



Gender Issues and State Intervention in India

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Gender Issues and State Intervention in India

Meera Kosambi

The whole question of State intervention on behalf of women in India needs to be situated within the dual context of women's current status and the country's history of social change through legislation. Women's status has long been mapped on the patriarchal meridian, against the country's multiple contrasts in terms of health, education, employment, urbanization and political participation. The international visibility of a few elite women has elided the mass of disprivileged women in rural areas (housing three-quarters of India's people) and in poor urban areas; and the steady decline of the sex ratio to 929 females per 1,000 males at the 1991 Census attests to the culturally sanctioned neglect of women's nutrition and health care, prompting concern about the 'endangered sex'. At the same time, paternalistic government measures have become essential in the prevailing climate of gender-blindness and a lack of comprehensive social welfare measures available in most Western countries. Historically, the social reformist ideology has attempted to counter the traditional gender-oppressive customs through wide-ranging legislation – from the abolition of widow immolation to raising the age at marriage through pressure on the British colonial government, and from the introduction of maternity benefits to the banning of dowry and female foeticide after Independence.

Although there is no separate Ministry for Women in India, several pro-women measures have recently been adopted as a result of a series of landmark events: chiefly the report *Towards Equality* (1974) submitted by the Committee on the Status of Women to reveal the startling extent of prevailing gender asymmetry; the International Decade of Women; the report *Shramshakti* (1988) submitted by the National Commission on Self Employed Women and Women in the Informal Sector; the National Perspective Plan for Women – 1988–2000 (1988). Concurrently, the initial welfare approach of the Five Year Plans shifted to the view of women as potential agents of development in the Sixth Five-Year Plan (1975–80). In

1985 the Central (or federal) Government of India established the Ministry of Human Resource Development which also subsumed the Department of Women and Child Development; and their counterparts were set up in each State of the Indian Union. The Department's major activities focus on rural women (because well over 90 per cent of India's women workers are engaged in agriculture), and include dissemination and upgrading of skills to women in agriculture, sericulture, handicrafts, fisheries, poultry, etc., extending credit to poor and needy women in the informal sector of the economy and promoting self-help. Additional schemes for women are also available through other Departments of the Central and State Governments.

The Department of Women and Child Development also established the National Commission for Women in 1992 in order to safeguard the rights and interests of women. The National Commission and its counterparts in the States have a mandate to monitor the implementation of rights provided by the Constitution and other laws, to take *suo motu* of their non-implementation, institute special studies and investigations into cases of discrimination and atrocities against women, report to and advise the Government periodically. A welcome initiative taken by the Commission is the establishment of Family Courts for providing expeditious justice to women in matters relating to divorce, child custody and maintenance/child support. Another well-publicized initiative was the framing of a draft bill on sexual assault on women which has a far wider scope than the existing legislation on rape.

The functioning of the governmental agencies at the State level is predictably contingent upon the region's ethos and traditions. A progressive case in point is the State of Maharashtra in western India where I am based, with Mumbai (Bombay) as its capital, which established a Department for Women and Child Development and also district level committees for women and child development in 1993, and which was the first in India to establish a State Commission for Women, also in 1993. The Central and State Government schemes available for women in Maharashtra include employment and income generation schemes, education and training services, support services (including legal support), Women's Clubs (Mahila Mandals which qualify for special State support), rehabilitation of destitute women and prostitutes (including temple prostitutes), shelter homes and rescue homes for sexually victimized women, creches for working women, etc. The Government of Maharashtra Policy for Women acknowledges a conscious shift from the 'welfare' to the 'development' paradigm, and away from the earlier dichotomy of the public/private domains as men's/women's spheres of activity. The policy's objective of 'ensuring equality for women in every sphere of life' is accompanied by a

multi-pronged strategy to eliminate violence against women, ensure gender justice, improve the economic status of women, monitor the appropriate use of the media and increase women's participation in local self-government. The State has provided shelters for destitute women; family courts (one in each of the five Divisions of the State, although the policy document had promised one in each of the thirty districts); induction of more women in the police force and setting up of a special police cell to deal with women's cases. One notable success of Maharashtra State has been the Amendment to the Hindu Succession Act (1956) in its application to the State, which grants women coparcenary rights (earlier reserved solely for men) in the jointly held ancestral property.

The feminist debate in Maharashtra and elsewhere in India questions not the principle of Government intervention *per se*, but the State's failure to treat women as equal partners in socio-economic development. A conflict has also been sparked by the Government measures for population control which often jeopardize women's reproductive health. Another debate centres on women's electoral representation through affirmative action – the 73rd and 74th Amendments to the Constitution in the early 1990s which stipulated that women should form one-third of all elected representatives in the local self-government bodies, i.e., village councils and urban municipal corporations. The objection that instead of such 'tokenism' women should contest elections on the same terms as men is countered by the 'pro-reservation' faction by underscoring the success stories of women who have entered politics under paternalistic State protection, but overcome their initial 'puppet candidate' status and learnt to wield power in the interests of women; and by stressing the difficulty of inducing women to enter the political arena in the face of its rough climate and perpetual threat of character assassination. The fate of a similar 'reservation' for women in State Legislative Assemblies and the national Parliament, through the controversial 84th Amendment, still remains undecided although the major political parties have recognized the need for women's greater access to political power.

Ministries for Women and Women as Ministers in Italy

Lidia Curti

In this piece I mainly speak about women ministers. The only Ministry that could be considered specific for Women is the 'Ministero per le Pari Opportunità' (Ministry for Equal Opportunities), held by Laura Balbo, though,