion food for Leos with hearty appetites



*I'm the woman who has awoken
I've arisen and become a tempest through
the ashes of my burnt children
I've arisen from the rivulets of my brother's
blood*

*My nation's wrath has empowered me
My ruthed and burnt villages replete me
with hatred against the enemy,*

*I'm the woman who has awoken,
I've found my path and will never return.
I've opened closed doors of ignorance*

*I've said farewell to all golden bracelets
Oh compatriot, I'm not what I was*

*I'm the woman who has awoken
I've found my path and will never return.*

*I've seen barefoot, wandering and homeless
children*

*I've seen henna-handed brides with mourn-
ing clothes*

*I've seen giant walls of the prisons swallow
freedom in their ravenous stomach*

*I've been reborn amidst epics of resistance
and courage*

*I've learned the song of freedom in the last
breaths, in the waves of blood and in victory*

*Oh compatriot, Oh brother, no longer
regard me weak and incapable,*

*With all my strength I'm with you on the
path of my land's liberation.*

*My voice has mingled with thousands of
arisen women*

*My fists are clenched with fists of thousands
compatriots*

*Along with you I've stepped up to the path of
my nation,*

*To break all these sufferings all these fetters
of slavery,*

*Oh compatriot, Oh brother, I'm not what I
was*

*I'm the woman who has awoken
I've found my path and will never return.*

*(Translation of the poem, I'll never
return, by Meena Keswar Kamal,
founder of Revolutionary Association of
the Women of Afghanistan)*

Meena
Keswar
Kamal
11/11/01

Meena Keswar Kamal
was assassinated in
February 1987
because she was one
of the 'sinful women',
the 'whore'. The
fundamentalists
succeeded in severing
her tongue but not in
putting out her eyes.
For she had by then
taught the Afghan
women to think and
fight for their rights
under the banner of

RAWA,
writes Biren Sasmal



Present
tense

Jerry Pinto

Breaking a self-imposed rule

LAST week an enthusiastic HRD manager to participate in an exercise to inspire creativity in the advertising agency for which she was working:

"Could you come and read your poetry over lunch?" she asked.

I was a little startled. I do write poetry but I haven't been published yet.

(Commercial break: *Asylum*, my first collection, should be out late this year or early next year. From Brown Critique Publications).

I also wondered how poetry would fit in an advertising agency, and that too over lunch.

I agreed, even though I was breaking a self-imposed rule. That one had come about after a particularly dreadful multimedia experience in which an artist painted a backdrop on which a film was being shown while a friend and I read our poetry in the foreground.

There were dancers involved too but I can't remember how they came in, whether before or after. The setting was a suburban housing society in Mumbai and the front row was filled with children who had no idea what was going on and so were putting up a dreadful fuss about their imprisonment.

page...

from different circumstances, moving in the same rotunda of oppression

Less than hearty appetites

*I'm the woman who has awoken
I've arisen and become a tempest through
the ashes of my burnt children
I've arisen from the rivulets of my brother's
blood
My nation's wrath has empowered me
My ruined and burnt villages replete me
with hatred against the enemy,
I'm the woman who has awoken,
I've found my path and will never return.
I've opened closed doors of ignorance
I've said farewell to all golden bracelets
Oh compatriot, I'm not what I was
I'm the woman who has awoken
I've found my path and will never return.
I've seen barefoot, wandering and homeless
children
I've seen henna-handed brides with mourn-
ing clothes
I've seen giant wells of the prisons swallow
freedom in their reverent stomachs
Oh compatriot, Oh brother, no longer
regard me weak and incapable,
With all my strength I'm with you on the
path of my land's liberation.
My voice has mingled with thousands of
arisen women
My fists are clenched with fists of thousands
compatriots
Along with you I've stepped up to the path of
my nation,
To break all these sufferings all these fetters
of slavery.
Oh compatriot, Oh brother, I'm not what I
was
I'm the woman who has awoken
I've found my path and will never return.
(Translation of the poem, I'll never
return, by Meena Keswar Kamal,
founder of Revolutionary Association of
the Women of Afghanistan)*

Meena Keswar Kamal
was assassinated in
February 1987
because she was one
of the 'sinful women',
the 'whore'. The
succeeded in severing
her tongue but not in
putting out her eyes.
For she had by then
taught the Afghan
women to think and
fight for their rights
under the banner of
RAWA,
writes Biren Sasmal

Never die say Meena's blood inspires all freedom-loving women!

MEENA Keswar Kamal was assassinated along with two members of her family in February 1987, at her Quetta residence in Pakistan. She was one of the "sinful women", the "whore" - as the fundamentalists had yelled - whose tongue had been severed but the eyes could not be put

our nation. Maybe the Taliban arrived at this infamous feast of pillage and destruction somewhat late but they outdid their predecessors in pushing our people back into the depths of foregone centuries. The material bones of our country have been picked clean by the fundamentalists who came before the

than not an educated man. He is ambitious, hardworking and not at all averse to the capitalist glamour of Western societies. His quarrel is not necessarily with America, but with the established, often liberal and educated elite of his own country, and with women - who, in their own bid for autonomy,



Present tense
Jerry Pinto

Breaking a self-imposed rule

...to inspire creativity in the advertising agency for which she was working:

"Could you come and read your poetry over lunch?" she asked. I was a little startled. I do write poetry but I haven't been published yet (Commercial break: *Asylum*, my first collection, should be out late this year or early next year. From Brown Critique Publications).

I also wondered how poetry would fit in an advertising agency, and that too I agreed, even though I was breaking a self-imposed rule. That one had come about after a particularly dreadful multimedia experience in which an artist painted a backdrop on which a film was being showed while a friend and I read our poetry in the foreground. There were dancers involved too but I can't remember how they came in, whether before or after. The setting was a suburban housing society in Mumbai and the front row was filled with children who had no idea what was going on and so were putting up a dreadful fuss about their imprisonment.

Later, I vowed that I would not drag my poetry into such spaces. I have nothing against multimedia experiments. I know that some of them do germinate into larger, richer experiences. I know that some of them may become part of what we now call art. I know that it is time for these artificial divides between performing and the plastic arts, between classical and popular and folk forms, between Western and Eastern and even fusion to be dissolved.

I just wish that they would think out the solvents with a little care. I just wish they would make sure there is a genuine democracy, a two-way interaction between the forms. At that dreadful reading, the poetry was an add-on. It was ignored partly because no space was made for it, and no attention was paid to the dynamics of poetry. Of course, in that well-intentioned melee, a novel would have flourished but you can see how the

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What was her offence? That she had been ceaselessly campaigning for the rights of Afghan women under the banner of RAWA - Revolutionary Association of the Women of Afghanistan.

That she braved constant threats from the *Jehadi*-Taliban duo not to go to Western Europe and make public statements about the "jahannam" called Afghanistan.

That she had been a relentless crusader against burka, the dark vestment of "servitude" and "burden of denial", and thus had gone beyond the limits sanctioned and guarded by high-handed *Maulavis* with gun-toting *mujahiddens*.

That she became the "lady with the lamp", of education, moving from one refugee camp to another even though she knew educating women was illegal in Afghanistan.

And Meena's luminous eyes have helped open the eyes of the Afghan women to look into the roots of their plight in a strife-torn country. The turmoil of the past two decades have had a disastrous effect on the Afghan people. Things have fallen apart. The most pitiable condition of course is that of the women and children. Women had first been easy victims of the "Jehadi" and "Taliban" brands of fundamentalists and the first dagger in the name of Islam was planted into their hearts. "These two species of fundamentalists," RAWA women observe, "have plucked and destroyed the material entity of



our nation. Maybe the Taliban arrived at this infamous feast of pillage and destruction somewhat late but they outdid their predecessors in pushing our people back into the depths of foregone centuries. The material bones of our country have been picked clean by the fundamentalists who came before the Taliban; they can only show their capacity for "excellence" by staging orgies of ignorance and vandalism.

Organised vandalism assumed such proportions that Afghan women couldn't even move around, for fear of being abducted and gangraped by either a *Jehadi* or a Taliban. And doors of all educational institutions for women were forcibly closed. Apart from the urban areas, there was not a single village to hide or take shelter in as they were frequently ravaged or torched to ashes by either of the two warring groups. And it wasn't even possible to cross borders for fear of being simply gunned down. And last but not the least - no human relation was allowed between a man and a woman except (often forced) marriages and sale to brothels!

Fatima Mernissi, the North African scholar and a recognised authority on women-related questions in Islam, has stated that the image of the fundamentalist as an "unscrupulous, uneducated, uncultured, archaic, blood-thirsty, woman-hating, economically deprived, politically frustrated... terrorist, loaded with guns and bombs... is erroneous because it is a sweeping generalisation. "In Muslim societies," she says, "the image of the fundamentalist is very different. In Pakistan, for instance, there is a tendency to see him either as the Pharisical, hair-splitting dogmatist, so consistently castigated by the Sufi, or to align him with the *hulou-eating* buffoon of the popular joke and local myth." The fundamentalist is more often

than not an educated man. He is ambitious, hardworking and not at all averse to the consumerist glamour of Western societies. His quarrel is not necessarily with America, but with the established, often liberal and educated elite of his own country, and with women - who, in their own bid for autonomy, are a threat to his age-old conviction, confidence and identity because of the latter's aspiration to "break" from traditional roles.

Fatima might be correct in her article "The fundamentalist obsession with women" with reference to Arabian or Egyptian role models of the fundamentalists, which she has substantiated with statistics; but her example do not fit their Afghan counterparts except in two basic traits: their aversion for women's education and freedom, and greed for the consumerist glamour of the West. But as the RAWA proclaims: "No Blood-suckers in history is a match for the Afghan fundamentalist, the latest role model of whom is the Taliban. Where Fatima has left the Afghan fundamentalists as "staunch believers of faith and immemorial tradition", the latest analysis have continued in a language of hatred and frustration: "these semi-wild people (the Taliban) who, until yesterday, were making a living on aliens and in mosques and know nothing about Science, History, Economics, Geography, and who feel proud in taking meal and sleeping with Kalashnikovs, have now seized power in Afghanistan! Some of these weird people think there is monarchy in the USA and Bill Clinton is a King! Is there a more unfortunate nation in the world where such creatures dare to claim themselves leaders of the people...?"

In matters related to women, they blindly imitate one book entitled *Qadaya al-mar'a*.

Continued on page 2

I agreed, even though I was breaking a self-imposed rule. That one had come about after a particularly dreadful multimedia experience in which an artist painted a backdrop on which a film was being shown while a friend and I read our poetry in the foreground. There were dancers involved too but I can't remember how they came in, whether before or after. The setting was a suburban housing society in Mumbai and the front row was filled with children who had no idea what was going on and so were putting up a dreadful fuss about their imprisonment.

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And there were no distractions. The room was quiet, the audience attentive. I came to two conclusions:

Poetry is a small chamber enterprise. Either it exists as a relationship between page and reader, or between poet and audience. Anything more and the intimacy is disturbed.

A self-imposed rule is meant to be broken.

Women's Bill: Najma blames men MPs

By Our Special Correspondent

HYDERABAD, NOV. 20. The Rajya Sabha Deputy Chairperson, Ms. Najma Heptullah, has held men MPs, irrespective of party affiliations, responsible for blocking the passage of the Women's Reservation Bill in Parliament.

"Surely, they (men MPs) are afraid of losing their constituencies to women. Therefore, they would continue to defer the Bill on one pretext or the other", Ms. Heptullah said at a press conference here today.

She was doubtful whether the Bill would come up for consideration during the current session of Parliament as it did not figure even in the informal discussions

held till now. She had requested the Prime Minister, Mr. Atal Behari Vajpayee, to introduce the Bill in the Rajya Sabha first and assured him of getting it passed so that pressure could be mounted on the Lok Sabha members. But that was not done.

Ms. Heptullah said the Congress, the TDP, the Left parties and the BJP had committed themselves to the Bill. She would, therefore, like the Bill to put to vote "as I want to see who will defeat it". In respect of the Panchayat Raj Bill providing 33 per cent reservation for women in the local bodies, there was no resistance from the MPs as they had nothing to lose. "I hope the women's Bill is passed in my lifetime".

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Policies from a ²⁰¹¹ women's perspective

Since women comprise the majority of the population below the poverty line and are very often in situations of extreme poverty, given the harsh realities of intra-household and social discrimination, macro-economic policies and poverty eradication programmes will specifically address the needs and problems of such women. There will be improved implementation of programmes which are already women-oriented with special targets for women. Steps will be taken for mobilization of poor women and convergence of services, by offering them a range of economic and social options, along with necessary support measures to enhance their capabilities

In order to enhance women's access to credit for consumption and production, the establishment of new, and strengthening of existing, micro-credit mechanisms and micro-finance institution will be undertaken so that the outreach of credit is enhanced. Other supportive measures would be taken to ensure adequate flow of credit through extant financial institutions and banks, so that all women below the poverty line have easy access to credit.

Women's perspectives will be included in designing and implementing macro-economic and social policies by institutionalizing their participation in such processes. Their contribution to socio-economic development as producers and workers will be recognized in the formal and informal sectors (including home-based workers) and appropriate policies relating to employment and to her working conditions will be drawn up. Such measures could include:

Reinterpretation and redefinition of conventional concepts of work wherever necessary e.g. in the census records, to reflect women's contribution as producers and workers.

Preparation of satellite and national accounts. Development of appropriate methodologies for undertaking (i) and (ii) above.

Globalization has presented new challenges for the realization of the goal of women's

Extracts from the national policy for the empowerment of women, 2001, department of women and child development, government of India

equality, the gender impact of which has not been systematically evaluated fully. However, from the micro-level studies that were commissioned by the department of women and child development, it is evident that there is a need for re-framing policies for access to em-

numbers. The programmes for training women in soil conservation, social forestry, dairy development and other occupations allied to agriculture like horticulture, livestock including small animal husbandry, poultry, fisheries etc. will be expanded to benefit women workers in the agriculture sector. The important role played by women in electronics, information technology and food processing and agro-industry and textiles has been crucial to the development of these sectors. They would be given comprehensive support in terms of labour legislation, social security and other support services to participate in various industrial sectors.

Women at present cannot



A part of the process

ployment and quality of employment. Benefits of the growing global economy have been unevenly distributed leading to wider economic disparities, the feminization of poverty, increased gender inequality through often deteriorating working conditions and unsafe working environment especially in the informal economy and rural areas. Strategies will be designed to enhance the capacity of women and empower them to meet the negative social and economic impacts, which may flow from the globalization process.

In view of the critical role of women in the agriculture and allied sectors, as producers, concentrated efforts will be made to ensure that benefits of training, extension and various programmes will reach them in proportion to their

work in night shift in factories even if they wish to. Suitable measures will be taken to enable women to work on the night shift in factories. This will be accompanied with support services for security, transportation, etc.

The provision of support services for women, like child care facilities, including crèches at workplaces and educational institutions, homes for the aged and the disabled will be expanded and improved to create an enabling environment and to ensure their full cooperation in social, political and economic life. Women-friendly personnel policies will also be drawn up to encourage women to participate effectively in the developmental process.

TO BE CONCLUDED

How to get gender into the mainstream

11-11
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The policy will be widely disseminated so as to encourage active participation of all stakeholders for achieving its goals. Specifically, the objectives of this policy include (i) creating an environment through positive economic and social policies for the full development of women to enable them to realize their full potential, (ii) the *de jure* and *de facto* enjoyment of all human rights and fundamental freedom by women on an equal basis with men in all spheres — political, economic, social, cultural and civil, (iii) equal access to participation and decision-making of women in the social, political and economic life of the nation, (iv) equal access of women to healthcare, quality education at all levels, career and vocational guidance, employment, equal remuneration, occupational health and safety, social security and public office, (v) strengthening legal systems aimed at the elimination of all forms of discrimination against women, (vi) changing societal attitudes and community practices by active participation and involvement of both men and women, (vii) mainstreaming a gender perspective in the development process, (viii) elimination of discrimination and all forms of violence against women and the girl child, and (ix) building and strengthening partnerships with civil society, particularly women's organizations.

Legal-judicial systems will be made more responsive and gender-sensitive to women's needs, especially in cases of domestic violence and personal assault. New laws will be enacted and existing laws reviewed to ensure that justice is quick and the punishment meted out to the culprits is commensurate with the severity of the offence.

At the initiative of and with the full participation of all

Extracts from the national policy for the empowerment of women, 2000, department of women and child development, government of India

stakeholders, including community and religious leaders, the policy would aim to encourage changes in personal laws such as those related to marriage, divorce, maintenance and guardianship in order to eliminate discrimination against women.

The evolution of property rights in a patriarchal system



Managing silence

has contributed to the subordinate status of women. The policy would aim to encourage changes in laws relating to ownership of property and inheritance by evolving consensus in order to make them gender just.

Women's equality in power-sharing and active participation in decision-making, including decision-making in political process at all levels will be ensured for the achievement of the goals of empowerment. All measures will be taken to

1-10men

guarantee women equal access to and full participation in decision-making bodies at every level, including the legislative, executive, judicial, corporate, statutory bodies, as also the advisory commissions, committees, boards, trusts etc. Affirmative action such as reservations/quotas, even in higher legislative bodies, will be considered whenever necessary on a time-bound basis. Women-friendly personnel policies will also be drawn up to encourage women to participate effectively in the developmental process.

Policies, programmes and systems will be established to ensure the mainstreaming of women's perspectives in development, as catalysts, participants and recipients. Wherev-

er there are gaps in policies and programmes, women-specific interventions would be undertaken to bridge these. Coordinating and monitoring mechanisms will also be devised to assess the progress of such mainstreaming mechanisms. Women's issues and concerns, as a result, will be addressed and reflected on specially in all concerned laws, sectoral policies, plans and programmes of action.

TO BE CONCLUDED

Women
149-10

A HUMANE READING

8/10

LAST WEEK'S RULING by a Constitution Bench of the Supreme Court — and earlier by lower courts in different parts of the country in recent years — affirming divorced Muslim women's right to maintenance for the rest of their lives unless they remarry, marks a welcome departure from the regressive pressures experienced by this community in the mid-1980s on the question of alimony. The S.C.'s interpretation, upholding the validity of the Muslim Women (Protection of Rights on Divorce) Act of 1986 should, however, be viewed as a judicial fiat intended to foreclose any scope to reopen the painful controversy that ensued after its verdict in the sensational Shah Bano case in 1985. Towards that end, the S.C. applied an imaginative interpretation, bringing the whole question of alimony under the right to life under Article 21 of the Constitution. The law that governed all the different communities until a separate act was passed for Muslims in 1986 was the Code of Criminal Procedure (CrPC) of 1973. It guaranteed under Section 125 payment of maintenance for divorced women who had no means of sustenance. But consequent upon the Shah Bano case, the Muslim Women's Act provided for maintenance for divorced women in that community only for the three-month period of *iddat* commencing with the date of the pronouncement of divorce. If the S.C. has, notwithstanding the 1986 Act, arrived at the judgment upholding the right to maintenance, this is by reading into the latter the substance of Section 125 of the CrPC.

It is significant to note that in the Shah Bano case, as well as in several previous and subsequent instances, the Judiciary has upheld the right to maintenance of divorced Muslim wom-

en. It did so by invoking the spirit of the Constitutional provisions, where minority rights are not viewed necessarily in conflictual terms with the personal laws of different communities, the Directive Principle of State Policy (Article 44), besides the provisions of the CrPC. If, however, the Shah Bano case was made out to be, as it were, a bolt from the blue, it was on account of the increasing communalisation of the polity that took its toll on the national arena right through the 1980s. The political and legislative history pertaining to the 1986 Act was likewise an instance of the liberal wing in the political spectrum yielding ground to religious extremism for short-term and opportunistic gains.

The broader implications from last week's ruling are clearly in the nature of the affirmation of the centrality of Constitutional values. Therefore, the Judiciary should perhaps discourage the tendency to seek recourse to the judicial route to resolve disputes that are essentially in the domain of political culture and political values. There is no gainsaying the need, however, for judicial firmness when called upon to adjudge contentious questions of a historical and philosophical nature. The S.C.'s verdict a few years back on the essence of "Hindutva" as no more than "a way of life" was in stark contrast to such a predisposition. For the judgment abstracted from the wide currency and real import of the phraeseology of Hindutva as it obtained then, whereas, the S.C.'s role could not have been more critical in the political climate vitiated by the ascendancy of majoritarianism and the selective targeting of various minority communities. It is not surprising that this judgment is in fact often quoted by ideologues of the Sangh Parivar in their favour.

Taking to the veil under threat

By Shujaat Bukhari

SRINAGAR, AUG. 30. Kashmiri women seem to have finally given in to the threat of the shadowy militant outfit, Lashkar-e-Jabbar, as many of them have started donning the veil in adherence to a "strict Islamic dress code." The "deadline" set by the outfit, despite criticism by the Mirwaiz (head priest), ends on Friday. **(A)**

Srinagar city and other parts of the Valley look different with women, including young girls, coming out in a *burqa* (traditional veil covering even the face) and *abhaya* (the Iranian *pardah*). And those who have ordered for the *burqas* cover their faces with 'dupattas,' apparently to drive home the message that they are all set to adhere to the diktat.

The women, clearly, have no option but to obey the "orders." Deployment of police outside

women's colleges and other institutions has hardly had any impact, given the fact that a few weeks ago, acid was thrown on the faces of four women by unknown persons. **(A)**

Despite condemnation of the attack by almost all the militant groups, including the Lashkar-e-Taiba and the Hizb-ul-Mujahideen, women in Kashmir have decided not to take any chances. "All of us are scared," says Mehmooda, a social worker. However, many women believe that a "dress code" can not be imple-

mented by force. "One should have the conviction to do so (wear a *pardah*) and whoever has it is doing it," said an angry woman.

Denouncing "such tactics" of force, the Mirwaiz of Kashmir's main mosque, Moulvi Umar Farooq, told *The Hindu* "nobody can be opposed to the *pardah* but it can be enforced by delivering sermons in mosques or through door-to-door campaigns. **(A)**

But not all the Muslim women in the State are opposed to the veil. "There is nothing wrong in observing *pardah* as our religion

teaches us to do so but there could be other means (of enforcing it) also," says Ms. Mahjabeen, a teacher. As the sale of black cloth, used for the *pardah*, has gone up, its price has also skyrocketed. It has triggered the suspicion that cloth merchants may be behind the campaign, now supported by the radical women's group, Dukhtar-e-Millat.

Code in Manipur: Page 11

THE HINDU
wishes its readers
A HAPPY ONAM

Dalit woman not allowed to assume panchayat office

STATESMAN NEWS SERVICE

BHOPAL, Aug. 17. - Mrs Uma Arsay, a dalit, was restricted from discharging her duties as Hoshangabad zilla parishad chairperson for the last one-and-a-half year by some upper caste vested interests.

Mrs Uma Arsay could dare to come out openly against her tormentors only a few days ago following which the district administration and the police were forced to intervene in order to enable her to take charge of her chair.

Mrs Arsay was elected as the Hoshan-

gabad zilla panchayat's chairperson in March 2000, but the vice-chairman Mr Arjun Palia restricted her from assuming her office. Mr Palia hadn't only usurped Mrs Arsay's chair, but also grabbed the privileges and perks of her office.

Mr Palia is said to have close links with the politicians of the Hoshangabad district. He is also known to be involved in several criminal cases.

Mr Palia had all along not allowed Mrs Arsay to have any say in matters relating to her job on the ground that she was a dalit, sources said.

He didn't even permit her to attend office and convene meetings of district officials, sources added. He had been allegedly terrorising Mrs Arsay and her family members, warning her of "dire consequences" if she ever spoke in public against him.

However, last week Mrs Arsay dared to speak openly against the vice-chairman. Besides lodging a complaint with the district administration and the police, she sent letters to the chief minister, Mr Digvijay Singh, and a slew of senior ministers and state officials.

The Hoshangabad police has regis-

tered a case against Mr Palia and his three associates under the Prevention of Atrocities against SC/ST Act, the SP, Hoshangabad, Ms Anuradha Shanker Singh, told The Statesman over phone today. Ms Singh said security has also been provided to Mrs Arsay.

The district administration has made other arrangements to ensure that Mrs Arsay is henceforth able to discharge her official duties without any hindrance.

Mr Digvijay Singh said: "Action will be taken against the accused after a thorough inquiry into the case."

THE STATESMAN

10 WOMEN BELOW 1677

It is ironic that the south Asia and the Pacific region should abound in controversial women political leaders — Ms J. Jayalalitha's latest venture caused quite a storm — while lower down, few women have access to positions of power in local government. This last is the finding of a paper entitled "Women in local government in Asia and the Pacific: a comparative analysis of 13 countries", presented at the United Nations economic and social commission for Asia and the Pacific summit for women mayors and councillors in Thailand. It is true that women are under-represented in politics worldwide, but Britain and many countries in Europe are seeing an increasing number of women politicians in crucial positions in government and opposition. The paper, however, focussed on local level government, and found that women in India and Bangladesh came out best, occupying 33 per cent of the decisionmaking positions. The percentage also coincides with the percentage of seats reserved for women in both countries and the paper made no bones about identifying reservations as the cause of this triumph. Read against the grain, therefore, it is possible to say, that this is simply not good enough. Australia, without reservations, has 26.3 per cent, even Japan has 6.2 per cent, and, Sri Lanka, with Ms Chandrika Kumaratunga at its head has two per cent. In other words, even two per cent over the mandatory 33 would have meant that women were braving violence and political, social and domestic opposition to fight for a place in decisionmaking bodies in India and Bangladesh.

The picture, therefore, remains discouraging at the local level. The paper's findings can be contrasted with the number of powerful women at the top of the political pyramid, whether Ms Jayalalitha or Ms Kumaratunga or Sheikh Hasina. Obviously, two different kinds of politics are under consideration here. Women on top are not positive indicators of women's status and value in a society. Only women in local bodies represent that.

Prostitution row divides women

FROM OUR SPECIAL
CORRESPONDENT

women 6-8 9/7

New Delhi, July 6: Women's organisations are split on legalisation of prostitution — a demand voiced by both human rights groups and the health ministry. A number of women's organisations across the country today declared that they will launch a movement against the demand.

"Legalisation will only help brothel owners, procurers and traffic owners," said Sheila Jefferys, who has been working among prostitutes in Australia.

The state of Victoria legalised prostitution in the eighties. "The result was that each week, 60,000 men in the state spent \$7 million on prostitution with the legalised industry turning over more than \$360 million a year and drawing on some 4,500 prostituted women and girls," informed Jefferys, who has joined women's organisations like Joint Women's Programme, Sanlaap, Nishant and Prerna to campaign against the legalisation.

Opposed to these organisations are groups like Durbar Mahila Samannay Samiti, a West Bengal-based organisation that has taken the lead in advocating legalisation of prostitution. Human rights groups claim that granting legal status to the sex industry would give its workers some sort of respect that they are denied now.

Legalisation means prostitutes will have to register themselves as sex workers in the government's official record after which they will be given licenses. The government will conduct regular health and medical checkups to ensure they

are not affected by AIDS.

"Licenses do not mean an end to violence in prostitution," says Priti Patkar from Prerna, a Mumbai-based organisation working in brothels. She argued that licensing would only lead to stigmatising women — a stigma that will be carried over to their children. A prostitute, once licensed, will go down in the records forever as a prostitute, Patkar added.

"Women in prostitution do not want their children to continue in the trade. Even when the trade is not legal, they find it difficult to get their children admitted in schools. Once they are officially stamped with the label of prostitutes, it will stick not only to them but also to their children," says Jyotsna Chatterjee of Joint Women's Programme.

As for medical checkups, Chatterjee says, prostitutes will be segregated and looked upon as a threat to public health.

The pro-legalisation lobby, on the other hand, says that legalisation also involves decriminalisation of sex workers and giving them the status of industry will bring them under the purview of labour laws.

The anti-legalisation lobby sees the move only as a medium for spurring trafficking, which has mounted to huge proportions. It dismisses the argument that women in India voluntarily enter prostitution.

"A strand of feminist opinion is saying that prostitution is a matter of choice for women and should be treated as such. But this is completely misleading," says Jean D'Cunha, a board member of the Coalition Against Trafficking in Women, Asia Pacific.

Muslim women and the law

By Sona Khan

THE GOVERNMENT'S decision to introduce a Bill in Parliament to amend legal provisions to enable women and other dependents to seek higher maintenance is a welcome move. But, alas! The announcement did not mention the inclusion of Muslim women under the scheme of these proposed amendments, though other Indian women would be included. Why? If the explanation is that the validity of the legislation dealing with the rights of Muslim women passed after the decision in the Shahbano case, the Muslim Women (Protection of Rights on Divorce) Act, 1986, is pending in the Supreme Court, it is unacceptable. The 1986 Act deals with only the question of maintenance of divorced Muslim women and not undivorced. The exclusion of divorced Muslim women from benefits available to other divorced women under secular provisions is discriminatory and, therefore, untenable. I challenged the validity of the 1986 Act and filed a public interest petition personally before the Supreme Court in 1986 itself. I have challenged it on the grounds that the enactment is *prima facie* unconstitutional on several counts; it is not in conformity with the settled principles of Muslim law, is vague, does not provide solutions to the problem for which it was enacted and sets a dangerous trend for dealing with the issues in the largest minority community. I argued my petition before the Constitution Bench last year in September, others also did and the judgment is awaited.

By facilitating the provision to seek higher maintenance in the proposed Bill, I conclude that reference is made to the general provisions in this regard found in Code (Cr.P.C.), where the maximum amount that can be awarded is Rs. 500 a month. This also means less than Rs. 500 can also be awarded as maintenance as was done in the case of Begum Shahbano. The Judicial Magistrate, Indore, had granted Rs. 25 a month under the provisions of Cr.P.C. section 125 and the Madhya Pradesh High Court enhanced the amount to Rs. 279.20 calculated on the bases of the declared income of Mohammed Ahmed Khan, husband of Begum Shahbano and a lawyer by profession. Some time ago, the Uttar Pradesh Government amended pro-

visions of Cr.P.C. section 125 locally and enhanced the limit from Rs. 500 to Rs. 5000. I understand that the Central Government would like to do away with the ceiling limit all together in the proposed Bill.

The Law Commission had recommended such enhancement long ago. Children, parents and other dependents can also seek maintenance under Cr.P.C. section 125. Last month, directions emerging out of a Supreme Court decision, where a husband was denied divorce because he did not provide maintenance to his wife, seem to

tion identified solely by religion. Article 13 (2) of the Constitution does not permit this. The proposal to amend the procedures to make sure that application seeking maintenance under Cr.P.C. section 125 and also under relevant provisions of other personal laws are disposed of by the court within 60 days, if implemented will also be a great relief.

The contents of the proposed Bill are yet to emerge for public debate. By doing away with the ceiling amount does the Government wish to club the provisions

The exclusion of Muslim women from the general scheme meant for all other Indian women is unconstitutional.

have accelerated the Cabinet's decision to propose an appropriate amendment to facilitate quick relief and maintenance.

The exclusion of Muslim women from the general scheme meant for all the other Indian women is unconstitutional. The Constitution has an unshakable vision as a mere reading of the Preamble makes clear. The visionaries responsible for the creation of the Indian state after Independence had a determined vision of creating a society free from discrimination based on sex, race, religion, place of birth, language etc. This vision of social engineering demands a policy framework for consequential progress and development. The mandate is to make and implement policies that take the state forward and towards equality, harmony and unity.

There is no provision in the Constitution which empowers the Executive to trifle with this vision and take society backwards or allow a section of society to go backwards in the name of religious freedom. Our Constitution makers knew that if space for such choices was allowed, it would have the potential to push the country towards disharmony and possibly backwards. There is no such room and scope in the Constitution for exercising this negative form of freedom by any section of society. Therefore, the right conferred upon all Indian women by Cr.P.C. section 125 cannot be denied to one sec-

tion, under any customary or personal law, she shall not be entitled to the benefit of seeking maintenance under Cr.P.C. section 125.

Under the matrimonial provisions governing Muslim women, they are entitled to a dower amount, which is in lieu of agreeing to marry, a consideration for entering into the contract of marriage. This can be demanded by the wife immediately and is payable on demand after marriage or any time thereafter. If not collected earlier, it becomes payable immediately after divorce in India. In other Muslim countries, women take it at the time of marriage. To equate it with the right of maintenance under Cr.P.C. section 125 only goes to establish the gross misuse of the process of law and lack of understanding of the settled principles of Muslim Law. Thus Muslim women have been grossly discriminated against because of religion with regard to the applicability of the secular provisions of Cr.P.C. section 125. The provisions of 127 (3) (b) have prejudiced no one but Muslim women and have played mischief with all the constitutional and Quranic rights (Verse 241 of Chapter II) of the divorced Indian Muslim women.

The decision made in Shahbano Begum's case is law even today as it has not yet been overruled by any other decision of the Supreme Court, which provides for the husband to maintain his divorced wife under Cr.P.C. section 125. It rightly justified that even the Quran provides for the duty of the husband to maintain his divorced wife. At the same time, the judgment should have upheld the simple secular rights of the Muslim women and should have struck down the provisions of Cr.P.C. section 127 (3) (b) as unconstitutional on the grounds that these tend to deny Muslim women their secular rights and relief available under section 125. What the Shahbano case decision did was to interpret and justify the secular provisions by use of the provisions under personal and customary law. Wherein availability of rights under the secular provisions get somewhat diluted — a dangerous trend from the point of view of protection of the interests of women of the minority community.

(The writer is a Supreme Court Advocate.)

CONSENSUS TO INCLUDE APPEALS IN DISCOURSES

Faiths rally against foeticide

FROM OUR SPECIAL CORRESPONDENT

New Delhi, June 24: For a few hours at least, the shadow of patriarchy receded from religious establishments as their leaders gathered in the capital to speak out in one voice against female foeticide spiralling across the country, especially in north India.

Religious leaders have been known as upholders of patriarchy, but at today's meeting, organised by the Indian Medical Association (IMA), the Unicef and the National Commission for Women (NCW), they attacked a practice which feeds patriarchy.

The conclave of leaders from diverse faiths included Sadhvi Rithambhara, Vishwa Hindu Parishad's rabble-rouser, who shared the dais with Muslim leaders. "I am seeing a new avatar of Rithambhara," said Swami Agnivesh of Arya Samaj.

In the "new avatar", the Sadhvi disregarded her organisation's animosity towards minorities and urged religious leaders of all hues to come together on the same platform on the issue.

The heads of the Ramakrishna Mission and Parsi Anjuman, the Shankaracharya of Kanchi and many more turned up to drive the fear of divine retribution into those practising female foeticide. The Archbishop of Delhi could not come because of an urgent meeting elsewhere. "Otherwise, it was like a gathering of a who's who of religious leaders," said Sanjiv Mallik, honorary secretary of the IMA.

Nowhere do our religions preach or sanction foeticide, stressed the religious leaders. Driven to a dead end by the rising rate of female foeticide, the IMA and



Religious leaders at the National Religious Leaders' Convention on abolition of female foeticide and infanticide in Delhi. (PTI)

the Unicef had planned the meeting of religious leaders hoping to make some headway in a blind alley. A government team, too, showed up, promising to strictly enforce the Act that bans foeticide.

For six hours, the leaders spoke out against foeticide, evoking religious texts which negate the very concept of destroying life. "They did not even break up for lunch as some said they could fast for a few hours for such an important cause," said Mallik. At the end of the meeting, all took an oath drawn up by the IMA to fight against foeticide.

The organisers of the meeting said there could be no miracle overnight. But in their daily discourses, the religious preachers will bring in the subject of foeticide and condemn it as violating

the basic tenets of all religions.

Kanchi's Shankaracharya felt that religious leaders could, if they wanted, play a more active role in battling "social evils".

Female foeticide is growing by the day and the latest census figures of male-female ratio have left the government and voluntary organisations stunned. According to the latest census, the ratio of the female child to the male child has dipped to 927 from 945 with cash-rich states like Punjab and Haryana topping the list. Embarrassed by the state's blatant disregard for women, the Akal Takht threatened to excommunicate those who practise female foeticide a few weeks ago.

Warning to doctors

The IMA admitted that, so far, it has not been able to stop the med-

ical fraternity from carrying out abortions of the female foetus. It issued a statement today declaring that the association will not protect professionals who abet or carry out foeticide. "We will also de-recognise those doctors," said the IMA's honorary secretary.

The IMA has woken up to the threat posed by some doctors who are minting money by performing illegal abortions. "Not a single doctor has been punished so far despite the rising rates of female foeticide," said Vibha Parthasarathy, chairperson of the National Commission for Women.

She has already spoken to the ministers of health and family welfare in Chandigarh about the spiralling rate of foeticide. "They were disturbed but nobody knew how to stop the killings," Parthasarathy added.

Religious heads unite in common cause: girl child

EXPRESS NEWS SERVICE
NEW DELHI, JUNE 24

THE laws haven't worked, nor have the ad campaigns. The last recourse was religion and today religious heads from various parts of the country sat together on a common platform to condemn female foeticide and talk about women's empowerment.

A sea of saffron, white and grey robes sat together on the stage and aired their views on the need to educate the masses about the evils of female foeticide and to tell the public that the practice — which cuts across religious barriers — doesn't have religious sanction.

Pledging their "total commitment" to the movement for abolishing female foeticide, representatives of various faiths led by Jagadguru Shankaracharya of Kanchi, Swami Jayendra Saraswati, said they would use all resources to "propagate among the Indian masses (the need) to shun the atrocious practice of female foeticide."



Religious leaders at the National Religious Leaders' Convention on abolition of female foeticide and infanticide in Delhi on Sunday — PTI

The convention, organised by the Indian Medical Association (IMA), UNICEF and National Commission for Women, had an array of participants from ministers to representatives from various sects and religions.

Its relevance can be seen in light of the 2001 census figures, which show that some states, including Punjab, suffer from problem of the "missing girl child." In

Punjab, where the girl child sex ratio has dipped to 793 per thousand boys, the Akal Takht issued an edict calling for ostracisation of those resorting to female foeticide.

The girl child ratio now stands at a poor 927 compared to 945 ten years ago and 122 out of 591 districts have less than 900 daughters for 1000 sons.

Union minister for Human
CONTINUED ON PAGE 2

Gadar sparks protests in Delhi now

REUTERS
NEW DELHI, JUNE 24

INDIAN police said on Sunday they had arrested 10 activists who attacked a film hall in New Delhi to protest against what they called insulting language in a new Bollywood blockbuster.

Protesters from the Ali Sena Muslim activist group tore up banners of the movie *Gadar - Ek Prem Katha* outside the theatre in New Delhi's business district of Connaught Place, a police official told Reuters. "Activists of the Ali Sena were protesting against some dialogue in the movie which they feel insults their community," he said.

The official said heightened police presence at the theatre's Sunday film screening prevented damage or injury.

"Since it was a Sunday we had deployed additional police personnel to monitor traffic and keep order. So we were able to keep the protesters away from the theatre," he said. The State Government has provided protection to venues showing the film since it provoked protests last week in the central state of Madhya Pradesh.

The woman
that time chose.

Draupadi

The untold saga

MAN EXP...

Girl-child killings threaten Bihar gender balance

FROM TAPAS CHAKRABORTY

Patna, June 17: Almost a decade after female infanticide came to light in north Bihar's rural heartland, the menace now threatens to create a demographic imbalance.

The state today ranks at par with Madhya Pradesh, Rajasthan and Andhra Pradesh in female foeticide and infanticide. The latest census figures in Bihar shows an alarming imbalance in the sex ratio and a sharp decline of girls in the 0-6 years age group.

While Rajasthan and Madhya Pradesh have less than 800 girls per 1,000 male babies, in some north Bihar districts it is as low as 600 per 1,000 male children.

Addressing a seminar on "Gender Bias Focusing on Female Foeticide and Infanticide" organised by Bihar chapter's

Indian Medical Association (IMA), Union health minister C.P. Thakur asked NGOs and the state government to launch a direct intervention programme.

He warned that if the sex ratio imbalance continued to widen, there would soon be no "daughters left in the state".

He linked the trend to the spate of abductions of girl children in north Bihar where child marriages are common. These districts have also seen a decline in marriageable girls.

The lowest number of girls are in Kishanganje district followed by Samastipur and Muzaffarpur, according to a survey by the IMA, Patna.

Infanticide was first detected in Bihar in the early nineties by a local NGO, Aditi, in Katihar district, where nurses allegedly admitted poisoning female children.

The Unionef also detected anomalies in

the sex ratio in the northern districts, especially in Kishanganje, Araria and Samastipur early last year and referred the pilot studies to the state welfare department. The government then asked the census department to look into the gap in the sex ratio.

The census reports having confirmed the abnormal sex ratio, the social welfare department is now expected to inquire on accounts of infanticide.

But the initiatives have failed to impress health activists. Despite the revelations, the Rabri Devi government has been accused of sitting pretty. "Patna abounds with illegal abortion and ultrasonography clinics which carry out selective sex elimination under the garb of medical termination of pregnancies," said IMA president of Bihar chapter Dr Ajay Kumar.

Doctors attribute the trend to the lack of political will. They contend that the IMA cannot crack down on the offenders without evidence and neither can they take the law into their own hands.

"The state government, police and the NGOs must mobilise opinion against the practice. Only then will the victims who are forced to undergo the trauma can come up with evidence," said Dr Ketan Desai, national IMA president.

The health minister said female infanticide is related to the "tilak system" (a marriage ritual) prevalent in Bihar in which dowry is an integral part of the ceremony. While the bride's family in Andhra Pradesh has to pay the groom in crores, in Bihar the amount ranges between Rs 5 lakh and Rs 50 lakh. "So Bihar ranks just after Andhra Pradesh in foeticide," said Thakur.

The methods of elimination are gruesome. If the foetus cannot be aborted, it is allowed to be born and then gagged to death, the minister said. According to a medical researcher, girls till 5 years of age near Sitamarhi are choked to death by stuffing *chappatis*. Often infants as young as three months are killed in a similar way.

However, the practice is not endemic in Bihar as it is in Punjab and Haryana. "Women were never a problem in Bihar since historical times. A girl child was always welcome. But migration from the western and northern parts of the country over the past 30 years has brought about a radical change in the parents' mindset," Thakur said. He said the problem is a legacy of the north Indian culture which has swamped the state.

Legislation to empower women likely

HC-9
16/6

Syed Liaquat Ali
New Delhi, June 15

THE GOVERNMENT has initiated moves to enforce as many as 39 Central Acts concerning women's rights, most of them aimed at fighting gender bias, in a bid to empower Indian women through law. Apart from breathing life into the provisions that have remained dormant so far, the NDA is planning a few fresh legislations and amendments to several existing Acts to meet the demands of the changing times.

A new law the Government intends to make relates to prevention of domestic violence. Legal experts feel proper implementation of existing legal provisions could be enough to protect women's rights. They also recognise the need to update archaic laws to place women at par with men.

The Hindu Succession Act, for instance, promotes a patrilineal regime, allowing only the male members of a joint family to inherit ancestral property. "According to the existing law, the natural guardian of a child is always the father. This is a discriminatory provision that needs to be amended," said Professor Kusum, officiating director of the Indian Law Institute.

She said the Child Marriage Restraint Act could not be enforced unless there was enough awareness among the people. Parents marry off their minor daughters either because they want to rush through responsibility or to merely ensure the girls' safety, argued Kusum.

But the Government plans to amend the Child Marriage Restraint Act with the limited purpose of ensuring that if a minor girl is taken away forcefully from her lawful guardian's custody, the marriage would be void.

On the Muslim Women's (Protection of Rights on Divorce) Act which was enacted after the famous Shah Bano case, lawyer Syed Shakil Ahmed said the Act needs improvements to be an effective legal instrument in the hands of Muslim women.

The Acts that the Government intends to amend include The Indian Succession Act, 1925; Married Women's Right to Property Act, 1874; Hindu Marriage Act, 1955; Foreign Marriage Act, 1969; Indian Divorce Act, 1969; Hindu Succession Act, 1956; Dowry Prohibition Act, 1961; Indecent Representation of Women (Prohibition) Act, 1986 and Immoral Traffic (Prevention) Act, 1956.

GOVT PROMISE ON CHILDREN'S PANEL

IF THE Government is taken at its own word, the National Commission for Children (NCC), which should be finalised shortly, will be endowed with "all the safeguards and provisions to make it an effective body".

The NCC, again to go by what the department of women and child development under the HRD Ministry says, "will try to ensure that no child remains illiterate, sleeps hungry and shelterless". The enormity of the job in hand can be understood when one considers that India carries the burden of the largest child population in the world.

HTC, New Delhi

'Imports' outnumber local sex workers

BY OUR CORRESPONDENT
Kolkata, June 14: Sex workers from abroad outnumber locals in Sonagachhi. Every five sex workers here include three "imports" — two from Bangladesh and one from Nepal.

"We have found that 40 per cent of the sex workers in Sonagachhi are Bangladeshis and 20 per cent are Nepalis," said a member of a parliamentary committee that visited the red-light area on Thursday.

"More and more women from these two countries are smuggled in every year, then left to live in terribly unhygienic conditions," she added.

The team, led by Ms Jayaben Thakkar, included her fellow-MPs Shyama Singh, P. Sylvie Das and Rabello Mabel.

The team also visited the neighbouring redlight areas in Rambagan, Sethbagan, Jorabagan and Rabindra Sarani.

The members entered the sex workers' rooms and "educated them about their rights regarding health care, parenting and livelihood and self-determination."

The sex workers told the team members about the problems

they face while entertaining clients.

"I was appalled by their low standard of living. This needs to be changed. We found most of them suffering from genital ulcers," Ms Singh said.

One encouraging trend the team noticed was that the sex trade does not lure in as many minors as earlier.

A member of a social organisation working in the area told the team that the average age of sex workers has risen from 22 to 27 in five years.

The team, however, was not

very impressed by the social workers.

"There is a lot these social workers need to learn," said Ms Thakkar, without going into details.

NGOs Polatak Club and Durbar Mahila Samanwaya Committee still tried to impress the team with their achievements.

"We told them of the methods we have used to end orthodox notions of society towards these women," an NGO member said. DMSC secretary Putul Singh said the delegation also discussed ways how NGOs working

with sex workers in the city can combat the problems of trafficking of women and especially young girls.

The sex workers said they spent the day preparing questions to ask the delegates.

"We asked the MPs whether our demand for trade union rights is justified," a sex worker said. She did not specify what answer she got.

The team will leave for Darjeeling on June 16. It will visit redlight areas there "if weather permits."

It will return to Delhi on June 20 and present its findings in the Lok Sabha during the monsoon session.

Family limit may cause more female foeticide'

Rathin Das
Gandhinagar, June 7

THOUGH OPPOSITION Congress has welcomed the Gujarat Government's decision to implement the two-child norm in the State, some NGOs have expressed apprehension that the regulation may lead to more female foeticides.

While Opposition leader Amarsinh Chaudhary feels happy that the BJP ministry has adopted its old 'hum do, hamare do' formula for population control, several NGOs working for the welfare of women and children feel that legislation is not the way to deal with such social problems.

Poverty is the primary reason why the poor want more children as it simply means more hands to earn, said Robert Kennedy World Human Rights award winner Martin Macwan. The female to male ratio has already fallen drastically in Gujarat due to preference for male child, said Macwan warning that the new move would definitely lead to a rise in female foeticide.

In any case, the incentives and disincentives in Government jobs would not work as these constitute only two per cent of all employment opportunities, opined Achyut Yagnik of Setu. This is a

foolish decision to appease the Hindu votebank, which believes in the stereotype idea that minorities' reluctance to adopt family planning methods lead to population explosion, he adds.

Though the terms of reference of the ministerial sub-committee to formulate the legislation have not yet been specified, Minister of Education Anandiben Patel is already reported to have expressed her reservation on the issue.

The alternative suggested by NGOs is empowerment and education of women who are currently denied the right to choose the appropriate family size. "Even the poorest women want to limit the number of children to two, but they are not given the freedom to decide," said Hanif Lakdawala of Sanchetana that spreads health and educational messages among the poorest women in the slums. Improving the quality of life can achieve the same goals of population control rather than the laws on incentives and disincentives in Government jobs, added Hanif.

Citing an example in a minority and Dalit populated ghetto in Ahmedabad, the NGO activist said the reduction in the infant mortality rate over a decade had actually brought down the birth rate too.

Domestic Violence

When Women Become Bread-winners

By ANURADHA RAJAN

11-10
A multi-sectoral survey done by the International Clinical Epidemiologists Network (INCLIN) has found that contrary to popular belief, domestic violence in India cuts across social and educational status. Economic and gender relations are undergoing changes, with an increasing number of women entering the formal and informal labour markets. This casts the woman in the role of bread-winner as opposed to home-maker, leading to increasing use of violence as a mechanism to subjugate her.

The study found that women — educated and illiterate, from rural and urban areas, engaged in paid and unpaid labour — suffer varying degrees of physical and psychological violence by their husbands. Two out of every five married women reported being hit, kicked, beaten or slapped by their husbands. Fifty per cent of the women experiencing physical violence also reported physical abuse during pregnancy. A respondent from a slum colony in Bhopal said that she was beaten not only by her husband but all members of his family.

In the lower economic strata, abused women typically lead a complicated life. They work as domestic help, which often means unsympathetic employers. Add to this small children who need attention and alcoholic husbands, and it is a vicious cycle. The notes of an INCLIN field worker revealed the case of a 20-year-old domestic help who had married her own uncle. Perhaps because of this, both her children were mentally retarded. Her husband was an alcoholic, who would return home heavily drunk and beat her. Later she came to know that he gambled, took cocaine and had extra-marital affairs. If she questioned him, he would beat her with whatever he could find. "Since then she does not ask him anything. She says she has never experienced happiness in her life and feels that she won't in the future."

Why do women face violence at the hands of those who are supposed to provide them security? The range of 'causes' varies from not cooking on time to mismanagement of the household to neglect of children. In short, non-adherence to gender roles and responsibilities leads to violence. Violence, or the threat of it, is used very often to ensure 'discipline', which either maintains gender roles, or prevents changes in gender relations. For example, alcohol and dowry have long been associated with violence, but then, why is it that men beat only their wives and children after

drinking? Why is it that women have to bring a host of material possessions to establish and maintain their status within the matrimonial homes? Both these phenomena reflect women's subordination within marriage, a strongly endorsed gender role in society.

One arena in which gender roles are undergoing rapid change is the economic sphere, with increasing numbers of women entering the formal and informal labour market. The study found that in Nagpur, over 90 per cent of the women who had reported experiencing violence were involved in paid work. The Nagpur data revealed another significant point. More than 65 per cent reported that their husbands were unemployed. This suggests that working women suffer more abuse if their husbands are also unemployed. Gender gap in employment acts as a further trigger for domestic violence.

IN BRIEF

- Abuse of women cuts across class barriers
- Traditional gender roles are being both challenged and reinforced by social and economic transitions
- Domestic violence will eventually hamper development

This should, however, not be interpreted to mean that providing employment opportunities to unemployed men would automatically ensure reduction in violence against women. On the contrary, violence is frequently used as a mechanism to deal with any attempt at reversal in gender roles, which pits 'man-the-bread-earner' against 'woman-the-home-maker'.

In a similar vein, the recent *National Family Health Survey* found that women working for money are more likely to have been beaten in the last 12 months. A respondent from rural Lucknow, sharing her story of marital abuse said, "He insults me in front of my relatives and neighbours. He used to beat me also but for the past year that has stopped, mainly because he is now in a better job and earning better."

It is also important to view these findings against the recent trend of employed women seeking help. A recent study by the Tata Institute of Social Sciences, Mumbai, found that the number of employed women seeking help at the special cell for women and children went

6/6
up with increasing years of experiencing violence. Case-workers at the special cell hypothesise that women in paid employment probably have a wider network of support, which enables them to explore alternative options over a longer period of time. That women in regular employment are turning up for counselling and help suggests that they are less willing to tolerate domestic violence.

Economic forces are operating at two dichotomous levels that expose women to the risk of violence. Liberalisation has resulted in increased entry of women into the labour market — albeit in the informal sector — leading to a re-negotiation of gender roles. However, the same economic forces are also promoting a consumerist lifestyle that reinforces regressive gender roles, placing women at greater risk as regards domestic violence.

Middle-class women today are being increasingly targeted as the ultimate consumers. The message is to aspire to a lifestyle of acquisition; and women are positioned as instruments through which such acquisition is possible. This acquisition is projected by an image of the savvy working wife or a wife who is able to bring all this into the matrimonial home through dowry.

In the changing economic scenario, dowry has entered into societies where it was hitherto unheard of. A whole body of literature documents this emerging phenomenon in various parts of India, like Kerala and Tehri-Garhwal. For example, the INCLIN survey found some of the highest rates of dowry dissatisfaction and the reporting of new dowry demands in Thiruvananthapuram in Kerala.

It is essential to take cognisance of the wide prevalence of domestic violence, especially as a response to changing gender roles — roles that are being both challenged and reinforced by rapid social and economic transitions. Yet planners and policy makers position many of these transitions as inevitable consequences of development.

Is domestic violence, then, an inevitable fallout of development? The answer is a categorical no. A development paradigm in which domestic violence is a 'by-product' is antithetical to the very goals it seeks to achieve. If, as Nobel laureate Amartya Sen says, development is the realisation of human rights, then the existence of domestic violence is a fundamental barrier to development.

(The author is Representative, International Centre for Research on Women, India)

THE TIMES OF INDIA

676 PRIVATE TEARS AND PUBLIC PAIN 119-12

THE ANNOUNCEMENT BY the Union Government of its intention to prepare a legislative package to check domestic violence reflects the growing public sensitivity to a vulnerable and hitherto ignored section of society: the silent sufferers who are victims of family discord. That violence against women inside the household is a serious social affliction is only reiterated by the fact that of the 1,31,338 crimes committed against women in 1998, as high as 41,317 (31 per cent) were perpetrated by husbands and relatives. As the Government moves ahead with its proposal to bring in a Domestic Violence Prevention Bill, it will only be appropriate if it takes into account what has gone wrong with the present set of laws. The answer is not far to seek: the ineffective implementation of existing laws has resulted in lower confidence levels in the victims, thereby deterring them from seeking justice. An appraisal of the effectiveness of the provisions of the Indian Penal Code and the specialised legislation, the Dowry Prohibition Act, in addressing the problems faced by victims of domestic violence is therefore required. The corrections required will have to be unhesitatingly made. Sensitising the police forces to the magnitude of the problem will be a good starting point.

Despite the improvements made in creating a better social setting for women, the problem of domestic violence has remained largely out of the public horizon. On this account, by bringing the private trauma of the victims within the realm of public attention, the proposed legislative measure marks a distinct departure from the past. The existing conceptualisation of violence against women, dictated as it is by a pronounced emphasis on dowry and its related violence, has not accorded the required attention to a range of other manifestations of abuses that are unrelated to dowry. Those arising out of mere discord or conflicting personalities are cases in point. For the proposed legislation to be effective, it is

therefore imperative that a sharp definition is made of what constitutes domestic violence. There is a strong case for the inclusion of non-physical manifestations of violence such as psychological, emotional and verbal abuse as well.

As much of the problem is dictated by social and personal behaviour, the correctives should begin with social and individual perceptions. Of considerable concern is the existing level of "social acceptance" of forms of domestic violence that go un-noticed. Aggressively attempting to reduce this unhealthy high level of tolerance and creating a setting that is more sensitive to all forms of domestic abuse should engage the broad public attention. It is imperative that individual rights are not denied in the name of ill-construed social precepts. Understanding the nature of domestic violence also requires examination of both the determinants and consequences of violence. The vast collection of narratives, available in the form of police and court records as well as studies by both academic institutions and voluntary organisations in the country, are testimony to the appalling range of domestic violence as well as its severity. These studies also point to the need to put in place a comprehensive intervention mechanism and suitable support systems. The process of responding to domestic violence is very broad. As it encompasses a range of players, starting from the immediate family members to the police and the courts, a concerted and pro-active effort needs to be taken to make all participants aware of the severity of the issue. Economic and political empowerment of women should also be accorded high priority. Above all, there should be a larger realisation that state interventions, including those by way of new laws, would be ineffective in correcting such abuses unless these are supplemented by efforts that increase public consciousness against such detestable acts.

Taliban orders foreign women to stop driving

KABUL: Afghanistan's Taliban militia has ordered foreign women to stop driving vehicles out of respect for local "tradition" and the environment, relief workers said on Thursday.

The move comes amidst growing tension between the fundamentalist Islamic militia and the United Nations over harassment of aid workers and barriers to the employment of Afghan women during a major humanitarian crisis.

The letter, circulated last week by the militia's religious police, says, "It has been seen that some foreign women drive cars in the cities, which is against the Afghan tradition and has a negative impact on the environment.

"In future foreign women must not drive cars and must observe the tradition of our country and abide by the regulations of the Islamic Emirate (the Taliban)," the letter concludes. (AFP)

Penalty provisions in harassment Bill

FROM OUR SPECIAL CORRESPONDENT

New Delhi, May 27: The Bill on sexual harassment at workplaces, which will be drafted by the National Commission for Women (NCW), will have penalty provisions which could range from demotion to compensation liability.

Other penalties on the drawing board are denial of promotion, punishment transfer, warning and reprimand. "The offender could also be made to say sorry — it could be a kind of semi-public apology," said NCW chairperson, Vibha Parthasarathy. The issue of

punishment has come up repeatedly during the NCW's interactive sessions and a solution will come only after the Bill starts taking shape, she said.

"There will also be other agencies like the National Human Rights Commission and NGOs which will lay down separate guidelines for the Bill," says Parthasarathy. Sexually harassed women have turned repeatedly to the NCW and the NHRC for intervention and justice.

"The number of complaints, no doubt, has been going up, even though it may not match the proportions of rape and

dowry," says Parthasarathy.

The Supreme Court's preventive guidelines, laid down three years ago, have not specified any punishment for the offenders and is an issue the NCW is pondering how best to tackle.

"Deciding on punishment is difficult since the form of the offence could range from whistling to an outright, ugly sexual gesture," says Parthasarathy. But suggestions have cropped up during the NCW's interactive sessions with various public sector undertakings.

For now, the NCW is culling material that will form the basis of

the Bill — the experiences of women employees in the workplace and in cases of sexual harassment, the response of the managements to the incidents.

The Supreme Court guidelines had asked institutions and managements to set up complaints' cell and committees for probing the charges and initiate action.

Since November last year, the NCW has been holding monthly discussions with the officials and employees of the PSUs, including nationalised banks, to get to the root of the problem and assess the impact of the court guidelines.

"Out of 20 PSUs, who were approached, 19 turned up and the dialogue spread over 100 sessions worked extremely well," says Parthasarathy.

Next month, the NCW will start a similar dialogue with the corporate sector, and if possible, the unorganised sector. Dealing with the corporate sector, the NCW believes, will be tougher.

"Here, employees are wary of speaking out against seniors as there is no security of tenure and victimisation is much more simple," says the NCW chairperson.

In the case of the unorganised

sector, there is a possibility of holding public hearings, where women could share their problems with the commission.

Parthasarathy believes there is still a "culture of silence" holding back women from telling their experiences.

Many PSUs have set up committees, in accordance with legal guidelines and some "sensitive" managements have also set up counselling centres.

"Our dialogue with the PSUs has been extremely reassuring, indicative of their will to understand the issue and do something," says Parthasarathy.

THE TIMES OF INDIA

28 MAY 2001

Govt relief for separated women, children

STATESMAN NEWS SERVICE & UNI

NEW DELHI, May 22. - The government today decided to amend a series of laws to ensure that separated women, children and aged parents get higher maintenance allowance and that their applications for interim maintenance are disposed of within two months.

The decision was taken at the Cabinet meeting this evening, presided over by Mr Atal Behari Vajpayee. The ceiling on maintenance allowance given to wives, children and parents in case of separation will be removed. This will give more monetary security to separated women granted divorce on "frivolous grounds".

The Cabinet decided to amend Sec 125 CrPC to ensure the plea for interim maintenance and expenses for proceedings is disposed of within 60 days from the date of service of notice.

The Union law minister said Sec

KASHMIR CEASEFIRE

NEW DELHI, May 22. - The Cabinet Committee on Security is likely to extend the Kashmir ceasefire by two to three months because of positive response from some militant groups. Tomorrow evening, the CCS is expected to consider the "valuable inputs and feedback" from the 19-May meeting between Mr LK Advani and Mr Jaswant Singh and the unified command at Srinagar. The present ceasefire would have expired on 31 May. - UNI

125 CrPC limited the monthly maintenance to wives, children or parents to a maximum of Rs 500. The Cabinet has provided for interim maintenance and expenses for proceedings. Sec 125 empowers a magistrate to order a person to pay maintenance to his wife, children or parents unable

to support themselves if he has sufficient resources to take care of them.

Four personal marriage Acts too would be amended to ensure that the proposed CrPC amendments are in tune with the amended marriage laws.

The Cabinet Committee on Economic Affairs cleared implementation of the Antyodaya Anna Yojana and Phase II of the National Leprosy Eradication Programme. Under AAY, the Centre will supply 25 kg of grain a month to 1 crore families identified as the "poorest of the poor". The scheme will cost the exchequer a subsidy of Rs 2,315 crore a year.

The second phase of NLEP aims to cure 11,50,000 patients and reduce new disabilities from 3.12 per cent to 2 per cent. The CCEA approved of the transfer of funds from the ministry of health to state leprosy societies.

■ Another report on page 12

MAY 22 1997

MAY 22 1997

WOMAN POWER

Beginning At The Lowest Level

By S DASGUPTA

WOMEN'S empowerment has for the last few years been a pet topic. The media are tumbling one upon another to dwell on the issue. Seminars are held, conferences are organised, NGOs get funds from the government and other sources to find a right strategy. But a careful examination of the views leads one to ponder whether the empowerment of women is meant only for women belonging to the elite, the upper middle class and middle class leaving the vast majority neglected. Here comes the Swarna Jayanti Sahari Rojgar Yojana which began its operation on 1 December 1997. This programme envisages participation of women living in the lowest strata of society. Through their participatory action a change in their perception of society and people around them is sought to be brought about. The municipalities and corporations play a key role in identifying families living below the poverty line, selecting groups for assigned activities, making funds available for work identified by the groups and for regular interaction. In short, this programme can thrive only if the political leaders are sincere.

UNIQUE

In the 50th year of independence, the Government of India launched Swarna Jayanti Sahari Rojgar Yojana in all the urban local bodies, merging some other poverty alleviation programmes like urban basic services for the poor, the Prime Minister's Integrated Urban Poverty Eradication Programme, the Prime Minister's Rojgar Yojana and so on. Most of these programmes had self-employment while the SJSRY is unique in that the women are given priority in implementing this programme which is multi-dimensional. Corporations and municipalities are the designated nodal agencies for implementing this programme through a three-tier committee comprising women members of families below the poverty line.

Government guidelines envisage that families residing in a specific locality and living below the poverty line will form a committee called the Neighbourhood Group (NHG) and select their own representative who is called the Resident Community Volunteer.

All the RCVs from different localities will form a ward-level body called the Neighbourhood Committee (NHC) with four office bearers namely, chairman, vice chairman, secretary and treasurer. At the top there will be a registered body called community development society (CDS) which will also have councillors of the wards. The

The author is a faculty member of the Ramakrishna Mission Lokasiksha Parishad, Narendrapur.

political entities both at the NHC and at CDS levels have an advisory role and are not permitted to vote. Their role is confined to participation in the discussion, suggestion and giving their opinion but the decision makers will be the RCV members of the NHCs or the CDSs. The CDS being a registered society will have an independent status.

These three-tier women's bodies have been given the res-

lives can be taken up — be it an economic activity, an environmental, social, cultural, educational, health or any other development project. With the finance available, it is possible to enhance the earning capacity of the unemployed or underemployed or partly employed. Municipalities having a population below five lakhs have been debarred from engaging contractors for small development work. NHGs are to prepare list of daily labourers who seek and get work. But

dislodging the contractor regime will not be a very easy task for these women's groups who will have to fight vested interests both at political and official level.

Many political leaders may be afraid of losing their clout over a vast majority in their constituency who are below the poverty line once things get going. Hence they may lack interest in implementing the programme. There is, however,

a brighter side. Many political leaders in many municipalities have taken an active interest in SJSRY and are trying hard to turn this programme into a movement.

CHANGE

Silently a change is taking place, in the empowerment of women in these areas; not in words and lectures but in reality. From these women's communities have come up councillors, even a vice chairman of a municipality.

Another silent revolution that SJSRY has brought about in many municipalities is in the matter of self-reliance. There are now more than 3,000 thrift and credit groups formed solely with women members and are regularly subscribing a predetermined sum monthly to their own fund which is deposited with local banks in the group's name. From these funds, groups have started issuing small loans to their members at a nominal rate of interest.

With government patronage towards these groups of Rs 1,000 per head as a revolving fund, it is believed that with all the groups functioning there will be a huge growth of capital at the disposal of these groups in a matter of three or four years. Hence the programme of thrift and credit has generated a lot of enthusiasm.

The potential of the SJSRY programme seems to be boundless. But local leaders have to shed their fears about women's groups becoming more powerful than their leaders. On the contrary, their active participation in SJSRY activities will make them more popular. Empowerment of women is a favourite topic in meetings, seminars and various forums. But action seems to be wanting. Now a goal has been set. Through implementation of this programme they will simultaneously be educated, motivated, utilised and ultimately emancipated.



possibility of implementing SJSRY programme in the towns and cities in two thrust areas: (i) area development and (ii) individual development. NHGs belonging to a particular slum area will try to plan, implement and monitor the development work undertaken in their own area. This will include training for development of skills, setting up of service centres, arranging loans from banks and subsidies from the government, setting up of thrift and credit groups and schooling for children. The lowest level committee (NHG) will report to its upper body (NHC) and the NHC to its still higher body, the CDS. Plan proposals vetted by the CDS have to be approved by the Urban Poverty Eradication Cell of the corporation or municipality.

VESTED INTEREST

SJSRY has given the women below the poverty level the role of planners and achievers within their own surroundings. It is envisaged that if this deprived class is given a definitive role in their own sphere, in course of time they will become self-confident and aware of their collective strength. Starting with small things, they will acquire the expertise for bigger things. With the strengthening of the communities they will also be able to act as pressure groups. And all these things taken together will bring enlightenment and consciousness about the world around them.

As a strategy there is no doubt that, if implemented properly, this programme can bring about a sea change in the lives of women. There is also no doubt about the sincerity of the government as evident from its liberal funding including allocations from National Slum Development Project and from funds given according to the 10th finance commission recommendations.

Any activity considered to be of use in ushering in better

THE STATESMAN

17 MAY 2001

Bangladesh showing the way

By Asghar Ali Engineer

MUSLIM WOMEN, like other women, have been suffering for long for lack of empowerment in a male-dominated society. Pakistan and Bangladesh, once part of India, have been no different in this respect. The women there suffered as much as in India for lack of rights. However, some changes were enacted in the Muslim personal law in Pakistan in 1961 during Ayub Khan's regime under intense pressure from women's organisations.

Triple divorce in one sitting was abolished and the Quranic concept of arbitration introduced as indicated in verse 4:35 under which women too have a right to appoint arbitrators to take care of their interests in the matter of divorce. Also, for polygamy, the Muslim family ordinance promulgated by Ayub Khan in 1961 made it obligatory on a man taking a second wife to notify the first wife, obtain her approval and also convince a court of law why a second wife is needed. This was a great relief for Muslim women of Pakistan. Bangladesh then was still part of Pakistan. This amended law continued in Bangladesh even after it seceded from Pakistan. Even in Pakistan, despite pressures from the orthodox, these amendments to Muslim personal law could not be withdrawn. They are still valid in both countries.

The case of Bangladesh is quite interesting. There are strong secular and ultra-orthodox trends. Bangladeshi culture is a strong influence in contending with orthodoxy which is held up by semi-literate imams and ideologically oriented Jamat-e-Islami elements. A couple of months ago, the Dhaka High Court ruled against triple divorce and also said that any imam giving a *fatwa* in favour of triple divorce was liable to be prosecuted. This ruling caused a great stir in orthodox circles and a strike call was given by the Jamat-e-Islami which turned into a battle between the secular and progressive elements, on the one hand, and the fundamentalists on the other, resulting in loss of several lives. Similarly, the Dhaka High Court had ruled in 1999 that a divorcee is entitled to main-

tenance for life or until she remarries. This ruling was based on an interpretation of the Quranic verse 2:241. This judgment was overturned by the Bangladesh Supreme Court.

Thus we see progressive and orthodox forces strongly taking on each other in Bangladesh. The secular forces in that country have been demanding further changes in the Muslim personal law. It is, however, interesting to note that like the Muslim minority in India the Hindu mi-

be obligatory to register marriage and divorce. It also lays down that the age of marriage for boys shall be 22 and for girls 18. In Bangladesh many girls, especially in rural areas, are married off as soon as they reach puberty, and sometimes even earlier. These marriages, needless to say, are hardly ever registered. These girls suffer greatly when either they are abandoned or divorced by pronouncing triple divorce. If marriages and divorces are registered, it

lays down that if a husband does not pay maintenance for two years or is unheard of for the same period, a woman shall be entitled to demand divorce. In fact, even if the husband is addicted to drugs of any sort, a divorce claim would be valid. A man too could demand divorce if his wife is a drug addict. However, according to the draft UFC of Bangladesh, a man will be entitled to divorce if his wife is lesbian, but a woman cannot claim divorce if her husband is gay.

In the second part of the UFC, maintenance is to be made compulsory and uniform transcending religious customs and traditional laws. While laying down the grounds for maintenance, it also lays down the course of action to be taken if it is not paid. Ms. Farida Arif, a woman activist from Bangladesh, says the number of abandoned women is on the rise. Some trusts and NGOs look after the distressed women. Hence a clear line of action for maintenance is very necessary.

The other parts of the UFC provide for appointment of guardians for minors, adoption etc. The Code provides for uniform law of adoption. It simplifies procedure for adoption by married couples but does not make provision for adoption for a single man or woman. The code also provides for a uniform law of inheritance. Property rights are most contentious. Under the UFC, women married or unmarried, shall have equal rights to property. Children born out of wedlock have a right to maternal property. This will of course be the most contentious part of the UFC as in the shariat equal rights to property for women does not exist.

Of course, the draft UFC will be opposed by the orthodox sections but women's organisations will put pressure for its enactment. Muslim women in India also are now pressing for change if one goes by the proceedings of the April seminar in New Delhi where a number of women critiqued the legality of triple divorce and polygamy and wanted the Muslim personal law board to de-legislate triple divorce and regulate polygamy.

The Bangladesh Government is considering a Uniform Family Code which will end discrimination against women and give them equal status, whatever their religion.

nority in Bangladesh resists any change in its personal law. Thus, Hindu women in Bangladesh are still governed by age-old traditions and laws.

Now the Government of Bangladesh is considering a draft Uniform Family Code which goes much further than the Muslim family ordinance of 1961. This draft has been approved by Opposition leaders, including Begum Khaleda Zia. The code will apply to all and will offer women greater control over their lives. Divorce, according to sources, may no longer be a traumatic experience for women in Bangladesh. The main purpose of enacting the Code seems to be to end discrimination against women and give them equal status whatever their religion. This has been prepared by the Bangladesh Mahila Parishad. This women's organisation has been fighting for women's rights for the last 30 years. Says Ms. Ayesha Khan, BMP general secretary: "We realised that women are subject to oppression and discrimination in matters relating to personal rights. They are also denied access to opportunities for development, despite the Constitution guaranteeing equality to men and women."

The first part of the draft Code deals with marriage and divorce. Under it, it will

will give women legal grounds to get what is rightfully theirs, points out Ms. Tania Amir, a prominent lawyer. In India too, the National Women's Commission had recommended compulsory registration of marriages but the orthodoxy opposed it vehemently and this recommendation was never considered by the Government.

The proposed UFC also outlines grounds for divorce both for men and women. While there are eight grounds on which men can obtain divorce, women have ten. Besides the usual grounds such as immorality, impotency, and physical and mental torture for which women can claim divorce, the UFC also puts down dowry demands as a valid ground. Of course dowry has no Islamic sanction but to make it a ground for divorce would be a new concept. Dowry is not prevalent in other Islamic countries but is unfortunately quite common among Muslims of the Indian subcontinent. In a recent seminar of Muslim women held in New Delhi, the Ulema agreed that dowry is an anti-Islamic practice and a campaign should be launched against it.

The Dissolution of Muslim Marriage Act of 1939 gives a Muslim woman the right to divorce if her husband deserts her for more than four years. The UFC, however,

THE HINDU

14 MAY 2001

Measures to prevent female foeticide

By Our Special Correspondent

NEW DELHI, MAY 11. The Centre today decided to strengthen the measures to prevent female foeticide in the wake of the recent Census, which has clearly brought out that the adverse male-female sex ratio has only worsened over the past decade in the zero-to-six age group.

The measures proposed include compulsory registration of ultrasound clinics, nursing homes and laboratories and

amendment of the Pre-Natal Diagnostic Techniques Act to automatically cover newer technologies that could be misused for sex determination as and when they get into the market.

A meeting of the Central Supervisory Board set up under the chairmanship of the Union Health Minister, Dr. C.P.Thakur, for the review of the implementation of the legislation, decided to launch a

campaign to create public awareness about the dangers being posed to the social fabric of the country, because of the continuing preference for male child.

Taking grave note of the Census finding that the adverse sex ratio was more glaring in the affluent States like Delhi, Punjab, Haryana and Chandigarh, the meeting decided that all ultrasound clinics should display boards

mentioning that they do not conduct sex determination tests on foetus.

Speaking to presspersons after the meeting, Dr. Thakur said a panel would soon be set up to work out the details of the amendments to the PNDT Act.

It would, among other things, review the Medical Termination of Pregnancy Act and other similar laws that have a direct bearing on the issue of sex ratio to bring about coherence.

Fighting female infanticide

By Mythily Sivaraman

110-12 12/3

PANDIAMMA (NOT her real name), in her early Twenties, was devastated when her husband's family did not come to see her for ten days after her first baby girl was born. Pregnant a second time, she had nightmares that this time too, luck would pass her by. It did. Her husband visited her in her parental home, but her glimmer of hope receded when he maintained a stubborn silence; she longed for a single word of solace, a simple gesture of tenderness, in vain. A month later, with no sign of her husband wanting her back, she was caught one day with the dead baby, which the police alleged she had killed. Asked why she did it, she had said, child-like and bewildered: I do not know.

Pandiamma is not alone in her misery. Poovamma (all names changed) too — 40, with three daughters — is on trial for killing her female infant. "We had to sell our land to cover legal costs. Coming out on bail itself cost a lot. Now back home, we have told our relatives and friends that the case has been dropped. Otherwise no one would have given their son in marriage to our daughter; and no loan for the wedding too." Asked what would happen if her appeal to the higher court failed, she said, "then they better send my two girls too to jail with me. Else, who will look after them and who will give them in marriage? If this appeal fails, my family is doomed. Now we already have nothing to call our own."

A tenant cultivator in her late Twenties, Kuppamma has two daughters and a son. The baby that she was accused of strangling was the third daughter. She and her husband were jailed along with their youngest child. That three baby girls born around the same time had died in that village had alerted the police. The father of one of the girls had told his wife: "Why should I have anything to do with the legal proceedings when the baby died in your mother's house? I won't bear the expenses. It is your problem, not mine." Home on bail, the wife solved the problem by taking her own life.

Lakshmi was a 25-year-old habitually

battered and bruised wife of a womaniser and extortionist. She spent time slogging in a mill to run the family and to pay off his loans. Always willing to give him one more chance, she had even antagonised her parents. On the day she delivered her second baby girl, he brutally assaulted her, killed the baby and disappeared from the scene. The wife was found with the baby poisoned to death. Shaken by the gruelling police interrogation, she naively

independence India — excepting probably, in affluent urban families to some extent — but seems to have in fact been strengthened by the ethos of conspicuous consumption of the liberalisation era. The net result, it could be claimed, is that the woman gets punished twice over — once by depriving her the right to be born and to be alive and again by punishing her for killing her baby girl; as expected of her by community custom and also as an

strong patriarchy and son preference, and an environment of universalisation of the small family norm..." and suggest that "policy intervention and social mobilisation are urgently needed on this issue". (Venkatesh Athreya, *Frontline*, April 27, 2001). It is this insight that is seen lacking in a statement by the Tamil Nadu Minister for Social Welfare: "infanticide should no more be treated as a social evil but be sternly dealt with as a criminal act".

A perception held by a section of social activists is that as one strives to change state policy as a long-term goal, punishing those who kill their offsprings with a proprietorial right, could work as an effective deterrent in the short term. This has, in effect, opened the floodgates to foeticide, aided by modern scanning technologies. Another point of view that it is the father who should be arrested instead of the mother, as infanticide could not happen against his wish, was tested in a gathering of women in an affected area: some thought that it would ruin the marriage and would split the family. Many, including a large number of NGOs working in these areas are against any punitive action, and stress instead basic policy changes that would expedite attitudinal changes.

It would be naive to perceive female infanticide and foeticide solely as expressions of violence of the families concerned, ignoring the deceptively invisible violence that is inherent in the path of market-driven economic development and an acquisitive culture that creates and strengthens inequalities and inhumanities. Compassion, humaneness and the worth of the individual are totally alien values in an economic dispensation where greed is assiduously cultivated and individual profit is celebrated as the crowning civilisational goal and glory. It is about time we exerted ourselves to reflect and debate on who the major and minor players are in these killing fields and whether the women in distress should be penalised and made to bear a cross that belongs elsewhere.

Should the women in distress be penalised and made to bear a cross that belongs elsewhere?

believed her husband that if she accepted the crime he could get her released but if he was arrested she could not get him out; she confessed to the crime, but thereafter he never visited her in jail or outside. On bail, she is now at her parental home.

Not yet 20, Pazhaniamma, was charged with throwing her baby girl into a well. She had been taunted and abused for not producing a heir to the family; the only way she could satisfy family and social norms was to destroy the 'non-heir' that she had produced. The press quoted the husband as saying he has welcomed the baby girl.

These are some of the 16 women presently charged with female infanticide — two of them appealing against death sentences — in Tamil Nadu. Six cases against men are also pending in courts. What lies at the root of this tragedy for these families? At an awareness camp for school children conducted by an NGO in an infanticide-prone area the children were asked who they preferred for a sibling — boy or girl. 99 per cent of them favoured boys; girls, they said, cost more to their parents. A 14-year-old schoolboy ran away from home when his parents refused to kill the twin girls born to them rather late in their life — he did not want to shoulder the responsibility of marrying them off later in life! Distressingly, such acute gender prejudice has not only not slackened to any significant extent in post

act of mercy to spare her daughter the agony and tears of her own life.

This raises several fundamental issues for reflection. Are these 16 women more sinned against than sinning? Are we punishing the victims of patriarchy rather than its perpetrators? Didn't they kill the female babies they had been taught to devalue from childhood, mainly to ensure their own survival in their marital homes? "If the baby is a girl, don't come back" is an injunction not to be taken lightly. Should not the state have launched a massive education campaign to publicise the basic biological reality that it is the chromosomes of the father, not the mother, that determine the sex of the baby? Given the reality that vast stretches of rural India still reel under patriarchy in its crudest forms, is it realistic to penalise its victims for not standing up to it? Whose fault is it that the woman, who labours more than the man, and subsists on much less, has come to be perceived as a liability?

The disastrous impact of the consumerist culture spawned by globalisation that has been a driving force in pushing up dowry rates and consuming brides in flames has been widely held to account by social scientists for the spread of infanticide to new areas and communities. They perceive the spread "not as a relic of an atavistic past, but as consequence of a narrowly based, consumerist path of capitalist development within a framework of

Shah Bano case revisited

FROM OUR LEGAL CORRESPONDENT

New Delhi, May 11: In a case reminiscent of the Shah Bano controversy, the Supreme Court today issued notices to the Centre on a petition by a divorced Muslim woman seeking a ban on polygamy in the community. The woman's husband had divorced her by invoking the Shariat-sanctioned "irrevocable triple *talaq*".

A division bench of Justice K.T. Thomas and Justice R.P. Sethi issued notices to the husband as well. The woman had also filed a separate petition seeking quashing of her *talaqnama*.

Lily Thomas, appearing for the woman, said Hindus, who constitute the majority, are governed by the Hindu Marriage Act, 1955 which prohibits polygamy and extra-judicial divorce. "Therefore, the custom and usage of polygamy and extra-judicial divorce allowed to be practised by

7.6 12/5
Muslims is a denial of equality, personal liberty and human rights guaranteed to all citizens by Articles 14, 15 and 21 of the Constitution."

Thomas argued that the woman refused to live with her husband after he married another woman in 1991. "This is the direct casualty of polygamy," Thomas contended. The petitioner married Fazal Khan in 1989 at the age of 20 but left him after Fazal's second marriage in 1991.

The petitioner said once the *talaqnama* was granted, Fazal had moved for cancellation of the grant of maintenance, which was being given to her from 1993 at the rate of Rs 400 a month. Madhya Pradesh High Court had allowed the application.

Thomas said the woman's plea before the Supreme Court for restoration of the maintenance was pending since 1999 and she was "living in a state of penury".

The woman's counsel said the

system of triple *talaq* was also practised "through telegram" and backed up the argument with a newspaper clipping that described how "triple *talaq*" is effected through telegrams.

"This would put the lives of millions of Muslim women in jeopardy," the counsel argued.

The petition sought a declaration that "polygamy practised by Muslim community is illegal, unconstitutional and void. It should be substituted by monogamy".

The petition also sought a declaration from the apex court that Muslim women could also dissolve a marriage under the Muslim Marriage Act, 1939. It sought "equality with Muslim men", so that the provisions of the Muslim Marriage Act could be "invoked equally by either spouse".

The petition asked the court to strike down the provisions of *talaq, ilya, zihar, lian* and *khula*, which Muslim men invoke for extra-judicial divorce.

THE TELEGRAPH

7-11-99 (10)

Woman joins race for Iran president

Brian Whitaker & Agencies
London, May 3

A WOMAN was among the first to register as a candidate when nominations for the Iranian presidential election opened yesterday.

"If women have the right to vote, they have the right to be elected," Farah Khosravi said as she signed up at the interior ministry in Tehran.

Khosravi, a junior civil servant, hopes to become the first woman presidential candidate; the only woman who previously attempted to stand was barred by the 12-man Guardians Council in 1997. The official Islamic Republic News Agency described her as "liberal

minded". She and her supporters handed roses to journalists and officials during the registration process.

In the course of the day 67 candidates registered, including a publisher, a street hawker and a municipal cleaner. But there was still no word whether President Mohammad Khatami, who has kept the country guessing about his plans, will be standing. Nominations close on Sunday and all candidates have to be vetted by the Guardians Council. It has already rejected 145 out of the 356 candidates who registered for parliamentary by-elections on June 8, the same day as the presidential election.

The Iranian constitution says candidates must be "political or religious fig-

ures", but it is not clear if this means they must be male. The Farsi word for "figures" is rejal, derived from the Arabic word for a man.

The council, which will rule on May 18, has to give its reasons for rejecting candidates. To reject one on the grounds of gender would be controversial, but it could rely on the well-used formula "non-conformity with Islam".

"The law is not clear, but I hope the council will accept my candidacy," Khosravi said, adding that she intended to focus her campaign on education and the economy.

President Khatami swept to power in 1997 with nearly 70 per cent of the vote on a reform platform, which had over-

whelming support from women and young people. There is little doubt that he will win a second term if he stands, but he has been keeping everyone in suspense about his intentions.

It is unclear whether he faces a genuine dilemma or is employing a tactic to throw conservatives off balance.

Stiff opposition from the conservatives, who control such key state institutions as the courts and police, has thwarted his efforts to liberalise Iran during his first term.

More than 30, mostly reform-minded newspapers have been closed since last year, and many of Khatami's political allies have been removed from office or jailed.

The Guardian

ভোটে নারী প্রার্থী নগণ্য আগে প্রয়োজন দলে সংরক্ষণ

শাস্তী ঘোষ

প্রয়াত সি পি আই সাংসদ গীতা মুখোপাধ্যায় ছিলেন মহিলা আসন সংরক্ষণ বিল নিয়ে যৌথ সংসদীয় কমিটির সভানেত্রী। সর্বজনশ্রদ্ধেয় এই নেত্রীর মৃত্যুর পর তাঁর আসনে মনোনয়ন পান গুরুদাস দাশগুপ্ত। মালিনী ভট্টাচার্য বা সরলা মাহেশ্বরীর আসনে পরবর্তী সময় পুরুষরাই মনোনয়ন পেয়েছেন। দায়বদ্ধতা নয়, জেতাই মূলমন্ত্র বলে লোকসভায় ১৯৫২ সাল থেকে ১৯৯৯ সালের মধ্যে নারী প্রার্থীর অনুপাত ৪.৪ শতাংশ বেড়ে হয়েছে ৮.৭ শতাংশ। এমনকী আফ্রিকার পিছিয়ে পড়া দেশ মোজাম্বিক (২৫%), ইরিত্রিয়া (২১%) বা উগান্ডার (১৮%) সর্বোচ্চ পার্লামেন্টেও নারী প্রার্থীর শতকরা অনুপাতে ভারতের থেকে এগিয়ে। অবশ্য এ দেশগুলির গণতন্ত্রের গুণগত মানে অনেকের সংশয় আছে।

এ বারের বিধানসভা নির্বাচনে ক্ষমতাসীন বামফ্রন্ট পুনর্নির্বাচিত হবে কি না সেই প্রশ্নে পারদ এতো উঠে গেছে যে নারী প্রার্থীর অনুপাত নিয়ে প্রশ্ন বিশেষ উঠছে না। কিন্তু এটাই তো প্রশ্ন তোলার সঠিক সময়— মানলাম নির্বাচনে মনোনয়ন নিয়ে হার-জিতের প্রশ্ন আছে। কিন্তু দলীয় নেতৃত্বের সর্বস্তরে মেয়েদের জন্য সংরক্ষণ হয়নি কেন? তার জন্য? তা কোনও মহিলা বিলের প্রয়োজন ছিল না!

বাকি প্রশ্নের আগে তথ্যে একটু চোখ বুলিয়ে নেওয়া যাক। এ বারে মনোনয়নপ্রাপ্ত নারী প্রার্থীদের হিসেবটা এ রকম: বি জে পি ৫৫.৬ জনে ১২ (৪.৯%); কংগ্রেস ৫৮ জনে ৫ (৯.৮%); তৃণমূল ২২৮ জনে ১৫ (৬.৬%); বামফ্রন্ট ২৯৪ জনে ২৮ (৯.৯%)। বিদায়ী বিধানসভায় ২৯৪ জনের মধ্যে নারী বিধায়ক ছিলেন ২১ জন— ৭ শতাংশ। আর গত নির্বাচনে বামফ্রন্ট ২১ জনকে মনোনয়ন দেয়— অর্থাৎ ৭ শতাংশ আসনে। অর্থাৎ সরকার সংরক্ষণ বাধ্যতামূলক না করলে দলের তরফে উদাহরণ স্থাপনের দায়বদ্ধতা নেই কোনও দলেরই।

আমাদের দেশে গড়পড়তা ৬০ থেকে ৬৫ শতাংশ মানুষ ভোট দেন। মেয়েদের ভোটদানের হার আরও কম। নির্বাচক হিসাবেই মেয়েরা যখন সিদ্ধান্ত নিতে চান না, প্রার্থী হিসাবে অংশ নিতে তাঁরা আরওই অনাগ্রহী হবেন— এ তো খুব স্বাভাবিক। তাই আবর্তিত হয়ে চলে এক অচ্ছেদ্য চক্র: মেয়েরা রাজনীতিতে আসেন কম; তাই বেশি মেয়ে মনোনয়ন পান না; তাই আরও মেয়ে আসতে আগ্রহী হন না।

শিক্ষা-স্বাস্থ্যে নারীর অগ্রগতির প্রতীক কেরলে নারী প্রার্থীরা মনোনয়ন পেয়েছেন ১০ শতাংশ— বামপন্থী এবং কংগ্রেস উভয় দলেই। কেরল কংগ্রেস বা মুসলিম লিগে নেই নারী প্রার্থী। শুধু প্রার্থীর অনুপাতে নয়, পশ্চিমবঙ্গ বিধানসভার প্রথম ২৫ বছরে কংগ্রেস এবং পরবর্তী ২৫ বছরের বামপন্থী জমানাতেও মেয়েরা কোনও গুরুত্বপূর্ণ মন্ত্রিত্ব পাননি। অবশ্য সেটা শুধু রাজ্যস্তরে নয়, সর্বভারতীয় রাজনীতিতেও সত্য। সেখানে মেয়েরা অর্থ-শ্রম-বাণিজ্য-বিদেশ-পরিবহণ প্রভৃতির মতো গুরুত্বপূর্ণ দফতর পান না। কেরলে সুশীলা গোপালানের শিল্পমন্ত্রী হওয়া বা মমতা বন্দ্যোপাধ্যায়ের রেলমন্ত্রী হওয়া নিয়ম নয়— ব্যতিক্রম। নারী বিধায়করা কখনও পাননি চিফ ছইপ বা স্পিকারের পদ। এ বিষয়ে বৈষম্যে সমান শাসকদল আর বিরোধীরা।

দলীয় রাজনীতিতে জেতার বিষয়টা মুখ্য বলেই জেতা সপক্ষে খুব নিশ্চিত না হলে নারী প্রার্থীরা মনোনয়ন পান না। তাই মনোনয়নের অনুপাতে জেতার হার তাঁদের ক্ষেত্রে বেশ



দুই দলের দুই প্রার্থী: মাধবী মুখোপাধ্যায় (তৃণমূল) ও জ্যোতির্ময়ী শিকদার (সি পিএম)। রাজীব বসু ও কিশোর রায়চৌধুরীর তোলা ছবি।



বেশি। যেমন গত বিধানসভা নির্বাচনে সি পি এমের নারী প্রার্থী ছিলেন ২০ জন। জেতেন ১৭ জন। অর্থাৎ ৮৫ শতাংশ বিজয়িনী। সারা ভারতে, ১৯৯৯ সালের লোকসভা নির্বাচনে বি জে পি-র নারী প্রার্থী ছিলেন ৭.৪ শতাংশ, যার মধ্যে ৬০ শতাংশ জেতেন। পাশাপাশি পুরুষ প্রার্থী ছিলেন ৯২.৬ শতাংশ, জেতেন ৫৩ শতাংশ। সব দল মিলিয়ে মনোনয়নপ্রাপ্ত পুরুষ প্রার্থীদের ক্ষেত্রে তা ছিল ১৭ শতাংশ।

সংরক্ষণ নিয়ে সংযাল চললেও এখনও বহু পুরুষ এবং নারীর এ বিষয়ে প্রবল আপত্তি আছে। তাঁদের মতে সংরক্ষণের প্রশ্নটা বেমানান, বড়জোর অনুকম্পাভিক্ষা। আসলে কাগজে-কলমে সমতা থাকলেও অসম অবস্থানে থাকা গোষ্ঠীরা তো সেই ক্ষমতার সুযোগ সমান ভাবে নিতে পারবে না। আর সেই অক্ষমতা কোনও বুদ্ধিবৃত্তি বা ক্ষমতার অভাব থেকে উৎসারিত নয়। চলতি বৈষম্যের কারণেই তাঁরা নিজেদের হীন মনে করেন। বাইরের জগতে অংশ নিতে দ্বিধায় ভোগেন। তাই কাজের সময়ের পর দলীয় বা ট্রেড ইউনিয়নের সভা ডাকলে কেউ বিশেষ প্রশ্ন তোলেন না। ধরেই নেওয়া হয় পুরুষরা সভায় অংশ নিয়ে সিদ্ধান্ত নেবেন— নারী সহকর্মীদের হয়েও। মেয়েরা নিজেরাও অনেকেই বিশ্বাস করেন যে তাঁরা বাইরে উপার্জনের কাজটা করছেন নিতান্ত দায়ে পড়ে, তাঁর প্রাথমিক দায়বদ্ধতা নিজের সংসারের প্রতি। কারখানা বা অফিসের পরে মিটিং-এ হাজির থাকলে রাঁধবে কে? বাচ্চাদের খেতে দেবে কে? অসুস্থ বাবামাকে ওষুধ দেবে কে? আর কোনও ভাবে

মেয়েরা নিজেরাও অনেকেই বিশ্বাস করেন যে তাঁরা বাইরে উপার্জনের কাজটা করছেন নিতান্ত দায়ে পড়ে, তাঁর প্রাথমিক দায়বদ্ধতা নিজের সংসারের প্রতি। কারখানা বা অফিসের পরে মিটিং-এ হাজির থাকলে রাঁধবে কে? বাচ্চাদের খেতে দেবে কে?

থেকে গেলেও পিছুটানে পাপবোধ— কর্তব্যচ্যুতির। আমাদের রাজনৈতিক সংস্কৃতি কখনওই সেই মানসিক বা সামাজিক কাঠামো তৈরি করেনি যাতে মেয়েরা সক্রিয় ভাবে অধিকারবোধের ভিত্তিতে বাইরের জগতে অংশ নিতে এগিয়ে আসতে পারেন।

আজ হঠাৎ যদি সংরক্ষণ চালু হয়েও যায়, কোথা থেকে আসবেন এতো রাজনীতিসচেতন মেয়ে? তখন তো পাটি সদস্যদের বউ-মেয়েকেই মনোনয়ন দিতে হবে। পঞ্চায়েতের প্রার্থী নিয়েও বহু ক্ষেত্রে যে প্রশ্ন উঠেছে। তাই শুধু লোকসভা বা বিধানসভায় আসন সংরক্ষণ নয়, দলের সর্বস্তরে এবং মনোনয়নপত্র পেশ করার সময়ই সংরক্ষণের দাবি ওঠা প্রয়োজন। ৩৩ শতাংশ না-ই বা হ'ল, অন্তত দলের নারী সদস্যের অনুপাতে হোক। ১৯৫১ সালের জনপ্রতিনিধিত্ব আইনে প্রয়োজনীয় পরিবর্তন আসুক। প্রস্তাবিত মহিলা সংরক্ষণ বিলের মতো বিকল্প এই প্রস্তাবেও সমস্যা অনেক থাকবে। কিন্তু আলোচনায় সবার অনীহা।

দলের মধ্যে সংরক্ষণের প্রশ্ন কিন্তু নানা ভাবে উঠেছে। ১৯৯৮ সালে ষোড়শ পাটি কংগ্রেসে কেন্দ্রীয় কমিটি থেকে বৃন্দা কারাতের পদত্যাগ অবশ্যই মোড়-ঘোরানো ঘটনা। ওই একই সময়ে সি পি আই-এও ওই একই দাবি শোনা গেছে মৃদু ভাবে, ন'জনের কেন্দ্রীয় কমিটিতে নারী সদস্য নেই বলে। সি পি আই (এম এল) লিবারেশনে সর্বস্তরে ১০ শতাংশ সংরক্ষণের অলিখিত বোঝাপড়া বেশ কিছু দিনের। বি জে পি-র দাবি বরোদা সম্মেলনে বহু দিন আগে এই প্রস্তাব ওঠে। জয়ললিতা বা সনিয়া গাঁধীও তো দলের মধ্যেই সর্বস্তরে ৩৩ শতাংশ সংরক্ষণের প্রস্তাব দিয়েছেন। কিন্তু সেই প্রস্তাব মনোনয়নপত্রে রূপান্তরিত হয়নি।

দলের মধ্যে মেয়েদের প্রতি বৈষম্যের দাবি তুললে 'যোগ্যতা' প্রমাণের কথা উঠবে— যেমন বৃন্দার পদত্যাগের প্রতিক্রিয়ায় বলেছিলেন সুরজিৎ। দলের তরফে কেউ-ই এই প্রশ্নে নারী-বিদ্বেষের বিরোধিতা করেননি প্রকাশ্যে— হয়তো বা শৃঙ্খলাভঙ্গের অজুহাতে। তা কিন্তু প্রচলিত বৈষম্যের বোধকেই জোরদার করেছে। আর প্রশ্ন উঠেছে ডান-বাম নির্বিশেষে দলের মধ্যে 'যোগ্যতা' প্রমাণের দাবি আর বাইরে সংরক্ষণের দাবি— মেয়েদের রাজনৈতিক অংশগ্রহণের প্রশ্নে এটা দ্বিচারিতা নয় কি?

25 APR 2011

India's Missing Women

First, Have Reservation In The Womb

By AMRIT SRINIVASAN

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IN India, the primary crime against women begins in the womb itself. Any agenda for political empowerment must, therefore, logically begin with the girl child and not with her mother. In a scenario where the number of women to men is decreasing alarmingly — unlike any other nation in the world — feminists in India need to insist on the reservation of seats for women in the womb prior to their demand for reservation of seats in Parliament. Significantly however, 2001, the Year of Women's Empowerment, is witnessing the primacy of formal, party politics over all other gender concerns. The exclusive attention being given to the Women's Reservation Bill in recent times reflects the political ambitions of the older woman. This in turn reflects the higher value the wife, mother and even widow role has always enjoyed over the daughter/sister in Indian cultural discourse. The hundred million "missing women" of India, as Amartya Sen has termed them, go missing as daughters and sisters, not widows or wives. They are all the victims of that original discrimination a girl-child faces at the fetal, natal, or post-natal stage which decides whether she is 'empowered' to live at all.

There is an urgent need to reverse this scandal, before Indian democracy can hope to routinely elect mature and independent women who are not 'ready-made' leaders by virtue of being daughters of powerful, influential men. In the sub-continent, politics is for that Other woman, privileged and protected by powerful families of birth and/or marriage. Even the progressive young woman is notoriously disinterested in politics, not just formal parliamentary politics but politics per se — of the family, the profession or civil and human rights issues as such. Women student leaders seldom move on to make the life of protest, lobby and public election, a 'vocation'. These 'missing' women in public life are part of the same parental, cultural economy which make the female sex go 'missing' on the demographic plane. The disenfranchisement at home is subtle but powerful and is duplicated later in the public domain. Alternately it makes for a political hunger and a desire for revenge vis-a-vis men, whereby the grown-up daughter now wishes to get from the state what her parents kept aside for the brother. The whole assumption here is that women need and deserve political

help in order to rise because what has kept them down so far is 'poverty' and 'tradition'. But facts point the other way.

Early neglect and/or killing of the female species in India is not part of a generalised and historical gender discrimination against women. Not only is it almost exclusive to the north (the southern states, even with fertility decline, have a more balanced sex ratio); it occurs under maternal care. The female birth, statistics indicate, is unwelcome at both ends of the development spectrum, in the BIMARU states as well as Punjab and Haryana. Amniocentesis-based female foeticides are the highest in Haryana and Punjab amongst the educated middle-class families who believe in the small-family norm and exercise their 'son-preference' by routinely getting rid of higher birth-order girl foetuses. Monica Dasgupta's analysis of the famous Khanna data from

IN BRIEF

- Disenfranchisement of women at home is reflected in the public domain
- Female infanticide is prevalent even in educated middle-class families
- Passage of the Women's Reservation Bill will only divide women further

Punjab shows that second and subsequent girls "experience 32 per cent higher mortality than their siblings if their mothers are uneducated, but this gap jumps to 136 per cent if their mothers are educated."

Fertility decline, a measure of development the world over, takes on a more sinister significance in India by targeting the female sex alone. Subsequent discrimination too prevails in domains which have taken on modern, market 'value'. It is in the contemporary hi-tech politics of money and manoeuvre that women's participation is steadily reducing (CSDS Data Unit). Equally, it is in contemporary hi-tech professional education, providing quick placements and escalating global-level salaries, that women's 'participation' is again at its lowest. Over the years, the number of girls attempting the Joint Entrance Exam (JEE) for the IITs has been reducing in relation to the boys, never crossing 10 per cent of the total candidates! The masculinisation of value-added higher

education is increasing even though it is predominantly girls who are the 'toppers' in the secondary school system! The heavy time, energy and tuition costs of JEE preparation makes brutal sense of son-preference in a rational world-view where the daughter's utility and value addition is meant for some other family, not one's own. Despite the many rationalisations presented — of a girl's preference for rote learning not puzzle-solving, her distaste for math, her lacking a competitive 'killer instinct' and so on — an IIT education is just too scarce a good for parents to permit their daughters equal opportunity here, because they might actually succeed!

Women can look after themselves politically. Their success rate in open politics has so far been higher than that of men, even those from recognised political parties, as pointed out by the Forum for Democratic Reforms. Indeed, it is because they reflect a threat within the modern, equity-based party system of parliamentary politics (where a woman is just like a man in principle), that sexism has needed to come into operation. It is significant that the demand for reservation at the non-party, Panchayat level some years back, raised no equivalent protest! The present stalemate over the Women's Bill may or may not end in victory but whatever the outcome, it provides only a consolation prize, ensuring women don't rock the boat too much. Instead, the struggle for fruits of office will now increase divisiveness amongst women, favouring the older woman against the younger, the northern against the southern, the only or eldest daughter against the second or subsequent daughter and the wife/widow/daughter of an eminent man over an ordinary citizen. We can boycott the Bill or accept it as a route to personal success but let us not fool ourselves that it will broaden the political base for women. Until and unless we reserve seats for the second daughter in the womb and the entrance exam, reservation in Parliament will be a short-lived victory. Like the mother who rejects her unborn daughter while asking for reservation in Parliament for herself, a democracy favouring adult women in the face of their dwindling demography at birth is a contradiction in terms.

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একটি কন্যা বাঁচিয়া গেল

আনন্দ . ৪ ২০ ১৯২০৮৪ কালী

সদ্য সমাপ্ত জনগণনার প্রতিবেদনে যে কয়েকটি কারণে পশ্চিমবঙ্গের আল্লাদিত হইবার কারণ ছিল, তাহার অন্যতম এই যে পুরুষ-নারীর অনুপাত এই রাজ্যে ভারতের অন্য অনেক রাজ্যের তুলনায় আশাজনক। বিশেষত পঞ্জাব বা হরিয়ানার মতো সমৃদ্ধ রাজ্যে শৈশবে (৬ বৎসরের নীচে) কন্যার অনুপাত যে ভাবে কমিতেছে তাহা গভীর আশঙ্কার উদ্রেক করে, সেই তুলনায় এই রাজ্যে শিশুকন্যার অনুপাতে অনেক কম অধঃপতন ঘটিয়াছে। এই ফল দেখিয়া হয়তো বা রাজ্যের শাসককুল সংগ্রামী অভিনন্দন প্রত্যাশা করিয়াছিলেন। সেই তুঙ্গস্পর্শী শ্লাঘার শরীরে আচমকাই গভীর একটি প্রশ্ৰুতিহু আঁকিয়া দিল খাস কলিকাতার মেডিক্যাল কলেজের শৌচাগার হইতে বাহিরে নিষ্কিপ্ত একটি সদোজাত শিশুকন্যা। শিশুকন্যা-সন্তানের এমন দৈব-দুর্বিপাক অভিনব কিছু নয়। অনাদরে এবং অবহেলায় পরিত্যক্ত শিশুদিগের মধ্যে কেবলমাত্র মুষ্টিমেয়ই প্রচারমাধ্যমেবু আলো লাভ করে। কখনও কোনও খ্যাতনামা চিত্রতারকা আবর্জনার স্তুপের মধ্য হইতে ঠাঁপু কোনও কন্যাসন্তানকে দস্তক লাইলে সে খবর হয়। কখনও, যেমন এই ঘটনায়, স্বয়ং মাতা যখন অল্পানবদনে স্বীকার করেন যে তিনিই তাঁহার শিশুকন্যাকে সুউচ্চ শৌচাগার হইতে নীচে নিক্ষেপ করিয়াছেন, স্পষ্টতই হত্যার উদ্দেশ্যে, জনগণের শিহরিত বিবেকে ঘা লাগে। হাসপাতাল কর্তৃপক্ষ সেই মহিলাকে দিয়া মুচলেকা লিখাইয়া লন। পুলিশ তাঁহার বিরুদ্ধে মামলা রুজু করে। ভাগ্যজোরে বাঁচিয়া যাওয়া কন্যাটিকে মাতৃক্রোড়ে ফিরাইয়া দেওয়া হয়, যদিও আদালতের নির্দেশে ভবিষ্যতে সরকারি হোমে তাহার ঠাঁই হইবার সম্ভাবনাটিও রহিয়া যায়। কিন্তু ঘটনাসমূহের এই সব বহিরাবরণের নীচে গভীরে যাইবার অবকাশ থাকিয়া যায় বিস্তর। খটকা লাগে লিঙ্গ-সাম্যের ক্ষেত্রে জনতার জাগ্রত চেতনা কি তবে আঙ্কিক কচকচি মাত্র?

প্রশ্ন এই যে তাহা হইলে জনগণনার রাষ্ট্রীয় পরিসংখ্যান কী বলিল? নিতান্ত পরিহাসহলেই সংখ্যাতন্ত্রকে মিথ্যার তৃতীয় স্তর হিসাবে ধরা হয় বটে, তবে এতটা পরুষবাক্য প্রয়োগ না করিয়াও বলা চলে, সামাজিক বাস্তবতার সহিত দ্যুতিময় পরিসংখ্যানের দূস্তর ফারাক রহিয়া গিয়াছে। আর সেই জলন্ত বাস্তবটি এই যে পশ্চিমবঙ্গেও কন্যাসন্তান এখনও পিতামাতার কাছে বহু ক্ষেত্রেই অবাস্তিত বোঝাশ্বরূপ। 'অ্যামনিওসেন্টেসিস' নামক একটি বিশেষ পরীক্ষায় জনের লিঙ্গ-নির্ধারণ সহজেই সম্ভব হইবার ফলে

সেই বোঝা নামাইয়া দিতেও বিশেষ সময় বা অর্থের দরকার পড়ে না। 'পরিবার পরিকল্পনা' শব্দবন্ধটি এত দিনে বিষময় অভিঘাত লইয়া হাজির হইল। যতই বিভিন্ন সরকারি বিজ্ঞাপনে 'হম দো হমরা দো'র কিংবদন্তি শ্লোগানের সহিত একটি শিশুপুত্র ও একটি শিশুকন্যার ছবি থাকুক, তাহাতে চিন্তের উদ্বোধন কতটুকু হয়, তাহা বলা কঠিন। ফলে আপাত আশাপ্রদ পরিসংখ্যানের নীচে চলিতে থাকে জগৎ-হত্যার স্রোত। প্রথমে লিঙ্গ-নির্ধারণ এবং পরে কন্যাশ্রণ নিধনে সক্রিয় ভূমিকা নেয় এক শ্রেণীর অসাধু চিকিৎসক এবং বেশ কিছু হাতুড়ে চিকিৎসা-ব্যবসায়ী। উইফোঁড় নানা চিকিৎসালয়ে যে নিয়মিতই এই জাতীয় ঘৃণ্য কাজকর্মের পরম্পরা বহমান, আইনরক্ষকেরা সে সম্বন্ধে অবহিত নন বলিলে অতিসরলীকরণের দায়ে পড়িতে হইবে।

যেমন অতিসরলীকরণ দোষ প্রায়শই দেখা যায় এমত একটি ধারণায় যে নিম্নবিত্ত এবং তথাকথিত অশিক্ষিতদিগের মধ্যেই নাকি কন্যাশ্রণ হত্যার চল বেশি। ইহার সহিত অনুসিদ্ধান্ত হিসাবে জুড়িয়া দেওয়া হয়, এই নির্ধন ও শিক্ষাহীন শ্রেণীই কন্যাসন্তানের প্রতি সর্বাধিক বিমুখ। মুশকিল এই যে বাস্তব উল্টো প্রমাণ হাজির করে। মধ্যবিত্ত এবং উচ্চ মধ্যবিত্তকুলের শিক্ষাভিমাত্রী মানুষজনকেও যে এই দায়ে কাঠগড়ায় তোলা সম্ভব, তথ্যের ইঙ্গিত সে দিকেই। পাশাপাশি ইহাও বুঝা যায়, নিছক দারিদ্রই কন্যা-বিমুখতার কারণ নহে, সমস্যার শিকড় রহিয়াছে গভীরতর আর্থ-সামাজিক প্রেক্ষাপটে। কন্যাসন্তানের ভবিষ্যতের সহিত বরপণ এখনও এখানে এতটাই নির্মম ভাবে জড়িত যে তাহার তাড়নায় যে কোনও সংসার ছারখার হইয়া যাইতে পারে, যায়ও। আর, কন্যা লক্ষ্মী-ছাড়ার প্রতিমা হইলে তুলনায় পুত্রসন্তান হিরের টুকরা, ভবিষ্যতে বিত্তলাভের উপায়। সন্দেহ নাই, এই ধরনের বণিকের মানদণ্ডেই এই রাজ্যে এখনও পুত্র বা কন্যাসন্তানের আগমনকে যথাক্রমে সৌভাগ্য বা দুর্ভাগ্যের সহিত যুক্ত করা হইয়া থাকে। তাই জনগণনার পরিসংখ্যান লইয়া আত্মতুষ্ট হইবার কোনও কারণ নাই। মেডিক্যাল কলেজের নবজাতিকার ঘটনাই সংকেত দেয় যে নূতন সহস্রাব্দেও এই রাজ্যের জনগণ প্রধানত 'নবজাতক'-এর জয়ধ্বনিতে মুগ্ধ। শিশুতীর্থে কন্যারত্নের স্থান নাই, গৃহস্থের ঘরে ঘরে এখনও 'খোকা হোক' ডাকেরই ট্যাডিশন চলিতেছে। মেডিক্যাল কলেজের ঘটনায় তাহারই সংকেত।

Broken marriage is no ground for divorce! SC

By Our Legal Correspondent

NEW DELHI: Noting that matrimonial disputes require careful handling, the supreme court has ruled that courts should not entertain the plea of "irretrievably broken marriage" either by the husband or the wife as a strait-jacket formula to grant divorce.

Matrimonial cases are matters of delicate human and emotional relationship which demand mutual trust, respect, love and affection with sufficient play for reasonable adjustments with the spouse, the court ruled while declining to grant divorce to a husband whose wife started living separately because he was living in adultery.

The court said the institution of marriage occupied an important place in society, thus it would not be appropriate to apply any submission of "irretrievably broken marriage" as a strait-jacket formula for grant of relief of divorce. A Bench comprising justices D.P. Mohapatra and Brijesh Kumar said: "This aspect has to be considered in the background of other facts and circumstances of the case."

The Bench also imposed a cost of Rs 10,000 on husband Chetan

Dass who had approached the court for divorce on the ground that his wife has deserted him and that their marriage has broken down irretrievably. However, the wife pleaded that she was prepared to live with him if he stopped his illegitimate relationship with another woman.

The Bench said in the present case the allegation of adulterous conduct of the husband was found to be correct and hence he could not be allowed to "take advantage" of his own misconduct. If on such a ground the divorce was granted, it would be easy for an erring party to drive the spouse to a corner and brazenly take the plea of desertion to walk out of the matrimonial alliance.

The court noted that the wife had a justified reason to live away from the husband and termed the behaviour of the husband as misconduct. "In such a circumstance, it is too much on his part to claim that he be given the advantage of his own wrong and be granted divorce on the ground of desertion on the part of the wife who is still prepared to live with him, provided he snaps his relationship with the other woman," the court added.

Child's play in deadly earnest



Delegates from 14 countries who met in Amman under the umbrella Coalition to Stop the Use of Child Soldiers, expressed alarm at the way children were becoming efficient killers. Whether as soldiers or fighters in rebel forces, they are facing the risk of distorted development. **ERIC SILVER reports**

ISLAMIST rebels send boys in their early teens to plant bombs and carry out surprise attacks in their guerrilla campaign against the secular Algerian government. A young woman witness testified that all the killers who raided her village were boys under 17. Some of them, who looked about 12, decapitated a 15-year-old girl and played catch with her head.

This atrocity was reported to 110 delegates from 14 countries in West Asia and North Africa, who met earlier in April in the Jordanian capital of Amman, in the fourth of a series of regional conferences under the umbrella of the Coalition to Stop the Use of Child Soldiers.

They urged all states to outlaw the use and recruitment of boys and girls under 18 as soldiers in their armies or as fighters in rebel forces. The coalition estimates that more than 300,000 boys and girls under 18 are currently fighting in armed conflicts in more than 30 countries worldwide. Most are 15 to 18, but many are recruited from the age of 10. Girl soldiers, it says, are particularly at risk of rape, sexual harassment and abuse.

The campaigners explain:

"The widespread availability of modern lightweight weapons enables children to become efficient killers in combat. Child soldiers are often used to commit atrocities against their own families and communities. While many children fight in the frontline, others are used as spies, messengers, sentries, porters, domestic helps and sexual slaves. Children are often used to clear landmines."

The problem is said to be most critical in Africa and Asia, but children are also used as soldiers in the Americas, Europe and West Asia. "While some children are recruited forcibly, others are driven into armed forces by poverty, alienation and discrimination," the coalition reports.

Myanmar heads the list, with an estimated 50,000 child soldiers fighting on the government side and with ethnic insurgents. Child soldiering is not restricted to the developing world. The British army takes more than 40 per cent of its annual intake from 16-18 year olds, and is resisting attempts to raise the minimum age.

Rory Mungoven, the coalition's Australian coordinator, told me: "Britain is one of the few industrialised states to

send under 18s into combat situations. They are policing in Northern Ireland and Kosovo. They fought in the Gulf War, where two of them were killed."

Like Britain, India and its South Asian neighbours still have a minimum recruiting age of 16. The physical and psychological legacy of child soldiering does not end when they become adults.

Rachel Brett, a British Quaker, estimates that at least one million people are scarred. "When we talk about a figure of 300,000 child soldiers," she said, "we're talking about those currently participating in armed conflicts. But when you're 18 and no longer a child soldier the effects don't go away. There are very protracted conflicts in places like Afghanistan, Myanmar and Colombia in which generations of children have been involved."

"These are people who have never known anything other than a conflict situation. The whole framework of their identity is tied up with being a soldier. They don't have any idea of what their identity might be, what a society might look like, outside that." When it was suggested that adults must suffer the same alienation and trauma, Ms Brett replied: "You have to go back to why we distinguish between adults and children. We recognise that children have particular qualities - physically, mentally, emotionally, cognitively - that are not fully developed."

"A malnourished child, for instance, will suffer from the problems of malnutrition throughout his life. In the same way, you can stunt the development of a child by denying it access to education at crucial stages of development. In the same way, you can distort the emotional and moral development of a child in a way that is much harder to do with an adult."

"You can train an adult that in certain circumstances it's permissible to kill, but in other circumstances it is not. Children don't have the developed capacity to make the distinction between circumstances where they're told it's permitted to kill, to torture, to chop off limbs and rape, and peacetime circumstances where these things are not permitted."



They become killers, rather than people who at certain times have killed."

There were no ex-soldiers at the Amman conference to testify to their ordeal, but Eva Ahlen, a Swedish field worker with Save the Children, talked to me about her experience in a refugee camp in the West African republic of Guinea. There are

school, into a normal social life. We tried to persuade the community that these kids were victims, not perpetrators.

"The most important thing was to trace their families and reunite them. Then they can get protection and support. We also support the families.

They don't understand the



CATCHING THEM YOUNG: (Clockwise from top left) Hamas activists chanting anti-Israeli slogans in Gaza City; militants of the Revolutionary Armed Forces of Colombia having a chat at the entrance to San Vicente del Caguán; members of Myanmar's rebel group Shan State Army, on the Thai-Myanmar border; Israeli soldiers at Jerusalem's main bus station. - AP/PTI

500,000 refugees in Guinea from a civil war in neighbouring Sierra Leone. They include hundreds of girls who have been used as sex slaves.

"One 17-year-old girl," Ms Ahlen recalled, "had been a sex slave for the rebel forces. She was very beautiful, very proud, married with two small children. Her husband, whom she married earlier when she was 15, had disappeared. She came to us completely traumatised. She was suffering from several sexually transmitted diseases. She was pregnant. "I could only talk to her for a couple of minutes, then when the questions got too close to home, she drifted away. She couldn't face it."

The camps also house dozens of boys, aged 15 to 18, who had been in combat. "They had been given drugs by their commanders," Ms Ahlen said. "Sometimes they could be very nice, very sad, then suddenly they could turn very aggressive. They would go off into town to get drugs. We tried to get them into

boys' traumas. We have to convince the boys and their families that what they feel is absolutely natural."

Another Save the Children staffer, Shirin Persson, worked with refugees on Pakistan's border with Afghanistan. Boys, she testified, join the rival Islamist forces as part of their loyalty to tribe or clan. "Where the tribe is interested in supporting one side or the other," Ms Persson, a Sri Lankan Muslim, explained, "the whole group gets drawn in. The boys find it harder to leave than to join. Clockwise from top left: They have a guilty feeling that they haven't completed their mission."

"They have been brainwashed by religious teachers to believe that you complete it when you give up your life and become a martyr."

(The author, The Statesman's Jerusalem-based correspondent, was recently in Amman.)



The bad news is for women ...

H BULA DEVI
STATESMAN NEWS SERVICE

NEW DELHI, April 7. — More than 1,30,000 women in India die every year from complications related to pregnancy and childbirth.

In fact, one woman dies every five minutes from these complications. Ironically, almost all these deaths are preventable.

One woman dies every minute in the world due to pregnancy or childbirth complications. This adds up to about 600,000 women a year. Of this, 90 per cent deaths occur in developing countries. The risk of deaths from pregnancy-related complications is one in 48 in developing nations and the figure is one in 1800 in developed nations.

In 1994, the Programme of Action of the International Conference on Population and Development set a goal of reducing

maternal mortality ratio (MMRs) in high risk countries to 120 per 100,000 live births by 2005 and under 75 by 2015. But today, as everyone observes World Health Day, the goal seems impossible to meet.

The White Ribbon Alliance for Safe Motherhood, formed in 1999 in USA by several international organisations and subsequently launched in India, has come up with startling figures. It says the MMR is 480 per 100,000 live births in developing countries as against 27 in developed nations. And, India alone has an MMR of 540 deaths per 100,000 live births.

A WRASM report says 15 per cent women in India die from complications related to childbirth. Pregnancy-related complications and unsafe abortion are leading causes of death among adolescent girls.

The underlying causes for maternal mortality are poor

health and nutrition, lack of physical access to healthcare including transportation and finances, and medical causes. Socio-cultural factors obstruct and underplay the importance of women healthcare.

A study in rural Gujarat and Maharashtra revealed 90 per cent of pregnant women were anaemic by WHO standards. Over 80 per cent of pregnancy and childbirth deaths in the country are primarily due to six medical causes: haemorrhage, eclampsia, obstructed labor, sepsis, unsafe abortion and pre-existing conditions such as anaemia and malaria.

Only 60 per cent rural women and 86 per cent urban pregnant women in the country receive antenatal check-ups. In the rural areas, three out of four births take place at home.

The report also explores the social and economic losses when a woman dies at child-

birth, and the after-effects on the children who lose their mothers. Citing one study, the WRASM report says in many nations the risk of death for children under five years doubles or triples if the mother dies. Other studies estimate children whose mothers die at childbirth, are 10 times more likely to die within two years.



Najma (4), suffering from a neuro-degenerative disorder which has resulted in her losing the feeling in her tongue and movement in her legs is held by her mother Nargis at VS hospital in Ahmedabad on Saturday. Najma's parents suspect she lost her speech and leg movement and got rashes because of a reaction to the Rifampicin and Isoniazid medicines given to her for suspected tuberculosis. Education can help mothers fight such diseases. — AP/PTI

... the good for literacy

ALOKE TIKKU
STATESMAN NEWS SERVICE

NEW DELHI, April 7. — From the Tehelka tapes to the stock market scam, one wonders whether anything in this country is going right. Well, something is — the National Literacy Mission.

Sixty-five per cent Indians can read and write. Only 52 per cent could do that a decade ago. The female literacy rate is still lower than the male literacy rate but the gap is reducing. For the first time, the absolute number of illiterates have gone down despite the population increasing by 1.9 per cent annually.

Bihar — the worst of in terms of literacy rates in 1991 — could not improve its rank despite a 10 per cent increase in its literacy rate (47.5 per cent). Other states fared better.

Rajasthan, for instance, was neck-and-neck with Bihar with 38.5 per cent literacy in 1991. The last 10 years have put Rajasthan in a different league. Literacy rate has gone up by 22 per cent in the state, bringing it much closer to the national average. In drought-prone Barmer, the literacy rate has increased six times during this period.

Only 44 per cent of women in Rajasthan are literate, as compared to a national average of 54 per cent. Seventy-six per cent of men can read and write in the state.

The "literacy for all" dream finally seems to be coming true. Former director-general of the National Literacy Mission, Mr Bhaskar Chatterjee is jubilant. Mr Chatterjee was at the helm of affairs till he went on a study leave last year. He said he expected the literacy rate to

shoot up in the next few years. "Once the parents are literate, they will not only send their children to school but also keep them there."

"I think we should be able to achieve full literacy (75 per cent) by 2006-2007," Mr Chatterjee said, optimistic the women among the neo-literates, would make the job easier.

"But we must not be complacent. If the tempo is relaxed, there is a possibility of a relapse and a derailment," Mr Chatterjee said. The provisional census report is impressive, and suggests the last decade could well be designated as the "Literacy Decade".

Rightly so. In 1991, eleven states — home to 51 per cent of the country's population — reported literacy rates of 50 per cent or below. Ten years later, Bihar is the only one below 50 per cent. It has 8 per

cent of the country's population.

In 1991, only three states and Union territories had literacy rates over 80 per cent. This year, there were nine. A decade ago, there were 10 states which had 56

per cent male literacy rates. Today, male literacy rates in all the states is over 60 per cent. In 1991, there were 20 states and Union territories with female literacy rates less than 50 per cent. This year, there were just six.

Muslim women: a new hope?

By Syeda Saiyidain Hameed

What happened on March 31, 2001 may have been the start of a revolution for Muslim women. The occasion was the first Legal Literacy Camp in Delhi. The objective was to spread its message into every nook and corner of the country.

In Khwaja Mirdard, a jhuggi cluster near Ajmeri Gate, Delhi, there is a basti called Shukoor Ki Dandi. Ninety-nine per cent of the 450 households in the area are Muslim. To get there, you leave the vehicle near the petrol station next to Zakir Hussain College and walk through a narrow lane. The basti consists of cramped dwellings teeming with people. In a tight maze of gullies, The Masjid is its most prominent landmark. Adjoining the Masjid is a rectangular room, which serves as a madrasa. On that day the children were let off early because that was the place where we were to hold the camp. When I reached there, the room was being swept and durries were being spread. I had brought some posters which illustrated the rights of women pertaining to marriage, divorce, mahr and maintenance. These were simple line drawings, which had been coloured by children, they were being taped on the walls when the women started coming in.

The local activists, belonging to the National Federation of Indian Women had been talking to women for the last three days. It was not easy to persuade them to come out in the morning, that being the only time they could cook and do the housework. The afternoons had to be used in doing the bead-work, which is their only means of livelihood. They were told that they would be given a free lesson on their rights. We had

a woman next door is tortured and beaten up by her husband day in and day out. If she interferes, she is asked to mind her own business. If she complains to the police, then the consequences for her are even worse. Dr. Sughra replied, that the Islamic injunction is that if one sees any act of injustice, one must protest against it

PERSPECTIVE

by admonishing the perpetrator, by denouncing the act, and ultimately by stopping the evil. We all spoke about the Bill against domestic violence, which was pending in Parliament. I narrated a technique that I had heard of, developed by women in a basti of Thiruvananthapuram. Every household there was given a bell.

The agreement was that if any woman was being beaten up or tortured, she or her child would ring it. Then no matter what the neighbours were doing they would leave it and rush to that

house. This fear of neighbourhood censure was often enough deterrence for the wife beaters and torturers.

Mehnaaz was a young widow with five daughters and a son. She lived with her mother-in-law in abject poverty. Her livelihood consisted of stringing beads at a piece-rate which got her Rs. 20-25 a day. How could I help her? Shakila was a bright-eyed school girl who wanted to study further. How could we help? Jamila's husband was a master tailor but had become addicted to smack. He had not touched it for three weeks but his condition was very bad. What solution did we have? When he gets well, she told me with tears in her eyes, 'I will get a beautiful shalwar-kurta stitched for you'. Suraiyya Bi had brought her daughter who looked no more than 19 or 20 years old. 'She has four children. Her husband has remarried and now she is with me. How do I feed five mouths?' I asked how old was she at the time of marriage. I knew that the moth-

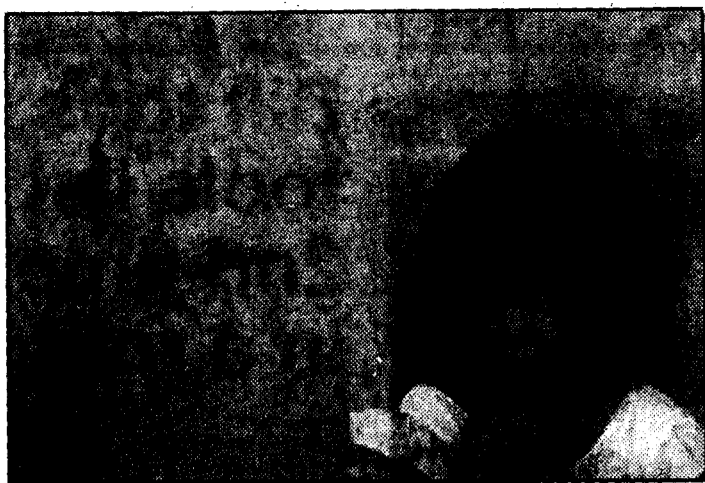
er was lying when she said, '18'. Widows with no pensions, old women with no means, women with alcoholic husbands, there was no end to misery. All of us who had initiated this work felt the determination welling within us to find solutions for these women. NFIW is setting up a women's shelter 90 provide temporary relief to victims of distress. The Muslim Women's Forum with the help of the Guild of Service and the Sunanda Bhandare Foundation hopes to have a counselling centre set up which will offer workable solutions. A follow-up camp will be held at the same location after three months. The Government has declared 2001 as Women's Empowerment Year. Unless millions of bastis like this feel the impact of the empowerment the objective will remain a hollow promise.

At the end of the day, I felt I should stay there and find a way out for each and every one of them. We who claim that we have progressed by leaps and bounds, we who are priding ourselves on the preliminary results of Census 2001, we who are hurling headlong into WTO, IT and Globalisation, have we ever asked ourselves a question, 'What about the Shukoor ki Dandis of India? Don't we owe anything to the women and girl children who live there? Women who eke out a living, earning Rs. 20 a day by stringing beads and who are subjected to violence inside and outside the homes? The women who had the courage to put their lives on hold for three hours to hear about their rights, in the hope of some deliverance?

(The writer is a founder-member of the Muslim Women's Forum and former Member of the National Commission for Women.)



The Muslim Women's Forum conducts a legal literacy camp in a basti in Delhi



Children as slaves: Pak's tryst with inhumanity

BY HAFIZUR RAHMAN

Islamabad: One of the most painful and soul-searing problems facing society in Pakistan is that of sexual abuse of children. It leaves child labour far behind, although even that was not easily accepted by our public as something degenerative, and many people thought it had a good side to it. Yes, you'll be surprised. I'll give you an example.

Here, in Islamabad, in the private school where my grandchildren study, boys and girls of Class VII or VIII were prescribed the subject of child labour on which they were required to write their views and then read them out in a debate. More than half the children did not think it odd to write in favour of child labour and extol its benefits. And none of the teaching staff thought it wrong to suggest a topic that might tempt impressionable minds to express themselves in support of a pernicious practice. And this in the capital's most expensive and prestigious school. I hope they don't choose sexual abuse of children for a debate next time and ask the students to write for or against it!

I have been drawn to this subject by the recent news of a workshop held in Islamabad about national consultation for developing a policy and plan of action against sexual abuse and exploitation of children, organised by the National Commission for Child & Women Development, and following it, the publication of an excellent article by Dr Amin A. Gadit in *Dawn* a few days ago with the frightening caption "Child abuse is rooted deeper than you think." Both affected me, but in different ways. The news of the workshop appeared in the dailies through a very badly drafted story circulated by a news agency. Apart from the usual details about who said what (instead of more positive reporting) it quoted Muhammad Younus Khan, federal secretary for social welfare and an old friend, as saying, "The government is taking strict measures to check child sexual abuse," and "it is making each and every attempt to curb the menace." This aroused my ire and indignation, for it was symptomatic of what ministers and senior officers are trained to announce in public or tell the media in interviews about what the government is doing in respect of a nagging national problem.

Giving the government the benefit of doubt, and admitting that despite reading five daily newspapers every day I may have missed reports of action taken by it in pursuance of "each and every attempt to curb the menace," I request readers to kindly let me know if they have come across any of these each and every attempts anywhere in Pakistan. Actually it was praiseworthy of the government to take notice of this sensitive and dreadful problem, and it need not have indulged in dubious publicity in the workshop. But if drastic action has been taken somewhere and I am unaware of it, and if it is pointed out to me by anyone, I shall at once apologise to Younus Khan who is a very fine man otherwise.

I again say that it was public-spirited act of the government to invite experts to discuss this subject because it has almost been considered socially taboo to even mention it, although non-official organisations and social welfare bodies in the big cities have been trying their best to draw public attention to it. I have thought over it for the last many days, and, frankly, I am at my wits' end as

to what anyone can do to reduce the incidence of child abuse and connected exploitation.

Child labour is there for everybody to see. Even when work is taken from children behind closed doors there is someone or the other who is witness to it and can report to the authorities or to social workers if he or she is so minded. But sexual abuse of little boys and girls is a secret act, indulged in furtively, with the victims threatened with dire consequences if they dare to tell anyone about it. Who can stop it?

According to a report issued by LHRLA, the Lawyers for Human Rights and Legal Aid, over 490 cases of child abuse were recorded during the year 2000 on the basis of newspaper stories. Hardly. In fact I would say the true position must be ten times worse, even twenty times worse. And this is borne out by what Dr Gadit has to say in his article which paints a terrible picture of the actual state of affairs, although even that is not the whole truth. As it is I haven't the heart to give the detailed breakdown, which also involves murder of little girls after gang-rape, contained in LHRLA's report. The trouble is that child sexual abuse is a worldwide phe-

In the rural areas of Sindh and Punjab boys are kept by some landlords as a so-called prestige symbol and treated as sex slaves. In Pir Vadhai, a suburb of Islamabad devoted to road transport, runaway and kidnapped children are used by owners of petty hotels to provide sex service to their clients

nomenon. How would one categorise the effects of modern civilisation that permit the showing of actual images about this inhuman practice over the pornographic sections of Internet, that much-vaunted apex of scientific advancement? What kind of human intellectual development is this which cannot love the children of mankind and protect them from its lecherous and perverted members? Viewed in that context the problem in Pakistan may not be that grievous. But then, it has some aspects that may not be found in the more advanced countries of the world.

For instance, as Dr Gadit points out, in the rural areas of Sindh and Punjab boys are kept by some landlords as a so-called prestige symbol and treated as sex slaves. In Pir Vadhai, a suburb of both Rawalpindi and Islamabad devoted to road transport, runaway and kidnapped children are used by owners of petty hotels to provide sex service to their clients. And we all know what goes on in prisons where teenage inmates are housed in the same place as hardened criminals, and the sexual abuse off-shoot of child labour employed in motor workshops and the like.

What is to be done? All that one can suggest is exemplary and enhanced penalties for offenders, but that is no solution to the basic problem, apart from the fact that there are certain areas where the law cannot reach. How is society or religion or the law to purge the human mind of base obsessions, perverted tastes and dirty ideas? Frankly I am left totally dismayed.

By arrangement with *Dawn*

THE ASIAN AGE

2 APR 2001

In birth or death, a girl will haunt us for long

ALOKE TIKKU

STATESMAN NEWS SERVICE

NEW DELHI, April 1. — The girl child will haunt us all for a long time if the ones not allowed to be born, those murdered at birth or the ones who escape both but not the parental neglect and discrimination.

At 933 females to every 1,000 males, the 2001 census may have showed a marginally better gender ratio than 1991 (927:1,000). For one, because women lived longer than men. And some states are still not as merciless as others. But that is only half the story.

The other half is about a sharply declining gender ratio in the 0-6 year age group; from 945:1,000 in the 1991 to 927:1,000 in 2001. This should be an indicator of the ratio in the next census.

Prosperous Punjab is the pits, close-

ly followed by Haryana, Chandigarh and Himachal Pradesh. And the country's capital, by the way, does not appear to be kinder to the girl child either. As the census commissioner, Mr Jayant Kumar Banthia, puts it: "Development and social conditions don't always go hand in hand."

The bias could reflect in infanticide, foeticide or discrimination against the girl. "It's too early to say that but whatever the condition might be, the bias against the girl child is deeper across the country except for some pockets," he said.

Punjab had 793 girls per 1,000 boys in 0-6 age group compared to 875 in 1991. At 820, Haryana was slightly better (it had 879 in 1991). Chandigarh came next with 845, down from

899, Himachal Pradesh had 897 against 951 and Gujarat 878 compared to 928. At 865, against 915 in 1991, Delhi didn't fare any better.

The decline is so sharp that even the Provisional Census Report 2001 questions whether the "sharp decline in the child sex ratios is indicative of an underlying trend of selective abortions..."

The report says: "One thing is clear...The imbalance that has set in at this early age group is difficult to remove and will haunt the population for a long time to come..."

Not much has changed since the 1980s when Nobel laureate, Prof Amartya Sen, coined the term, "missing women", to describe those literally not alive because of neglect and discrimination. He estimated that

worldwide, there are 100 million missing women. Many believe 50 million — probably more — are in India.

After Prof Sen's thesis, experts have asserted that women go missing not only because of neglect but also because of infanticide and foeticide. One estimate puts the number of abortions of female foetuses at 3 million to 5 million a year. A survey of a clinic in Mumbai revealed 7,999 of the 8,000 aborted foetuses were female. There were more of them "missing" in the past decade than ever before.

Statistics suggest that people in the *bimaru* states — Bihar, Madhya Pradesh, Rajasthan and Uttar Pradesh — are more considerate to the girl child than their prosperous counterparts. The gender ratio in

LESS GIRLS ARE ALLOWED TO BE BORN EVEN IN PROSPEROUS STATES

these states too has declined but it was not as pronounced.

At 938, Bihar saw a decline of 15 points over the last census, the gender ratio declined by 12 points in MP at 929, climbed down to 865 from last census' 927 in UP and reduced by 10 points in Rajasthan. There were 906 girls for every 1,000 boys in Rajasthan last month.

But the decline was not limited to these states alone. All states and Union territories except eight — Kerala, Lakshadweep, Tripura, Manipur, Mizoram, Nagaland, Sikkim and Arunachal Pradesh — witnessed a decline. Development and social setting may not go hand in hand. Punjab, Haryana and Gujarat have particular communities that treat women as inferiors.

■ Punjab, Haryana pay scant respect for the girl child: page 8

THE STATESMAN

1 APR 2002

TRADING IN MISERY

Where Women And Children Are Easy Victims

By SANKAR SEN

IT is a matter of great shame that even after half a century since the adoption of the Universal Declaration of Human Rights by the international community, trafficking in women and children continues to thrive. The International Organisation for Migration (IOM) estimates that the global trafficking industry generates up to \$8 billion each year from what may be described as "trade in human misery".

There are many forms of trafficking. The most visible and widespread is the trafficking of women and children for commercial exploitation. The problem has now been exacerbated by globalisation and its impact on the lucrative tourist and sex industries. Though it is a global phenomenon, the problem has assumed alarming dimensions in South Asia.

The term trafficking is used to describe activities that range from voluntary migration to the forcible displacement of people for exploitation. The "UN Special Rapporteur on Violence Against Women", Radhika Coomaraswamy, has correctly pointed out that at the core of any definition of trafficking, must lie the recognition that trafficking is never consensual.

PROSTITUTION

It is this non-consensual nature of trafficking that distinguishes it from other forms of migrations. Thus all kinds of illegal migration are not trafficking.

Today South Asia has emerged alongside South East Asia as a major centre for regional and international trafficking in women and children. Trafficking in women is done primarily for prostitution, but also for bonded labour, mendicancy and smuggling. Major international flows include trafficking in girls from Nepal and Bangladesh to India, from Bangladesh and Burma to Pakistan and from Pakistan and India to the Middle East. Further trafficking in young boys from India and Pakistan to the Middle East for use as camel jockeys has also assumed alarming proportions. Though there is a dearth of accurate data, the fact remains that the volume of trafficking in women and children in India is disproportionately high.

Women and children are used for prostitution, domestic work, camel jockeying, organ transplant, begging, drug-trafficking, forced marriages and adoptions and other exploitative forms of work. Both demand and supply factors ruthlessly drive the trafficking industry. Some key push factors are inadequate employment opportunities, the lack of a social safety net, globalisation, relaxed control and an open border facilitating the movement of populations.

Other important contributing factors are the erosion of traditional family values, of consumerism, traditional prac-

tices in some communities like dedicating girls to gods and goddesses. Further, social acceptance of prostitution in some communities encourages the clandestine trade.

Nepal today is the largest identifiable source of child prostitutes for Indian brothels. A Unicef review indicates that 5000 to 7000 girls are brought to India every year. It mentioned that Nepali girls and young virgins sell for at least Rs 6000 in Indian brothels on their first nights. Virgins are prized because of the

curing children for prostitution. If the offence is committed against a child, the punishment is rigorous imprisonment for a term not less than seven years. Regrettably, enforcement of the Act has been extremely poor.

Cases of clandestine interstate and cross-border trafficking in women and girls are seldom investigated. Consequently, the basic structure of the cruel and exploitative system continues to flourish. Section 13(4) of the Act empowers the central government to appoint trafficking police officers with nationwide jurisdiction for the investigation of cases of inter-state trafficking in women. No step has so far been taken by the government to appoint "Trafficking Police Officers". A central investigation agency, notably the Central Bureau of Investigation, should be directed by the government to depute "trafficking officers" as envisaged under the provisions of the Act.

Again under Section 13 of the Act the state governments are to appoint special police officers who should be assisted by an Advisory Body comprising leading social welfare workers of the area. This, if done, will create a mechanism at the field level to initiate and sustain appropriate action. Indeed effective implementation of the provisions of the IPTA needs far greater police vigilance. It is police collusion which often enables traffickers to operate without fear and go scot-free.

UN CONVENTIONS

There are major international standards which provide a framework within which countries can address the issue of trafficking. These are (1) The United Nations Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, 1949. The convention has been ratified by 71 countries (1997), but has not attracted widespread support. (2) The Convention on the Elimination of all forms of Discrimination against Women (CEDAW) 1979. CEDAW obliges states to enact legislation to suppress all forms of traffic in women. The convention has been ratified by 155 countries. (3) The United Nations Convention on the Rights of the Child 1989. It has near universal ratification and 189 states are parties to it.

Women and children in this case are often vulnerable to abuses of the legal system. In India, about four times as many women in the sex trade are arrested but procurers, guardians, pimps and clients are barely touched. Further the stigma associated with HIV/AIDS has undermined attempts to repatriate trafficked women or to rehabilitate them.

Though trafficking is undertaken on a large organised scale involving regional gangs who have links with law enforcement agencies, there is no proper regional mechanism to ensure cooperation and coordinated action.



prevalent myth that sleeping with virgins will cure sexually transmitted diseases. Fear of Aids has also raised the demand for virgins.

Traffickers manipulate Nepal's poor economic conditions to their advantage. The victims are offered jobs or lured by promises of marriage. Mumbai has the largest number of Nepalese girls in prostitution. According to one estimate, there are about 20,000 Nepali women in the city's flesh trade. They were brought by local recruiters and then sold off to brokers who delivered them to brothel owners. Sixty per cent of them contract HIV.

According to another survey, Bangladeshi girls and women constitute almost 11 per cent of the total number of prostitutes in Kolkata. Difficult economic conditions in Bangladesh and the oppression and torture of girls by their husbands. Some of them have been abandoned by their husbands along with their children.

DOMESTIC LAWS

Article 23 of Part III of the Indian Constitution relates to fundamental rights, and under the heading "Rights Against Exploitation" prohibits trafficking in human beings. It says that any contravention of this right shall be an offence punishable by law. Articles 39(e) and (k) of the directive principles of State Policy under part IV of the Constitution declare that state policies should ensure that "childhood and youth are protected against exploitation and material abandonment".

Building on the constitutional principles, the Suppression of Immoral Traffic in Women and Girls Act was enacted in 1956. The Act was amended in 1986 and ratified as the Immoral Traffic (Prevention) Act. The amended Act continues to prohibit prostitution in its commercialised form without making prostitution per se an offence. The Act prescribes stringent action against those pro-

The author is a former Director, National Police Academy.

31 MAR 2001

THE STATESMAN

MAR 2001

Divorce can be refused if husband gives no alimony

UNITED NEWS OF INDIA

NEW DELHI, March. 21. - The Supreme Court has said a husband, seeking dissolution of marriage, can be refused under section 13 (1-a) (i) of the Hindu Marriage Act if he fails to pay maintenance amount to his wife and children during judicial separation.

A Division Bench comprising Mr Justice DP Mohapatra and Mr Justice Doraiswamy Raju, gave this significant ruling while dismissing an appeal by one Mr Hirachand Srinivas Managsonkar against a verdict of the Karnataka High Court granting judicial separation on a petition filed by his wife, Sunanda.

The High court had also ordered the husband to pay his wife Rs 100 per month as maintenance amount.

The husband was subsequently refused divorce by the High Court on the ground that he had not complied with the its order regarding payment of maintenance allowance to his wife. The wife had filed a petition of judicial separation before the High Court.

"In our view, illegality and immorality cannot be countenanced as aids for a person to secure relief in matrimonial matters," the Supreme Court observed in its judgement.

The court further said: "It has to be kept in mind that before granting the prayer of the petitioner to permanently snap the relationship between the parties to the marriage, every attempt should be made to maintain the sanctity of the relationship which is of important not only for the individuals or their children but also for the society."

"Whether the relief of dissolution of the marriage by a decree of divorce is to be granted or not depends on the fact and circumstances of the case. In such a matter it will be too hazardous to lay down a general principle of universal application," the judge added.

THE STATESMAN

22 MAR 2001

National policy for women approved

NEW DELHI, March 21. - The Union Cabinet has approved the national policy for empowerment of women.

Under it, a time-bound action plan will be drawn up by various ministries and departments for the "advancement, development and empowerment" of women.

Parliamentary affairs minister, Mr Pramod Mahajan, told reporters here today that the decision was taken in a Cabinet meeting last night.

It was decided that national and state level councils would be set up to oversee implementation of this policy on a regular basis, Mr Mahajan said.

While the national council would be headed by the Prime Minister, the state councils would be headed by the chief ministers, he said.

Among other things, arrangements will be made for providing security and transportation to women to enable them do night duties in factories, he added.

- PTI

THE STATESMAN

22 MAR 2001

Priests sexually abuse nuns, admits Vatican

Vatican City

27/3
12/10

THE VATICAN acknowledged Tuesday a damning report that some priests and missionaries were forcing nuns to have sex with them, and were in some cases committing rape and forcing the victims to have abortions. Some nuns were forced to take the contraceptive pill, the report cited in the Rome daily *la Repubblica* said.

The Vatican said the issue was restricted to a certain geographical area, but the report cited cases in 23 countries, including the United States, Brazil, the Philippines, India, Ireland and Italy. "The stories are horrifying and disturbing to say the least," said Bill Ryan, spokesman for the US Conference of Catholic Bishops. However he added he was not aware of anything similar in the United States. "The National Catholic Reporter... offered no documentation for that. I don't know how you would investigate something like that unless you had specifics or a charge," he said.

The charges first appeared in the Kansas City-based *National Catholic Reporter* weekly on March 16 and in a small Italian religious news agency *Adista*, which also publishes a weekly.

Missionary news agency *MISNA* condemned the abuse

while recalling that missionaries often worked "at the limit of human endurance." It urged the media to remember the good deeds of missionaries around the world as well as their failings.

A Vatican statement said "in relation to the news of cases of sexual abuse against nuns committed by priests and missionaries, Chief Vatican spokesman Joaquin Navarro-Valls had the following announcement: "The problem is known about and is restricted to a certain geographical area. The Holy See is dealing with the issue in collaboration with bishops, the Union of Superiors General (grouping of heads of male religious orders) and the International Union of Superiors General (heads of female religious orders)."

While the Vatican did not name the geographical area, the report said most incidents of sexual abuse against nuns occurred in Africa where the nuns were identified as "safe" following the onset of the HIV and AIDS viruses devastating the continent. Charges made in the report, signed with names and surnames, were made known to Church authorities on several occasions throughout the 1990s, the article by *la Repubblica*'s respected Vatican correspondent Marco Politi said. The author of the report was nun and

27/3
physician Maura O'Donohue, who presented it to the head of the Vatican's Congregation for Holy Orders, Cardinal Martinez Somalo, in February 1995.

He ordered a working group from the Congregation to study the problem with O'Donohue, who was AIDS coordinator for Cafod, the London-based Roman Catholic Fund for Overseas Development. O'Donohue made specific reference to certain cases, one in which a priest forced a nun to have an abortion, after which she died. He then officiated at her requiem mass.

In reference to Africa, her report said: "It is impossible (there) for a woman or an adolescent to refuse a man, especially an older man and in particular a priest." In Africa, certain priests sought out nuns "for fear of contracting AIDS with prostitutes."

"There are cases in which priests make nuns take the pill, ...and there was one case of 20 nuns in one religious community being pregnant at the same time," the article cited the report as saying. A mother superior was ignored by the local bishop when she complained that priests in the diocese had made 29 of her nuns pregnant. The bishop relieved her of her duties, the report said without identifying the diocese.

Reuters

THE HINDUSTAN TIMES

2 MAR 2001

Kuwait woman editor shot dead

Kuwait, March 20 (Reuters): A leading Kuwaiti woman journalist known as a veteran women's rights campaigner was shot dead in the streets of the Gulf Arab state today.

Hedayet Sultan al-Salem, editor-in-chief and owner of *al-Majales* magazine, was killed by a burst of sub-machinegun fire as she sat in her car at a traffic light, Kuwaiti sources quoted witnesses as saying.

At least one man had been arrested in connection with the murder, but interior ministry officials were not immediately available for comment.

A family member said a male relative who was driving Salem's car at the time of the attack was being questioned by police. A man wearing a traditional flowing robe got out of a 4 x 4 vehicle and fired at least six shots at Salem as her car waited in a

crowded street in the capital Kuwait City. It was not immediately clear whether the attack was politically motivated. Journalists said Salem was involved in several financial and other disputes, including some with members of her own family.



Hedayet al-Salem

Salem, in her late 70s, was one of the first women journalists in Kuwait, a conservative Muslim state where women play a more visible role than in some neighbouring Gulf Arab states. She was active with groups working to secure full political rights for women, including the right to vote in general elections and to run for elected public office.

Three other men were apparently involved in the attack.

The official Kuwait News Agency (KUNA) quoted security sources as confirming Salem's death but gave no further details.

THE TELEGRAPH

21 MAR 2001

First-ever woman Foreign Secretary gets down to work

NEW DELHI, MARCH 13

CHOKILA Iyer today took charge as the country's first-ever woman Foreign Secretary observing there were "plenty" of challenges ahead for her. "In any job one takes over there are challenges ahead. I think in this job there are plenty of them," Iyer told reporters in her South Block office in response to questions.



A 1964-batch IFS officer, Iyer, a tribal from Sikkim, succeeds Lalit Mansingh, who leaves for Washington tomorrow for his new assignment as India's Ambassador to the US.

- PTI

INDIAN EXPRESS

14 MAR 2001

Call for debate on divestment processes in S Asia

STATESMAN NEWS SERVICE
NEW DELHI, March 13. - Solidarity in international fora such as the WTO, to ensure that they are able to derive the greatest benefits from globalisation.

■ Establishment of a management institute for South Asia which will concentrate on South Asia and its problems.

■ A South Asian Parliament, on the lines of Europe to enable greater interaction among people's representatives of South Asia and, thereby, lead to independent political vision sharing.

■ A proposal for setting up a Regional Safety Net to address this issue as all South Asian Nations will face similar problems.

■ Futuristic education on WTO to enlighten people about the organisation and gains from inter-dependence in the region.

CONCLUDING SESSION OF GLOBALISATION MEET

commencing its annual meeting after a delay caused by the postponement of the Saarc ministerial level meeting due to be held in Kathmandu last year. "If the high level officials do not want to meet we see no reason why the economic cooperation should be put on hold," Mr Pradeep Shreshtha of the Nepalese Chamber of Commerce and Industry told **The Statesman**.

Addressing the session, Professor Gert Kueck, Resident Representative to India of the Konrad Adenauer Foundation, called for a new spirit in which to view international cooperation and partnership as areas in which large political economic and legal units such as Saarc and the Euro-

pean Union can contribute immensely to overcome or at least to minimise the many dangers for the whole of mankind.

"This conference will certainly open perspectives of a better understanding of globalisation and highlight areas in which action has to be taken by strengthening closer cooperation among Saarc countries," Professor Kueck said.

The three-day deliberations have led to a conclusive blueprint of ideas and measures, the thrust areas being:

■ The private sector is a major player in the field of globalisation that governments should encourage by creating a conducive environment for the

private sector to act, by not directly interfering but creating laws/legal framework to increase investors confidence.

■ Regular dialogues between the private sector of the region must be organised and institutionalised interaction among them is crucial. Ensuring a greater inflow of investments by building a stronger infrastructure - political, judicial and economic.

■ Making the SAARC more effective and strong by building regional cooperation schemes to enable global competitiveness.

■ Thus, all the South Asian countries need to form a joint front in interna-

tional fora such as the WTO, to ensure that they are able to derive the greatest benefits from globalisation.

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■ Futuristic education on WTO to enlighten people about the organisation and gains from inter-dependence in the region.

All-party meet on Women's Bill soon

By Our Special Correspondent

NEW DELHI, MARCH 8. The Prime Minister, Mr. Atal Behari Vajpayee, today gave the assurance that an all-party meeting would be held soon to discuss the introduction of the long-pending Women's Reservation Bill in Parliament.

Speaking at a tea party on the occasion of International Women's Day here, he said there was

no need to create a quota within quota. On the demands made by several political parties, he said, "some way out will have to be found."

Mr. Vajpayee indicated that the effort would be to ensure that the bill was introduced in its present form rather than a diluted version to meet the demands of the parties.

He advised women activists who sought repeated assurances

about the bill not to lose hope. The bill seeks to provide 33 per cent reservation to women in the legislature.

The leader of the Opposition, Ms. Sonia Gandhi, however, expressed scepticism of Mr. Vajpayee's assurance as this was given in the past as well. Her party was keen on a majority vote and did not feel the need for creating a consensus, she said.

THE HINDU

'Women still unaware of property rights'

By Vaishnavi C Sekhar

MUMBAI: Six years after the Maharashtra government amended laws to give women equal rights in ancestral property, lawyers and women activists say that nothing much has changed for the average woman in the city.

In 1994, the state government, as part of the new women's policy announced by the then chief minister Sharad Pawar, amended the Hindu Succession Act to give co-parcenary or equal ownership of family property in a Hindu family to women.

In the original Act, women were not entitled to an equal share in ancestral property. Maharashtra is only one of four states in the country to have done so. The other states are Karnataka, Tamil Nadu and Andhra Pradesh.

But women activists say that poor awareness and social factors have meant that women continue to get short-changed in inheriting ancestral property. "Frankly, nothing has changed," says lawyer activist Flavia Agnes. "Most women do not even know they have the right by birth to their native or matrimonial dwelling. If they do, they are not in a position to secure it."

"Even where there is awareness, there is confusion regarding interpretation of the law," says Sudha Kulkarni of the Mahila Dakshata Samiti. "Many people still believe that married daughters cannot claim their parental property." And upper class or educated women are not necessarily better empowered to claim their rights. "In fact, business families are often the worst hit

since a huge amount of property is at stake," says an activist.

However, advocate Sanjeev Kanchan feels that there has been an increase in the number of women coming to court to claim their share. He admits, though, that unless they do, they have little chance of getting their share of the property pie. "This is specially true for married daughters. When the father dies, the brothers argue that the sisters have already got some money through wedding expenses and jewellery, and are not entitled to any more," he says.

Women may also be unwilling to upset the family boat by demanding their dues. "Their dilemma often between family ties and material ones. If relationships are already strained, they are unwilling to add to it, and later may even have to take the blame for disturbing the family," says Ms Kulkarni.

If married daughters ask for their share, therefore, it is often at the behest of the husband. "A legal amendment does not really solve the complex emotional and social factors involved in the issue," Ms Kulkarni points out.

Ms Agnes is more blunt. "Daughters are not in a position to fight for their rights," she says. "Their position in the matrimonial home is insecure. If they fight with their brothers, where will they go for help if they have marital problems?"

The long drawn out procedure of property litigation and its high costs is another deterrence. Property litigation still falls in civil courts, not family ones, where stamp duties can go up to Rs 75,000 for some property. "Where do women

have that kind of money to litigate?" asks Ms Agnes.

As important an issue as paternal property rights but far more neglected, say activists, are women's rights to the matrimonial home. "We have been lobbying for the right of women to reside and have a share of their matrimonial homes which should be a basic right," says Ammu Abraham of the Womens' Centre. "This is specially important in Mumbai, where several generations live together in small places."

Currently, while there is no legal provision for this, lawyers say that if women approach the courts when threatened with eviction, the courts will order an injunction on the husband. "But it's important that the wife comes to the court while staying in the home, not after she has left," says an activist.

However, this situation might change with the state government announcing a new policy for women this week. The policy is supposed to include a guarantee of matrimonial rights.

But, as some activists point out, in a changing world, property may no longer just mean four walls of a room. "Property may be in so many different forms, in black money and in shares, and no one is in a position to prove them," Ms Abraham says. "In such a situation, how can amendments in ancient laws help women?" She points out that for the vast majority of poor women, this law does not even apply. "For them, the law on maintenance is more important to ensure survival."

THE TRIBUNE OF INDIA

10 MAR 2001

Women MPs demand early passage of quota Bill

NEW DELHI, MARCH 8. All women MPs, irrespective of their party affiliation, today vociferously asked the Government for early passage of the Constitution Amendment Bill seeking 33 per cent reservation of seats for them in the Lok Sabha and State Assemblies.

Responding to their pleas made in the Lok Sabha on the occasion of International Women's Day, the Parliamentary Affairs Minister, Mr. Pramod Mahajan, said the Government was prepared to move the Bill in its present form for consideration and passage, provided all political parties reached a consensus on it.

"The Government will bring forward the Women's Bill within 24 hours if there is a general agreement among all parties."

It was not for the Government to pass the Bill but it was up to Parliament to adopt it. "We (Government) do not lack the intention to get the proposed bill to be passed but it all depends on the will of the political parties," the Minister said.

Responding to a similar demand in the Rajya Sabha, the External Affairs Minister, Mr. Jaswant Singh, said the Bill had to be approved first by the Lower House where it had been introduced. "The Government is standing by its commitment," he added. Raising the issue during zero hour, the Congress member, Ms. Margaret Alva, said the Government had been promising in every session that the Bill would be passed but this was not happening. The nation cannot march forward leaving behind 50 per cent of the women population, she added.

The CPI(M) member, Ms. A.K. Premajam, pointed out that a logo brought out by the Government

depicting a woman looking backward proved its "retrograde attitude." This drew loud protests from the ruling BJP members.

Demanding that the Bill be passed without any debate, the BJP member, Ms. Bhavana Chikalia, said the President, Mr. K.R. Narayanan, in his joint address on the opening day of the Budget session, had underlined the need for an early passage of the bill.

The Congress member, Ms. Girija Vyas, said the Budget presented by the Government last week

had totally ignored women. *Ms. Renu Kumari, JD(U), said women Ministers too should be given important portfolios like Defence and Finance.

Raising the issue in the Rajya Sabha soon after zero hour, Ms. Jayaprada Nahata (TDP) said the Government and political parties should fix a date for discussing the issue. Ms. Sarla Maheswari, CPI(M), said there was discrimination against women and they had not got their due share in the society. — PTI

Scientists honoured

By Our Special Correspondent

NEW DELHI, MARCH 8. Four women scientists and a woman grassroots worker were honoured here today for their contribution to the field of biotechnology.

The award winners were: Dr. Mahtab S. Bamji of Dangoria Charitable Trust, Hyderabad, Dr. M. Lakshmi of the M. S. Swaminathan Research Foundation, Chennai, Dr. Sunita Grover of National Dairy Research Institute, Karnal, Dr. Krishna Srinath of the Central Institute of Fisheries Technology, Kochi, and Ms. Viji Srinivasan of Aditi, a Patna-based NGO.

While Dr. Bamji was honoured with the senior national woman bio-scientist award, which carried a cash prize of Rs. 1 lakh, Dr. Lakshmi and Dr. Grover received the young national woman bio-scientist awards, carrying a cash prize of Rs. 50,000.

Dr. Srinath bagged the Rs. 1 lakh national award for women's development through application of science and technology and Ms. Srinivasan was honoured with a special award of Rs. 1 lakh in recognition of her 40 years of service at the grassroots level promoting women's empowerment.

Presenting the awards, the Union Minister for Science and Technology, Prof. Murli Manohar Joshi, underscored the importance of biotechnology for women's progress and urged the scientific community to evolve a self-regulatory mechanism for research in the area, since even while it held immense promise in agriculture, health and other fields, it could also pose dangers if not handled properly.

The function was attended by the Minister of State for Science and Technology, Mr. Bachi Singh Rawat, the Secretary, Department of Biotechnology, Dr. Manju Sharma, and the Secretary, Department of Science and Technology, Prof. V. S. Ramamurthy.

THE HINDU

- 9 MAR 2001

19-13
9/3

Empowerment is the key

By Gargi Parsai

NEW DELHI, MARCH 8. Cutting across political affiliations, women of all hues gathered at the Vigyan Bhavan here today to observe International Women's Day, and to focus on gender equality, political and legal empowerment of women. Socio-political and legal luminaries such as Ms. Veena Majumdar, Ms. Najma Heptullah, Ms. Sumitra Mahajan, Ms. Sujata Manohar, Ms. Vibha Parthasarathy, Ms. Mridula Sinha and Ms. Renana Jhabwala shared the same platform espousing the cause of women. They said things differently, but towards the same end — empowerment of women.

The Chief Justice of India, Dr. A. S. Anand, delivered the key-note address and the Minister for Human Resource Development, Dr. Murli Manohar Joshi, whose Ministry organised the session, outlined the Government's thinking under the shadow of huge portraits of Rajkumari Amrit Kaur (first Union Cabinet Minister), Vijayalakshmi Pandit (first Indian president of the U.N. General Assembly), Mother Teresa (first Indian woman to win a Nobel Prize) and Bharat Ratna Lata Mangeshkar.

Joshi's promise

There was no word on the Women's Reservation Bill from the Government representatives but Dr. Joshi did promise a Bill on domestic violence against women, and said it would be introduced within this year and "passed". The emphasis on getting the Bill passed was not lost on the august audience

which included social activists, NGOs, officials and foreign invitees.

Dr. Vina Mazumdar, Director of the Centre for Women's Development Studies, fiery as ever, said, "stop calling the women's movement anti-national, anti-patriotic and of foreign origin. Women are saying the same things from different regions in the best example of unity in diversity. So, listen to grassroots works to develop own theories."

Dr. Joshi was quick to respond: "There is absolutely no question of considering the women's movement unpatriotic and western. Even in western countries women's equality is an issue." The five Stree Shakti awards the Ministry gave earlier this year to unknown women who, though illiterate and invalid fought for their rights, shows our thinking".

The Rajya Sabha Deputy Chairperson, Dr. Najma Heptullah, said the women's Bill should be passed without delay, and if necessary, it could be placed in the Rajya Sabha first. There should be more women judges in higher and lower courts and rape cases should be tried in camera, she added.

Call for real equality

Talking of justice, equality and social order, Dr. Anand said no law, culture or religious discourse should be invoked to discriminate against women. Despite constitutional guarantees, gender equality only existed in books. The problem was in implementation. "Men must rise to the occasion. They have to recognise that women are equals and have individuality. Society has to change its attitude and education is a crucial means of social change.

Gender issues have to be made essential parts of policy making and impact assessment. We must know in which direction we are going."

Literacy of women was the focus of all intellectuals. Speaking of legal literacy, retired judge and National Human Rights Commission member, Ms. Sujata Manohar, said there was a long way to go before there were equitable laws that concern women — family laws that affect marital status, custody of children, a right to home and maintenance, inheritance and succession, adoption and for the Hindus, rights in a joint family and its property. "Despite the amendments, much of Hindu law still rests on the premise of differentiation in the legal rights of men and women. Christian law of divorce will, hopefully, be now amended. The Parsi law of inheritance is already amended to do away with gender discrimination. Muslim women are, however, denied the benefit of any reform so far. Proper legislation and its adequate enforcement can create dynamic empowerment."

Ms. Renana Jhabwala of the Self-Employed Women's Association emphasised on the people's sector where the largest women workforce was as against the public (Government) sector and the private (multi-national sector). The International Labour Organisation had said that for every 100 hours of work, men did 33 per cent of the work and women 67 per cent. Yet, women in the unorganised sector were not seen as productive. She sought permission to start an insurance company for SEWA members and a University for capacity-building.

HINDU
19 MAR 2001

Expedite quota bill, women MPs demand

PRESS TRUST OF INDIA
NEW DELHI, MARCH 8

WOMEN members in Parliament irrespective of their party affiliations, today vociferously asked the Government for early passage of the pending Constitution amendment bill seeking 33 per cent reservation of seats for them in Lok Sabha and State Assemblies.

Responding to their pleas made on the occasion of International Women's day in the Lok Sabha, Parliamentary Affairs Minister Pramod Mahajan said the Government was prepared to move the Bill in its present form for consideration and passage provided all the political parties reached a consensus on it.

"Government will bring forward the Women's bill within 24 hours if there is a general agreement among all political parties," he said.

Sharing members' feelings, Mahajan said it was not for the Government to pass the bill but it was up to Parliament to adopt it and urged the political parties to arrive at a consensus.

"We (government) do not lack the intention to get the proposed Bill to be passed but it all depends on the will of the political parties," he said.

Responding to members' demand in the Rajya Sabha, External Affairs Minis-

ter Jaswant Singh said that the Bill had to be approved first by the Lok Sabha where it had been introduced. "Government is standing by its commitment," Singh added.

Raising the issue during zero hour, Congress member

Margaret Alva said that the Government had been promising in every session that the bill would be passed but this was not happening.

Seeking a place for women in the decision-making structure, she said they had been neglected over the years and now it was high time they were treated as equal partners in every walk of life.

The nation cannot march forward leaving behind 50 per cent of the women population, she said.

CPI-M Member A K Premajam pointed out that a logo brought out by the Government had depicted a woman looking backward proved its "retrograde attitude." This drew loud protests from the ruling BJP members.

Emphasising that the bill be passed without any debate, BJP member Bhavana Chikalia said that President K R Narayanan in his joint address on the opening day of the budget session had underlined the need for early passage of the bill. Congress member Girija Vyas said that the union budget presented by the Government last week had totally ignored women.

Sandhya Bauri (CPI-M) said women had an important role to play in the society and their families. Renu Kumari (JD-

U) said that women Ministers too should be given important portfolios like Defence and Finance. Raising the issue in the Rajya Sabha soon after the Zero Hour, Jayaprada Nahata (TDP) said that the government and political parties should fix a date for discussion on the issue which had been pending for a long time.

Sarla Maheswari of the Communist Party of India (Marxist) said there was discrimination against women and they have not got their due share in the society.

Ambika Soni (Cong) said though the government had declared the 2001 as Women Empowerment Year, nothing had been done to give women their rights.

Arjun Singh (Cong) said Women's Reservation Bill had been put to backburner by the government. Session after Session the Prime Minister was giving only a lip service on the issue, he said.

Mohd Azam Khan (SP) said that his party was in favour of giving empowerment to those women who were living in rural areas along with others.

External Affairs Minister Jaswant Singh said that the Women's reservation was already on the government's National Agenda of Governance and on this issue there should not be any allegation and counter-allegation by the political parties.

The issue should be decided by the political parties, he said.

Discrimination in reverse order

■ NEW DELHI: Much-maligned propensity of women to go on and on today had Chief Justice of India at the receiving end of the "discrimination in reverse order". Standing to deliver his speech at an International Women's Day function after several women speakers, including a politician, a former judge and social activists, Justice A S Anand wondered "now that you have consumed all the time.... is it not discrimination in reverse order" sending the entire house into peals of laughter. There was another light moment when in her address, Deputy Chairperson of the Rajya Sabha Najma Heptulla addressed Vibha Parthasarathi and Mridula Sinha as "Chairmen" of National Commission for Women (NCW) and Central Social Welfare Board respectively.

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"The Government will bring forward the Women's Bill within 24 hours if there is a general agreement among all parties."

It was not for the Government to pass the Bill but it was up to Parliament to adopt it. "We (Government) do not lack the intention to get the proposed bill to be passed but it all depends on the will of the political parties," the Minister said.

Responding to a similar demand in the Rajya Sabha, the External Affairs Minister, Mr. Jaswant Singh, said the Bill had to be approved first by the Lower House where it had been introduced. "The Government is standing by its commitment," he added. Raising the issue during zero hour, the Congress member, Ms. Margaret Alva, said the Government had been promising in every session that the Bill would be passed but this was not happening. The nation cannot march forward leaving behind 50 per cent of the women population, she added.

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9/3
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WOMEN'S DAY / DIFFERENT VOICES, ONE CAUSE

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Gender issues have to be made essential parts of policy making and impact assessment. We must know in which direction we are going."

Literacy of women was the focus of all intellectuals. Speaking of legal literacy, retired judge and National Human Rights Commission member, Ms. Sujata Manohar, said there was a long way to go before there were equitable laws that concern women — family laws that affect marital status, custody of children, a right to home and maintenance, inheritance and succession, adoption and for the Hindus, rights in a joint family and its property. "Despite the amendments, much of Hindu law still rests on the premise of differentiation in the legal rights of men and women. Christian law of divorce will, hopefully, be now amended. The Parsi law of inheritance is already amended to do away with gender discrimination. Muslim women are, however, denied the benefit of any reform so far. Proper legislation and its adequate enforcement can create dynamic empowerment."

Ms. Renana Jhabwala of the Self-Employed Women's Association emphasised on the people's sector where the largest women workforce was as against the public (Government) sector and the private (multi-national sector). The International Labour Organisation had said that for every 100 hours of work, men did 33 per cent of the work and women 67 per cent. Yet, women in the unorganised sector were not seen as productive. She sought permission to start an insurance company for SEWA members and a University for capacity-building.

All-party meet on Women's Bill soon

By Our Special Correspondent

NEW DELHI, MARCH 8. The Prime Minister, Mr. Atal Behari Vajpayee, today gave the assurance that an all-party meeting would be held soon to discuss the introduction of the long-pending Women's Reservation Bill in Parliament.

Speaking at a tea party on the occasion of International Women's Day here, he said there was

no need to create a quota within quota. On the demands made by several political parties, he said, "some way out will have to be found."

Mr. Vajpayee indicated that the effort would be to ensure that the bill was introduced in its present form rather than a diluted version to meet the demands of the parties.

He advised women activists who sought repeated assurances

about the bill not to lose hope. The bill seeks to provide 33 per cent reservation to women in the legislature.

The leader of the Opposition, Ms. Sonia Gandhi, however, expressed scepticism of Mr. Vajpayee's assurance as this was given in the past as well. Her party was keen on a majority vote and did not feel the need for creating a consensus, she said.

THE HINDU

- 9 MAR 2001

Govt to review law on women's property rights

SREELATHA MENON
NEW DELHI, MARCH 7

96-3-3
THE Government will hold a national-level meeting in two months' time to sort out anomalies in the law regarding equal property rights for women.

Mridula Sinha, president of the Central Board for Social Welfare under the Human Resource Development Ministry, said yesterday that this had been decided as the Hindu law on property rights is not being practiced in most parts of the country due to the strong prevalence of social custom which discourages women from demanding their share of paternal property. "Barely two per cent of women ever ask for their share of family property," she in-

formed. She said that even if the law allows a woman the right to demand equal share in her father's property, women in villages are bound by social custom and most of the time cannot bring themselves to ask for their share of landed property.

"I have an equal share in the property of my family. But can I ask my brother to give me my share of rural land?" Sinha asked, speaking at a function on the eve of International Women's Day. Land in rural areas has problems of maintenance and hence women who leave the village do not bother to ask for a share. But in urban areas too, daughters do not get their share of paternal property, she said.

She said that when Jawaharlal Nehru had proposed the Bill for equal property rights,

then President Rajendra Prasad had returned it. "The reason was not that the President was against women but because he was from the villages and he knew how impracticable such a law would be," she said. Sinha said that whenever she had asked women as to how many of them had asked for their share of property, barely one or two hands went up.

She said that these attitudes have to be respected. But at the same time a popular movement is needed to change social thinking.

"The Hindu law is weighted against women as far as their rights to ancestral landed property is concerned," Brinda Karat of the All India Democratic Women's Association told *The Indian Express*, commenting on the law on property rights.

INDIAN EXPRESS

- 8 MAR 2001

Adopt clear stand on Women's Bill: Laxman

By Our Staff Reporter

NEW DELHI, MARCH 7. The BJP president, Mr. Bangaru Laxman, said today that while there could be no compromise on the basic principle of quota for women, its extent could be open to review to facilitate the passage of the Women's Reservation Bill.

Addressing a symposium on the "Role of women in the current political scenario," organised by the MARG Foundation, Mr. Laxman said that privately many political parties were speaking of reducing the percentage of reservation. But they would not say this in public. This aspect might come up for consideration in the Government's bid to arrive at a national consensus, he indicated.

As for the demand for reservation for women from different castes, the BJP president said this could be addressed later. "A clause can be put in to review the reservation policy a decade later to see whether women from all sections of society have found representation in the country's political spectrum."

Defending the Government's efforts to evolve a consensus, Mr. Laxman said "this is an amendment with great ramifications and forcing it through without a consensus would not be the correct thing to do".

"Political parties must give up their doublespeak and adopt a clear stance on the Bill".

On the Election Commission's suggestion that parties reserve seats for women, he said this would not be possible without a law. "And, even for this, there is no consensus among political parties yet." Some constituents of the National Democratic Alliance — including the Janata Dal (U), the Samata Party and the Shiv Sena — had reservations about the current Bill, he said.

Earlier, the former Union Law Minister, Mr. Ram Jethmalani — who tabled the Bill in Parliament — said with the Parliament and

political parties being totally male-dominated, women were up against "terrible odds". On the view that no political party was interested in seeing the Bill through, he said: "What you see is nothing but pretense, lip-service and compulsion of election manifestos."

Referring to the stalling tactics adopted in the House every time the Bill came up for discussion, Mr. Jethmalani urged women Parliamentarians to get a commitment from the Speaker of the Lok Sabha and the Chairman of the Rajya Sabha to take disciplinary action against those disrupting the proceedings.

There was a "small streak of the Taliban in every political party and every man in the country." Even the three parties led by women were dominated by men and had done little to facilitate women's participation in the political process. Hence, women Parliamentarians should defy political leadership and join hands to ensure the Bill's passage.

The Shiv Sena, according to its MP, Mr. Sanjay Nirupam, was against all kinds of reservation and would prefer that the task of politically empowering women be left to political parties. "The Election Commission is also in favour of it. This will not need a Constitutional Amendment; an Amendment in the People's Representation Act will do." Also, the Women's Reservation Bill, in the Sena's opinion, pitted women against women by reserving constituencies for them.

Ms. Girija Vyas of the Congress said the Government must have the political resolve to enact the Bill. "Our Government did manage a consensus to pass the Bill reserving seats for women in Panchayats and Nagar Palikas. When we could do it then, why can't the Government do the same 10 years later." However, she was candid enough to concede that getting political parties to set aside seats for women was no mean task.

THE HINDU

1991

Women's panel nails Kerala govt

STATESMAN NEWS SERVICE

THIRUVANANTHAPURAM, March 5. - Kerala Women's Commission held the state government guilty on various counts for not making any effort to bring to book the culprits involved in the rape of a mother and a minor daughter at Naadapuram last month.

The Commission is expected to submit its report in two weeks, holding the police, revenue officials and even the Collector responsible for callous indifference regarding the incident.

This will be the first time the

Women's Commission will directly confront the government in this manner.

The commission's findings come after a study by members at Naadapuram.

The members met the rape victims and are convinced that there was a nexus to cover it up.

It will be an incredible and appalling list of omissions the commission will point out.

Local police took no notice of the complaint lodged.

Even after the culprits were

identified, no arrests were made. The victims' statements were not taken.

The raped woman and the daughter were not medically examined. There is no clue on the contents of the medical report.

Even after the Crime Branch taking charge of the case, there has been no progress. Police officials, including the Superintendent of Crime Branch Police, refused to cooperate with the commission probe.

Local police say they have

RAPE OF WOMAN AND MINOR DAUGHTER

nothing to do with the case. Cash worth Rs 1,00,000 was taken away from the victims house.

Revenue officials paid a compensation of Rs 26,667, the computing of which has no logical reasoning.

Revenue officials didn't even visit the victims' house to record the losses.

The district collector said he hadn't received any complaints in that regard.

The full body of the commission will meet in Thiruvananthapuram on 12 March.

The final report will be submitted after the meeting is over.

THE STATESMAN

- 6 MAR 200

Right blow to Hindu women

FROM R. VENKATARAMAN

New Delhi, March 1: The Supreme Court has ruled that female heirs of a Hindu family cannot form a joint Hindu family or Hindu Undivided Family (HUF) by agreement.

A bench of Justices S.P. Bhargava, N. Santosh Hegde and Y.K. Sabharwal said that if Hindu women inherited properties from husbands or fathers who had died intestate (without a will), their inherited property could not assume the character of joint family property.

So, one-third of the property which a Hindu woman inherited from her husband was assessable as that of an individual and not as that of a joint family or HUF, the apex court said, settling a dispute between a Hindu widow and the income-tax department.

Har Govind Dutta died intestate on June 19, 1972, leaving behind his widow and two daughters, who inherited his self-acquired property. They then entered into an agreement in July 1972, and claimed to form a HUF. For the subsequent assessment years, the widow did not disclose her income from her share of the inherited property.

The Ranchi bench of Patna

High Court held that there was no bar on the constitution of the HUF and so the widow was correct in not showing her income from her share of the inherited property.

The apex court, citing an earlier decision, pointed out that "at least one male member is necessary for the formation of a Hindu Undivided Family". It said that "a joint Hindu family is a creature of law and cannot be created by the act of the parties, except to the extent to which a stranger may be affiliated to the family by adoption".

The court upheld the Income-Tax Tribunal decision that "so long as the property which was originally of a joint Hindu family remained in the hands of the widows of the members of the family and was not divided amongst them, the joint family continued".

In this case, the judges said since the properties were shared among the three female heirs, the widow and the two daughters of the Hindu family on one-third basis, it could not be said to be a HUF and "the concept of Hindu females forming a joint Hindu family by agreement amongst themselves appears to us to be contrary to a basic tenet of Hindu personal law".

THE TELEGRAPH

21 MAR 2001

2 MAR 2001

Joint Hindu family of women against personal law: S.C.

By J. Padmanabha Rao

NEW DELHI, MARCH 2. "The concept of Hindu women forming a joint Hindu family (JHF) by agreement among themselves appears to us to be contrary to a basic tenet of Hindu personal law," a three-member Bench of the Supreme Court has ruled.

Delivering the judgment in two related "income-tax" appeals from the I.T. Commissioner, Mr. Justice S. P. Bharucha, set aside a verdict of the Patna High Court which ruled — that, on the facts and in the circumstances of the case, women heirs of a Hindu governed by the Dayabhaga school of Hindu law dying intestate, could form a joint Hindu family by agreement. The High Court's conclusion — that such heirs of a Hindu governed by the Dayabhaga school of Hindu law dying intestate could impress upon their inherited property the character of "joint family property" — was also reversed by the apex court.

The apex court Bench, which included Mr. Justice N. Santosh Hegde and Mr. Justice Y. K. Sabharwal, in allowing the I.T. Commissioner's appeals, ruled that one-third of the prop-

erties inherited by a Hindu widow governed by the Dayabhaga school of Hindu law (assess-see) from her husband "was assessable in the hands of the assessee in the status of individual".

The Bench adverted to an earlier apex court ruling in *Surjit Lal Chhabda's case*, wherein it had been held that "the JHF with all its incidents, is a creature of law and cannot be created by the act of parties, except to the extent to which a stranger may be affiliated to the family by adoption".

In *Pushpa Devi's case*, the apex court had said, "it was a fundamental notion governing a JHF that a woman member of a joint family cannot blend her separate property, even if she is the absolute owner thereof, with joint family property."

A man governed by the Dayabhaga school of law, died intestate on June 19, 1972, leaving behind his widow (the assessee-respondent) and two daughters. The woman and her two daughters inherited the "self-acquired properties of the deceased" in equal shares. The assessee and the two daughters entered into an agreement on July 26, 1972, by which, they

claimed to form an Hindu undivided family (HUF) and the assessee threw her share of the inherited property into the kitty of this HUF. Accordingly, for the assessment year 1974-75 and 1975-76 the assessee did not disclose in her income tax returns any income from her share of the inherited property, on the plea that her share had been thrown into the kitty of an Hindu Undivided Family (HUF).

First, the Income Tax Officer and later, the Appellate Assistant Commissioner rejected the assessee's contention. Later, the High Court — to which 'reference' was made by the I.T. Appellate Tribunal — held that there was no bar to the constitution of an HUF in respect of properties inherited by the heirs, whether female or male, of a Hindu governed by the Dayabhaga school dying intestate by throwing an ascertained share into the hotchpotch agreement.

Hence the present appeal from the Commissioner of Income-Tax before the apex court which ruled that "the assessee and her two daughters were not capable of forming a JHF or of throwing the interest of any one of them in the inherited property therein".

DEPT

3 MAR 2001

Economic survey highlights women's inequality

The Times of India News Service

NEW DELHI: Making a special mention of the status of women, the Economic Survey 2001 has acknowledged that women's contribution to the country's economy is either unrecognised or, at best, undervalued.

The survey also notes the inter- or health and educational profile of women and recognises that the existing practice of budgeting does not pay any special attention to impact of budgets on women.

The restricted definition of economic activity in national income accounting, where only market-oriented activities are counted,

means that women's contribution remains unaccounted. This is because majority of them work in the unorganised sector or are engaged in household work which are difficult to measure.

Consequently, women constitute 31 per cent of the adult labour force in India, their share being lower than their share in the population. The survey notes that the number of women workers in the past 40 years has more than doubled from 40 million in 1951 to 90 million in 1991, the percentage of women labour to total work force may have declined marginally.

Making a strong case for social and economic empowerment of women, the survey points to the "worrying problem of missing women in India", where the ratio of

compared to other countries.

This ratio in 1991 was a little less than 93 to 100 as compared to developing countries where it was 106 to 100. "This suggests that millions of women are missing from the population. They were either never born or died of chronic malnutrition or because of lack of medical attention," says the survey. It states that the deterioration in the sex ratio during the 1980s was particularly sharp in the rural areas.

Women's inequality, according to the survey, begins at birth with 109.5 male live births per 100 female live births. Although the health profile of women has improved over the years, the maternal mortality rate of 408, which translates to one maternal death to every 200 pregnancies,

"paints a disturbing picture of

maternal healthcare". The infant mortality rate (IMR) and child mortality rate (CMR) declined in the '80s and '90s, says the survey, but both the IMR and CMR for girls were higher than for boys by about two per cent per 1000. Female illiteracy continues to be particularly pronounced in rural areas where the male literacy rate in 1997 was 68 per cent while that of females was 43 per cent.

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THE TIMES OF INDIA

26 FEB 2001

The necessity of legal literacy

A ruling by a Bangladesh court on talaq has generated interest in the Muslim community here. Social organisations are drafting model *nikahnamas* and conducting awareness programmes on women's legal rights. Sreelatha Menon reports

WHEN a high court in Bangladesh in one sitting declared a moulvi's fatwa as well as the triple talaq as invalid last month, it was an instance of civil law clashing with the conservative view of talaq. In India, the judgement assumes significance in view of the attempts by many organisations for social reform within the Muslim community. Muslim Women's Forum which welcomed the Bangladesh court verdict is in the thick of a movement for women's empowerment. Sayeda Hameed, founder member of the Forum, had remarked on the advantages the country had in terms of having the family laws in the shariat codified as the law of the land. She said the root of suffering in the community in India was not because of the practice of talaq but because people did not know what their personal law said about it.

Last year several Muslim women participating in public hearings conducted by the National Commission for Women in 18 towns had talked about their sufferings caused due to reasons like abandonment by husbands and denial of maintenance.

Hameed had prepared a report called approval of the Muslim Personal Law Board. A model *nikahnama* is currently with the Muslim Personal Law Board which if okayed by it may be circulated as the consensus *nikahnama* within the community. It provides the condition that a woman can take divorce on the basis of Kula. While marriages can be conducted without a *nikahnama* by v.o.t.

Another *nikahnama* is currently awaiting

approval of the Muslim Personal Law Board. A model *nikahnama* is currently with the Muslim Personal Law Board which if okayed by it may be circulated as the consensus *nikahnama* within the community. It provides the condition that a woman can take divorce on the basis of Kula. While marriages can be conducted without a *nikahnama* by v.o.t.

Another *nikahnama* is currently awaiting

sent, having a *nikahnama* makes it a valid legal contract.

The Board spokesperson S.K.R. Ilyas says they have been actively working for social reform and did not need the Bangladesh judgement to spur it into action. "We have been focusing on awareness of women about the various provisions in the shariat for them. This programme will culminate next month in a conference of women from across the country in the capital itself where they will be asked to air their grievances.

"Triple talaq and polygamy are confined to two classes — the poor who are ignorant of the shariat and to the very modern who do not follow the injunctions of the shariat," he says.

While he does not describe triple talaq un-Koranic, he says there are two schools of thought on it — one which recognises triple talaq in a single sitting and another which considers it valid only after three months.

"The educated classes do not accept triple talaq," he says.

The problem, therefore, he says is not with the personal law but with the ignorance of people about what the Koranic law says.

Anees Ahmed advocate in the Supreme Court and a member of the Forum agrees on this. "The shariat has given women several rights like total right to her inherited property, or Kula the right of women to seek a divorce without giving any reasons except total breakdown of marriage.

While women in other communities find it so difficult to get out of a bad marriage, it is but

few know the law of Kula," says Ahmed.

Syed Shahabuddin, member of the executive of the board says things are not as bad for Indian Muslims as they are projected. "There is an awakening in the community. In my view cases of triple talaq are going down. People want more education. And as this happens, all these practices will disappear," he says.

He also questioned the sudden enthusiasm for reform. "Has anyone done a survey to find out if triple talaq and polygamy has risen in the last ten years or that Muslim women are worse off than their Hindu or Sikh or Christian counterparts," he asks.

"Why is there this sudden need to highlight triple talaq if not give the community a bad name," he asks.

"I am all for social reform but it must be borne in mind that it does not mean reforming the shariat," he says. "If the society does not know what the shariat is I am all for codifying it. But codification again does not mean reforming it," he says.

The board agrees with this but the solution it has found to enforce the shariat in its pure form is not acceptable to many. The board spokesman says that they are setting up shariat courts on a war footing where family cases can be settled by the moulvi interpreting the Islamic law correctly.

"Eight courts were set up in the last two years alone," he says.

Asked if they are legal, he said they are. "Besides the courts do not have access to the true sources of personal law and depend on British privy council rulings which were based on translations of the shariat which are adulterated and slanted," he points out.

Ahmed says that parallel courts presided over by moulvis are not a legal solution to this problem. "We must instead codify the personal law and get it legislated." "For instance Egypt codified the law of Kula just last month. Why can't we?" he asks.



approval of the Muslim Personal Law Board. A model *nikahnama* is currently with the Muslim Personal Law Board which if okayed by it may be circulated as the consensus *nikahnama* within the community. It provides the condition that a woman can take divorce on the basis of Kula. While marriages can be conducted without a *nikahnama* by v.o.t.

President push to women's Bill

Consensus call for fair quota

FROM OUR SPECIAL CORRESPONDENT

New Delhi, Feb. 19: President K.R. Narayanan has urged politicians to arrive at a consensus on the Women's Reservation Bill and ensure that it was passed during the Budget session.

"This would be a fitting tribute by India's Parliament to the Year of Women's Empowerment, which we are observing this year," Narayanan said in his joint address to both Houses of Parliament amid loud cheers from women MPs.

The President said though the Bill to legislate 33 per cent reservation for women in Lok Sabha and state legislatures had been introduced in Parliament, it was "unfortunate" that it had not yet been enacted into law. He stressed that one of the major gains of Indian democracy was the "ever-growing active participation of women in the political process", not just as voters but also as elected representatives and bearers of executive responsibility. Narayanan put the Women's Bill in the context of the "acute awareness" among women of their under-representation in Parliament and state legislatures.

Though the emphasis on the Bill was seen as a signal of the Vajpayee government's intent to take it up in the Budget session, BJP sources were sceptical of the result. They admitted that key NDA constituents like the Samata Party and Janata Dal (United) were opposed to the Bill in its pre-

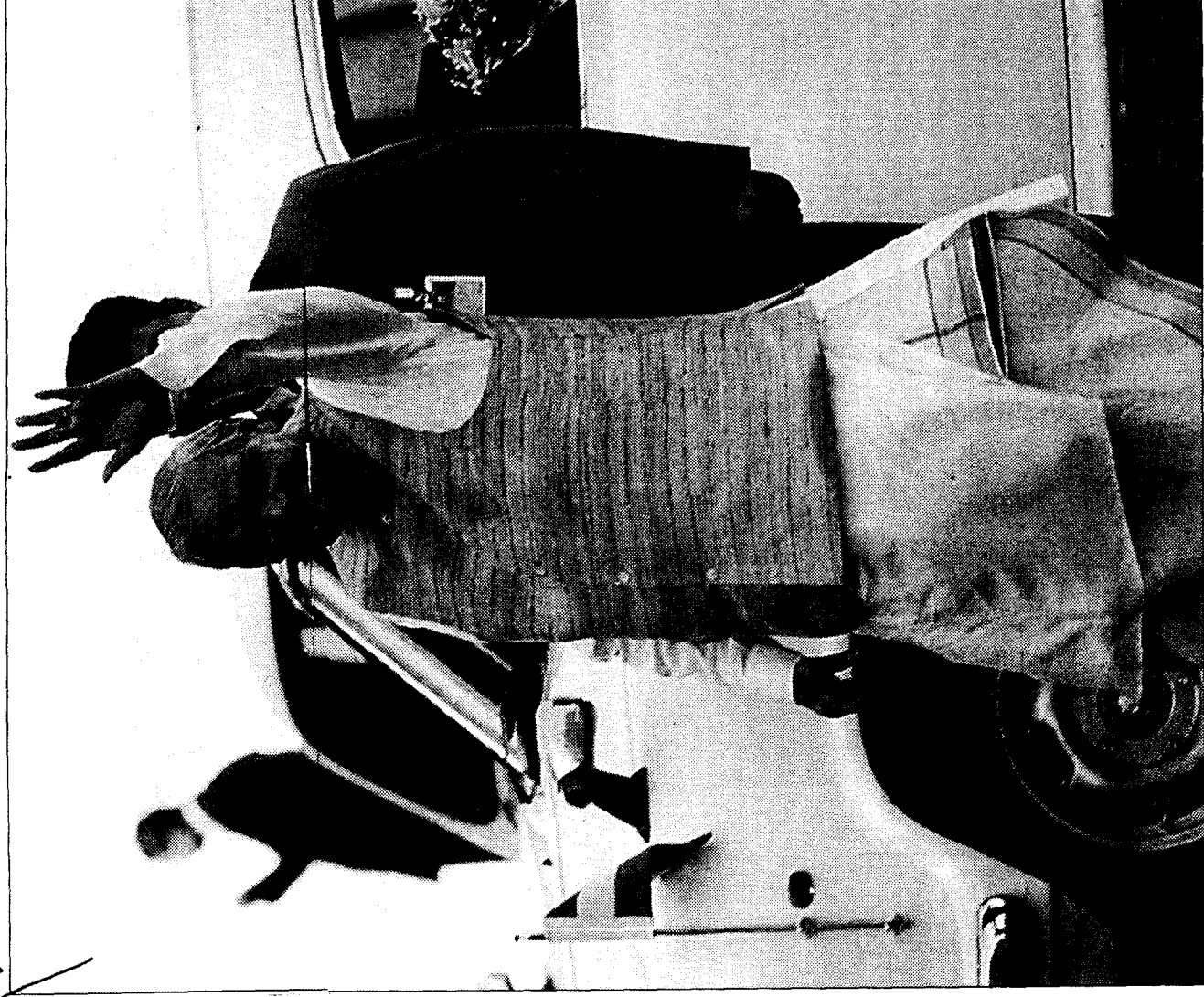
sent form and added that backward caste MPs of the BJP had demanded a separate quota within the 33 per cent for OBC women.

Apart from the women's Bill, the President also addressed the issue of the Gujarat quake and mentioned the Orissa super-cyclone while doing so. "The catastrophe in Gujarat, as also the super-cyclone in Orissa in 1999 and natural calamities in other parts of the country in recent years, have once again highlighted the urgent need to expand and modernise our disaster management capabilities," he said. Narayanan also called for updating construction rules and regulations, enforcing them with rigour, need as well as ensuring stern action against violators.

The President also spoke of the government's intention to set up a permanent National Disaster Management Authority with suitable statutory authorities in the states. This will be based on the recommendations of the newly constituted National Committee on Disaster Management, which held its first sitting yesterday.

There was no direct reference to the Constitution review panel. The government realised that an explicit reference may reopen the differences between the President and the Prime Minister on subjects like indirect election and a fixed tenure for Parliament.

Narayanan, however, said Parliament should do its best to further the republican values enshrined in the Constitution.



Prime Minister AB Vajpayee outside Parliament. (AFP)

Cell trills along with anthem

New Delhi, Feb. 19 (PTI): Cellphones, barred inside Parliament House, rang several times in the Central Hall today as the President addressed the joint sitting of both Houses.

An MP's mobile phone rang just when the national anthem began playing after President K.R. Narayanan was escorted into the Central Hall.

Cellphones rang at least five times as the President read out his hour-long speech, marking the beginning of the budget session.

A Lok Sabha bulletin had said that members should not bring their cellular phones into the House or committee room, keeping in view Speaker G.M.C. Balayogi's observation that bringing mobile phones into the chamber was "a very serious matter".

"Frequent ringing of cellular phones not only disturbs the proceedings of the House or committees but also lowers their dignity," it said.

The President's address was also marred by some MPs shouting anti-government slogans. As soon as Narayanan started speaking, RJD MP Raghuvansh Prasad Singh and some others from the party shouted anti-government slogans.

"Yeh kisan virodhi sarkar hai. Desh aur kisan tabah ho rahi hai" (This is an anti-farmer government. The country and the farmers are being ruined)," the MPs shouted.

Govt plan to tackle domestic violence

Apratim Mukarji

New Delhi, February 17

DOMESTIC LIFE in India is about to undergo a revolutionary change with the institution of the Protection Officer, an individual or organisation, who comes to the rescue of victims of domestic violence, protects them from further violence, sees to it that relevant court orders are implemented and ensures that all their rights are honoured.

The office of the Protection Officer will be as regular a feature of life as the neighbourhood policeman or policewoman, once the Domestic Violence Against Women (Prevention) Bill is enacted.

The Bill is one of the principal gifts of the Women's Empowerment Year 2001 and is presently under the consideration of the Department of Women and Child Development, Human Resource Development Ministry. The Protection Officer will be easily accessible to the community and will be responsible for coordinating the responses of the police and various service providers such as shelters, hospitals, counseling centres, rehabilitation centres and legal aid officers.

A brand new law to go into the statute book, the Bill introduces the following concepts into Indian jurisprudence: (a) the civil wrong of domestic violence, (b) the right to protection against domestic violence by obtaining protection orders including monetary relief orders, custody of children orders, etc., and (c) the right to reside in a shared

household.

The draft Bill incorporates features of the Domestic Violence to Women (Prevention) Bill drafted by Lawyers Collective, a non-governmental organisation, and a similar Bill drafted by the National Council of Women.

Judging by the findings of the National Family Health Survey 1998-99 (NFHS-2) conducted by the International Institute for Population Sciences, Mumbai, the Indian husband had better watch out for the Protection Officer because "90 per cent of women who report beatings are beaten by their husbands".

Going by the NFHS-2 findings, the states where husbands are apparently more active in beating their wives are Bihar, Arunachal Pradesh, Tamil Nadu and Nagaland, where the percentage of women beaten was 15 against 5 in Himachal and Kerala.

If domestic violence against women is a major problem in India, the government may be up against yet another problem while implementing the new law.

"The high level of acceptance of wife-beating also revealed by these data suggests that women may feel powerless against such violence and will tend to accept it without question," says the NFHS-2.

"The experience of violence and the silent acceptance of violence by women undermines attempts to empower women and will continue to be a barrier to the achievement of demographic, health and socio-economic development goals."

THE HINDUSTAN TIME

18 FEB 2001

WOMAN POWER

Education Is The First Necessity

By KK KHULLAR

IN spite of all that the government has done in the last 53 years, women's education has suffered because of one reason or the other. Studies have shown that out of a 100 girls, only one reaches the university stage, the rest drop out on the way. The result is that all the incentives to girls in higher and professional education remain unutilised. No wonder, we have "illiterate women teachers", a phenomenon which rocked Bihar a few years ago and illiterate women "panches", a phenomenon which is rocking the whole country today.

The 73rd and the 74th Constitutional Amendment Acts, whereby education was to be entrusted to panchayats, has remained on paper. Women who are elected as "panches" have remained *angootha chhap* (the thumb-impressionist). The irony is that it is their unlettered husbands who are running the show, making a mockery of the "empowerment of women". The case of rural women causes serious concern. Born in a patriarchal society they are not associated with the decision-making process.

INEQUALITY

It is sad that the greatest beneficiaries of our education programmes are the urban male. Even in open and distant education, a facility which was specially created for target groups such as women living in inaccessible areas, the urban male has usurped the opportunities. The Indira Gandhi National Open University, created 15 years ago, has a poor record of enrolment of rural women. It is less than 10 per cent as against 90 per cent for the urban male. This ratio needs to be reversed as per the objectives of the university, failing which the objectives should be changed. Failing both, the university should be closed.

Women are often invisible in educational statistics, particularly rural women who receive a negligible share in development opportunities. The UNDP "Human Development Report 2000" is an eye-opener. We have the largest number of out-of-school and under-nourished girls in the world. An earlier report stated that we had the largest number of child prostitutes.

There are 70 districts in the country where the female literacy rate is much below 20 per cent, 155 districts where it is much below the national average. The Hindi belt is the most unlettered. In Rajasthan, female literacy is woefully behind the target. Ironically a good programme like "Lok Jumbish" has been wound up for political reasons. Today we present a picture of a small minority of educational haves at the top with a large majority of educational have-nots below. The few women who have reached the top present a false picture. In

The author is a freelance commentator on social issues

lakhs of villages it is still the duty of women and girls to fetch water after walking for miles in the scorching sun or incessant rain. For them a school signifies nothing. Yet all is not lost. There are still some good programmes to make these women realise their strength.

Mahila Samakhyas endeavour to create a learning environment where women can

Literacy Mission on women's literacy and the work done by some of the NFE centres for girls has ensured a faster rate of literacy growth among women.

The economic impact of this has been quite significant. Women's cooperatives have come up. Self-help groups have successfully engaged women in small businesses. Viable alternative banking structures have emerged to cater to the needs of female neo-literates who are fast emerging as entrepreneurs. In Bihar a women's group called *Jago Behna* (awake sisters) has fought social evils. *Didi Bank* (sister bank) has promoted thrift and savings.

Mahatma Gandhi used to say that if you send your daughter to school you educate the whole family but when you send your boy, you educate only one person. A literate mother would never tolerate illiteracy in the house. She would cut down expenses even on essential commodities to give proper education to her children.

GIRLS FIRST

Incidentally, education for girls is free throughout the country up to class XII. In some states like Gujarat and Haryana, it is free up to the graduation level. Even professional education, such as engineering, medicine and technology, is free in some states. The problem, however, is that these girls don't reach the stage to avail of the incentives. Ninety five per cent of the girls drop out by the time they become eligible for professional education.

Take the north-eastern states, where according to the figures released recently by the National Sample Survey, Mizoram leads in female literacy with 95 per cent, as against 90 per cent in Kerala. Almost all the north-eastern states are today above the national average in female literacy. Yet the region is unhappy.

There cannot be any empowerment of women without education. Indeed there are experts who believe that universalisation of education for girls is more important than universalisation of education for both boys and girls. Let us have a time-bound, area-specific, volunteer-based, environment-oriented programme of universalisation of education first for girls only.

The boys can take care of themselves later. And this should be funded by the country to keep our self-respect alive. There should be no foreign aid for elementary education.

A country which cannot give elementary education to its children will always remain backward and dependent. Let us not hanker after Olympic medals or Nobel prizes. Let us educate our children to enable them to stand on their own feet. Only then will India have a dignified place in the comity of nations.



collectively affirm their potential, gain the confidence to demand information and knowledge and move forward to change their lives. It is an ongoing process of learning and empowerment that transcends the mere quest to become literate. The programme revolves round the Mahila Sangha, that is, the village-level women's organisation.

Mahila Samakhyas have expanded its coverage to 51 districts and about 7,335 villages in the states of Uttar Pradesh, Karnataka, Gujarat, Andhra Pradesh, Bihar, Madhya Pradesh, Assam and Kerala. Such a mobilisation of women has resulted in a clear demand for education. Besides, these sanghas played an important role in the social life of women in the villages.

SOCIAL IMPACT

In Bihar, Karnataka and Andhra Pradesh, these sanghas have virtually stopped child marriages. In Andhra Pradesh they have stopped the initiation of girls as Devdasis. In UP and Gujarat, Nari Adalats have emerged as effective informal courts where cases relating to domestic violence, land disputes, dowry, rape etc are taken up. To meet the growing demand for economic and livelihood options, the sangha has links with commercial banks.

On the literacy front, the movement has taken strides both in quantitative and qualitative terms. According to the 1991 census, the female literacy rate was 39.40 per cent compared to 63.86 per cent for males. Although the female population is less than the male population, the number of female illiterates was much more. The 53rd round of the National Sample Survey has revealed that remarkable progress has been made: the rise in female literacy between 1991 and 1997 is 11 per cent as against the nine per cent rise in male literacy. The special emphasis laid by the National

Other Side of Truth

The Kashmiri Woman's Cry for Peace

By ASHIMA KAUL BHATIA

IN all the debate and discussion about Kashmir, there's hardly been any focus on the Kashmiri woman's role. Most commentaries revolve around male perceptions and prerogatives, while women's voices and experiences of the conflict continue to remain marginalised and obscured.

This has inevitably led to incorrect perceptions about their actual position in the Kashmiri armed conflict. Images of Kashmiri women wearing hijab and provocatively declaring their solidarity with the armed groups help in further eclipsing the truth and the reality. The strident face of the Kashmiri woman as projected by certain hardline groups like the Dukhtar-e-Millet (DeM, Daughters of Community) is not the only reality in Kashmir. The majority of Kashmiri women oppose the on-going violence and want peace to return to their homes, community and the region. Unfortunately, it is a voice that is not openly heard.

If Kashmiri women have not come out to express their support to the peace initiative, there are reasons for it. For a start, there is the fear of the gun. Secondly, they do not want to be seen as betraying the cause, for the underlying fact is that the Kashmiri women do want the basic grievances to be addressed and a lasting political solution to the conflict. The promising sign however is that they would prefer the resolution of the problem through dialogue and negotiations rather than the gun.

In retrospect, it is clear that unlike the cadre-based inclusion of women in the LTTE, Kashmiri women responded more spontaneously to the movement. They came out in huge numbers on the streets, demonstrating and raising azadi slogans: Women formed the basis of the azadi marches of January and February 1990. On February 21, 1990 several thousand people, including a good number of burqa-clad women and girls marched on the streets, carrying banners and placards asking India to quit Kashmir. Many among them could be seen holding the flags of the JKLF, the Hizbul Mujahiden and the state flag of Azad Kashmir. When the *Hilal-e-Ahmar* Committee invoked the blessings of Saint Sheikh Noorudin Wali for the success of the movement, thousands of children and women participated in it. On February 25 the same year, as many as 25,000 women marched to the UN office from the Shahi Masjid. Those were euphoric times when young girls and women worshipped the ground on which the

'freedom fighters walked. Yasin Malik and Shabir Shah became overnight heroes.

The second phase started with the state strongly countering the spontaneous rebellion of the people. This was the time women became serious contenders for azadi. They did not occupy frontline combat positions, but they provided infrastructural support, assuming the role of food and shelter providers to the Mujahideen, and delivering messages, arms and ammunition. They planted bombs, delivered parcel bombs and hurled grenades at the security forces. They nursed the wounded militants and comforted the families of the slain militants. Indeed, it can be said categorically that without the support of the women, the armed movement could not have gone on.

The shift occurred with the hijacking of the Kashmiri people's movement by the pan-Islamic Jehadi

IN BRIEF

- There is no focus on women in the current debate on Kashmir
- Kashmir women had spontaneously joined the armed conflict
- But they could not identify with pan-Islamic ideology
- Today they want peace more than anything else

groups. A majority of Kashmiri women stepped back, unable to identify with this ideology. However, around the same time, the DeM intensified its campaign for Islamisation of the Kashmiri society. Most of the women felt deeply betrayed for they had not anticipated such a development. Much to their chagrin and horror, religion got politicised with direct consequences for their rights, choices, freedom and aspirations.

Nonetheless, they put up complete resistance to the diktats of the fundamentalist forces. They refused to wear the burqa and toe the line of the hardliners. If beauty parlours, cinema halls and family planning centres were banned by the fundamentalists, women travelled 300 kms to Jammu to avail the opportunities and facilities. It was a remarkable show of strength and courage by Kashmiri women. In fact, had it not been for them, Kashmir would have become another Afghanistan. It goes without saying that for most of the Kashmiri women, Kashmir is not a religious issue but a political one.

Today, after 11 years of unabated

violence, the common Kashmiri woman finds herself caught between her loyalty to the movement and the future of her children. Not surprisingly, she wants complete demilitarisation of Kashmir and sees a stake in the peace initiative. This came home graphically at a recent round-table conference, 'Breaking the Silence' organised by WISCOMP (Women in Security, Conflict Management and Peace). At the conference, young participants (names changed) told heart-rending stories about the horrors of militancy and its related consequences. Nazia and Mehbooba, two girls from Kulgam, accused the security forces and militants alike of abusing and violating the rights of women. They said that though women bore the brunt of violence during the movement, this fact got little attention because men controlled and dominated the movement and counter-insurgency operations. Farhana said the turmoil had led to fear, anxiety and depression among women who had forgotten the finer aspects of life and living. Survival was the sole priority — it still is.

Despite this, the Kashmiri woman's strong belief in the ethos, values and culture of Kashmir was strikingly reflected at the round table. For the first time, Muslim and Hindu (Pundit) women, most of them educationists and professionals, came face to face, listening to each others stories. Differences did surface, dissent did follow and accusing fingers were raised, but what emerged after a day of deliberations was a strong message: The members wanted the conflict sorted out through dialogue and negotiations and they wanted similar interactions in the Valley between the different communities and religious groups.

We have seen women around the world mobilise peace initiatives at the grassroots and challenge violent strategies. Kashmiri women, the, are beginning to incline towards similar strategies of affirmation, peace and development. Rubina, a writer, felt that Kashmir women had suffered far too much trauma to think rationally. Add to this the emotional distance between Srinagar and New Delhi and you have a situation where one doesn't understand the other.

And yet, reconciliation has to take place if the conflict is to be resolved. The truth of these Kashmiri women may not be the only truth in Kashmir. But it is nonetheless a potent truth.

(The author is a Conflict and Peace Studies Analyst)

The fatwa is illegal, said the Bangladesh High Court. Will it help change obscurantist norms in India?

Private space

BY SYEDA SAYIDAIN HAMEED

16/1 XG 10

LAST WEEK, a historic judgment was pronounced by the Bangladesh High Court. It was the case of a woman, Shahida Atiqa, of village Athia in Nagaon district, whose husband Saifullah had pronounced triple *talaq* after an argument. Not only that, he forced her to marry his cousin Shahid Akhtar, by procuring a *fatwa* from a local *maulvi*.

A Division Bench consisting of Justice Ghulam Rabbani and Justice Najmara Sultana ruled that any *fatwa* (including this one) was unauthorised and illegal. "*Fatwa* means legal opinion", the court decreed, "which means the opinion of a '*massadiq*' (person proved to be truthful) or legal authority. In Bangladesh, only the courts are empowered to give opinions on matters relating to Muslims and others. Therefore all *fatwas*, including the current one, are declared illegal."

The court asked the Government to enact a legislation immediately to make this practice a punishable offence. So saying, it ordered the arrest of *maulvi* Aziz-ul-Islam, the cleric who had given the *fatwa*. This decision was welcomed by women's organisations of Bangladesh as a weapon to fight religious fanaticism, which has been one of the major causes for their repression. When I read this judgment, the question I asked myself was, what does this mean to us in India? What is the genesis of the *fatwa*, how has it been used as an instrument of repression and what implication does the Bangladesh High Court judgment have for Muslim women?

I learnt about the genesis of the *fatwa* in 1991, when I had translated an essay by Maulana Abul Kalam Azad, India's first Education Minister and author of *Tarjumanul Quran*, the most authoritative translation and explication of the Holy Book. The essay, which was written in 1910, appeared in my book entitled *Rubaiyat of Sarmad*. It concerned the life of Shaikh Sarmad, a Sufi saint who was executed by Aurangzeb and whose *mazaar* in Delhi is located near Jama Masjid, a stone's throw from the *mazaar* of Maulana Azad.

Sarmad, a youth of Armenian descent, had entered India during the time of Shahjehan, via the trade route, Thatta, in Sind. His fame as a Sufi brought Prince Dara Shikoh to his circle. The

prince sat at the feet of the Sufi and the relationship between the *pir* and *murid* became a fact of history. Sarmad's growing popularity along with Dara's was a cause of worry for Aurangzeb who realised that the only way to safeguard his throne was to get rid of Sarmad. A way had to be found.

What better way, writes Azad, than the all-powerful instrument of *fatwa*, which has always served the interest of the State: "During the 1,300 years since the advent of Islam, the instrument of *fatwa* has been a sword without a sheath. The blood of thousands of believers in truth has been testimony to its cutting edge. During any period of Islamic history, there are examples of kings who made use of the pen of the *qazi* and sword of the General, in bleeding to death whosoever threatened their supremacy. Sarmad was executed by the same sword."

The charge against Sarmad, Azad writes, was that he never recited more than the first two words of the *Kalima*, '*La Ilah*'. He said he was still at the stage of '*No*'; he had not reached '*Allah*' meaning 'Yes, there is'. "The *muffis* gave their verdict," writes Azad. "If he does not repent and say '*tauba*' he deserves nothing less than execution. When Sarmad refused to say '*tauba* the *Ulema* readily gave their *fatwa*. The next day he was taken to the gallows."

It is another matter, as the story goes, that after his martyrdom, people who passed by heard from his severed head the entire *Kalima* testifying to the fact that his journey from '*No*' to '*Yes*' was at last accomplished. So much for the sanctity and efficacy of the *fatwa*.

The important issue relates to the very need for *fatwas* when the teachings of Islam are so clear and unambiguous. Not only that, human beings are reminded again and again that *Allah* is closer to

them than the pulsating vein in their neck (*shehrag*). They are asked to read each word of *Quran* with deep understanding. The *qari* (reader) has a responsibility to understand and follow *Quranic* injunctions in his/her own light. Mediators and middlemen are thus eliminated.

It is also for this reason that there exists no organised church or clergy in Islam. It may be recalled that at the time of his death, the Prophet named no successor. The decision about who was to lead the flock was left to the *Ummah*. So where does the *fatwa* come in?

Maulana Azad, after he had completed his *Tarjuman*, made an experiment. He asked a 15-year-old boy and an adult learner, both versed in Urdu, to read the *Surah-e-Baqr*. It was only when they had answered all his questions about what they had read, that he was satisfied about the quality of his translation.

All this goes to prove that the institution of *fatwa*, which means empowering individuals to pronounce judgment on *Quranic* injunctions and enforce them through the office of the *qazi*, is not in accordance with the spirit of pristine Islam. In his preface to the first edition of *Tarjuman*, Azad writes about this pristine spirit:

"The first generation of people among whom *Quran* was delivered was not a sophisticated race. Their mind was not cast in an artificial or sophisticated mould. It was content to receive a simple thought in its plain simplicity. That is why *Quranic* thought, simple as it was, sank easily into their hearts. No one at the time thought it was difficult to catch its meaning."

It were the 'civilising' influences of the Romans and Greeks which gave Muslims new literary tastes and initiated them into the art of dialectics. "The sad result of this," writes Azad, "was that the man-

ner of presentation adopted by the *Quran* was lost in a maze of far-fetched conceits. The strength of the *Quranic* meaning lies in the manner of its presentation. It is that which lends clarity to its statements and observations and makes significant the import of its stories and parables, its appeals and admonitions, and its purposes. Once the significance of this manner was missed, the true picture of the *Quran* was lost to sight."

Muslims are reminded again and again in the *Quran* that human beings have been created by *Allah* as '*ashrafal makhluqat*' (crown of creation). We are told that women and men have been given the capacity for '*uql*' (brains), '*ilm*' (knowledge) and '*adl*' (justice).

Injunctions about *talaq* are clearly articulated in several *Surahs* of the *Quran*. Instantaneous *talaq* such as the one given to Shahida Atiqa is anathema for Islam. An Urdu-knowing 15-year-old boy and an adult learner, according to Azad, are able to understand the clear instruction without resorting to a *Muffi*. *Fatwa* by a *maulana* declaring such a *talaq* defies everything which is held sacred in the *Quran* in matters of personal relations of men and women.

That Justices Rabbani and Sultana of Bangladesh High Court ruled against it and all *fatwas* is a step in the right direction. The 1961 Family Law Ordinances of Ayub Khan had done away with such practices in Pakistan. After the creation of Bangladesh, the same ordinance was continued there.

In India, we lag far behind our neighbours. The protectiveness of our Personal Laws has become reflective of our vulnerabilities. We allow no interference; but if *maulvis* like Azizul Islam give *fatwas*, which are repugnant to the letter and spirit of Islam, interventions are inevitable.

Therefore, we need to take a critical look at ourselves and use the surgeon's knife to bleed the festering sores of obscurantism and intractability. Women and men, members of Indian Muslim civil society, should take it on as a personal responsibility and raise their collective voices against all such practices.

(The author is a founder member of the Muslim Women's Forum and former member of the National Commission for Women)



Violence against women on the rise: UN report

HT Correspondent
New Delhi, January 15

WHAT DOES a man do when his meals are either not well prepared or not ready on time? He beats up his wife and quite often even threatens to throw her out of the house.

The new UN-commissioned report "Women in India: How Free? How Equal?" found this trivial cause of violence disturbing, and was equally disturbed by the women's justification of this violence. Only women with a high-school education recorded less tolerance to violence by their husbands.

The report, released today by Rajya Sabha Deputy Chairperson Najma Heptullah, pointed out that violence against women was a "high growth sector", as more women became victims of violence both within and outside the family, with rape, molestation and torture by husbands and in-laws showing

the highest rate of growth.

Between 1980-90, there was an increase of nearly 74 per cent in crimes against women. If the data cited is any indication, it seems the National Crime Records Bureau's 1998 warning could come true —

"By 2010 the growth rate of crime against women is likely to be higher than the population growth rate"

that by 2010 the growth rate of crime against women would be higher than the population growth rate.

Even if the rise in numbers is read as a sign of women breaking their silence, the conviction rate against the perpetrators of violence has been decreasing, the report's authors Kalyani Menon-Sen and A K Shivakumar noted.

In 1994, the conviction in rape cases in Delhi was 42.3 per cent. It dropped to 38.6 per cent in 1995, 26 per cent in 1996 and 33 per cent in 1997.

In fact, when it comes to women's equality or freedom even on mundane aspects of life, IT-savvy Andhra Pradesh or cash-rich Punjab fare no better than UP, Bihar or Madhya Pradesh. In Andhra 80 per cent of women need their menfolk's permission to even go to the market. In Punjab, nearly 72 per cent require permission to visit friends and relatives. In metropolitan Delhi too, 49 per cent cannot go shopping unless allowed.

Even in the so-called traditional female domain of cooking, women sometimes did not have the freedom to decide. In UP, nearly one-third did not have this right.

Clearly, India has a long way to go before the questions "how free, how equal?" fetched a positive response.

THE HINDUSTAN TIMES

16 JAN 2001

How they fought when MEA was spelt MCP

JYOTI MALHOTRA
NEW DELHI, JAN 15

THE glass ceiling broke in the Ministry of External Affairs a couple of weeks ago, allowing Chokila Iyer to step gently in through the slats. But as the first woman prepared to take the top job in the foreign service, stories of how her female colleagues had set the Yamma on fire over the last 52 years — just so that Iyer could in the new year preside over the IFS with deliberate aplomb — began to curl in

from all over the country. C.B. Muthamma, 77, remains as fiery as she did the day she joined, the first woman to clear the competitive exam in 1949. Thirty years later, Muthamma moved the Supreme Court because the MEA refused to award her the rank of Secretary. The petition resulted in a ranking judgement by V.R. Krishna Iyer on “institutionalised discrimination” in the bureaucracy.

SPECIAL REPORT

“From the time I joined in 1950, every step of the way, I have



“faced stiff resistance,” Muthamma told *The Indian Express*, “Whether

it was my first posting in Paris or later, none of my ambassadors wanted me, they were afraid of being stuck with a woman officer. It was terrible. Today's girls don't realise how lucky they are that things have changed over the years.”

Certainly, today's women officers, confident that they're among the best and the brightest, will raise one eyebrow in icy dismissal if asked whether gender gets in the way. Arundhati Ghosh, in her silk saris and with complete mastery over her subject at the Conference on Disarmament in Geneva in 1996 — when India refused to sign

the CTBT — was the talk of the town with her “not now, not ever” phrase.

But even as late as the 1980s — not much different from one of Muthamma's interviewers in 1949 who kept expressing horror that she had opted for the IFS (he later told her that he had given her the minimum pass marks hoping she would fail) — one woman officer was shocked into disbelief at the similarity of her interviewer's reaction.

“He asked me if I was going to marry a cook. When I asked him why I should do that, his airy reply

CONTINUED ON PAGE 2

How they fought when...

was, Oh, isn't that what spouses of officers are supposed to do as they travel the world?" the woman officer said.

It's only over the last couple of decades, as the MEA has been forced to change with the times, that women have been moved out of "soft" postings and assigned to tough divisions. Leela Ponappa was the first to breach the Pakistan desk, followed by Lakshmi Puri, Neelam Sabharwal, Deepa Gopalan, Vijay Thakur Singh (for ten, long years) and now Ruchi Ghanshyam, all of them burning the oil wick at both ends. Certainly, women have come a long way, but it's women like Muthamma and Manorama Bhalla who've fought to bring them here. Manorama, in fact, forced the MEA to bend in front of love, when she wanted to marry a colleague, Hardev, soon after she joined in 1958. The MEA held out sterling examples of other women officers in front of Manorama. Such as Rama Mehta, who had succumbed to the lure of Jagat Mehta and quit. As had Mira Sinha, about whom it was said in awe, that she was singled out by Zhou-en Lai for a dance in Beijing. (Ironically, Jagat Mehta as FS in 1979 issued a circular that said women officers should not expect "special

favours." Furious over its patronising tone, Madhu Bhaduri, ambassador in Portugal and a writer in her own right, led the fight back.)

But back to Bhalla. Then MOS in the ministry, Lakshmi Menon, sent word that Manorama should write to her for permission. It was granted, but till as late as 1979, the women had to continue handing in their resignations when they got married — which the MEA held over their heads like Damocles' swords for five, whole years.

Things changed substantially after Rajiv Gandhi became PM and Margaret Alva his minister of state for personnel affairs.

The officers remember her "sterling contribution" to the cause, changing the rules so that married couples not only got the same foreign allowance as they did when they were single, but also that as far as possible, couples would be posted together. The next battle, to be allowed to marry foreigners without quitting, had to wait almost till the nineties. Credit for that particular war must go to Aruna Fontana, who fought long and hard to marry an Italian. Since, MEA allows cross-country weddings with the caveat that the foreign spouse adopt Indian nationality.

INDIA

15 JAN 80

Cold-hearted Mumbai deaf to unwanted kids

By Anshika Misra

MUMBAI: There's a perception among many of us that the number of children being adopted has been on the rise. The sad fact is, adoptions have been steadily declining over the past few years.

"The number of people opting for adoption has never been something that we can boast of. But in the last two years, adoption figures for Mumbai reveal a drastic decline," says Gaurang Mehta, secretary of the National Association of Adoptive Families (NAAF). According to statistics compiled by the Indian Council of Social Welfare, the number of adoptions in the metropolis in the last two years has declined by 29 per cent. In 2000, only 285 children were adopted as against 401 in 1998.

"We are not sure of the reasons behind the dwindling figures," says Shalini Bharat from the family studies unit of the Tata Institute of Social Sciences

(TISS). "If it is due to lesser destitute children being available for adoption then it is a good sign. However, this seems highly unlikely."

According to Mr Mehta, the

trend, NAAF, an NGO founded by a group of committed parents who have adopted children, decided to designate 2001 as the 'Year of Adoption', for which a project has just been launched.

says Mr Mehta. Although there are a number of organisations like the Indian Association for Promotion of Adoption (IAPA), Family Service Centre and orphanages working for the cause, NAAF members feel that there has never been a sustained effort to promote adoption and dispel adoption-related myths.

Thus, a year-long programme with public meetings and seminars tackling the emotional, psychological and legal angles of adoption will mark the 'Year of Adoption'. "NAAF has also tied up with the Family Planning Association of India and organisations like Fertility Friends to suggest adoption as an option for childlessness," says NAAF president Rakesh Chopra. The fact that single parent adoption is now legal will also be publicised.

The project has also incorporated several suggestions made by TISS based on a 1998 study on social attitude towards adoption.



Myths about adoption

- ✗ Only couples can adopt a child
- ✓ Fact: Single-parent adoption is legal
- ✗ Only the childless can go in for adoption
- ✓ Fact: Any adult can adopt a child. If married, the spouse's consent is needed.
- ✗ The adoption process is cumbersome
- ✓ Fact: Precaution is taken only to protect the rights of the child
- ✗ Unknown background of the child can effect his/her character
- ✓ Fact: Personality development depends on upbringing

trend is a matter of concern, particularly since the number of destitute children in the city is on the rise. With a view to reversing the

"Ideally, we will feel most rewarded when socially-conscious couples opt for adoption instead of having a child of their own."

Govt invites advice on women's Bill

STATESMAN NEWS SERVICE

BHOPAL, Jan. 8. — The Union minister of state for human resource development, Mrs Sumitra Mahajan, said here today that the Centre will consider suggestions on the women's reservation Bill if its opponents allow discussion on the Bill in Parliament.

She told reporters that the suggestions are likely to include reducing reservation for women in the Lok Sabha and state Assemblies from the proposed 33 per cent and the Election Commission's proposal to make it mandatory for all political parties to earmark 33 per cent of their tickets for women.

The minister, however, said she favoured the Bill in its present form. Her differences with her party colleague Miss Uma Bharati, the Union sports minister, on the issue came to the surface during the state BJP executive meeting at Chanderi last month. Miss Bharati favours a sub-quota in the Bill for women of backward classes.

The Bill has been hanging in balance for the past few years as some parties have consistently stonewalled it in Lok Sabha. While inaugurating the Women's Empowerment Year in New Delhi on 4 January, Mr AB Vajpayee had reportedly indicated that his government was ready for a compromise if the 33 per cent mark stipulated in the Bill was lowered.

He had also said that his government and party were committed to passing the Bill.

On the crisis in the Chhattisgarh BJP unit, Mrs Mahajan conceded that there were some "loopholes" in the unit, but said the party's central leadership would take necessary action to plug them. She admitted that the 13 December violence at the state BJP headquarters in central Raipur and the recent resignation of party MLA Mr Ram Dayal Uikey from the state Assembly to enable the chief minister, Mr Ajit Jogi, to contest a by-poll, are "grave developments".

Referring to a recent meeting of Union ministers of state at her New Delhi residence, Mrs Mahajan said it was "not a political meeting, but simply a get-together". She denied that the ministers of state had gathered at her residence to vent their grievances against their Cabinet ministers for allegedly not allotting them any work. "It is not true that the Cabinet ministers have completely monopolised the functioning of their respective portfolios," she said, claiming that the attitude of Cabinet ministers vis-a-vis their juniors is "satisfactory".

THE STATESMAN

9 JAN 2001



(Left) Chinnapillai pays her respects to Prime Minister Atal Bihari Vajpayee after receiving the Mata Jijabai Stree Shakti Puraskar at Vigyan Bhavan on Thursday. Vajpayee returns the respects by touching Chinnapillai's feet. Photos: Arvind Yadav

Govt ready for sub-33% quota for Women's Bill: Vajpayee

HT Correspondent
New Delhi, January 4

PRIME MINISTER Atal Bihari Vajpayee today indicated that the Government and his party were ready for a compromise on reservation of legislative seats for women on a percentage lower than proposed 33 per cent in the Women's Reservation Bill.

While inaugurating the Women's Empowerment Year, he urged the delegates not to distrust his Government's intentions over the Women's Reservation Bill, checkmated time and again in the Lok Sabha due to some parties opposition. He said that his Government and party were committed to the adoption of the Bill.

If necessary, he said, the issue of reducing the reservation from 33 per cent could also be discussed. He said that sincere efforts were being made towards achieving a consensus and that reservation of seats for women could be a reality before the year ends.

Earlier, he invoked the position that women enjoyed in ancient times, when they were not only equal to men but were superior in many. He said that distortions had however crept in "over the last few

centuries", greatly harming the status of women in Indian society. "The reality we see around us today is vastly different from the past as well as the present constitutional guarantee of equality," he added.

Talking about the National Policy for Empowerment of Women, he said that it would reflect the aspiration to ensure "full and equal" participation of women in the decision-making.

The first "Stree Shakti Puraskars", instituted to mark the Women's Empowerment Year, were awarded to five women today. K.V.Rabiya of Kerala, a polio-stricken and a cancer patient, was awarded the first Kannagi Stree Shakti Puraskar for she pioneering universal literacy campaign in her state.

Chinnapillai of Tamil Nadu, who helped setting up the first Federation of Rural Women Savings And Credit Group was awarded the Mata Jijabai Puraskar.

Brahmcharini Kamala Bai of Rajasthan was given the Devi Ahilya Bai Holkar award for working towards the education of girls and women in backward areas.

Kinkri Devi of Himachal

Pradesh, who spearheaded a popular movement against limestone quarries and fought against deforestation, was awarded the Hansi Ki Rani Laksmi Bai award.

The Rani Gaidinliu award was given to Lilatai Pradkar of Madhya Pradesh for educating tribals in her state.

Human Resource Development (HRD) Minister Dr Murli Manohar Joshi said that there was an enormous gap between the constitutional and legal status of women and the ground realities that had posed a major challenge for the Government. "Legally and constitutionally," he said, "our record cannot be assailed. But translating this de jure gender equality into a de facto reality has been one of our major challenges over the years."

There was a wide gap between the goals enunciated in the Constitution, legislation and policies and the current status of Indian women. Apart from the steadily declining number of women in proportion to men, which went against the world trend, the areas of concern were: an alarming increase in violence against girls and women the average low life expectancy despite an improvement.

Two-year plan for women's reform

**FROM OUR SPECIAL
CORRESPONDENT**

New Delhi, Jan. 3: In an attempt to rid itself of the "anti-women" label, the Vajpayee government will now amend every law that discriminates against women.

"We will change all laws that are biased against women by 2003," said human resources development minister Murli Manohar Joshi at a press conference this evening.

After declaring 2001 the year for empowerment of women, the Centre is now launching a national policy for them. Part of this policy includes introduction of laws like Domestic Violence Bill and a whole set of amendments to make the present legislation more gender-friendly.

At the top of the legislative reform is the Prevention of Sati Act which declares a person who has tried but failed to commit sati an offender. "We want to change this. Instead of being treated as an offender the person should be treated as a victim," the minister said.

Joshi explained that women are often forced into self-immolation. "Instead of restraining the women, families and friends often egg them on to commit sati," Joshi said. He informed that the present Act will be amended to heighten the punishment and also to try sati cases through the usual legal process and not special courts.

Women's organisations, many of whom have a running feud with the BJP which, they claim "glorifies" sati, said they have been demanding changes in the Act. "For a long time we have been demanding that the Act should not treat persons who have failed in their attempts at self-immolation as offenders," said Kirti Singh, a lawyer.

Women's organisations are fighting a series of cases challenging the practice and glorification of sati in the Supreme Court.

THE TELUGU

4 JAN 2001

Bangla court rules fatwa illegal

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PRESS TRUST OF INDIA

DHAKA, Jan. 2. — Bangladesh High Court has declared fatwas (religious edicts) “illegal” and suggested that Parliament enact laws to stop the practice of issuing them.

The ruling, expected to give relief to thousands of Bangladeshi women, came yesterday in the case of a woman who had been divorced and forced by a fatwa to marry his cousin.

Shahida Atikha of Naogaon village was reportedly given talaq (verbal divorce) by Saiful. A maulana then issued a fatwa for hilla (forced marriage) asking her to marry Saiful's cousin Shahidul.

The court suo motu took up the case after the matter was reported in a paper early last month. “Fatwa means legal opinion, which means legal opinion of a lawful person of authority.

Legal system of Bangladesh empowers only courts to decide all questions relating to legal opinion on Muslim and other laws in force,” the two-judge Bench said.

“We, therefore, hold that any fatwa including the instant one (as in Shahid Akhtar case) is unauthorised and illegal,” the court ruled. Maulana Haji Azizul Haq, who issued the fatwa and five others involved with its implementation will face prosecution.

The court suggested introduction of Muslim family ordinance in the curriculum of madrasas (Muslim religious academies) and schools and sermons during Friday prayers.

THE STATESMAN

And now, city will have a police station for women

By Somit Sen

MUMBAI: Women empowerment seems to be the new credo in the Mumbai police force. Come March 2001, the police top brass have decided to start a police station exclusively meant for women complainants.

Their grievances will be heard and recorded by women police officers, who will run the police station. Police commissioner M.N. Singh, the brain behind the idea, said the new police station would be set up in the police headquarters compound, near Crawford market, by March-end. He said that the idea of having such a police station in Mumbai had been welcomed by several non-governmental organisations working for women's welfare.

"The new police station will cover a vast jurisdiction from Colaba to Dahisar and Mulund," he said. "Women complainants, who are otherwise reluctant to approach police stations in their area, can come to the police headquarters and approach the women officers. They will feel more comfortable in their presence and can also confide in them more freely."

Mr Singh said that the women's police station would monitor the progress of investigations, store statistics pertaining to crimes against women and analyse the trend in such crimes. "The women officers will receive help from their male counterparts while conducting searches and arresting the accused persons. But complaints will be registered by women officers only," he stated.

But women rights activists and lawyers doubt whether setting up a special police station will solve problems faced by women complainants. Social activist Mrinal Gore stated: "A special police station will not be of much help to women. Each of the 73 police stations in Mumbai should treat women with respect."

Another social activist Madhusree Dutta said: "Merely inaugurating a police station for women will not solve the problem. It will only encourage women to come forward and approach the police. But unless police officers, be it men or women, are sensitised to handle women complainants, such police stations will serve no significant purpose."

"Women are part of the same society. How

can you presume that merely changing the gender would solve the problem? Even women officers should be trained and sensitised to deal with cases like rape, molestation, husband beating, etc.," Ms Dutta pointed out.

Lawyer Flavia Agnes observed that even women police officers could be as worse as their male counterparts. "The commissioner should ensure that women officers chosen for this job are capable of handling sensitive issues. In the past, women complainants have had problems from duty officers making derogatory remarks, using foul language or asking embarrassing questions to sexually-abused victims."

Ms Agnes added: "Policewomen have always been deployed to act against women. For example, in a morcha or mob control, women constables are seen behaving roughly with protesters from the same sex. As a result, they become more aggressive in their behaviour. Mr Singh should ensure that women officers, recruited at the new police station, should be more friendly than aggressive. They should also treat all complainants equally and make no distinctions."

Colaba-Cuffe Parade Citizens' Group president P. Navin Kumar opined: "The new police station will be of great advantage as the officers will be more sympathetic to women complainants. In fact, there are police stations in Mumbai where women sub-inspectors are more efficient than their male counterparts."

The city boasts of about 750 policewomen, who work for more than 12 hours a day. Mumbai also has a woman IPS officer, crime branch deputy commissioner (preventive) Pradnya Saravade.

It was in 1993 that the department had started treating women on par with men. Earlier, policewomen had to do sedentary jobs and petty work like catching missing children and sending them to remand homes. At the airport, they were given jobs of frisking female passengers. However, now policewomen sit at the police station, wield a revolver and even take part in encounters.

It may be recalled that police inspector Prachi Bade of the Oshivara police was the first woman to take part in an encounter in the city some years ago.

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