

***Emerging Identities, Increasing
Controls and Violence against Women:
Examining Perspectives from Western
and North Western India***



A Workshop Report

Mrinal Gore Interactive Centre for Social Justice and Peace in South Asia

In collaboration with

**Institute of Development Studies (IDS), Jaipur
Tata Institute of Social Sciences (TISS), Mumbai
People's Union of Civil Liberties (PUCL), Rajasthan
Women's Organisations, Rajasthan**

Organised a Workshop on

**“Emerging Identities, Increasing Controls
and Violence against Women:
Examining Perspectives from
Western and North Western India”**

Date: 30th November & 1st December 2015

Venue: Institute of Development Studies

Jaipur, Rajasthan

Introduction and Context

A two day workshop on the theme **‘Emerging Identities, Increasing Controls and Violence against Women: Examining Perspectives from Western and North Western India’** was organised on November 30 and 1st December 2015 by the Mrinal Gore Interactive Centre for Social Justice and Peace in South Asia (MGIC) in collaboration with Institute of Development Studies, Jaipur (IDSJ), Tata Institute of Social Sciences (TISS) Mumbai & Rajasthan Women’s Groups.

The workshop brought together more than 100 participants from some of the Western and North Western states of India: Delhi, Haryana, Punjab, Maharashtra, West Uttar Pradesh and Rajasthan. The participants included academia, activists, survivors and representatives of NGOs and civil society organisations.

The workshop objectives and outcomes were contextualised from the following scenario: South Asian societies are witnessing that old patriarchy is combining with the forces of globalisation to reassert itself in different ways. Globalisation on the one hand has introduced new definitions of modernity, equality, participation etc. and on the other hand has brought with it the neo-liberal capitalism which has contributed to the widening of the gap between the rich and the poor. The age old structures of power and authority (patriarchy, caste, class, community) are now functioning and reasserting under this neoliberal phase to marginalise, dispossess, segregate, exploit, attack, Dalits, religious minorities, tribal communities and the so called ‘others’ and control the sexuality of women. There is a collective victimisation that is meted out simply because people belong to a particular caste or community group. This structural violence is fuelled by the fact that the old community structures and traditions prevent attention to the larger issues of globalisation that are impacting all. Unfortunately, this coalescence between old patriarchy and caste-class-religion-ethnicity is influencing the mindsets of the larger society across class and community and people are pawns of this power game, knowingly or unknowingly and become perpetrators and victims of this situation. The bogey of communal politics is kept alive by the hype about nationalism and people are made to believe that this is the dominant ideology, and which need to be defended. Globalisation has brought women out into the public

spaces which is countered by a backlash in the form of brutal violence by structures which still adhere to patriarchal values and narrow definitions of honour.

The workshop was consciously designed not as an academic forum but as an interactive dialogue and to provide space to share experiences of violence and draw from these for enhancing our understanding of the issues.

Inaugural Session

Chairperson : Kanchan Mathur

Speakers : Varsha Rajan Berry, Nasreen Contractor, Dr. Ilina Sen,

UrvashiButalia

Prof. Kanchan Mathur, Officiating Director of the Institute of Development Studies, Jaipur (IDSJ) welcomed the participants who had traveled from five states and from different districts of Rajasthan to Jaipur and said that this was a historic moment for the IDSJ and for the women's groups in Rajasthan



Prof. Kanchan Mathur

because many of the movements/ struggles which had originated in Rajasthan had come together once again after a long period to discuss these contemporary issues on a common platform. The two-day workshop was a welcome collaborative initiative between the IDSJ, MGIC, TISS Mumbai and the women's organisations of Rajasthan to analyse the patterns of violence in the region. She pointed out that November 30th is the South Asian Day against Violence and Militarisation. November 30th is also part of the 15 day Campaign to combat violence against women. Hence it was a significant day to hold this workshop.

She added that in the past women's groups activists had succeeded in mobilising women (and men) from across the country to agitate against Roop Kanwar's Sati and Bhanwari Devi's gang rape. This was the first time however, that participants had gathered in such large numbers to debate and discuss the various issues

related to the theme of Emerging Identities, Increasing Controls and Violence against Women in specifically from their experiences of work in Rajasthan and the Western India region.

She further asserted that age old structures of power and authority (patriarchy, caste, class) are now functioning and reasserting under the neoliberal capitalist structures to marginalise, dispossess, segregate, exploit, attack Dalits, religious minorities, tribals, women and youth especially those who are demanding choice marriages. The rights of all these groups are being curbed. Globalisation has also brought women out into the public space which is countered by a backlash in the form of brutal violence and increased control over women's bodies and sexuality by structures which still adhere to patriarchal values and narrow definitions of honour. It is apparent that while Indian democracy has empowered all these communities and they are raising voice to demand their identities as human beings, there is a collective victimisation and severe backlash that is being meted out simply because they belong to a particular caste or community.

Prof. Mathur concluded by saying that violence has no boundaries and bad ideas travel fast across villages, districts, states, and across borders of different countries. The effort should be to bring in good ideas and evolve strategies to combat forces of violence against women and other marginalised communities.

Varsha Rajan Berry, Co-ordinator, MGIC and an activist-researcher presented the introduction to the Centre and to Mrinal Gore (Mrinaltai as she is fondly known) herself. "Every Female Foetus has a Right to be Born. Female infanticide should be treated as a Crime" Mrinal Gore, a firebrand socialist and Mumbai's "Paniwali Bai", needs no introduction. She said that Mrinal Tai believed in the values of transparency and non-violence and her personality and character had helped shape the work of the Centre. She struggled for social justice and put up strong resistance against communal violence. A befitting tribute to her was to set up a Centre which would continue to take her work forward in the neoliberal globalised world. The Centre therefore, has created a space for discussion and dialogue on violence especially in the context of South Asia. MGIC with support from TISS

successfully launched itself with a Conference on ‘Violence: A Human and Political Predicament’ with a South Asian Perspective in Mumbai in December 2014. Since then the Centre has taken the initiative to organise a series of workshops covering different regions of India to explore the issues of violence, patriarchy and masculinity, globalisation, fractured modernity to build a South Asian understanding and interconnectedness on the issues between grassroots groups and academics, activists’ and theorists across India and South Asia. She asserted that we all need to build our understanding of global geo-political issues particularly in the light of events unfolding in West Asia and how they can directly or indirectly impact our region and life as well. Just as it is important to link issues of the village, town, district etc. with each other and with South Asia, it is equally important to link them to the global issues. The Centre successfully held the first workshop on the theme of ‘Crimes in the Name of Honour’ in June 2015 in Pune. The Pune workshop brought together people including survivors from some parts of Maharashtra and Gujarat involved in working on the above theme. She welcomed the guests and thanked IDSJ for helping and supporting the Centre in organising this workshop. She said that the Centre would be able to take its work forward only through engaging with movements, organisations, activists’, academics who are working on various social and development issues.

Nasreen Contractor, activist and researcher and a member of the Core Committee of MGIC said that there was a need for building a perspective on the issue of violence across



Participants involved in a session

South Asia as a region. Currently the discourse is dominated by conflict and geo-political issues. However, it is imperative to build an understanding of the commonalities that concern all of us as people in the region. She said that the work of the Centre focused on structural violence and on analysing all aspects of

structural violence which is a uniting theme that impacts all of us in the region. Discussions on control of patriarchy and structures of caste and religion along with economic power pose new challenges to the protection of democratic rights and values. The increasing use of violence to curb people's identities was a common concern in the different nations in the region. She emphasised that politics divides nations and leads to tension; the need therefore was to create a better understanding on socio-economic issues by bringing people together through such workshops.

Dr. Ilina Sen, Senior Fellow, TISS and the keynote speaker for this workshop, stated that Mrinal Gore's political and social journey was governed by values of distributive justice in both resource allocation and opportunities. However, today there is a counter culture which thrives on depriving others of their rights and concentrating power and resources in the hands of a few. Irrespective of the school of thought we represent there is a growing feeling that we can only attain our rights when we deprive others of their rights. We therefore, need to understand this process of exclusion based 'othering'.

The process of exclusion based on 'othering' exists because natural resources are scarce and opportunity to increase these resources has become even scarcer. There are too many



Kanchan Mathur, Ilina Sen, Urvashi Butalia, Nasreen Contractor, Varsha Rajan Berry

contradictions in the emerging models of development. For example, contrary to expectations the green revolution in Punjab led to widening the gap between the rich and the poor and strengthened the boundaries of caste and community. This also led to increasing controls on women and their bodies and declining sex ratios. This imbalance was earlier restricted to only Haryana and Punjab but later spread

to Maharashtra and Andhra Pradesh, West Bengal, Gujarat and Rajasthan. The patriarchal structures and norms imposed that girls should not marry outside their caste group because resources especially land, should be controlled and remain within the community itself.

She said, that the Bihar election results have challenged fundamentalism but here too caste blocks have been strengthened. It is imperative to understand that though the state and the country's borders are politically and bureaucratically created but so long as they exist, they will continue to divide people and as a result the socio- cultural situation will not change. It is also important to understand that people across borders are the same. They share similar food habits, mineral resources and waters of the different rivers. There is intermingling through sharing and trading which has happened over centuries and their destinies are linked. For example, the construction of dams like Narmada and the displacement of tribes and other marginalised communities in our country also impacts lives of people in the neighbouring countries as well.

The Directive Principles speak of reducing the poverty gap between the rich and poor but the gap has only increased. Natural disasters and manmade imbalances have changed the course of development, uprooted communities and changed the lives of people. In such a situation people are compelled to resort to violence and resistance. The government is trying to stop their struggle by violent means. In such a scenario, the process of 'othering' is leading to increasing violence against women.

She referred to Sita and Surpa Nakha from the Ramayana and said that Surpa Nakha openly expressed her love for Lakshman and was therefore severely punished by the patriarchal structures that existed in those times. The societal control over women and sexuality was evident even then.

In today's situation the neoliberal ideology has worsened the state of affairs. When there is resistance to the kind of mindless development and cultural degeneration

that is taking place the state reacts through more militarisation and repression. The debate has become much polarised.

She concluded her inaugural address by expressing that patriarchal controls on women are getting increasingly tightened and we are living in depressing and dangerous times where even small remarks can fuel communal and caste violence. In this situation, women again become the worst sufferers.



Urvashi Butalia

The fifth speaker, writer, publisher and activist **Urvashi Butalia** said that Rajasthan was known for many major campaigns/ struggles of violence against women. She narrated three stories of women, who fought against sexual and domestic violence, which pointed to the complexities of our society. She also said that the South Asia solidarity movement has been an integral part of the women's movement. One of them, Baby Haldar from West Bengal, a domestic help, became an author and wrote her autobiography 'Aalo Aandhari' that became a best seller. Baby was married at the age of 12 and had her first child at 13 and two more in quick succession. She faced abuse at the hands of her husband and though she had only passed Standard VIth she began teaching children in her neighbourhood. However, the violence at the hands of her husband continued so she finally left him. She traveled to Delhi without a ticket and got off at Faridabad in search of her brother. However, the brother was unhappy with her decision as he felt that leaving one's husband was a sign of a characterless woman, besides he could not afford to feed so many people. She then shifted to Delhi where she worked as a domestic help. Her last employer was the grandson of noted Hindi literary giant Munshi Premchand. He encouraged her to read and write. Haldar eventually penned down her memoirs that were published by Zubaan and became a best seller.

Another story was of Rukkaiya or Salma (her fictitious name) from Tamil Nadu, who belonged to an orthodox Muslim family. She was forcibly made to leave school and

married off at the age of 12 years. She faced extreme violence at the hands of her husband and his family. When she resisted, they locked her up in a room. She began writing erotic poetry in confinement. Her mother eventually got her poetry published. Salma won the elections on a reserved seat and went on to become a Sarpanch and this was as though she had gotten wings to fly. She later went on to become the Chairperson of the Tamil Nadu State Commission for Women. Later there was a decline in her political career because some of the people from within the party which she represented began opposing her.

The third example Urvashi Butalia narrated was that of the rape of women from Kunan and Poshpura towns of Kashmir. Here 40 women were allegedly raped by the India Army personnel, but despite their complaints to authorities no action was taken against any one. Instead, the incident has been wiped out by the media and the State does not talk about it. After the Nirbhaya episode in Delhi, a group of young lawyers in Kashmir got together to research and reopen cases of the Kashmiri women to demand justice for them. They have re-filed the petition and a campaign called 'Do you remember Kunan Poshpura' has been launched.

Urvashi concluded by saying that even in today's depressing scenario, we have shining examples of women who are fighting to bring about a change.

Session I : Son Preference, Daughter aversion : Perspectives on the New family

Facilitator: Akhila Shivdas from Centre for Advocacy and Research (CFAR, Delhi)

Speakers: Mary E. John, Dr. Shubha (Rohtak), Veena Sharma (HRLN Chandigarh), Bhupendra Singh and Om Prakash (CFAR, Rajasthan)

Akhila Shivdas, Researcher and Communications expert on Gender from Centre for Advocacy and Research (CFAR) introduced the speakers of this session and said that the Indian women's movement has fought against the issue of son preference and daughter aversion since its inception and this struggle has ensured that government plays a proactive role in reversing the situation of declining sex ratios and is made accountable. This issue has therefore assumed national significance

today. Despite all the gains that one has been able to achieve through various struggles and movements we see that there is still an increasing control over women's lives and sexuality and we see a trend of 'unequal family' emerging. She commended Mary John for her extensive work on this issue and for building a new perspective which we need to examine.

Mary E. John, feminist author, Senior Fellow and Professor at the Centre for Women's Development Studies, Delhi: 'Approaches to Sex Selection: Culture, Violence and Political Economy'.

Mary began by giving the historical perspective to the debate on declining sex ratio. She emphasised that an issue that has been with us for many years is unfortunately still with us. Through her extensive research work, she has critiqued existing research and perspective on this theme. She argued that the discourse on sex selection has been influenced by notions of 'pride and purse' that existed in the colonial North Western part of India with the issue being intrinsically linked to the questions of honour and the inability to give dowry leading to elimination of girls. She stated that the *Towards Equality* Report of the 1970s pointed to the 'inexplicable' long term decline in overall sex ratios computed by demographers, which were correlated with poverty, low health and work patterns in rural India. In the 1980s in urban India, women's organisations and health activists discovered the abuse of amniocentesis testing for fetal abnormalities being used for sex selection. In more recent times the debate has also been influenced by Amartya Sen's analysis on 'Missing Girls' where he points out to the fact that 100 million baby girls may be going missing!

She elaborated that a number of laws and policies are in place pertaining to prevention of female infanticide and sex determination. As per the 2011 Census some parts of the North Western region of the country had showed an improvement over the past 10 years. However, the decline in sex ratio in some parts of the central, eastern, western and north - central states is worrisome. Why is development producing further decline in sex ratios? From the perspective of the Centre declining sex ratios are a stark example of fractured modernity. For the

non-poor families the reasons for this decline are more than traditional and extend to the increasing cost of living that puts different kinds of pressures on families where it becomes difficult to bring up a daughter. She stated that the discussions on this subject have raised the following crucial questions: Are abortions a crime or do they promote a right to choice for women? Is there too much or too little focus on the legal measures? Does the decline in sex ratios indicate 'prosperity effect' or poverty? Is son preference reducing? Is the situation indicating traditional mindsets or the unintended consequences of modernity? Is it 'Genocide' or a turnaround? Is it gender balance or gender discrimination?

She argued that the debate now brings into account three perspectives:

Culture: Patrilineal Kinship

Violence: A Continuum

Political Economy: Women's work, economic policies, local development

She concluded by stating that there is an emergence of the "new family" where there is a fertility decline and families want at least one son and at the most one daughter; there is a daughter aversion which still exists and thus translates into there being 'no girl family'. There is a definite anxiety over freedoms and expressions of sexuality of the daughter. Finally the discourse has to be understood in the context of intersecting markets of marriage, work and education and the structural violence of 'jobless growth'

Dr. Shubha, Hindi Writer and Academic from Rohtak, Haryana began her presentation titled 'Desire for Sons' by stating that this workshop was much needed and she was very glad to be a part of it. She also stated that the problem was well beyond 'son preference' and she preferred to name it as the unbridled 'desire for sons' (*Putra ki lalsa*). Since desire was an aspect of human behaviour which is difficult to contain, therefore the problem of sex determination and then sex selective abortions was un-stoppable. She also was clear that this desire for sons had a connection with 'capital' and the hegemonic power. Thus this problem was deep seated and not just connected with a mindset but was related to transfer

of power and wealth. It may appear as an individual's private preference, however, that was not the case, and these choices are structural and therefore the ability to use violence to any extent to assert the desire for sons is seen.

She then added that it was important to identify the modern day ideologies that were reinforcing this behaviour of son preference.

She unraveled the ideology of the RSS to show how the entire discourse revolved around the glorification of the son. This was at the core. In the book, 'Bunch of Thoughts', written by the ideologue Golwalkar, land is characterised as mother (*dharti ma*) and the nation is made by the 'son'. The land (mother) is the producer of sons who are the architects of the nation. The creator has to be an aggressor as the ideology of non violence is deemed 'impotent'. Manhood is essentially looked upon as being aggressive and violent. Thus manhood is glorified. Thus in the existing situation of desire of sons, the more prevalent the RSS ideology becomes, it will consolidate this attitude even more.

Quoting from a few lines from the book she read the couplet: 'be brave, be brave, be the one who brings victory, be victorious'. She said this was being addressed to the Hindu man, the Hindu son, who is born Hindu, is a Hindu by birth and needs no baptism, which is a requirement of other religions. Meaning, you are not born a Christian, Muslim or a Jew, you are made into one, through a ceremony after birth but you are born a Hindu!

For the birth of a son all kinds of rituals are suggested a son is born to either upper or lower caste, depending on *sanskaars* and karma.

The nation is a Hindu male. The Hindu son is *Brahma* and *sewa* is the dharma of the feminine. Thus women and Dalits are all in feminine roles of *sewa*/ service. The foundation of the family, society and the economic system is built on the structure of '*parjeevita*', somebody will do the work for somebody else, or



Dr. Shubha

somebody else will be dependent on the work of the other. Thus in today's context, if the aggressor Hindu son has no war to win he will create wars/riots, in order to win over an 'enemy' community.

It is important to understand that male centric ideologies are bound to create and perpetuate structures of inequality and dependency. It is important to observe how those who lack resources are being provoked to become violent. The more the resources and power are centralised, the more violent the means of attaining / grabbing resources and power will be.

Dr. Shubha concluded by saying that it is important to see how capitalism and the Hindutva ideology of Golwalkar are married at the root and how the Hindutva ideology legitimises capitalist ideologies in the name of tradition. If we do not look for new ways to challenge this scenario, all our gains of the last century will be lost to these ideologies. We need to challenge the capitalist and Hindutva ideologies together as they are consolidating the desire for sons and the male as aggressor along with dividing people into two classes: those who will serve and those who would be served.

Veena Sharma, Advocate and Director of Human Rights Law Network (HRLN), Chandigarh, she addressed the issue of son preference and daughter aversion from her work experiences as a practicing human rights lawyer and stated how the judicial courts responsible for implementing the law and the Constitution and various judgments and orders fail to provide justice and actually consolidate the supremacy of the men over women. For instance in the Right to Choice cases, when women approach the courts for justice, many a times, they are told by the presiding officer of the court that by asserting their own choice in marriage the youth were lowering the prestige of their fathers. In another case, when the girl asked the court to ensure that her marriage certificates were handed over to her, the court rebutted her stating that it was not their job to see whether she gets her certificates or not. After all, the father had educated the daughter and so he had the right to keep the certificates. When women have complained that they have been threatened by their family members, the presiding officers often justify the family's behaviour stating that after all the family had lost their daughter to a boy belonging to another caste hence their behaviour was understandable. It is as

if the girl is a 'commodity' to hold on to and she has no mind of her own. Similarly, Veena Sharma stated that courts very often deny the right of the girl to go to her marital home and instead send her to a remand home. The question that confronts us she said was: Who are they to monitor her choices? If this is the attitude of the courts, then how can the girls exist with full citizenship in this country?

She shared several illustrations of cases which were brought to the notice of the courts of women living in violent households who were also being pushed for sex selection or for giving away daughters born out of wedlock. In all cases the attitude of the court was that the family had the right to decide. They lost no time in terming a women's statement as a bunch of lies.

Thus courts too saw family decision making and family honour as areas where they ought not to intervene and literally threw the woman at the mercy of the family members who meted out extreme violence on them rather than ensure her protection. Thus our courts were seeped in patriarchy and endorsed all issues like son preference, daughter aversion, and that the daughter had no right to choose. The courts thus end up controlling women's honour as well.

In a case from Chandigarh, the lawyers had made the effort for using the Domestic Violence Act for a case in which a girl was being forced in a marriage in her parental home.

She concluded by saying that she and many other lawyers had no other alternative but to fight in the courts on a daily basis to get some justice for women.

Akhila Shivdas then introduced two Sarpanch's who were among the participants of the workshop. She briefly introduced the work of the organisation specifically with Panchayati Raj institutions. She stated that in Rajasthan the sex ratios had been declining for the last three decades and the situation vis-a-vis the existence of the girl child was very serious. Quoting from the census she stated that the statistic showed that according to Census 2001 the number of girls was 909. However, in Census 2011 the numbers of girls (under 6) was only 888. Even today girls were unwanted; this is a reality which we need to change.



Akhila Shivdas, Dr. Shubha, Mary E. John,
Veena Sharma, Bhupendra Singh, Om Prakash

After Akhila's introduction **Bhupendra Singh** from CFAR shared the initiative of the organisation which had led to a change in the mind sets of peoples in six districts of Rajasthan through their engagement with the panchayat elected representatives, which was a very successful experiment. In this initiative, by bringing the Sarpanch's and ward panchs on board, the

experiment ensured village level monitoring of the mis-use of sex selective abortion technologies to eliminate girls. All Panchayat meetings and those of the Gram Sabhas, showed how sex ratios had been raised over time through the efforts made. The health workers were also roped in to make presentations to the people in terms of what was happening and its implications. This resulted in more than 80 gram panchayats passing resolutions to support and participate in programmes for women and girls.

Through this initiative it has now become a normal practice in the villages where CFAR is working to 'ring the thali' to welcome the birth of a girl child, a practice which was earlier only for the birth of a male. The Sarpanch sends a congratulatory letter to the mother when a child is born. They also give certificates to mothers, apart from taking out celebratory rallies. It was heartening to know that more than 2000 Sarpanch had issued congratulatory letters when girls were born.

The example of Keshuwana Panchayat in Jalore was presented. When a postman in Keshuwana reached the house of the new born with the letter for the mother, the mother got the postman to read the letter. He was so impressed with this initiative that he too joined this Campaign. He assured the panchayats that he would deliver such letters without stamps, as it was his duty to be the harbinger of good news

and that for the state exchequer it was essentially no monetary loss but a gain of value!

Through these efforts, 30 gram panchayats of six districts showed an increase in the birth of girls. The CFAR team is certain that this campaign would impact sex ratios in Census 2021.

Omprakash Bairwa, Sarpanch from Lalpura, Dausa, stated that in 2014 they only talked of NREGA and the construction of infrastructure such as drains etc. in the gram panchayat meeting till the CFAR representatives came and talked to them about what was happening to the girls



Akhila Shivdas, Dr. Shubha, Mary E. John, Veena Sharma, Bhupendra Singh, Om Prakash

in this country and how sex determination tests were leading to sex selective abortions that had tilted the ratios in favour of boys. The fact that the Census 2011 ratios for Lalsot tehsil, showed only 762 girls for 1000 boys shocked people He said he then became determinate to work on this issue and make it an agenda for his Panchayat. He said that on every 5th and 20th day of the month, which was scheduled dates for their Panchayat meetings, he ensured there was larger participation of his ward members and other independent people.

All the Gram Panchayat workers had joined the Campaign: the ward member, the Sarpanch, the ANM, the Asha Sahyogini, the Anganwadi Worker, the Sasathin; together they initiated the Campaign. The celebration of the birth of the girl child as an event was never heard of prior to this Campaign in the villages. Omprakash said that his being educated about the issue helped him to both understand the issue and work on it better.

Sukhjeet Singh and Nikita Azad (Punjab University): Happy to Bleed Campaign: An Initiative against Menstrual Taboos

Sukhjeet Singh began his presentation by describing the 'Happy to Bleed' Campaign. He said the Campaign was launched when the Sabrimala Temple priest Peripala Gopal made a statement justifying the denial of the entry of women in the temple (even if the woman is the district collector) on grounds of women having periods. According to the priest, Lord Aiyappa is a god who had pledged abstinence. Therefore, women would make him impure. Nikita (a student of Punjabi University, Patiala) wrote an open letter to the temple priest, condemning his behaviour as unconstitutional and intolerant towards women. Nikita's open letter challenged the arguments of the priest. Our rebuttal was as follows:

Who is anybody, even a high priest, to question a woman's purity? If menstruation stops then will not creativity and fertility stop? What does the Lord have to say about this? What is the meaning of men's purity? If the Lord is in every manifestation of the earth, then how does menstruation make the Lord insecure? Does the Lord, lose control and restraint on seeing a woman? How did Lord Shiva and Lord Vishnu beget children, if they had not had women with them and consummated their marriages? Did it make them impure?

When this letter became public on social media, Nikita was called a prostitute and threatened. People said if she did not withdraw the letter, she would be killed on the streets.

According to Sukhjeet if you question traditions logically then you are branded as being 'western'. Is Indian culture without logic? This hegemony of priests is an assertion of Brahminical Hinduism not Hinduism.

Sukhjeet also said that it is important to see the links between the increase in the wealth of these temples through offerings, and the growth of wealth of one section of society through the crony capitalist economic structure. This wealth gives the power to keep women subordinated, through such temple norms, or through objectification of her body in the media and through obscene advertisements.

This capitalism has also made the Sikh religion an organised religion taking away the values that it stood for. If we want to address these issues, then you have to begin looking at the way women's bodies are portrayed by various social institutions. The Happy to Bleed Campaign is one brick in the struggle to liberate women and build a more equitable social order.

Nikita Azad elaborated on their campaign and stated that although menstruation can be very painful for women, they had chosen to use the word *Happy* to assert its organic relationship with women. Caste and class are constructed on women's subordination. It is the control over women's sexuality and fertility that strengthens patriarchy and there is an inherent link with other hegemonic structures such as caste and class. Thus if women can claim their control over their sexuality and fertility then this system will be demolished

The perpetuation of this idea that menstruation is impure is a part of societal control over women. She questioned: What are the Burqa and Mangal Sutra? Are they mere cultural representations or control over how women ought to dress, further objectifying the woman. She emphasised the need for women to be liberated from all these symbols, which have only got reinforced in a capitalist economy.

She then raised an interesting question by asking: What if boys had periods? She said then it would have been an occasion to celebrate. We would have had "period festivals" and then it would have been said that women are impure as they do not get periods!

In all economic systems, whether feudal, capitalist or imperialist, the woman is always objectified, subordinated and humiliated. Since the Happy to Bleed Campaign was on Facebook, she requested all participants to join it to challenge the hegemonic structures in order to liberate women from these shackles.

Concluding the presentations, Akhila Shivdas said that very significant and diverse presentations had been made. The common theme running through all presentations was that the present macroeconomic scenario made it more difficult

for women to emerge from their subordinated and secondary status. More campaigns and research needed to be undertaken to strike at the root of the problem.

The Session on Son Preference and Daughter Aversion concluded with several ideas on how to continue to work on the ongoing inhumanity against the girl child. It was felt that while the campaign for implementation of the Pre-Conception & Pre-Natal Diagnostic Techniques (PCPNDT) Act must continue, to fight against the subordinate status of women other issues needed to be brought on board; such as women's work, employment, skills, wages, land rights etc.

Session -II: Dominant South Asian Masculinities

Facilitator: Sujata Chavan (TISS)

Speakers : Urvashi Butalia, Pushpa (Nayi Bhor, Jaipur), Lavanya Mehra (CHSJ Delhi), Rituparna Borah (Nazariya)

Sujata Chavan, Assistant Professor from TISS introduced the session and stated that the session would focus on the linkages between masculinity and violence. There is a need to interpret violence against women through an analysis of dominant masculinities, interpreted as behaviours of manhood.

Urvashi Butalia began her presentation on 'Sexual Violence and Impunity in South Asia' by speaking of the issue of masculinity in a historical context. She said that it all began at the time of the partition when women's bodies were subjected to shameful abuse and violence in both India and Pakistan. Women's bodies literally became the battlefield. A review of the subsequent discussions which took place in the constituent assembly of that time reveal the discourse of masculinity as being contested by these two newborn nations. Two nations constructed on religious identities also presented themselves with peculiar kind of masculine behavioural patterns in relation to the abduction of women. Urvashi stated that India tried to associate itself with non-violent masculinity and presented it in contrast to Muslim men who they depicted as 'supposedly' more aggressive, which Hindu men lacked. As in Hinduism women were depicted as deities, their behaviour towards the

feminine in general was thought to be benign and so to contest with the aggressive Muslim man the Hindu man had to redefine his manhood and this justified his becoming aggressive. The expression of masculinity underlies the continuing conflict between the two nations.

She illustrated her point by saying that aggressive masculinity was justified during Hindutva revivalism. Ram the warrior was made the dominant symbol and represented the aggressive masculinity among Hindus who could wage a war in the name of honour of 'his' woman and to protect the virtues of his brother, he could even brutally attack the women of his enemy. This aggressive masculinity has become synonymous with violence against women to protect the boundaries or honour of communities and nations. She reminded the participants of the example of Mukhtar Mai in Pakistan who was raped as a punitive measure for the actions of her brother. Urvashi said women such as Mukhtar Mai have challenged masculinity with their courageous actions and struggles.

Urvashi Butalia also spoke about the relationship between the state and masculinity through the example of Sri Lanka, which had become a terrain of sustained violence due to civil war. In 2009 when the President of Sri Lanka crushed the LTTE, the army asserted its victory by carrying out sexual assaults on women, even Tamil army personnel. A reporter of a Sri Lankan channel was raped by the Sinhala Army men and this was video graphed and sold. Urvashi Butalia said that this clearly shows that masculinities are not only synonymous with violence against women alone, rather sexual assault is a tool through which nations, states, armies and communities assert their power. Not only are the bodies of women commodified even violence, pain and humiliation is commodified.

When even the approach of medical and forensic sciences to examining rape survivors is one of objectification, one can imagine the approach of the state and the armies to those over whom they have to be victorious. She pointed out the need to also sexual violence that has taken place on men in the conflict areas of North East, Kashmir and Punjab. The women's movement also needs to take cognisance of the sexual violence against transgender persons and include their

perspective in the discourse on masculinity as well and this will give a new direction to the movement.

The second presentation in this session was made by **Lavanya Mehra**, Programme Manager - Men and Gender Equality from Centre for Health and Social Justice (CHSJ), New Delhi. Sharing the experience of CHSJ's work she elaborated that the Centre has been working on issues related to men and gender equality for the last decade and was advocating engaging men and boys at both the personal and community levels. CHSJ has been working in UP, Maharashtra, Madhya Pradesh, Jharkhand and Rajasthan to change men's behaviour towards women and children and to take public action.

The main focus of CHSJ's work has been on:

- Strengthening community level groups
- Showcasing stories, methodologies, innovative practices of work with men
- Strengthening the networks at national and South Asia levels
- Development of knowledge products, position papers, materials for practitioners; developing audio-visual materials such as films on issues
- Linking the local to the global through traditional media and social media and developing an online resource centre
- Facilitating learning exchange between regions
- Online/e-education modules including story books, comics, audio-plays and community radio

The main learnings gained from the experience of work with men include:

- Men can change: Men can be involved in changing social hierarchies at the community and household level as partners
- Breaking the Silence: All men are not discriminatory and violent, but play out 'prescribed' roles or stay silent and thus support violence
- Rigid gender roles also straightjacket men: Patriarchy and gender divisions which control and subordinate women are not always advantageous to men and boys;

- Male identity is created: Social systems also 'prescribe' roles for men, and punish men for breaking them.
- Men who change value their new deepened relationships with wife, children, sister, mother
- Men who change become champions of change for others
- Groups of men provide a platform of mutual support and for further community action to set new gender norms

Sharing CJHS's work in Rajasthan, Lavanya said that the project Kishor Varta is being implemented in Bundi district. It started with 30 Secondary and Higher Secondary Schools of Nainwa Block (Bundi) to maximise interaction with adolescents. Kishor Varta is a part of the formal learning methods available in the community. The schools in this area lack basic amenities and face the issue of non availability of female staff. There is gap in dealing with adolescent girls' issues. Therefore Kishor Varta is an alternate method of reaching to adolescents and enabling them to access information which is lost to them due to hesitation and stigma.

Kishore Varta is an Interactive Voice Response System (IVRS) communication platform. It allows a person to call a toll-free number and listen to information on issues of gender equality, body literacy, health, delaying the age of marriage, etc. This information is provided in the form of audio stories. Four main characters have been created who through various incidents in their life, encourage the callers to solve their problems and help move the story forward. The characters and stories are:- *Lakhanpur ka Raju, Dada ka Gussa, Haldi ki Jaldi and Dulhan ki Baatein*.

Technology is thus being used effectively to reinforce the already existing community level work. Stories are developed and the information provided is relevant and constantly updated to attract local users. The process involves various stakeholders who work with each other and the local service providers and create the environment for the community to create new social aspirations and change norms. It also promotes improved access to and develops skills on the use

of digital tools. Mobile phones are being used for learning and setting of new norms.

Pushpa, LGBT Activist, Nayi Bhor, Jaipur: ‘Gender Inequalities.’



Pushpa spoke about the experience of gender inequalities of a transgender person. She said that the unlike most communities, the transgender community was not fractured and instead welcomed all transgender persons irrespective of caste, class or religion. Each individual was valued and nurtured. She also spoke of her experiences of violence. According to her the

violence faced by the transgendered persons is much deeper as they are forced to leave their families and homes. She pointed to the discrimination within schools and in public spheres. Pushpa stated that transgender people face violence on a day to day basis and they face tremendous insecurities. She believed that violence is rooted in the primary denial of recognition of their existence and identity by the society as well as the state. She gave examples of how the state and its machinery have been denying rights otherwise guaranteed by the Constitution to all citizens of the country.

Rituparna Borah, Executive Director and Co-Founder of Nazariya (A Queer Feminist Resource Group, New Delhi): ‘Gender based Violence and Sexuality’

In her presentation Rituparna raised certain questions confronting the mainstream discourse on the issues of gender-based violence and sexuality. At the outset, she asked if gender was really social or socially constructed? She said, if it was so, then it should exhibit the diversity of sexualities and sexual choices existing in society.

But society, she said, seemed to be stuck in the binaries constructed on the basis of biology and anatomy.

Her second question was; why does gender only limit its focal area to behavioural norms and then extends it to bodies and its choices? She stated that bodies continue to be slotted into binaries of men and women and so are masculinities and the femininities which are attached to the behavioural norms associated with the binaries. She said when one starts discussing gender, it is often taken to be synonymous with women? In this context she asked where are transgender and other sexualities placed in the matrix of gender relations in the society. She emphatically said that she refuses to accept the status of 'third' gender as this term itself implies hierarchy in gender.

She stated that without resolving the above dilemmas it would not be possible to realise the dream of a violence-free society, especially if the women's movement itself continues to carry value-loaded assumptions of gender based violence. She elaborated on a case of domestic violence faced by a transgender person and said that it was not taken up by the organisations dealing with domestic violence. According to Rituparna such cases reveal what has been the battling point for the women's movement. She reminded the participants that the women's movement did not come forward to march on the streets to represent the interests of the transgender community when it was awaiting the historic judgement on Section 377, IPC. This was a great disappointment for the transgender movement who were asking for gender equality. She stated that the discussions on violence focusing on masculinity and femininity shrink the space for the identity of the transgender persons and citizens. She highlighted the need for movements to take an 'inclusionist' approach rather than adopting exclusionary practices of binaries.

Urvashi Butalia in response to the comment made by Rituparna about the non-involvement of the women's movement in the struggles of transgender and LGBTQ community said that the women's movement in India has woven together various voices and it has never been exclusionary in its perspectives or practices. She

stated that women have achieved a lot with their struggles and thus only to work with men on the issue of violence cannot be sought as the solution on this issue.

Dr. Sujata Chavan, TISS thanked the speakers and the floor was opened for discussion. Several questions were asked.

One of the participants mentioned that there are some organisations working on gender equality that are run by men such as 'Purushuvach'. She reflected that these organisations are working with the theme of gender-equality and on issues of gender roles and relations. She reminded participants that one cannot forget that though such organisations exist, 94 per cent men carry misogyny in their social interactions at all levels.

Another participant pointed out that it was not just men but also women who were part of the problem of perpetuating masculinities.

Another participant spoke about an organisation named, 'Save the Indian Family' that depicts men as the victims of violence by women. This organisation appeals that laws be reverted because they have denied men their rights and that the laws sought to empower only women. There is a need to challenge such organisations by openly confronting and exposing them in public forums.

It was also pointed out not just men but women also need to break the binaries as this web has been intricately woven by existing patriarchy that denies both men and women sexual choices. A mention was made about the admission policy in college education which included third gender but did not provide any directives on identification of the transgender. In Chhattisgarh the Standard VIII text book has a page on transgender. Hence, there was a need to include transgender at both the policy and programmatic levels to address discrimination and stigma associated with this identity.

The participants felt that the issue of choice was a difficult one. Many times men who are biologically male but are emotionally like women face problems. Due to

social taboos they exercise self constraint and do not express themselves in the social sphere.

One of the participants made a remark on the role of the market and media in construction and reinforcement of the dominant notion of masculinity. Giving the examples of violence in Gujarat, Kavita Srivastava spoke about the sexual brutality that is part of masculine construct.

The session which had vibrant presentations and discussions ended with a song titled, '*Dariya ki kasam, maujaun ki kasam ,ye tana bana badlega*'. Participants also made a call to all feminists to come together to speak in one voice and protest against masculinity.

Session III : Right to Choice and Crimes in the Name of Honour

Coordinator : Zeba Imam

Speakers : Devashish, Apoorva Srivastava (AALI, Lucknow), Dr Jagmati Sangwan, Kavita Srivastava and Nisha Siddhu and Anwar Rajan

Zeba Imam, Assistant Professor, TISS, introduced the topic of this session. The Right to Choice is usually associated with young people. The denial of this right is to maintain status quo of caste hierarchies, control women's sexuality, maintain binaries, hyper-nationalism and patriarchy. The control of women's bodies is a gateway to define caste and various other identities.

The session began with **Devashish's**, a Survivor from Alwar, testimony. He shared that he belonged to Alwar district of Rajasthan and had had a love marriage. He also declared that his was an inter-caste marriage where he was a 'Mina' and his wife was a "Gujjar". He informed the participants that his wife



Devashish & other Participants

had been killed by her father. He had tried to lodge an FIR with the police but no action had been taken. He said he was under threat to withdraw the case. In a voice choked with emotion he said that since he and his wife belonged to different communities and this inter caste marriage had led to the heinous crime. Kavita Srivastava added that since Rajasthan no longer allows Arya Samaj weddings the couple had approached 'Love Commandos' after seeing an episode of Satyamev Jayate on a television show. Later they had approached the women's groups in Jaipur who were now helping Devashish with the case.

The next presentation was made by **Apoorva Srivastava**, Programme Officer from Association for Advocacy and Legal Initiatives (AALI) Lucknow. Apoorva said that stories such as Devashish's were common and she shared the example of a girl teaching in a madrasa in Meerut who had met the same fate. In April 2014, during the Muzaffarnagar riots a woman was raped by 11 persons but no FIR was lodged.

Apoorva informed the participants that a whole new vocabulary had emerged from the media including terms like Love Jihaad and Love Trishul. She shared her dismay regarding the gaps in the The Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) agreement and reiterated the fact that choices could not be exercised even in terms of dietary preferences leave aside marriage.

She ended her presentation by quoting a judgment of Justice Lata Singh where the onus of responsibility of investigating the killing of a person who marries out of his or her choice rests with the police officer in charge of the area.

The next speaker **Dr. Jagmati Sangwan**, Academic, Activist and General Secretary of Haryana State All

India Democratic Women's Association (AIDWA) stated that the basic foundation of



Speakers & Participants in a session

democracy is the right to choice. However the examples presented by the previous speakers show how this right does not exist. AIDWA raises the issues pertaining to khap panchayats and tries to seek justice in honour killings. According to her dowry deaths and honour killings need to be understood as a manifestation of the political economy because it is a system kept alive by social structures in order to maintain the status quo. The family members in particular, fear that if a girl marries of her own free will she will become emboldened and ask for her share in the property. Agencies like the police, priests and advocates find the cases of choice marriage financially remunerative. They thus actually prevent and obstruct any positive judgments which could bring about a change in society and instead actually promote a corrupt system.

She stated that AIDWA was able to convince the earlier government to build short stay homes for women but the present government had stalled the process. The Prime Minister, Mr. Modi had visited Haryana and publicly bowed before the “land of the Khaps” as he called it. This has given legitimacy to the Khaps. When they contacted a minister to request him to frame a law to ban the Khaps he said that this law would also be misused like the 498A and the law against atrocities of SC/ST.

Bhanwar Meghwanshi provided several examples of violation of the right to choice from Pali, Chittor, Ratlam, Kotputli and Barmer and elsewhere in Rajasthan. These examples ranging from dictating the size of the doorway of a house according to the social order of the caste system to prevention of Dalits being allowed to sit on cots in the angan of their homes in the presence of people from higher castes to not allowing the Dalit groom to ride a horse to killing the family member of a Dalit candidate who happened to win an election against a person from a higher caste. In addition killing and defacement of couples who marry out of choice especially when one of the two is a Dalit is a common occurrence. Even the naming of a girl with a term used by higher castes like ‘Baisa’ had lead to the killing of her parents. This had sent the girl into a state of mental shock warranting hospitalisation.

One of the co-panelist's, Anwar Rajan, said that not all is so bleak and the dismal conditions of the past had changed for the better. He went on to say that we must not lose hope. The problems are not rooted in religion alone but are riddled within the dimensions of caste and class in all religions. In the Muslim community families are excommunicated for marrying into different castes, whereas in some communities in the South the Devadasi custom pushes women into prostitution under the garb of marriage to God.

Nisha Siddhu, Social Activist and State Secretary of National Federation of Indian Women (NFIW) shared her experience of running 'APARAJITA' the one stop Crisis Centre in Jaipur. Nisha began her presentation by stating that cases of right to choice marriages ending in murders have been coming to the Centre since 2012. Out of a total of 2549 cases registered, 500 cases were randomly chosen for sustained follow up. The issue that confronted the team was where to keep the couple, as in Rajasthan there is no place for couple protection as there is in Haryana. Here a girl can be referred to the short stay home - 'ShaktiStambh' but the boy has no place to go and his life is also equally precious. She gave the example of Vimlesh Ravi who married in 2003 and still requires police protection when he visits his village.

Kavita Srivastava, General Secretary of Peoples' Union for Civil Liberties (PUCL) added that when we are talking about the right to choice in terms of marriage we also need to recognise the right of the girl not to marry. Our society does not give girls the right to exercise this choice.



She pointed out that the right to consent was curbed by raising the age for consent to 18 from 16 and deeming sexual intercourse below the age of 18 years as rape and this warrants further debate. Age of marriage as per the law also promotes discrimination between

genders. Why a girl is considered ready for marriage at the age of 18 and boy at 21?

She also spoke of the judgment of Justice Dilip Singh Rathore in 2011 regarding Arya Samaj marriages. He asked the boy and girl to submit their records according to protocol. Marriage registration is also an issue. In the compulsory marriage registration, if the girl is below 21 then the parents have to be present. Short stay homes also play a patriarchal role in such choice marriages. In another case a daughter decided to marry a divorcee but her father prevented her from doing so by keeping her in captivity.

Anwar Rajan: Activist of Yuvak Kranti Dal and Muslim Satyashodhak Mandal began his presentation by stating that there is no concept of caste in Islam but the caste system exists in the Muslim community because conversion from other religions perpetuates the caste system. The Caste Panchayat continues to settle cases related to marriage, divorce, separation, family disputes. Women have no role in these community courts. Their access to justice thus remains compromised.

However among some Muslim communities verbal divorce can be challenged. These community courts also dictate the rules regarding education of women, their right to enter places of worship, their right to stand for elections and their right to employment. This extends to imposition of dress codes as well. Islam allows the choice of marriage and consent to both the boy and the girl but in reality the girls are not allowed to exercise any choices.

Islam does not allow marriage of women to men of other religions whereas a man can marry girls from Jewish and Christian religions. All the controls are exercised on women while men enjoy greater freedoms. In a community court in Paithan, an advocate has even said that a wife has no right to prevent her husband from marrying another woman.

Anwar Rajan stated that communal riots worsen the situation for women and further restrict their right to choice. Love Jihaad is not merely about saving Hindu

girls from marrying Muslim boys but it is actually a term for controlling the rights of women. Devdasi system is not restricted to Hindu women alone, Muslim women are also affected. Many women are forced into prostitution because of polygamy.

The floor was then opened to participants for questions and discussion. Several issues were brought up. One of the participants felt that the right to choice does not involve the right to sexuality and the choice of not to marry.

The issue of Muslim women facing injustice and their plight of not being adequately covered in the right perspective by the media was also brought up. Muslim women not only face the situation of not being allowed to exercise choices, they also do not have the agency to assert the rights imbedded in the constitution.

Participants pointed out that both the Prevention of Child Marriage Act and Special Marriage Act need to be enforced.

The right to choice is not limited to the arena of marriage alone but also other spheres such as education, employment decision making in the household etc. Women are also searching for alternatives to marriage and do not see it as the end goal of their existence. The family institution based on trust but often ends up being violent as well so this places the destiny of girls in great jeopardy. It is important to remember that patriarchy does not exist just in post-marriage relations but also in pre-marriage relations within the family and society. In the past Dalit women were not allowed to wear blouses and this practice still persists in some quarters. This is a matter of discrimination and not of the choice. At no cost should any kind of discrimination be allowed to exist.

Zeba Imam concluded the session by asking the question; why is the control on sexuality the basis for ideological construction. She also pointed out that there is a defensiveness to speak on the issues of Muslim women and this was because of Hindu majoritarianism. The defensiveness had resulted in the Muslim community going more inward and this had put a curb on reforms for the empowerment of Muslim women.

Session IV : Violence due to customary practices (Displacement from homes/ hearths and livelihoods)

Facilitator: Dr. Kanchan Mathur

Speakers: Dr. Ranbir Dahiya (Haryana), Karuna Philip (MJAS), Tara Ahluwalia, Nisha Siddhu, Pragnya Joshi

Dr. Ranbir Dahiya, Surgeon by profession and Social Surgeon by Activism from Haryana: ‘Overall traditions and discrimination of girls and women in Haryana’

Dr. Ranbir Dahiya stated that gender inequality exists in all aspects; mortality, natality, in cultural biases, in the work sphere, in ownership and inheritance. For instance, women are seen at good cooks at home, however most chefs are men. There are several factors that maintain this gender inequality.

He said that he had worked on the issue of female foeticide since 2005. He had undertaken a study and when his team shared the findings of the study at the village level, it was an eye opener for them. The perception in the community was that if the number of women is low, and then their value/ price will increase: *sankhya kam hogi toh keemat badhegi*. Dr. Dahiya felt that it is important to understand and work on these retrograde perceptions.

Unlike a girl, the birth of a boy is celebrated. When a boy is born, there are festivities - ‘*thaali bajti hai*’; when girls are born, it is seen as a sad event. Several festivities/ cultural practices such as naming (naam karan), the 6th day (chatti) are all done for boys. These are not done for girls.

Pundits/ quacks continue to give medicines and practices such as giving the milk from a cow that has produced a male calf- to women, so that they can bear sons. With the decreasing number of girls, the practice of ‘Ata-Bata’/ exchange of girls among families has become popular.

He emphasised that there was a need to use history/ mythological stories to create a different perspective on issues. There was a need to rebuild history. He said we need to highlight the story of Nala-Damyanti, in which Damyanti had married by choice. He questioned as to why do we call choice a western notion? He highlighted that choice existed even in our history and stories and there was a need to bring such stories into the right to choice argument. He felt that such stories may influence people to accept 'choice/rights' more openly as it was very much a part of our history/ culture.

Looking at the larger picture, he felt there was a need to analyse why and how women are being empowered? Is there real empowerment of women as human beings or to further objectification/commodification of women? For instance, in the name of empowering widows, they are married off into the same family; essentially to retain the property within the family.

Dr Dahiya stated that those who have died in their struggle to assert their choice should be seen as role models/ shaheed and their contribution should be celebrated. On the issue of right to choice he asserted that no one had the right to kill those who have got married outside the gotra. The Khap Panchayats believe that marriages within *gotra* lead to genetic/ congenital issues. As a surgeon, he said that there is no scientific proof for this. All those from the same caste essentially have the same blood. If one truly wants to be safe and free from congenital issue; inter-caste marriages are the only way to avoid that.

He articulated the need for a movement where more people are involved and not just women. There needs to be a new awakening, involving all.

The second presentation in this session was made by **Karuna Philip** from Mahila Jan Adhikar Samiti (MJAS), Ajmer on 'nata and other marriage related practices'. She began her presentation by sharing the concept of *nata*. She said that nata is based on the premise that women cannot live alone, they need male support - '*aurat akele nahi reh sakti, aadmi ka hona zaroori hai*'. Also women need to be

married, need to be associated with a man i.e. *shaadi to honi chahiye*'. It is also linked to aspects of control over women and their sexuality.

She elaborated that women are abandoned due to various reasons; for being dark, unable to produce children etc. A man in such a situation usually gets another wife. The first wife is ill-treated and not even given food and is subjected to extreme violence and forced to leave the house and the marriage. The family then claims that the women left of her volition and that they had no role in it. When women leave the house, their bangles are removed, so such women are easily identified and are labelled as those who are 'khali'/ without husbands. In case these women want to get married again/ or are forcibly married again, the new husband has to pay money to the old husband. The price is usually fixed based on age. Women in their reproductive age fetch a higher price than others. In the Jaat community, the price for a woman in the reproductive age is fixed at 5 lakhs. She further said that women face several problems when they are sent into "nata": they are denied the property of both the old husband and the new one. In several cases the money that is exchanged at the time of 'nata' is of no benefit to the woman. Either it is kept by the first husband or by her maternal family. Women have no representation in the Jaati Panchayat, they are always represented by someone else. These panchayats do not give rights of the children to the mother; they are given to the father.

The speaker narrated an incident where a young girl was married and was abused so she left her husband. Her new husband, refused to keep her child from the first marriage. The young girl was abused in her father's house, to the extent that she is now an inmate in a home for mentally disturbed people. Many times men bring new wives just because they have the money to do so.

A school principal got a new wife after retirement. He had got a large sum of money at the time of his retirement and decided to spend it to get a wife in 'nata'.

She said that today many youth who get money through 'nata' to buy bikes and a wife. In most situations men that marry women by nata, have to sell land/ borrow

money to pay for the nata. The burden of this borrowed money also falls on the woman. It was also highlighted that the practice of 'nata' has a positive side too; it gives an opportunity to the women to move out of marriages and relationships that are abusive. Another positive was that there have been cases where judgments of the Jaati Panchayat have been disregarded. The speaker spoke of an incident where 2 women wanted to live together. The Jaati Panchayat had declared that they should be thrown out of the community. However, those women organised a collective and got together a group who could speak for their cause.

Karuna stated that it is evident that the practice of 'nata' is based completely on patriarchal principles and inequality. That people who move out of the village, come back and make these traditions and practices stronger.

On the issue of ata-saata/ exchange of women in marriage between families, the speaker articulated that, if in one family the woman is not kept well, the other family reciprocates/ takes revenge by being violent with the woman who has been married into their house. She urged the participants to think of new and innovative ways, apart from the measures already being undertaken, to engage with the community to address issues of gender inequality

Ms. Tara Ahluwalia Co-ordinator of Bal va Mahila Chetna Samiti (BCMS) spoke on 'Combating Dayan Pratha / witch hunting'. She said that in 2005 she had conducted a study on Dayan Pratha in Bhilwara, with Jagori, Delhi. At that time there were 20 cases of women who had been labelled as witches. Their stories had been documented as case studies. Today there are 57 registered cases. In the last 10 years, the cases have more than doubled.

She next stated that Dalit women, single women, widows, poor women - who do not have any family or economic support - become soft targets. Women who own land are more frequently targeted and labelled as dayan/ witches.

She questioned: who plans for this? who decides who should be labelled as dayan/witch. She said that quacks/ bhopa who makes the birth documents/

horoscopes (janam patri) for all those born in the village and have information on all members of the community/village: e.g. age, marital status, property details etc. When women are suspected of being witches, the bhopa along with some community members review the information and then in temples (mataji ka mandir) decide on who could be labelled as dayans.

Elaborating on the reasons for labelling women as witches, Tara said that these could range from a child crying incessantly to superstition over the fact that the cow stops/ the quantity of milk or if a strong/ healthy man becomes sick suddenly these are all deemed to be the result of being in the presence of a woman who is a “witch” She said lack of education was a big factor in perpetuating superstitions.

Violence against women labelled as a witch/ dayan is manifested in women being made to disrobe, their face being painted black, they being made to sit on a donkey and made to go in a procession around the village. They are publicly made to eat faeces and wastes of animals; spices and wood are put in their vagina/ private parts; their hair is tied to the tractor and dragged around the village; they are beaten up, leading to fractures and injuries. In effect the abuse and torture is so acute that women themselves then want to leave the village boundaries. In one case of a 93 year old woman, who was labelled a witch, the Jaati Panchayat had declared that anyone who talks to her would be fined Rs. 1 lakh and excommunicated from the caste. Once the women leave, their land and other assets are taken over by other community members. These women then live on the outskirts of the village or migrate to other places; they lack support and in most cases wish to go back to their homes and villages but cannot.

She said that of the 57 cases of women labelled as witches, 31 belonged to OBC/ Dalit women are; 21 belonged to SC, 3 to ST, and 2 women were from other categories. In other words, Dalit women are most frequently made soft targets.

She concluded by saying that some progress has been made on the issue. With the support from the DGP and the local police officials, one woman labelled as a witch was helped to return to her village and home. The community members were

asked to return her property and assets and tender an apology. She has also been given police protection. On 17th March 2015, a law against witch-craft/ practice was passed in Rajasthan, however, the police are still refusing to register cases. The speaker articulated that there is a need for all to work together to ensure proper implementation of the law and bring justice to these women

The next speaker **Ms. Nisha Sidhu** shared her experience on legal engagement with the practice of witch hunting in Rajasthan. She said that NFIW (National Federation of Indian Women) filed a petition in the Rajasthan High Court in 2005 for a law against witch hunting. The progress on this petition was slow and there had to be constant follow up over years. A few years later, when there was still no progress, the women' groups (Mahila Sangathan) filed another case in the Rajasthan High Court. This petition was also pursued in the Court for years. Finally the Rajasthan High Court passed a judgment accusing the Rajasthan Government of ignorance and delay. A Bill against witch hunting was then presented in the Assembly. 35 people took part in the debate. Several men in the State Assembly had ridiculed the Bill. The Bill was finally passed and made a law. A compensation of Rs. 2 lakhs was announced for all women labelled as witches.

She further added that an analysis of cases reported in a local newspaper Rajasthan Patrika revealed that there are over 2000 such cases of women being labelled as 'witches' in Rajasthan. A study was also conducted by Prof. Kanchan Mathur of IDSJ. While the law was in place, it was not enforced. The police would refuse to register cases of such women. Another petition was then filed in the Rajasthan High Court. The Court gave the Rajasthan Government 15 days to implement the law. On August 17th 2015, the law was finally enforced.

Ms. Pragnya Joshi, Activist and Researcher with PUCL, made her presentation on the practice of 'Mautana' and continuing violence within clans. She stated that the practice of mautana had its roots in fights/ violence in the name of honour; leading to fights between communities and the displacement of people. The practice, while seen across the state, is more prevalent in South Rajasthan, particularly among the Bhil, Damor and Meena communities/ tribes. Post the 1990s

mautana has become very violent and exploitative. Prior to this the practice was used to obtain money from those who killed, to ensure support for the family/ community of the dead.

Citing an instance of how the practice of mautana works, she elaborated that if during childhood, a young boy is pushed accidentally by someone, or is pushed by a friend while playing; years later when the boy/ man dies of any unnatural causes; the person who pushed the man during his childhood is blamed for his death (whatever the cause of death may be). This person is then asked for compensation/ money for the death of the man. The burden of death is not only on the person held responsible, but on his/her entire family. For instance, if the person is blamed for a death and is unable to pay the required compensation, the entire family is asked to leave the village. In case they are unable to pay the money, a practice called 'chadhotra' is done, where a loud siren is sounded and members of communities across several kilometres, come to the village, armed to take revenge from the family. The family members are beaten and driven out of the village. Their house and belongings are burned and looted and they are not allowed to come back till they pay the compensation. She said there have been several cases where dead bodies have been picked up and displayed in the community itself, till the compensation money is paid. There was one such incident, where a body was kept for 60 days.

Over the years, the cases of exploitative use of mautana have increased. Sahid Khan, a reporter with the Bhaskar estimates that there are now at least 5-6 such cases of mautana taking place every month. He also felt that the practice has become more institutionalised as people sit in protest for compensation.. The price/ compensation for death had also increased over the years. Most of the money received from the family blamed for the death, is paid to the priests/sages in charity only after the priests give their consent, the dead body is removed and cremated.

Pragnya said that the practice had several adverse impacts on women. In families when earning male members are blamed for death and therefore forced to give

compensation or are killed, the woman is often left without support. In several cases, the man blamed for death is killed if he is unable to pay the compensation. The wives of the 'mautana' men also suffer violence and abuse by the community. However, there is no documentation/ account of this violence. Women do not have any money and have to walk for days without footwear and food. In some cases, till the compensation is not paid, the women of the household are attacked and beaten; they have no mechanisms of protection from this.

For several years, the Government did not intervene in this practice, saying that it was an age old practice within communities and that the Government should not interfere. However, later a compensation of Rs. 1 lakh was announced for those victimised. Recently a law has also been made to address mautana. However, a gender perspective is completely missing in this law. Despite these measures, the practice continues. For example, even if the Government pays compensation to the victimised family, the practice of chadhotra is still done. Several of the communities that believe in this practice, have now migrated. Men from these families are now kulfi walas, bhel puri walas in large cities like Mumbai and Delhi. When away, their families and women suffer on account of this practice

In the discussion that followed several comments were made and questions raised.

One of the participants stated that it was unfortunate that the practice of 'ata-sata' / exchange of brides which had started to ensure security for girls has now become a practice of revenge.

In the discussion on the practice of Nata, it was felt that the worst victims are the children; as no one wants to keep them; neither birth family, nor the one into which their mother marries. If there is a child marriage and the girl is given in Nata, the money received from the Nata is kept by the parents of the girl, the girls do not benefit from such money. In most cases girl children are not taken (neither by the mother to her new home nor by the biological father); boys are still taken, assuming that they would grow up and work and earn. In case a widow is given on Nata, the money that needs to be paid would be less, as compared to a woman

who has been abandoned. Another issue raised was of women from the Paro community, who are not allowed to leave relationships; they face considerable violence. Hence there was a need to think and discuss how we can work with such communities.

The issue of Nata among trans-genders was also highlighted. It was felt that no research or understanding of the practice of Nata among transgender exists; and that no cases are registered by the police. There have been incidents where transgender have been told to leave the house of the guru, and they have had no place to go to and no other support systems.

The facilitator, **Dr. Kanchan Mathur** concluded the session, highlighting the following key issues:

- Power relations in caste and within the family are important factors, leading to the several issues discussed in this session. All of these practices are also linked to control over women's sexuality;
- An increasing role of the police in exploiting these power relations to their benefit is now being seen;
- While the work done by men is valued, that undertaken by women within and outside the house is not valued;
- The family, both the woman's maternal as well as the marital family, play a big role in the practice of Nata, through which they exploit the woman;
- In the study done by IDSJ in 2005 titled 'Labelling women as witches', it was highlighted that upper caste communities single out lower caste women, especially Dalit women and label them as dayan/witches. These women are ostracised by the society, thrown out from their houses. They lose their livelihood, and are made to live on the outskirts of the village;
- She also underscored another customary practice i.e. Kookri or virginity testing. A study conducted by her and a team of researchers in 2006 revealed the role of the family in Kookri. It is the women who are made

to undergo tests to prove their virginity. On the night of the marriage a white thread or sheet is placed to check for bleeding. If for any reason there is no bleeding families then treat such women very violently. The onus of proving virginity is entirely on the woman. Women are subject to tests such as agni pareeksha, jal pareeksha etc. The Jaati Panchayats play a major role in ensuring perpetuation of these practices, and women have no say in the Jaati Panchayats

Finally, taking into cognisance the issue raised by an earlier presenter Dr. Kanchan Mathur said that educated people often play a role in furthering these practices. There is a need to work with all sections of community on these issues and to think on how we can penetrate different communities, families and Jaati Panchayats. The need is to intervene at all levels to bring about change.

Concluding Session: Way Forward

Facilitators: Nisha Shivurkar, Kavita Srivastava

Interventions: Lad Kumari Jain, Mamta, Renuka Pamecha, Sumitra Chopra

More than a hundred participants deliberated round the clock for over two days examining the problem, detailing out the intervention areas and planning strategies. Thus the workshop ended on a high note with a quick strategy session which consolidated issues that emerged in the various sessions.

The participants workshop helped contextualising therefore, all the intervention that earlier had to be context. For



Participants involved in a session

felt that this them in the issue; methods of we had used applied in the new instance the

strategies that emerged related to networking, building communication tools and planning mobilisation in order to make the government and the judiciary accountable. There was also a need to evolve concrete policy initiatives and programmes relating to implementation of Government Schemes. In the current context is even more blatant and constantly increasing and this gives a different meaning to each of the strategy suggested.

Networking and Communication

A consensus that emerged was that in order to face the challenges posed by the consolidation of the forces of patriarchy which were manifesting in aggressive masculinity, it was imperative that people from diverse backgrounds and organisations join hands across the board. A systematic dialogue with youth (young men and women) in villages, schools, colleges, *bastis* on these issues needs to be organised. It was important to understand the perspectives on violence, masculinities and the subordination of women that exists amongst them. It was also important to share our perspective with them so that a dialogue could be initiated.

- Presence of participants from different organisations in youth programmes and college festivals must be there in order to have a better outreach.
- Networking with educational institutions had to be planned. State Women's Commissions, Education Directorate, National Students Social Service should be involved in this.
- It was felt that several booklets on different topics, like women's right to make choices, making streets and homes safe, responsibilities and rights in marriage and relationships need to be prepared. State provisioning of sanitary napkins towards making menstruation with dignity a reality needs to be ensured. Booklets on an analysis of what was happening to men in relation to masculinities, stories of struggles of people and individuals combating the onslaught of child marriages or son preference or asserting the right to choice in marriage needs to be published. Similarly booklets on our understanding on issues like

son preference and daughter aversion ought to be produced and distributed.

- Forming networks of students on issues that matter to them, for instance the issue of postponement of age of marriage within homes and having children.
- It was also felt that small surveys and research projects should be carried out with youth on gender issues.

Building Solidarity

- Recognising the small struggles, even by individual women, and supporting each other was the need of the hour. It was important to participate in the struggles around the right to choice and crimes in the name of honour; the question of denial of fundamental rights has to be brought up front.
- Supporting women who are challenging sex selection; putting up resistance around clinics that violate the law.
- The attack of the patriarchal state through state and non-state actors was getting more acute. This was taking away the gains made in the last twenty years. Hence, it was important to combat patriarchal structures and move the judiciary for passing strictures against the offenders which was currently being subverted by the government.
- It is important to bring back the demand for 33% reservation of women in Parliament back on the agenda and also the demand for property rights of women, in particular land for agriculture. District level discussions/ sammelans on the issue need to be organised.
- It is important to form an inter-state network of activists.
- A South Asian understanding of the discourse was important and such meetings should be planned.

Working on issues related of Right to Choice.

Creating slogans and campaigning around the issue of right to choice and ending child marriage was imperative in the present scenario. When talking about the assertion of the right to choice, we should also simultaneously talk about combating child marriage.

Working on the issue of Menstruation

There was a need to strengthen the campaign related to *Happy to Bleed* or Menstruation with Care. Evaluation of existing schemes of the Government relating to provision of sanitary napkins in schools and other places was important. Alongside, the evaluation of policies and programmes in all 5 states should be carried out on a priority basis so that recommendations for policy and programme can be presented to the Governments of Maharashtra, Rajasthan, Haryana, Gujarat, Punjab, Delhi and UP.

There is a need to conduct safety audits in cities and involve state governments in designing interventions for preventing girls/ women/ transgender from being sexually assaulted and attacked.

Film shows can be used to initiate a dialogue on masculinity with men and women.

Special session on Muslim women's issues

A special session on the condition of Muslim women should be organised. Particularly, understanding and supporting the struggles of Muslims women's groups like Bharatiya Muslim Mahila Andolan should be our agenda. The group also stated that triple talaq campaign of Muslim women's groups and of making the *nikah nama* should be supported.

Engagement with the Judiciary

It was also felt that a team of lawyers should be put together in order to work towards the implementation of the various laws, like prevention of Witch Hunting Act, Prevention of Child Marriage Act, implementation of Supreme Court orders in

the Right to Choice cases and for making police accountable through the State Police Acts, the PC & PNDT Acts.

Resolution

It was resolved that amendment in the PC & PNDT Act 1994 being proposed by the Government should be opposed. It was also resolved that all temples that do not allow women an entry for whatever reason should be condemned.

Follow up meeting

Mrinal Gore Interactive Centre, Mumbai, Tata Institute of Social Sciences, Mumbai, Institute of Development Studies, Jaipur and women's organisation of Rajasthan, should organise a follow up meeting after a period of three months and make space for dialogue on similar issues an annual feature of their work.

The meeting ended with a **Vote of Thanks** by Varsha Rajan Berry to all the participants and participating organisations. Special thanks were also given to the PUCL interns who had joined the deliberations for the two days and worked behind the scenes as volunteers to make the workshop a huge success.

The Aims of Mrinal Gore Interactive Centre are manifold: it provides a platform for people, groups, communities etc to interact, deliberate on issues of socio-economic and political importance as well as undertake studies and campaigns.

In keeping with Mrinaltai's ideologies and concerns that took root in Mumbai but went far beyond, the Mrinal Gore Centre started its activities with a dialogue on South Asian issues.

It was in the fitness of things to launch the Centre in her memory by reaching out to people, initially in India and later in South Asia.

Mrinal Gore Interactive Centre for Social Justice and Peace in South Asia
Smriti
Keshav Gore Smarak Trust,
Aarey Road, Goregaon (West), Mumbai - 400 062
Tel.: (+9122) 28724123 Mobile: +919820603704
Email: mrinalgoreic@gmail.com