Activism and Women's Rights in India

By Vera Heuer

Protest against the Delhi gang rape. Source: *Indiatoday.in* website at http://tinyurl.com/b92ws5c, January 1, 2013.

Screen capture from a short NDTV news video covering the events of the Delhi gang rape. Source: YouTube at http://tinyurl.com/okyq3fw.
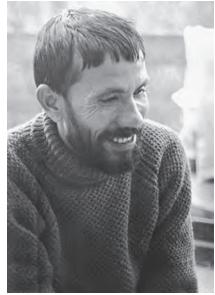

Mathura Rape Case protest. Source: *Feminism in India.com* website at http://tinyurl.com/puuuftq.

People around the world watched as thousands took to the streets in New Delhi in December 2012 following the gang rape of twenty-three-year-old physiotherapy student Jyoti Pandey. While similar protests were held in other metropolitan cities across the country, the protests in Delhi became so intense that the government imposed a curfew and sanctioned the use of force by its riot police. Domestic as well as international media coverage of these events helped fuel public outrage. The protesters made varied and lengthy demands for improving public safety for women, including calls to make public transportation safe; to encourage the police to be more responsive; to reform the judicial process, including reform to the Indian Evidence Act, the Penal Code, and the sentencing standards; and to generally provide for greater dignity, autonomy, and rights for women. As a result of the public outcry, a three-member committee chaired by legal expert Chief Justice J. S. Verma was convened to recommend changes to the criminal law on sexual violence. Based on the committee's recommendations, the government passed the Criminal Law Amendment Act (2013), which addresses a series of concerns expressed by various women's groups, but omits the criminalization of assault perpetrated by spouses or the armed forces.

The intense media coverage of the 2012 protests did raise international awareness of the significant safety concerns of many Indian women. However, this coverage largely treated these protests as an exceptional event, thereby neglecting India's history of using mass mobilization as a means for raising issues of sexual violence and women's rights in general. Perhaps most notably the 1972 Mathura rape case, a watershed moment in raising the issue of violence against women in general, and custodial sexual assault specifically, was rarely mentioned in most international coverage of the 2012 events. Mathura was a teenage girl from an *adivasi* (tribal) community who was brought to a local police station for questioning related to a family dispute concerning her relationship with a teenage boy and their plans to elope. While in custody, Mathura was raped by the two police officers in charge of the investigation. Though the officers were tried in the judicial system in 1978, the Supreme Court acquitted them on the grounds that Mathura had a boyfriend and was "habituated to sexual intercourse," and thus possessed "loose moral character." This provoked a 1980 feminist-led national anti-rape campaign that made use of organized demonstrations, public meetings, poster campaigns, skits and street theater, public interest litigation, and petitions to Members of the Legislative Assembly (MLAs) and the Prime Minister.

Initiated by urban middle-class women, the movement grew in size and still marks the largest wave of Indian women's activism. After several years of campaigning, the protests achieved some results when the Indian Parliament passed the 1983 Criminal Law Amendment Act, which prohibited the public release of any assault victim's identity, penalized sexual offenses by custodial personnel (i.e., police officers, doctors, superintendents, caregivers of hospices and juvenile detention home employees), and put the burden of proof on the perpetrator. Having exhausted the legislative arena for the second half of the 1980s, the women's movement focused more on creating a prowoman social environment and changing people's attitudes toward women's autonomy and rights. Perhaps the biggest and most lasting impact of the Mathura rape case was its role in spurring on the women's movement.

Chandi Prasad Bhatt, 1978. Photo by Mark Shepard.
Source: *markshep.com* at http://tinyurl.com/puv2gd4.

Gaura Devi, 1978. Photo by Anupam Mishra.
Source: *markshep.com* at http://tinyurl.com/puv2gd4.

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Despite the importance of the sexual violence issue, women's activism in India has not exclusively focused on this concern. To move beyond the headlines and gain a fuller understanding of the breadth of activism within the contemporary women's movement, it is necessary to discuss other issues and forms of women's civic participation. Not all issues that initially spur women's activism are motivated by gender discrimination, nor do they ignite the same responses across all women's groups and movements. Ideology, class, caste, and religious differences cause women's groups to focus upon different problems. What follows are descriptions of some of the many ways women in India have gained political clout as active participants in social movements and civil society in the postindependence era that have indirectly and directly advanced women's rights.

Mobilization that Indirectly Advanced Women's Rights

One of the first collective attempts by Indian women to assert political autonomy occurred because of failed economic development policies. In the 1960s and 1970s, state-led infrastructure programs intended to both achieve economic growth and simultaneously prevent increases in income disparities through the provision of education, health, and public utility services had begun to fail. During the same period, Prime Minister Indira Gandhi's attempt at personal and top-down leadership led to a decline in political support for the ruling Congress Party. These events sparked the growth of numerous politically motivated civil society organizations and movements in which men and women participated. An important objective of the new political groups was the organization and mobilization of previously "unorganizable" poor and marginalized Indians in order to amplify the growing dissatisfaction with the economic and political status quo. The mobilization of poor women and those from marginalized communities was initially intended to address the economic consequences of failed state-led development schemes rather than directly dealing with gender injustices. However, an unintended consequence of larger numbers of women becoming politically active for the first time was a growing awareness of gender injustice.

One of the earliest attempts to organize marginalized communities came in response to state-led development schemes in the hill regions of Uttarakhand, where deforestation disrupted local village economic life. The year 1964 saw the establishment of *Dasholi Gram Swarajya Sangh* (DGSS, later DGSM) (Dasholi Society for Village Self-Rule), set up by Chandi Prasad Bhatt in Gopeshwar (Uttarakhand) with the aim of reclaiming forest rights, specifically the use of its resources which had

Chipko Movement, village women wrap themselves around a tree to protect it from loggers.
Source: *kyla's ecofeminism* blog at http://tinyurl.com/pe6ycdz.

Chipko Movement, women and children hugging a tree.
Source: *rightlivelihood.com* at http://tinyurl.com/oy3tt9q.

The Gulabi (Pink) Gang Protest. If this were a color photo, you would see that the gang members are all dressed in shades of bright pink. Photo by Torstein Grude, Piraya Film.
Source: *Kudos Family Distribution* website at http://tinyurl.com/on2swjp.

Gulabi Gang founder and leader Sampat Pal. Photo by Torstein Grude, Piraya Film.
Source: *Kudos Family Distribution* website at http://tinyurl.com/on2swjp.

previously been restricted through the Indian Forest Act (1927) in order to benefit corporate exploitation of the forest. In these regions, settled agriculture is coupled with the dependence on foraging of forest produce; hence, the massive cutting of trees threatened the survival of various hill communities. When the economic situation became especially dire in the early 1970s, DGSM workers and villagers decided to prevent any further felling of trees. However, most of the time it was women and children who physically saved the trees by clinging to them (literally "tree-hugging") and preventing logging. This became known as the *Chipko* Movement, named after the Hindu term for hugging.

Women initially supported the DGSM out of their concern for the potential loss of their economic livelihood. As they were exclusively in control of the production and distribution of resources provided by the forest, women had a high stake in preventing further deforestation. Yet these organizing experiences made many women increasingly aware of their limited role in shaping their communities' fate, as well as the fact that men tended to advance different interests than those held by women. For example, men were willing to permit logging in exchange for employment opportunities and infrastructural investment, whereas women preferred conservationist strategies to improve local living conditions. As a consequence, Chipko women demanded increased involvement in the local decision-making process and larger numbers of women became interested in getting involved in local politics. Efforts such as those of women in the Chipko Movement stimulated Indian government attempts to reform institutions to improve women's opportunities for local-level political participation.[1]

Among the most notable of these institutional reforms aimed at increasing women's political participation is the Seventy-Third Amendment Act to the Indian Constitution, passed by Parliament in 1992. The act requires at least one-third of all seats within local governments be reserved for women. This mandate, however, has its shortcomings, as it does not necessarily result in effective participation of women in the political process. Women tend to have lower literacy rates than men and are less well-trained prior to taking public office positions. Those who are elected rarely expand women's rights due to a lack of knowledge of important issues such as domestic violence, education, and sexual harassment. Even for those who would like to induce change, much-needed resources such as access to party networks are lacking.

Since opportunities in government for exercising influence are limited for women, especially those from rural areas, organized revolts and protests became a way to attempt change regarding women's issues. Rural women revolted in response to severe droughts and famines in western India in the early 1970s. Shortages of food and subsequent food adulteration and hoarding by the landowning elites in the states of Gujarat and Maharashtra led to severe poverty and a decline in women's living conditions and social status. Women actively participated in the labor movement against corrupt

landlords and land alienation by mobilizing mass protests. As women became more involved in activism, so did awareness of their oppression in society. Women began to engage on a regular basis in protests against alcohol abuse and wife beating. The Gulabi Gang, a lower-caste women's organization founded by Sampat Pal Devi in 2007 in Bundelkhand (UP) gained international media attention for their provocative and public attacks on abusive men.

The impact of the famines of the 1970s on Indian women was also felt in the urban areas in Maharashtra. The United Women's Anti-Price Rise Front attracted thousands of women in Bombay (now Mumbai) to join the campaign against rising food prices, economic exploitation, and violence against women. Approximately 20,000 women from all walks of life jointly expressed their solidarity by beating metal plates with rolling pins. These demonstrations against the food crisis were accompanied by smaller group activism focusing on leading businessmen and corrupt state ministers who failed to prevent the crisis from developing. This sustained pressure by women, while not always resulting in relief efforts, did prompt the government to reassess labor conditions and the need for equal pay. Of course, despite the mass mobilization of women, the anti-food price rise protests did not fully address their subordinate position in Indian society. Nevertheless, the success of uniting women across classes and castes to protest the economic deprivation of and violence against women is often viewed as a precursor to the greater women's rights movement of the early 1980s.[2]

So-called self-help organizations, such as the Self-Employed Women's Association (SEWA), emerged as a less confrontational form of activism among lower-class women in response to economic-driven social hardships. SEWA was founded in 1971 as a trade union for poor women working in the informal sector, which consists of any unregulated employees who are compensated in cash, such as home-based seamstresses or street vendors. While SEWA's main office is located in Ahmedabat in the state of Gujarat, it currently operates out of several states. SEWA, whose members face uncertain income and a lack of welfare, provides benefits such as low-interest loans, legal services, health and child care, and participatory and leadership opportunities. SEWA's main goals are to organize informal-sector women workers for full employment and self-reliance in order to lift them out of poverty. Critics of SEWA, however, point to the limits of achieving self-sufficiency through material welfare and argue that working for subsistence, despite SEWA's support, prevents women from acquiring literacy and pursuing further educational opportunities.[3] According to a recent United Nations Children's Fund (UNICEF) report, from 2008 to 2012, females' rate of school attendance in comparison with males still shows gaps

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The Founder of SEWA (Self-Employed Women's Association), Ela Bhatt, talks on the rise of women, yet worries about their "economic decline."
Source: Screen capture from the video *Breakfast with UNICEF (India Series): Ela Bhatt* at http://tinyurl.com/pvz24ct.

Screen capture of a boy wearing a "Save the Girl Child" T-shirt from the *CNN* documentary, *India: The Most Dangerous Country in the World to Be a Girl!* Source: YouTube at http://tinyurl.com/omasgwl.

"India loses 3 million girls in infanticide," *The Hindu*, October 9, 2012. During 2001–2011, the share of children to total population has declined and the decline was sharper for female children. Photo: Akhilesh Kumar.

Source: *The Hindu* website at http://tinyurl.com/k7og6xd.

and decreases from primary to secondary to tertiary education, leaving males generally better educated and with more employment opportunities. While the attendance gender gap among girls and boys in primary school is 3.8 percent, it increases to 9.8 percent at the secondary school level. As a result, there is a significant difference in youth literacy rates (ages fifteen to twenty-four) between young women (74.4 percent) and young men (88.4 percent); and among adult women, only 67.6 percent are literate.

Forms of Women's Mobilization that Directly Advance Women's Rights

Along with India's increase in women activism against economic exploitation and several forms of gender violence in the late 1960s and early 1970s, the international arena also shifted its focus toward women's rights. In 1971, the United Nations mandated that several countries, including India, critically assess the social conditions of women, which led to the creation of a Committee for the Status of Women in India (CSWI) in 1974. One year later, the committee published the report "Towards Equality," which detailed the generally disadvantaged position of women by pointing out the declining sex ratio of women to men, higher female infant mortality, women's lower life expectancy, the decline of the female labor force, and higher illiteracy rates for women.[4] The report initially was celebrated as a mandate to address these inequities, but whatever steps could have been taken to rectify these gender imbalances, Prime Minister Indira Gandhi's 1975–1977 Emergency Rule largely crushed these efforts. Under emergency rule, the Prime Minister was granted near dictatorial power, which enabled her to drastically curtail women's groups' abilities to engage in organized activism. Through laws such as the Foreign Contribution (Regulation) Act of 1976, which specifies that the government has oversight over foreign donations to civil society organizations, the state successfully reduced the political space for women's groups (and others) to operate.

The excesses of Gandhi's Emergency Rule undermined citizens' faith in the positive role of the state and led to a search for alternatives other than direct government action. Consequently, this political vacuum provided fertile ground for the rapid growth of India's civil society and nongovernmental organization (NGO) sector following this period. While some NGOs still predominantly focused on securing livelihood through land claims, health care, and income-generation projects similar to the 1950s–1960s, other organizations began to emphasize that attaining political consciousness through education and awareness building is not an end in itself but a prerequisite for mobilization and making successful claims against the state. Increased NGO activism has in return prompted the Indian government to respond by revamping and strictly enforcing regulatory policies to ensure the political neutrality of India's civil society.[5] Even though the government discourages and legally limits NGOs' political activism, the number of NGOs has rapidly expanded since the 1980s.

With the end of the emergency period, previously existing women's groups were reactivated, and a significant number of new groups emerged. Women's organizations dependent upon outside funding but with some inclination to achieve sociopolitical change had to imbed activism within a larger outreach campaign to raise awareness of and achieve emancipation from gender oppression. These organizations simultaneously tried to influence the government to induce change from within the system. In contrast, for the more financially autonomous women's groups such as *Saheli* in Delhi or *Stree Mukti Sanghatana* in Mumbai, activism is reflected in contentious forms of civic participation such as protests and action campaigns. Regardless of the means, most women's organizations pursue gender equality through appealing to a range of constitutionally guaranteed rights such as the right of equality (Article 14), the prohibition against discrimination (Article 15), and the right to life (Article 21). Campaigns were organized to specifically address the need to advance legal protection against rape, dowry deaths (bride burning), *sati* (widow burning), and sexual harassment.[6]

Despite the widespread solidarity against anti-women violence of earlier years, contemporary women's organizations greatly differ with regard to ideology, class, sense of identity, and understanding of the sources of gender inequality. Some have their roots in massive leftist organizations like All India Democratic Women's Association (AIDWA) with ties to political parties, while other organizations avoid any affiliation with existing political actors and institutions. So-called autonomous women's groups, such as Saheli, emphasize the building of feminist organizational structures and

modes of action contrary to conventional, hierarchical, power-based, male-dominated forms of political participation. Another group of organizations, for example the Centre for Women's Development Studies (CWDS), was formed as a direct response to the CSWI report and concentrates on research and advancing a project-based organizational agenda to improve the social status of women.[7]

At times, these diverse sets of women's organizations form networks and alliances to campaign together on specific issues, such as "Save the Girl Child." This campaign began after the 2001 Census Report revealed a highly skewed child sex ratio (zero- to six-year-olds) that fell from 945 females per 1,000 males in 1991 to an all-time low of 927 in 2001—at that time the lowest sex ratio in the world. This statistic spurred different civil society organizations, as well as the Indian state, into addressing the issue on a large scale. The Indian government strengthened the enforcement of existing laws, making sex-selective abortion illegal, and the NGO sector launched a sustained campaign to create awareness about abortions of female fetuses and other issues of gender discrimination. The diversity of groups involved contributed to the expansive efforts of the campaign as each group made use of its specialized orientation. For instance, research-oriented groups, such as the Centre for Research and Advocacy in Delhi, primarily focus on identifying more accurately the causes and practices of the mistreatment of girls by writing and distributing reports and policy briefs, which often inform project-based initiatives led by NGOs, such as Laadli in Mumbai or Plan and Action India in Delhi. These organizations reach out to communities in order to educate them and raise awareness of early childhood gender discrimination and provide access to health care and education for girls in particular, and children in general. In contrast, non-project-oriented autonomous women's groups continuously take to the streets to induce change through mass demonstrations.

The Future: A Long and Arduous Path

The convergence between different women's groups captures the breadth of women's civic participation in India. As this overview illustrates, women's groups in India have chosen a variety of different strategies and forms of engagement to address various issues impacting women's everyday lives, depending on their own group's organizational structure, resources, and the experiences of their individual members. Not all issues that initially spur women's activism are motivated by gender discrimination, as exemplified by the ecological Chipko Movement to rescue the hill forests or the labor movements against corrupt landlords and government negligence in preventing famines. Yet women's involvement in both these movements resulted in the increased awareness of gender injustices and the necessity of female empowerment. Even when a women's rights issue has been identified, women's groups have demonstrated different strategies of political participation. In the case of domestic violence groups like the Gulabi Gang, many resort to militaristic and vigilant forms of protest, whereas others may engage in project-based outreach and service delivery by providing shelter and legal counsel to victims of domestic violence. Saheli, on the other hand, which refuses to rely on financial resources, prefers protest over more institutionalized means to change policies.

Although the December 2012 mass demonstrations against the brutal Delhi gang rape pressured the Indian government to actively address issues of sexual violence at the policy level, it is vital to understand that the new Criminal Law Amendment Act (2013) does not satisfy every women's groups' demands. Optimists view the demonstrations which involved thousands of people—women and men alike—as an indicator of social change. Pessimists, on the other hand, view the failure to criminalize marital rape as an indicator of the persistence of traditional, patriarchal values. The institution of marriage and the idea that men are the primary breadwinners is still much ingrained in Indian society. Slightly over 18 percent of all children are married by the age of fifteen and 47.4 percent by the age of eighteen. More indicative of the impact of marital gender discrimination is that 54.4 percent of women still believe that wife-beating is justified.[8]

Individual women's perspectives on the nature of gender inequality and discrimination in India vary substantially for a variety of reasons, including class, caste, ideology, and religion. The diversity of perspectives and splintering among women's groups has made it difficult to create a long-lasting, concerted effort to induce significant positive change for women. Although women are increasingly penetrating important political institutions and challenging existing understandings of gender roles, the path to gender equality in India will be long and arduous. A greater convergence of interests that could lead to the creation of strong and sustainable alliances among women's rights groups is likely needed to secure future improvements for women's rights in India. ■

> ## Although women are increasingly penetrating important political institutions and challenging existing understandings of gender roles, the path to gender equality in India will be long and arduous.

NOTES

1. Shobhita Jain, "Women and People's Ecological Movement: A Case Study of Women's Role in the Chipko Movement in Uttar Pradesh," *Economic & Political Weekly* 19, no. 41 (1984): 1788–1794.
2. Radha Kumar, *The History of Doing: An Illustrated Account of Movements for Women's Rights and Feminism in India, 1800–1990* (New Delhi: Zubaan Books, 1993).
3. "About Us," Self-Employed Women's Association (SEWA), accessed August 25, 2015, http://www.sewa.org/About_Us.asp.
4. Ritu Menon, ed., *Making a Difference: Memoirs from the Women's Movement in India* (New Delhi: Kali for Women, 2011).
5. Siddhartha Sen, "India," in *Defining the Nonprofit Sector: A Cross-National Analysis*, eds. Lester M. Salamon and Helmut K. Anheier (New York: Manchester University Press, 1997).
6. Dowry is any tangible asset (i.e., property, money, jewelry) a bride brings into her marriage. A husband and in-laws who find the dowry inadequate often continuously harass a young bride thereby driving her into suicide. In other cases harassment turns into the use of different forms of physical violence, including murder.
7. Mary Fainsod Katzenstein, "Organizing Against Violence: Strategies of the Indian Women's Movement," *Pacific Affairs* 62, no. 1 (1989): 53–71.
8. Data from *UNICEF Annual Reports* from 2008–2012. Reports are available at http://www.unicef.org/publications/.

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