

CONFERENCE PROCEEDINGS

CONFERENCE PROCEEDINGS

World **WOMEN's** Studies Conference



5th – 6th May, 2016

Colombo, Sri Lanka

Committee of the WCWS - 2016

The International Institute of Knowledge Management (TIKM)

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Official website of the conference

www.womenstudies.co

Conference Proceedings of the 2nd World Conference on Women's Studies, 2016

Edited by Professor Diana J. Fox

ISSN: 2424-6743

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Published by The International Institute of Knowledge Management (TIIKM)

Tel: +94(0) 11 3132827

Fax: +94(0) 11 2835571

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CYBER VIOLENCE (CRIMES) AGAINST WOMEN AND GIRLS

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Abstract

With the development of Information and Communication Technology, the number of men and women engaged these new technologies is increasing in all over the world including in developed countries as well as developing countries. As Information and Communication Technology plays wider role of their lives, technology related violence also is becoming an issue in the society. According to the report, released by the United Nations Broadband Commission in 2015, reveals that almost three quarters of women online have been exposed to some form of cyber violence. This study is to explain deeply about 'Cyber violence against woman and girls'. The research will help to arouse the public awareness of cyber violence and discuss possible approaches to avoid cyber violence. Research methodologies like Literature Review, Meta-Analysis and Systematic Reviews are used throughout this study. This detailed research results the very sensitive statistics of cyber violence against woman and girls and violence avoiding factors like education, laws and appropriate technologies. This study implies a useful source of information and constructive advice for the women and girls who will sense the seriousness and influence of cyber use. Further this topic may have implications on developing e-commerce, e-services, social networks and other web-based activities securely.

Keywords: Information and communication technology, cyber, violence

INTRODUCTION

According to (Herring, 2002) Cyber violence is defined as 'online behavior that constitutes or leads to assault against the well-being (physical, psychological, emotional) of an individual or group. What distinguishes cyber violence from traditional off-line forms of violence is that in the former case, some significant portion of the behavior takes place online, although it might then carry over into offline contexts.'

In 1993, the United Nations General Assembly adopted the Declaration on the Elimination of Violence against Women (Yakin, 2009). The Declaration defines violence against women as 'any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life'.

As highlighted by Association for Progressive Communications' statement to the 57th Commission on the Status of Women:

"Violence against women that is mediated by technology is increasingly becoming part of women's experience of violence and their online interactions. In the same way we face risks offline, in the streets and in our homes, women and girls can face specific dangers and risks on the internet such as online harassment, cyber stalking, privacy invasions with the threat of blackmail, viral 'rape videos' and for young women in particular, the distribution of 'sex videos' that force survivors to relive the trauma of sexual assault every time it is reposted online, via mobile phone or distributed in other ways."

As appeared in the above definitions, these cybercrimes can be in several types either in online or offline context due to online behavior. So to control

these kinds of crimes, it is important to check the ways of happening cybercrimes. Then those outcomes will help to distinguish the reasons for the particular cybercrime. Then responsible parties can identify the loop holes on specific areas and work on to avoid those loop holes.

LITERATURE REVIEW

With the advancing of technology, the number of mobile phones users and number of internet users are increasing. Figure 01 shows the variation of internet users among mobile phone users.

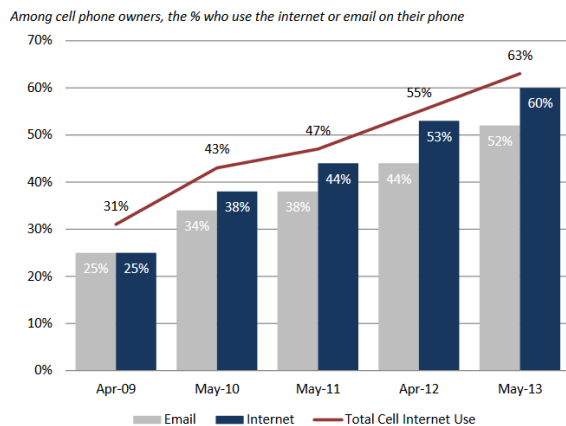


Figure 01: The variation of internet users among mobile phone users

(Source: Pew internet & American Life project spring Tracking survey, April 17 May 2013. Interviews have been conducted in English and Spanish on landline & cell Phones.)

There are more cybercrimes proved in courts all over the world. They are reported in developing countries as well as developed countries. India is a developing South Asian country. There, several cases can be found relevant to cyber violence against women and girls from the literature.

In India's first case of cyber stalking, Manish Kathuria was arrested by the New Delhi Police. He was stalking an Indian lady, Ms Ritu Kohli by illegally chatting on the Web site MIRC using her name. He used obscene and obnoxious language, and distributed her residence telephone number, inviting people to chat with her on the phone. As a result of which, Ritu kept getting obscene calls from everywhere, and people promptly talked dirty with

her. The police department traced the culprit and slammed a case under Section 509 of the Indian Penal Code for outraging the modesty of Ritu Kohli (Khurana, 2013).

In another case, an engineering and management graduate, facing prosecution in a dowry harassment case, was arrested by Delhi police for sending obscene e-mails in his wife's name to several persons (Jaishankar, 2005). In June 2000, a man was arrested by the Delhi police for assuming the identity of his ex-employer's wife in a chat channel and encouraging others to telephone. The victim who was getting obscene telephone calls at night from strangers made a complaint to the police. The accused was then located "on line" in the chat room under the identity of the, victim and later traced through the telephone number used by him to access the internet (Jaishankar, 2005).

United States of America is one of the powerful developed countries. Percentage of internet users is very high.

In the first successful prosecution under California's new cyber stalking law, prosecutors in the Los Angeles District Attorney's Office obtained a guilty plea from a 50-year-old former security guard who used the Internet to solicit the rape of a woman who rejected his romantic advances. The defendant terrorized his 28-year-old victim by impersonating her in various Internet chat rooms and online bulletin boards, where he posted, along with her telephone number and address, messages that she fantasized of being raped. On at least six occasions, sometimes in the middle of the night, men knocked on the woman's door saying they wanted to rape her. The former security guard pleaded guilty in April 1999 to one count of stalking and three counts of solicitation of sexual assault. (Frankli, 2006)

Impacts of Cyber Crimes

The effects of cyber violence against women are psychological, social, physical and economic. The most widespread are psychological effects, which are felt by most women who experience cyber-violence. According to the result of study on 'Cyber Bullying as Gender-based Violence Online Survey', 65% of the women in the study reported experiencing some kind of psychological effect, ranging from the most

common, anxiety and damaged self-esteem (by about half and 43% of respondents respectively), to the most extreme, thoughts of suicide and engaging in self-injurious behavior (10% of respondents) (West, 2014). The effects are apparent in the self-published stories about Daisy Coleman, Annmarie Chiarini and Savannah Dietrich describing experiencing all of the above and other psychological effects. Annmarie Chiarini writes about his insomnia, panic attacks, experience of overwhelming fear that kept her from leaving her house, feelings of humiliation, being diagnosed with PTSD, suicidal thoughts and her attempts suicide (Chiarini, 2013). Savannah Dietrich also faced humiliation, struggled with social anxiety and discomfort with physical touch from men, as well as thoughts on suicide (Pesta, 2012).

Not only girls and women who experience cyber-violence against women often face suicidal thoughts and suicide attempts, but sometimes they are also completing suicide, such is the tragic stories of Rehtaeh Parsons, Audrie Pott Amanda Todd. Rehtaeh Parsons' mother Leah Parsons describes how her daughter's experiences with sexual abuse and cyber violence made her struggle with depression, mood swings and substance use (Durante et al, 2013). Speaking of her daughter, Leah Parsons commented, "It was not the rape that sent her over the edge, as horrible as it was ... It is the public humiliation and shame of her peers, and everyone saw a picture of her being raped." (Coleman, 2012) an anonymous woman blogged about how she was lured and sexually exploited as a young teenager in the same way as Amanda Todd. She describes how continuous utilization and extortion of men on the internet and cyberbullying and shaming of her colleagues who found out about it got her to experience depression, panic attacks, feelings of shame, substance abuse and thoughts about suicide. Looking back on her experience, she writes, "I lived in a constant state of shame. I felt like I did not deserve to live. There were many times when I thought about suicide, but I never took the final step."

Daisy Coleman writes of her own damaged self-image, how she has engaged in self-harm and attempted suicide three times in response to the violence she experienced but ends with a statement of resilience and resistance. In her own words, Daisy says: "Since this happened, I've been in hospitals too

many times to count. I've found it impossible to love at times. I've gained and lost friends. I no longer dance or compete in pageants. I'm different now, and I can't ever go back to the person I once was. That one night took it all away from me. I'm nothing more than just human, but I also refuse to be a victim of cruelty any longer." (Heller, 2013)

Cyber-violence against women can have serious and detrimental economic impacts for women as well, particularly nonconsensual distribution of images and revenge porn. As Danielle Citron explains, women can lose their jobs over things that get posted about them on the internet, and with the impossibility of ever completely erasing things from the internet, revenge porn images and defamation can haunt women forever, keeping them from being hired for new jobs or advancing in their current job. (Citron, 2014) In the Cyber Bullying as Gender-based Violence Online Survey, 13% of women reported some impact on their job (losing their job, being unable to advance in job or being unable to find a new job). Interestingly, a significant number of women (10%) reported that their credit rating was damaged as a result of online abuse.

Cyber-violence can also coincide, exacerbate or lead to physical violence against women. When the 23-year-old Pennsylvania man's attempts to coerce his ex-partner to return through Facebook threats to expose sexual images of her failed, he waited outside of her house armed with a box cutter and a gun (West, 2014). Likewise, a 31-year-old woman in Seattle who was being cyber-stalked by her police officer ex-partner and found herself the victim of revenge porn, was also choked and pushed to the ground in a physical confrontation with him. 63. 5% of women in the survey reported experiencing physical harm and abuse as a result of online violence, while 3.3% of women reported physical abuse that was exacerbated by online violence. A number of women (12%) also reported experiencing physical illness as a result of violence. The social consequences for women can be very severe, particularly if their entire community is involved with the cyber-violence. In the case of Daisy Coleman, her brother and herself were bullied at school, she was suspended from her cheer leading squad, her mother lost her job, her family was forced to move back to Albany and their home in Maryville was burned

down (Coleman,2012). Likewise for the 33-year-old woman whose ex-partner solicited men on the internet to come rape her, she also moved out of her community, and the affects were felt by her whole family as her children had to switch schools. (Jouvenal, 2013). Rehtaeh Parsons also left school as a result of the cyber-violence and moved to live with her father in Halifax (Durante,2013). According to Focus Group with BWSS Volunteers, interview by the author survey found that 3.3% of women responded that they had to move out of their community as a result of cyber-violence . A common social impact of cyber violence is isolation from friends and family. In that volunteer focus group, one of the volunteers spoke about a caller whose ex-partner was posting things about them on Facebook and how as a result of the things they were saying, some of her friends and family, including her sister, stopped speaking to her. They believed whatever her attacker had posted on Facebook. When the survey conducted by Battered Women's Support Services on "Cyber Bullying as Gender-based Violence Online Survey is considered , this is one of the most commonly reported social impacts with 28% of women responding that they experienced isolation from friends and family as a result of cyber-violence.

Isolation from friends and family is very serious for women, and the threat of exposing information that could potentially cause women's friends and family to turn against them is taken very seriously by women. Often women will comply with their abuser's threats in order to avoid such repercussions, as was the case for one woman who talked to one of our volunteers on the crisis line. Her abuser knew how afraid she was of her family finding out about her work as an escort and used that to coerce her to have sex with him on demand ([8]-71). The most common social impact reported by women is withdrawing from online activity, with 40% of women reporting that they have experienced this as an impact of cyber-violence . (West, 2014) One respondent explains:

"I began blogging as a way of disengaging from an already violent environment for women of color, but over time, while I did manage to gain a support group, it's also negatively impacted my well-being such that I often have to remove myself from the community or "blank out" the blog to be safe from certain people."

According to Focus Group with Women Accessing BWSS Services, interview by the author, Vancouver on April 3,2014 the women in that focus group for women who access services at BWSS also felt this impact the most (West, 2014). Having experienced abusive relationships in the past, all of the women avoided using social media and online platforms in order to keep themselves safe. They were very afraid of the possibility of people online using their personal information against them, violating their privacy and becoming the victims of bullying and violence. However, avoiding online activity to keep safe also meant that they were left out of online social networks and the significant amount of socializing that takes place online in our society. Therefore, the real social impact of withdrawing from online activity is often social isolation.

Cyber Crimes in Sri Lanka

The government is drafting new laws to address emerging crime trends involving cyberspace as they cannot be curtailed under the existing legal framework. The CID (Computer Crimes Division) is to establish 22 new units under each SSP division to address computer related crimes.

The need for Internet privacy laws is felt when the norms of data protection are violated, According to Information and Communication Technology Agency of Sri Lanka (ICTA), emphasizing that Sri Lanka has no specific laws on Internet privacy.

Therefore the government has begun policy level discussions at the initiative of ICTA on Internet privacy laws and data protection. The process of formulating the draft is in progress. Privacy laws count on how information is collected, processed and transferred to the third party.

The Sri Lankan Computer Crimes Division of the Computer Crime Division set up under the Computer Crimes Act 2007 deals with an increasing number of complaints on email scooping and privacy violations. The division has investigated over 100 on internet related crimes, including 50 complaints of cyber deformation, 21 complaints related to obscene publications and another 22 related to email hacking this year on women and girls.

Another 2,000 complaints involving Facebook and Twitter were reported to the Computer Emergency Readiness Team (CERT) in the first seven months of this year. Most incidents had occurred on Facebook, and primarily involved in the use of fake profiles.

Cyber Violence (Crimes) Categorizing

By considering literature and selected case studies, cybercrimes can be identified under main categories in higher level. These categories are defined with under different names. Therefore this study will describe these different types of cybercrimes. Although these violence categories have been described in simple terms, some of the outcomes of this kind of incidents are very crucial.

- **Malicious Distribution**

Manipulating and Distributing defamatory and illegal materials related to women and girls can be identified as malicious distribution. There are threatening or leaking intimate photos/video using the advance of cyber space.

- **Recruitment**

Recruitment is lure potential victims (girls and women) into violent situations using the technology. As examples sharing fake advertisements and postings, traffickers using chat rooms

- **Harassment/Spamming**

Harassment or Spamming is most probably not an isolated incident. It is an ongoing behavior to continuously contact, annoy, threaten, and/or scare the victim using the freedom of advance of technology freedom.

- **Surveillance/Tracking**

In this type of cybercrime, the technology is used to stalk and monitor a person's activities and behaviors either in real-time or historically. GPS tracking via mobile phone without permission is a better example for this type of cyber violence.

- **Impersonation**

Impersonation is the use of technology to assume the identity of the victim or someone else in order to

access private information, embarrass or shame the victim, contact the victim, or create fraudulent identity documents. Calling victim from unknown number to avoid call being blocked.

- **Hacking**

Hacking is the most common violence appeared through technology. It can be defined as gaining illegal or unauthorized access to systems or resources for the purpose of acquiring personal information, altering or modifying information, or slandering.

- **Cyber-stalking**

cyberstalking is a violation of privacy is a crime in which the attacker harasses a victim using electronic communication, such as e-mail or instant messaging (IM), or messages posted to a Web site or a discussion group. A cyber-stalker relies upon the anonymity afforded by the Internet to allow them to stalk their victim without being detected.

- **Cyber Bullying**

Cyberbullying is the act of harming or harassing via information technology networks in a repeated and deliberate manner. According to U.S. Legal Definitions, "cyber-bullying could be limited to posting rumors or gossips about a person in the internet bringing about hatred in other's minds; or it may go to the extent of personally identifying victims and publishing materials severely defaming and humiliating them

- **Morphing**

Morphing is a special effect in motion pictures and animations that changes (or morphs) one image or shape into another through a seamless transition. Most often it is used to depict one person turning into another through technological means or as part of a fantasy or surreal sequence by an unauthorized user. As an example, It was observed that female's pictures are downloaded from websites by fake users and again reposted/uploaded on different websites by creating fake profiles after editing them.

- Email spoofing

E-mail spoofing is a term used to describe fraudulent email activity in which the sender's address and other parts of the email header are altered to appear as though the email originated from a known or authorized source. By changing certain properties of the email, such as its header, from, Return-Path and Reply-To fields etc., hostile users can make the email appear to be from someone other than the actual sender.

ANALYSIS AND RECOMMENDATION

Each The main challenges in facing cyber space are not having cyber security or cyber strategies. Because Information communication systems and their

usage is becoming very complex. But the attention paid for information security is insufficient.

- Improving knowledge about cyber space

When some cases are carefully analyzed, it is possible to convey that some of those violence has occurred due poor knowledge on cyber usage. The Figure 02 show the results of online survey conducted related to opinions on the internet in year 2014 over average of seventeen years by BBC world and GlobeScan Poll. There we can see that 13% of users believe that the internet is a safe place to express their opinions.

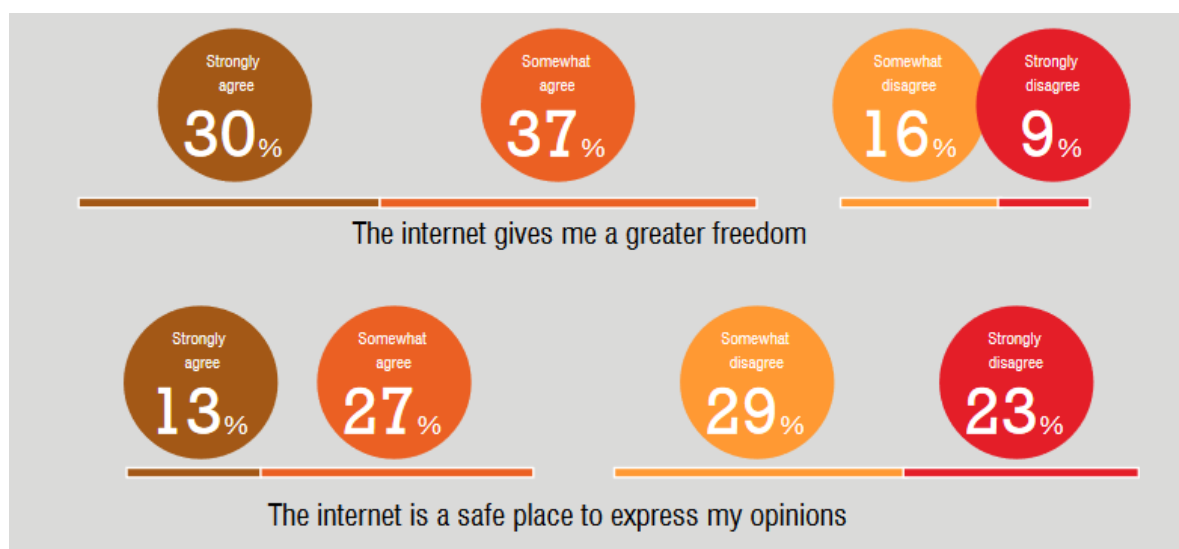


Figure 02: The results of online survey conducted related to opinions on the internet in year 2014

- Make victims to report the cyber crimes

Cybercrimes are happening daily all over the world. But few of them are reported. Some severe crimes are also not reported. Sometimes they are reported late. Then the actions that can be taken to avoid those crimes are limited. Therefore all the victims should allow to report the crimes.

- Increase and monitor quality of applications and systems in cyber space

With the development of technology, various systems and applications are increasing in the cyber space. But quality of some of those application are not guaranteed. Some system developers only focus on earning money through these. These kind of matters lead to the low quality of the applications. Therefore the quality and security of cyber space should be thoroughly accessed.

- Weakness and unavailability of law

Countries in all over the world have different acts laws within the countries. But there are no proper

laws to overcome the cybercrimes in some countries. On the other hand some legal coverages are not up to date. The relevant laws and acts on cybercrimes must be upgraded and changed with the time, because with the development of the technology, nature of the crimes is changing.

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MOTHERHOOD AND MATERNAL PRACTICES OF PROSTITUTED WOMEN IN THE PHILIPPINES: A NARRATIVE CASE ANALYSIS

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Abstract

This qualitative study explored the lives of three trafficking survivors, particularly on how they view and portray their role as a mother, and on how their stories reflect the existing societal, and institutional problems in the Philippines. Through a series of interviews, and an institutional key informant interview with the executive director of Coalition against Trafficking in Women-Asia Pacific (CATW-AP), and a narrative analysis of the constructed data, it was found that how the three former prostituted mothers view themselves as mothers are different from how they portray it. Furthermore, how they portray their roles diverge as they mature. Standpoint, Maternal thinking, Narrative, Life course, and Convoy theories were integrated into a framework used in analyzing and deconstructing the narrated experiences of the subjects. Poverty, lack of proper education and of good family structure, and the presence of trafficking led these three women to prostitution but their motive for staying is to help their family. They view motherhood and mothering as a hard, yet rewarding role and they may not be very capable to rear children but their love for them outweighs their shortcomings, thus, it became their reason for exiting prostitution and strive to become good mothers.

Keywords: motherhood, prostitution, poverty, maternal practices

INTRODUCTION

Prostitution is a dynamic and adaptive process that involves a transaction between a seller and a buyer of a sexual service (World Health Organization, 1988). Women become involved in prostitution for a variety of economic reasons but these should not be mistaken for the cause of prostitution itself, which is the **demand** from men to buy sex. If men were not prepared to buy sex, then prostitution would not work as a survival behavior.

Women's rights advocates opt to refer to them as 'prostituted women'. 'Prostitute' implies that a woman with a strong sense of self and has a complete access to resources would offer herself for sexual hire (Baldo, 2012). The term prostituted implies that the women are victims, driven by economic circumstances. Prostitution of women, men, and children is made possible through trafficking (Enriquez, 2012).

As of the year 1997, Southeast Asia is the top destination for tourists looking for sex (Cordingley, et al. 1997). In the Philippines, 300,000 women are prostituted; 75,000 of which are children, and about 60,000 sell their bodies (www.catwap.org, 2012). Additionally, the export of entertainers and domestic helpers put women at risk of sexual exploitation. As a whole, sex trade in the Philippines is profitable. In 1985, it became the third largest source of foreign exchange (Dela Cruz, 1985) and in 2005, it emerged as the country's fourth largest source of Gross National Product or GNP (Preese, 2005).

Although there has been extensive debate on whether prostitution is violence against women or a form of work (Alexander, 1987; Miller & Jayasundara, 2001; Sloan & Wahab, 2000), there is considerable evidence that prostituted women are frequently victims of violent crime, including battering, rape,

and murder (Davis, 1993; Silbert & Pines, 1982).

Despite the fact that Women's Rights is on the third spot of the Millennium Development Goals, prostitution in the Philippines is still increasing (Enriquez, 2012), and there have been no qualitative or quantitative data showing the state of prostituted mothers. This study would analyze the narratives and life story of three former prostituted mothers in the Philippines, particularly on how they are as mothers, how they view themselves as such, how they themselves were raised, and how their stories reflect various societal problems.

Their stories would be a reference on the usual issues that women like them face while being on the motherhood stage. This study would help both the Government and Non-Government Organizations to implement programs that could improve not just the women's lives, but their children as well. This study will be an avenue for these women's voices to be heard. It could also benefit the academe for the findings can succinctly define the culture of prostitution and trafficking in a third world country.

RESEARCH PROBLEMS AND OBJECTIVES

Research Question:

How does a prostituted view and portray her role as a mother in the life of her child/ren?

Specific Objectives:

1. To look at the past experiences of the prostituted mothers (Narrative)
 - a. Childhood
 - b. Family and Upbringing
 - c. Relationships
 - d. Entry to prostitution
 - e. Entry to motherhood
2. To explore and understand how the prostituted mother raises her child/ren
3. To determine the struggles that a prostituted woman and a survivor face in raising their children

4. To look at the narratives as an objective reflection of the problems in the society

REVIEW OF RELATED LITERATURE

It was concluded in the study of Brannen, et al. (1996) that to be a good parent, children must be provided with a home where they feel secured, must feel protected through parental worry, and must need to identify where they came from, thus, knowing the auto/biography of their parents, along with the family narratives are very essential in building a healthy parent-child relationship.

Some literature validates that childless couples are happier than those who have children (Callan, 1987; Campbell et al., 1976), while for families with only one parent present, Arevalo, Toloza & Nicolas (1997), and Suemith (2000) found that children are more attached to the custodian parent, regardless of the gender.

For a married woman, her world is her children and husband (Lewis, 1984). However, the experience of being a mother and a wife differed according to the realities of class and bodily experience (Giles, 1995). Having time to read books and paying a nurse to look after her children was quite different from having to do the dishes while her children tugged at her skirt. While mothers became more stressed as the baby matures, the fathers were not similarly affected (Ambert, 1992). Studies of employed mothers indicate that they are responsible for most of the housework and childcare (Ambert, 1992).

Interests in preservation, growth, and acceptability of the child govern maternal practices in general. Mothers will typically know that they cannot secure each interest, and that unqualified success in realizing interests is an illusion (Ruddick, 1989). This unavoidable conflict of basic interests is one objective basis for the maternal humility. Although economic and social conditions may make being a mother hard, a woman still has its maternal instinct.

Children who have mental illnesses, or are physically handicapped, have higher emotional attachment to the mother than the father (Dupont, 1980; Wilkin, 1981). Orsmond, G., et al, 2006, examined the mother-child relationships of 202 children having autism spectrum disorder living at home. Despite the communication

and social challenges associated with autism, the children still show positive interactions with their mothers. Although historically, mothers of children with autism were characterized as lacking in warmth, the study proved otherwise, with the very large proportion of mothers in the sample feeling extreme affection (90%) and respect (over 75%) for their child.

The relation between aspects of the mother-child relationship and the child's social competence in the school environment was explored by Christopoulos, et al., 1989. Results indicated that the most powerful qualities that a mother must have for their child's social competence are warmth and control. Thus, loving and involved parents who are consistent with enforcing rules tend to have children who are more affiliative with peers than do parents who are rejecting and uninvolved (Hinde & Tamplin, 1983; MacDonald & Parke, 1984).

Since prostituted women rarely participate in this public discourse, the ideologies behind their movement for rights and respect cannot be communicated (p.3).

Most of the time, prostituted women come from broken and/or violent families with abusive or alcoholic parents (Klain, 1999; Vanswesenbeeck 1994). Other researches have also shown that females of minority age end up in prostitution if they become socially isolated, do not get good grades or have problems getting along with fellow students at school (Klain, 1999).

Klein, 2006, was able to construct four categories on the reasons why women become prostituted: (a) when a young girl runs away from school or ends up living on the street; (b) financial difficulties; (c) drug addiction and (d) family. The women shared that the only good thing about prostitution is the money they earn from it while what they fear most would be their children finding out about what they do. Another study by Breaking Free, Valandra, a women's rights NGO in Minnesota, show that some former prostituted women were sexually abused when they were little by a family member and that economic survival issues are the key motivators for entering the industry. The very reason why they entered the

industry is also the reason why they want to get out of it.

The ethnographic research of Tremayne, 2001, focused on the lives of young prostitutes in Baan Nua, Thailand. Despite widespread availability of contraception, and their high level of knowledge on causes of pregnancy, birth control was almost never used, causing most of them to acquire sexually transmitted diseases. Nevertheless, not all of them saw motherhood as something to avoid (Tremayne, 2001). Issues of filial duty were central to the dynamics of life in the Baan Nua community as children felt responsible to support their parents, and prostitution was their only choice to fulfill their perceived obligations. There is always a tendency to assume that parents who allow their children to become prostituted must be abusive, but in Baan Nua, the children were much loved (Tremayne, 2001).

FRAMEWORK

Standpoint, Maternal Thinking, Life Course, Convoy, and Narrative Theories were used and integrated as a framework for the study.

According to the Standpoint Theory (Wood, 1993), the perspective from the lives of the less powerful can provide a more objective view since people who are on top have the power to define how things are supposed to be, thus, leaving point of views of subordinate people. Standpoint theory applies more to minority groups such as women who are deemed less influential than males. The subjects of the study have experienced oppression and the researcher would get their standpoint as a mother and a former prostituted.

Narrative theory will be used in decoding their life stories and relationships. Khan and Antonucci (1980) proposed Convoy Theory as an interdisciplinary framework that seeks to explain how social networks and support operate across the life course.

Their standpoint as former prostituted mothers will be viewed as a powerful voice for they rose above the situation and decided to be responsible for their children, as opposed to the traditional notion of Prostituted and Motherhood as powerless groups.



Figure 1. Integrated Operational Model

RESEARCH METHODS

This study is qualitative in nature and used methods and analytical tools from the narrative paradigm. Focus Interviews using the Biographic Narrative Interpretive Method was the primary data construction technique for the study. Discursive and narrative strategies were utilized in coding the different concepts that emerged from the data.

All in all, the research has three subjects: two of which have been receiving care and support from CATW-AP (Coalition against Trafficking of Women-Asia Pacific) and another survivor which have not received any formal training to overcome prostitution. An institutional focus interview of Ms. Jean Enriquez, the executive director of Coalition against Trafficking in Women-Asia Pacific (CATW-AP), was also conducted to gather industrial insights.

RESULTS AND DISCUSSION

A. Past experiences of the prostituted mothers.

1. Childhood

Alison

She grew up in the province with her grandparents while the rest of her siblings and her Mom were in the big city. As early as nine years old, she experienced being sexually harassed by her cousin who lives in the same house, while her grandparents don't seem to care.

Josephine

Life was definitely happier when Josephine was young. However, life became harder when she had more siblings. Her parents fought constantly and being the eldest in the siblinghood, much responsibility was expected of her.

Elisa

Elisa is deeply involved with bad cliques in her youth. Having spent more time outside with her friends than with her family, she tried smoking, drinking, shoplifting, running away from home, and cutting classes. A serious incident at school led her to leave home and never go back. She was also raped by her cousin when she was seven but unlike Alison who knew that it was harassment, Elisa had no idea of what it meant.

2. Family and Upbringing

Alison

Alison grew up with her grandparents who have never given her love, warmth, and control, and would only notice her when she acts notoriously, thus prompted her to always do so; her cousin would only act with malice towards her. Her mother and siblings took her when her grandparents passed away. Although more warm and loving, they still never protected her from her cousin.

Josephine

The lenient and affectionate parenting styles of Josephine's parents somehow influenced her decision to marry at a young age. How Josephine was raised could support the notion that a non-functioning family life in which a girl lacks regular and supervisory care could easily lead to prostitution (Klain, 1999).

Elisa

The parenting style of Elisa's mother is permissive, having few rules and standards, causing her lack of self-discipline (Baumrind, 1991), and eventually leading her to run away and live with her friends. The parents had no knowledge of the rape incident between Elisa and her cousin. Elisa's relationship

with her Mom waned when she felt rejected, thus, started seeking approval and attention from other outside their home.

3. Relationships

Alison

As a kid, she wanted to release her anger to someone else that's why she would torture younger kids in her neighborhood. She only had one childhood friend who also experienced sexual harrasment. Alison was raped by her high school friend, and became pregnant. When she moved to Metro Manila, she met the lady who introduced her to prostitution, and friends in the same field. Those friends introduced her to different vices. She also met the man who would be willing to be the father of her child. The man became one of the reasons for her to strive and get more customers. What finally got her away from being prostituted through CATW-AP. The people inside the Coalition served as her surrogate family and support group.

Josephine

She was not very close to her siblings but she still provides them with every form of help that she can. The bar owner who recruited Josephine played a significant role in her life. When she became a full-time homemaker, she considered her neighbors as a family. Their community is very small and her neighbors are very loving and accepting of her children.

Elisa

Elisa had been involved in a bad clique as a teenager and she now regrets meeting them. There is only one girl whom she considers as a true friend and they used to work together at a bar. Now, her support group and surrogate family are her co-survivors in CATW-AP.

4. Entry to prostitution

Alison

Sexually harassed by her close friend and forced by her family to marry the rapist, Alison ran away and moved to Manila, with the help of her best friend and

boyfriend at that time. Being in the most complex city in the country, with a baby in her womb, little money and education with her, she had no other choice but to accept what was offered to her- be prostituted. She got out of it as soon as she can.

Josephine

Having been married at a young age, she followed her husband when he went back to his own province. Having not enough money and resources, a pimp approached her and gradually introduced her to prostitution. She was very young then and although she did not really want what was happening, she thought she had no other choice.

Elisa

Having ran away from her family at sixteen to explore better opportunities in the big city, despite not having any relative there, Elisa easily ventured into prostitution with her friend. Pregnant during that time, she was even more motivated to continue for the offspring, but she had a miscarriage. She had transferred in various bars and she stayed in that situation for a long time, even after having other children.

5. How they became a mother

Alison

Alison got pregnant at the age of 16 and while she is biologically entitled as a mother, she still is not at that time. According to the Maternal Thinking theory, being a mother is so much more than being pregnant. She attempted to get rid of the baby while it is still in her womb but failed to do so. She started to act as a mother when she met the man who accepted her and the child in their family. Alison was pregnant and prostituted at the same time.

Josephine

After spending years being prostituted, she decided to settle with an ordinary man, and that was when she finally convinced herself that she can do better than being prostituted. They had two children and she was left home to be a homemaker and mother while the husband work overseas.

Elisa

She got pregnant as a teenager but experienced miscarriage. Though her friends are advising her to give up the baby in the womb (first born), she would strive even harder for the sake of the child. As a matter of fact, she had always been excited to see her babies come out of the womb and flourish. Her concern and love for the babies in the womb exemplifies her being a mother. Hence, even when she was being prostituted and pregnant for the first time, she already was and ready to be a mother. She has five children now from four different fathers.

B. Motherhood and Maternal Practices

Alison

She became pregnant and prostituted at 16. Inside the bar where she worked, she would drink and smoke with her customers. She never consulted an OB Gyne, nor was she conscious of her food intake. She stopped working only two days before her child was born. She tried breastfeeding but her body could not handle it. Most of the maternal work would come from the mother of Alison's partner. Alison was not the one who taught the child how to walk, talk, play, and study. What Alison taught him were various narratives and virtues such as honesty and obedience.

Josephine

For families with only one parent present, Arevalo, Toloza & Nicolas (1997) found that children are more attached to the parent who is left behind. Josephine's husband was away while their children are growing and so, they were closer to her.

The first child has some developmental problems and Josephine alone cannot help him. The child used to have a therapist but when his father died, Josephine decided to stop the medication due to financial reasons. Josephine also breastfed, and equipped them with values. Since she cannot provide her children with all of their wants, she became lenient and permissive. That could possibly be one of the reasons why her second born became pregnant at 19.

Elisa

Elisa still worked at the bar and in the streets even while pregnant. She had five children, all from different men. The second child was the only one who received prenatal care, and the only one whom was brought to the hospital for check-ups. She was not physically able to attend to her children's growing needs as her firstborn was taken by her Mom while the rest were tended by a nanny while she was being prostituted.

She also has a tendency of hitting her kids as a form of punishment every time they were naughty. One of the lessons that CATW-AP taught is that having been oppressed by people numerous times, they would want to hurt someone smaller than them, often their children (Enriquez, 2012).

Elisa only learned about the rights of children when she entered CATW-AP, and she stopped hurting her children thereafter. Elisa showed the greatest extent of parental worry among the three survivors in this sample. She would advise her children to not easily believe anyone, and to trust women who wear uniform more than men, and police.

C. Struggles as a Mother

Alison

According to Alison, the hardest part of her being a mother is not always being present in her child's activities. The only thing that she knows about being a mother is the financial aspect. She thought that providing money and other material things would be enough but it really tears her that she doesn't get to be with her son while another woman is there. Furthermore, her own son developed a romantic relationship with her adopted daughter. It's hard for her to see history repeating itself, given her former situation with her cousin.

Josephine

Josephine's first born child is born developmentally-challenged. There is no way that the special child would live a normal life and be accepted in this cruel world. Her other struggles include financial difficulties.

Elisa

According to Elisa, she still has to work in the bar and in the streets even when she was pregnant. That was admittedly one of her struggles. Instead of just resting, she had to attend to the needs of the customers. Her first born child was taken away from her by her mother and it hurts Elisa that she can't watch him grow. She only visits him very occasionally and according to Ruddick, 1989, and Rich, 1995, mothering is related to care-giving and not being capable of giving care to its children is a mother's greatest frustration. Also, Elisa reported to have physically hurt her children. Seeing her children cry because of her is one of the painful things that a mother would feel (Ruddick, 1989).

D. How they view themselves as mothers

Alison

Despite her shortcomings, Alison is very much satisfied in how she raised her boy. He was not breastfed, nor did he experience nourishment when he was in the womb, but he still grew up to be a very successful individual, excelling in his academics and other fields he engages himself into. Seeing her child flourish is a mother's greatest joy.

Josephine

Though Josephine mentioned that she is not satisfied with how she is as a mother, it is very evident from the interview that Josephine seems happy for how she portrayed her role as one. Though she has some various struggles, the positive experiences still tend to outweigh it. The second born may have married and had a child at nineteen but at least unlike Josephine, she isn't prostituted. She is still happy that the child of her daughter can have the chance to be better than them.

Elisa

Elisa hurt her children and it even went to the point where she was reported for child abuse, and she was not able to watch her first born grow but after undergoing various empowerments and counseling programs in CATW-AP, she rose above the situation. She became more caring and loving to her children.

She is now satisfied and happy with her being a mother.

E. Reflection of Society through the women's narratives

Alison

She experienced being sexually harassed by her elder cousin when they were kids. His grandparents were not imbibing values and his cousin's sources of information were school, media, and peers. It is important to note how parental supervision is lacking and the child probably got the gesture from any of the mentioned institutions above.

Alison's family forced her to marry him, a situation called victim-blaming, holding her responsible for the abuse. At the same time, it releases the man who commits violence from the supposed punishment. If her family approved of her verdict to punish the rapist and save her, she wouldn't have run away and be introduced to prostitution.

Josephine

Josephine is a victim of human trafficking. According to Jean Enriquez, the executive director of CATW-AP, trafficking is the way to allow prostitution to happen. Josephine was forced to work in the bar and was not even allowed to go home during the weekends. Besides, according to her, the salary is only partially given to her because the amount that the customers pay are equally divided to the bar owner and the prostituted. Such was also validated by Jean Enriquez, executive director of CATW-AP who said that in such trade, only a quarter will be given to the prostituted woman.

Elisa

Elisa was also sexually harassed by her elder cousin but unlike Josephine who knew what was happening, Elisa didn't know that she was being harassed. She was helpless and according to her, her cousin is a very huge guy while she is very small then so she had no means of protection.

According to Elisa, her cousin got the idea of incest on the local television. There is an evident media planning problem for the TV did not take into

consideration that children would possibly be viewing those and that single mistake destroyed the innocence and/or moral of the boy and negatively affected the Elisa's future.

Just like Josephine, Elisa's experience was an evident case of trafficking. She didn't know where she was about to go and little ladies like her are usually the targets of human trafficking agencies. She was young and she had no other means of living. They used her motivation to go home in their province for her to trade sexual acts for money.

The three former prostituted women were all suffering from poverty. Josephine and Alison were able to reach high school while Elisa was not able to finish elementary. The lives of these women can exemplify as one of the effects of poverty and lack of education. They are products of learned helplessness, being born poor and falling into unfortunate circumstances which led them to their past situation of being victimized into prostitution.

Poverty, lack of education, and the presence of trafficking may be some of the main reasons why women become prostituted but the cause of prostitution itself is the demand from men to buy sex. According to CATW-AP, 2012, the urge of men to demand sex from the industry is not a natural instinct, it is socially imbibed. An evident proof would be those men who raped Elisa and Alison.

The submissive parenting styles of Elisa and Josephine's parents became one of the reasons why they were able to run away from her home without being followed. At almost all times, a mother will inherit its parenting style from its mother, too. Hence, just like Josephine's mother, she became lenient as well. In the end, Josephine's daughter got pregnant at 19. Children of permissive parents usually have no self-discipline.

SUMMARY AND CONCLUSION

How the subjects view themselves as mothers are somehow different from how they portray it. Furthermore, the portrayals of their role as mothers in their children's lives diverge as they mature. Being in their standpoint also proves to be difficult and being a single mother placed a great deal of strain on them.

Elisa and Alison are very much satisfied with how they are as mothers. They recognize their sacrifices for their children and they are happy to know that their children are somehow successful in their own fields. This finding goes hand in hand with the Maternal Thinking theory for it also states that a mother's greatest success is to see its children flourish. The stories of the three women prove that the love of a mother for a child is like nothing else in the world; hence, it remains as one of the greatest power of women against oppression. Motherhood and mothering give women the power to rock the cradle, but they still do not rule the world (Baldo, 2010). Evidently, problems are still there and the three women admitted that they are still not strong enough to direct their children's paths and to simply provide for what they need and want. Hence, the three women still sought help to other people whom they consider as support groups (Convoy Theory). Elisa's mother took care of the first born, and almost similar to that is Alison's case where the family of her previous partner took responsibility in providing the child with a home and a large network of support group. The two women still continued to be prostituted even when they had children and similarly, both of them were not able to physically nurture their children.

Josephine, on the other hand, had already survived prostitution when she became a mother. What went wrong was her inability to handle money and giving more priority to her being a daughter and a sibling than to her being a mother. She resorted to being lenient to cover up for her shortcomings but unfortunately, it led to her daughter's being pregnant and dropping out of school. Similarly, Elisa admitted to be a lenient mother too. However, while showing up a submissive front, she would still worry too much and she has the tendency to follow her children secretly just to see if they are safe. Just like Josephine's daughter, Elisa's became pregnant too. Despite being regretful, both mothers still look at the situation positively. According to Josephine, her grand child is the one who gives her joy and that she and her daughter will strive to make the baby's future bright. Josephine is the only one among the three who isn't satisfied with how she portrayed her role as a mother.

When it comes to their maternal practices, Alison is very hands-on. Despite not being present most of the

times, her son still shows great affection and it could be observed every time he cries when his Mom would travel back to Manila. According to her, she is strict when it comes to her son's social networking activities. Alison also had an adopted child which she loves equally. Her greatest frustration is when her two children got romantically involved which could be attributed to the presence of various programs on local television which promotes sibling love (Enriquez, 2012). Elisa had admittedly hurt her children in the past but through the help of CATW-AP, she learned that children must be loved and protected. Parental worry is very evident in Elisa's and Alison's case but somehow not much observable in Josephine's.

Since they have no other standard, prostituted mothers tend to raise their children according to their parents' practices (Enriquez, 2012). Elisa's parents were submissive, which made her a stricter parent. Josephine's parents were very lenient and so she became lenient, too. Alison, on the other hand, grew up with her grandparents and cousin and almost same situation applies to her children. However, she makes sure that they won't experience harassment and neglect.

It could be concluded that the three women view motherhood and mothering as a hard, yet rewarding role. They may not be very capable and educated enough to rear children but their love for them outweighs their shortcomings, thus, it became the reason for their exit in prostitution. They may be weak to begin with, and had been weakened by various societal, structural, and filial problems but the birth of their own children prove to have been their strength and reason to fight for their right and save more women of their kind.

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A SOCIO ECONOMIC STUDY ON WOMEN MICRO ENTREPRENEURS – WITH SPECIAL REFERENCE TO STREET VENDORS IN KARAIKUDI CITY, TAMIL NADU, INDIA

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Abstract

The women street vendors have occupied the streets, their activities and motivations have remained poorly understood. As the economic melt-down worsens as epitomized by company closures on a mass scale, more and more people find themselves depending on street vending for their livelihoods. Informal businesses in general and street vendors in particular are commonly considered to be typical informal workers who invariably escape compliance with state regulations of their business enterprises. But, what is the nature of street vending in Karaikudi? What are the modalities and operations of street vendors in Karaikudi? What challenges have been brought by street vending? These were the overarching issues addressed in this study.

Keywords: Women, Micro Credit, Street vendors, Empowerment

INTRODUCTION

Marginality is an experience that affects millions of people throughout the world. People who are marginalized have relatively little control over their lives, and the resources available to them. This results in making them handicapped in delving contribution to society. A vicious circle is set up whereby their lack of positive and supportive relationships means that they are prevented from participating in local life, which in turn leads to further isolation. This has a tremendous impact on development of human beings, as well as on society at large. As the objective of development is to create an enabling environment for people to enjoy a productive, healthy, and creative life, it is important to address the issue of marginalization. Development is always broadly conceived in terms of mass participation. Marginalization deprives a large majority of people across the globe from participating in the development. It is a complex problem, and there are many factors that cause marginalization. This complex and serious problem needs to be addressed at the policy level. This project deals with the problems associated with the groups suffering from

marginalization and the ways to reduce them.

Women - Under different economic conditions, and under the influence of specific historical, cultural, legal and religious factors, marginalization is one of the manifestations of gender inequality. In other words, women may be excluded from certain jobs and occupations, incorporated into certain others, and marginalized in others. In general they are always marginalized relative to men, in every country and culture. Women (or, men) don't present a homogeneous category where members have common interests, abilities, or practices. Women belonging to lower classes, lower castes, illiterate, and the poorest regions have different levels of marginalization than their better off counterparts.

Street Vendors

Street vendors are the most visible section of the informal economy. Street vending as a profession has been in existence in India since times immemorial. In cities of Tamil Nadu, the large numbers of urban poor survive by working in the informal sector. Poverty and lack of gainful employment in the rural areas of Tamil Nadu and in the smaller towns drive large

numbers of people to the capital city for work and livelihood. These people generally possess low skills and lack the level of education required for the better paid jobs in the organized sector. Besides, permanent protected jobs in the organized sector are very low in Tamil Nadu; hence even those having the requisite skills are unable to find proper employment. For these people, hawking/street vending is one of the means of earning a livelihood, as it requires minor financial input and the skills involved are low and also no entry level barriers in this job.

Street vendors have been defined in the National Policy of Urban Street vendors, 2004 by Govt. of India "A street vendor is broadly defined as a person who offers goods for sale to the public without having a permanent built up structure but with a temporary static structure or mobile stall (or head load). Street vendors may be stationary by occupying space on the pavements or other public/private areas, or may be mobile in the sense that they move from place to place carrying their wares on push carts or in cycles or baskets on their heads, or may sell their wares in moving trains, bus etc. In this policy document, the term urban vendor is inclusive of both traders and service providers, stationary as well as mobile vendors.

Women are almost half the adult population. They contribute two third of the world's working hours and yet earn only 1% of the world's property. In developing countries the reality of most women is that they are compelled by poverty to seek and income, either as the sole earner of the family or to supplement income of the family. Globalization is causing shrinking of the organized sector accompanied by the expansion of informal sector. Economic opportunities created by the liberalization are highly unequal. Those who are skilled, have access to market, have better links, have been able to benefit, for women of upper class, the quality as well as opportunities for employment have improved. But for most women workers however, the quality of employment is poor without any skill or access. The rise of female participation in the informal sector is more due to economic compulsion than any change in work ethos. In a labor surplus economy like India's with low employment avenues and increasing cost of living females have been increasingly pushed into labor market. In the informal sector in urban areas

where women are not generally engaged in agriculture, they are engaged as weavers, vendors, constructional laborers, domestic servants etc. As defined by ILO in 1991, the term „informal sector“ refers to very small scale units producing and distributing goods and services consisting largely of independent self-employed producers in urban areas of developing countries some whom also employ family labour or a few hired workers or apprentices, which operate with very little capital or none at all, which utilizes low level of technique and skill, which therefore operate at a low level of productivity which generally provide very low irregular income and highly unstable employment to those who work in it. It is informal in the sense that they are for the most part unregulated and unrecorded in official statistics. They tend to have little or no access to labour markets, to credit institution, to formal education and training institution or to many public services and amenities.

They are not recognized, supported and regulated by the government, they are often compelled by circumstances to operate outside the law and even when they are registered and respect aspects of laws they are almost invariably beyond the pale of second protection, labour legislation and protective measures at work place. Informal sector producers and workers are generally unorganized and in most cases beyond the scope of action of trade union and employers organization and they generally live in appalling, often dangerous and unhealthy condition even without basic sanitary facilities in the shanty towns of urban areas The workers of the informal sector work as piece workers, self-employed workers, paid workers in the informal enterprises, unpaid workers in family business, casual workers without fixed employer and sub-contract workers linked to the formal enterprises. Vendors are self employed workers. According to Mukhopadhyay, „the boundary of the informal sector is obtained by the standard exclusion principle, i.e., what does the sphere of formal sector not covered is informal sector. The sector includes petty self-employed small units, of factory production employing 7-10 persons, shops and other establishments. Thus entire sector is a heterogeneous mix in which workers are not protected by labor legislation rules. People migrate from rural subsistence sector to the urban commercial sectors. The holding sector is in actual practice the

urban traditional or unorganized sector, which absorbs the rural migrants initially in what are called the informal economic activities such as hawking, pedaling, retailing of consumer goods, working in household repair shops, carrying head loads, pushing carts, plying manual rickshaw and so on. However, by its very nature this sector offers insecure jobs and low wages or returns". According to Harold Lubell the informal sector constitute the residual labor market of the last resort, characterized by self-employment and low income producers of marginal goods for lack of any other means of earning a livelihood. It is also identified as a reservoir of traditional and modern skills, which can be made productive, if effective demand is created for them. Based on the nature of their activity, vendors, so called petty traders can be categorized as „street vendors“, „small petty vendors“ and „petty vendors“. Petty vendors have fixed space with proper shelter for conducting their trade which in turn allows them to invest more. Small petty vendors conduct the trade at a fixed space but without proper shelter. Street vendors carry their activity moving around the streets either carrying head loads or by using a push cart. In the towns of sivagangai district only small petty vendors are seen.

Working Pattern of the women Street Vendors:

Karaikudi town is one of the famous in Tamil Nadu. Most of the Street Vendors are selling the goods like Fruits and Vegetables, Foods, Nuts, Steel, Plastic, Flowers and etc. They have a pattern of selling the goods so to say, in sitting position, bicycle, trolley, walking, sales setting of open places, road side, and door to door. They sell their goods; take the time of 12 or 14 hours per day (8AM- 9PM). In this working time vendors are facing many problems from the public and some police personnel. Their working area is not protected from the harmful weather conditions like heat, rain, dust and lack of storage facilities. So their physical condition severely and causes many disease like body heat, some pimples in body, skin allergic, dust allergic and various psychological problems. Problem Faced by Street Vendors: The Street Vendors are the most internal working section of the human society. But they are facing lot of problems. Following are the troubles. Harassment by Police and Local government: Some of the police man is daily collecting the money from the Street Vendors (Rs.10-20). They buy goods from them as

free of cost, and then monthly booked in 2 illegal patty cases. Police man utters bad words to them. Trading sites too small: The Street Vendors are occupied the small place and they are using some different equipments (transitory). And government announces the tender notifications but they are not interested in participating in the tenders. Problems with site allocation systems: They have no particular site for vending area. So some vendors occupy their area in early morning and it leads to quarrel between the vendors. Sometimes these problems have been taken to the court.

Lack of facilities (e.g. shelters, storage): Hawkers are not having a permanent place. They move one place to another place, so they are not using cold storage and some safety equipments (umbrella, water and etc...).

Lack of access to credit: The vendors are not able to invest lot of money (capital) for their business, because they have no enough income. This is the very difficult for their future savings.

Lack of (business) skills and education: Every human being is capable in doing work with their skill. Some vendors are entering newly in this work, because they have shy and people are not interested in buying their goods. Some vendors are not educated (below 5th standard), so they loss their money in (some people cheating their goods) business.

Occupational Health and Safety for Street Vendors

Working outside, street vendors and their goods are exposed to strong sun, heavy rains and extreme heat or cold. Unless they work in markets, most don't have shelter or running water and toilets near their workplace. Inadequate access to clean water is a major concern of prepared food vendors. Street vendors face other routine occupational hazards. Many lift and haul heavy loads of goods to and from their point of sale. Market vendors are exposed to physical risk due to a lack of proper fire safety equipment, and street vendors are exposed to injury from the improper regulation of traffic in commercial areas.

Micro Entrepreneurs

- Micro enterprise is an effective instrument of social and economic development.
- The micro finance is agenda for empowering poor women.
- Rural women's participation in agro-based activities

This is mainly due to the fact that most of the work done by the women at farm and home is unseen as daily tasks. Automation and easy availability of labour provide more time to energetic women to engage themselves in self-employment or entrepreneur ventures.

- Micro enterprise and small business has always played a significant role in the economic development of a Country.
- Its role might not have been as amazing as that of the large corporation involving the employment of vast physical, financial and human resources.
- However, the collective impact of the multitude of micro enterprises has been great, particularly in the area of job creation.
- Women entrepreneurs' play an important role in local economies and a large percentage of micro-enterprises in developing countries are undertaken by women.
- In developing country like India where economic status of women is very weak especially in rural areas and opportunities of earning are very less in this scenario the Self Help Groups (SHGs) have covered the way for economic independence of rural women.

Women have provided to be good entrepreneurs for the following reasons:-

- Economic independence.
- Establishing own credit idea.
- Social Identity.
- Achievement of excellence.
- Confidence.
- Status in society.

- Greater freedom and mobility.

Challenges faced by Women Street Vendors

- Street Vendors faces many problems as they are vulnerable population, who are neither protected by government, NGOs, labour union nor by any labour law. They are deprived by laws made by government in respect of labour union.
- The street vendors always suffer competition with other street vendors because of fluctuation in market prices, insecure and irregular employment. Their incomes are often minimal and their sales fluctuate. Another reason for decrease in income of street vendors is that they are forced to pay 15 to 20 percent of their daily income as bribes to local police.
- Street vendors are usually associated with encroachment of public spaces, causes traffic congestion, inadequate hygiene, and poor waste disposal. Safety of food has been increasingly become a concern in regard to street vendors. No Government agency is authorized to verify the content of food as they are not regulated by any government agency.
- The government does not recognize the contribution of street hawkers towards economic and social well-being of urban population. They survive without government support. But lately, government has passed "Street Vendors Bill 2013", which protects the rights of street vendors.
- Negative impact of online shopping on retailers and street vendors- Online shopping is a form of electronic commerce whereby consumers directly buy goods or services from a seller over the internet without an intermediary service. Online shopping has become the trend and the new mode of purchasing. There are around 1000s of online marketing enterprises selling cosmetics, clothes, shoes, accessories, vitamin supplements, etc. literally the entire range of consumer items. The trend is very clear; retail shop demand will fall and

even shrunk. Online shopping is indeed having an adverse impact on the retail sector.

- Uncertainty and insecurity: The basic problems of women street vendors is insecurity and uncertainty as their profession is considered illegal, but according to government of India assessment done in 2004 shows around 2.5% of local poor urban population survive by working in this occupation. If government provide license to street vendors, they can be protected by harassment and eviction by local authorities and local police.
- Another important aspect of challenges of women street vendor is being a women they become the victim of the crimes like eve teasing, sexual harassment, rape, human trafficking .

Vital Contributors to Urban Economies

Street vendors are an integral part of urban economies around the world, offering easy access to a wide range of goods and services in public spaces. They sell everything from fresh vegetables to prepared foods, from building materials to garments and crafts, from consumer electronics to auto repairs to haircuts.

Contributions

- The Informal Economy Monitoring Study (IEMS) revealed ways in which street vendors in five cities strengthen their communities:
- Most street vendors provide the main source of income for their households, bringing food to their families and paying school fees for their children.
- These informal workers have strong linkages to the formal economy. Over half the IEMS sample said they source the goods they sell from formal enterprises. Many customers work in formal jobs.
- Many vendors try to keep the streets clean and safe for their customers and provide them with friendly personal service.
- Street vendors create jobs, not only for themselves but for porters, security

guards, transport operators, storage providers, and others.

- Many generate revenue for cities through payments for licenses and permits, fees and fines, and certain kinds of taxes. This was true of two thirds of street vendors in the IEMS sample.

Street trade also adds vibrancy to urban life and in many places is considered a cornerstone of historical and cultural heritage. Yet street vendors face many challenges, are often overlooked as economic agents and unlike other businesses, are hindered rather than helped by municipal policies and practices.

Women as Street Vendors: Where, Why, and How?

Poor women in particular have always had to work; in many cities around the world, they work as street vendors and formal traders. They are rarely included in a country's labor statistics because they are far more likely to be working in the informal rather than the formal sector (and thus are not "counted" among the employed or economically active). Faced with a paucity of statistics on street vendors in general, and women hawkers in particular, it is difficult to quantify with any precision the extent of female participation. Street vending is one of the few readily accessible avenues of employment open to women who need to earn a living. The low cost of entry into many types of hawking and vending as well as schedule flexibility is an attractive factor for some women.

Role of Women Street Vendors in India

Women street vendors play very important role in India by generating employment and income opportunities. They sell different kinds of goods like clothes and hosiery, leather, molded plastic goods and different kinds of goods necessary for household, which are manufactured in small scale or home based industries .Street vendors provide the market for home based manufactured products as well as agricultural product . Eleven major arguments in support of street vending:

- Street vending contributes directly to overall level of economic activity and to the provisions of goods and services.

- Citizens have constitutional right to choose their occupation and to engage in entrepreneurial activities.
- . Street vending is an actual or potential source of government tax revenues.
- Street vending serves as a social safety-net.
- Street vending is a laboratory for entrepreneurship, family business and social interactions.
- Street vending provides entrepreneurial opportunities to people who cannot afford to buy or rent fixed premises.
- Street vending greatly expand the range of places and times where goods and services can be provided, and sometimes they also offers goods and services which are not available in off-street locations.
- . Street vending brings life to dull street.
- Because of its low capital requirements and its potential mobility, street vending is a very effective way to cater for seasonal, sporadic and special demands.
- Street vending offers its workers considerable flexibility in working hours and levels of activity.

REVIEW OF LITERATURE

Brata Aloysius Gunadi : Conducted a study focusing on the vulnerability of Street Vendors in Java since the time when Java was hit severely by the economic crisis in 1997/1998, which also had reversed the trend of economic formalization in Indonesia. This aspire, a survey was conducted Yogyakarta and Sleman districts in Yogyakarta Special district and 122 Street Vendors in several streets in both areas. These samples consist of three groups of Street Vendors: food seller, non-food seller, and services providers. Based on this survey, vulnerability guide of Street Vendors is measured. The study found that most of Street Vendors in Yogyakarta experience vulnerability at the medium level. In general, vulnerability of food seller vendors is higher than other vendors. Vulnerability also varies across the locations of vending. **Debdulal Saha** : Studied the street vendors in terms of their decent

work and emphasized that the role of organization /union in providing them the decent work culture. The researcher has taken 200 sample respondents for this study. This study aims at presenting that the street vendors mainly depend on money lenders for their economic and social security purposes. The hawkers take money from the money lenders at the interest of 5- 10 percent and it is mainly used for their social security purposes than the economic activities. They final fell into the trap of debt. This study reveals that they work for 14-18 hours a day. There is no safety for the street vendors in their work place. They have to face severe harassment form the local authority like police and Municipal Corporation. The study also discloses the fact that many trade unions and organization are there to help the hawkers but the number of these organizations is very few in number.

RESEARCH METHODOLOGY

Statement of the Problem

The women street vendors have occupied the streets, their activities and motivations have remained poorly understood. As the economic melt-down worsens as epitomize by company closures on a mass scale, more and more people find themselves depending on street vending for their livelihoods. Informal businesses in general and street vendors in particular are commonly considered to be typical informal workers who invariably escape compliance with state regulations of their business enterprises. But, what is the nature of street vending in Karaikudi ? What are the modalities and operations of street vendors in Karaikudi? What challenges have been brought by street vending? These were the overarching issues addressed in this study.

OBJECTIVE OF THE STUDY

- To understand the Socio-Economic conditions of women street vendors.
- To study the moralities and operation of Street Vendors
- To analysis the problems of women street vendors
- To initiate a State Level Law or Policy for street vendors so that they can be accommodated and their positive

contributions to urban development are recognized.

Sampling Procedure: This study is mainly based on a primary survey, and therefore, the socio-demographic and economic profiles of 50 individual women street vendors are discussed. Their financial ease of understanding is also survey. The gratitude of the street vendors is then analysed, and their working conditions in terms of safety and security at the workplace are discussed. Social network has an important role to play in street vending, which has been explained thereafter. The researcher adopted purposive sampling method used.

Area of Study: Karaikudi

Tools for Data Collection: Interview Schedule

MAJOR FINDINGS

- In the study area majority of the respondents belonged to age group 40 - 50
- The education level is relatively very low among the women street vendors when it is compared with the literacy rate of Tamil Nadu
- All the street vendors are facing harassments in the study area.
- In the study area varied activities of street vending are taking place. Vegetable selling is done by major street vendors followed by fruit selling. Researcher finds more than 50 per cent of street vendors sell fruits and vegetables.
- In the study area almost 90 per cent of the streets vendors belong to the backward and the most backward communities.
- In the study area almost 89 per cent of the street vendors are married.
- Majority (71.3 per cent) of the street vendors feel the prices of the essential supplies are very high and upsetting. This is the major reason that leads to less use and less economic welfare.
- Majority (55.7 per cent) street vendors feel happy with the performance of Karaikudi

Corporation, the State Government of Tamil Nadu and the Union Government

- Analyzing the relationship of the street vendors with other religious communities, 71.3 per cent of the street vendors feel it is cordial.
- In the study area only 46.7 percent of the street vendors get Rs.4000/- Rs. 6000 as their monthly income. The average annual income of India is Rs.5,0000.
- With regard to the monthly expenditure of the street vendors it is observed that they spend low on various requirements. Since expenditure is a crucial factor of economic welfare the lower expenditure leads to low consumption, lower welfare and low standard of living.
- In the study area almost all the street vendors borrow from others according to their capabilities. They lead their life only with borrowing. This shows their inability to come out of the clutches of money lenders and bankers.
- The awareness level is very high on the government schemes on smart card and free medical insurance cover among the street vendors in the study area.
- Referring equal status for women almost 64.3 per cent of the street vendors stand neutral. This shows a major portion of the street vendors are slowly on improving the status of women.
- With regard to the opinion of the street vendors, they prefer the stars of Kamal, Rajihi, Shivaji and MGR in mostly. Since 1960, Tamil Nadu politics is fully influenced by the film heroes. The politics in Tamil Nadu and the film industry are indivisible.
- Many of the street vendors like the family subject stories to view as an entertainment. This shows the strong sentiment on the family system prevailing in the study area.
- Majority of the (78 per cent) street vendors are not getting any assistance from Non-Governmental Organizations (NGOs).

This show the street vendors are not in the focus of the NGOs.

- Majority of the respondents joining SHGs.
- Majority (71.3 per cent) of the street vendors feel the prices of the essential supplies are very high and upsetting. This is the major reason that leads to less use and less economic welfare.

CONCLUSION

It is observed that women in micro enterprises are assuming such vocation primarily out of economic necessity which has been discovered in the negative dependency ratio of these women and families. These women are not severely entrepreneurs as they do not take much risk by neither bringing vast capital wait for returns for a long period. Encouraging the women and their families to help these women to expand their scale of operations by upgrading the skills, diverting and addressing to newly emerging marketing needs, adopting innovative strategies to improve their scale of operation is necessary to make themselves survive in the competitive market. Women entrepreneurs can play a role of means in social and economic development of country like India. They faced many obstacles specifically in finance and marketing of their produce. Micro finance is playing a vital role in the success of Women Street vendors; particularly the entry of rural women in micro enterprises will be encouraged and motivated. Women can do wonder by their effective and skilled involvement in entrepreneurial activities. The women are having basic indigenous knowledge, skill, likely and resources to establish and manage enterprise

SUGGESTIONS

- To improve the education, health and employment conditions of the street women vendors in Karaikudi.
- The government can create a separate ministry or a special cell under the Ministry of Labour to look after the welfare of the workers in the unorganized sector under which the street vending falls.

- The government can assist them financially for their business activities at free rate of interest. And government can extend the subsidy to the street vendors, especially for vending perishable items.

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THE PROTECTION OF WOMEN UNDER LAW AND RELIGION: AN ANALYSIS

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Abstract

All human beings are born free and equal in dignity. Women like men should also feel safe and secure on the face of this earth. The claim of a country to civilization depends upon its treatment provided to the women in their different roles like mother, daughter, sister and wife. The most certain test by which we may judge whether a country is really free is also the amount of security provided to the women in the society. Since men and women are considered as two wheels of vehicles of a society, the progress and all round development of a country depends upon harmonizing the skills and abilities of all sections of society regardless of caste, creed, religion and sex. History knows that in spite of religious sanctions and legal provisions, women have been discriminated for ages and they have not been given equal opportunities in many social, economic and cultural spheres, rather they have been victim of violence, exploitation and discrimination. The modern age is the age of transformation in the status of women all over the world. Women struggled towards new freedom and identities. Hence the consciousness among women increased leading to organization and global conferences and movement to modernization. Inseparable from the right is their guarantee-legal and political. Legal guarantee lies in the international conventions, declarations and constitutions. Political guarantee lies in the structure of the state which includes political parties and its electoral system. Another aspect of protection is the religious protection which has been used and misused from time to time. In this background the purpose of this paper is to discuss the different international conventions and constitutional provisions pertaining to the protection of women. Religious provisions particularly the Islamic law in books and practice will also be analyzed.

Keywords: Conventions, legal provision, religious norms, mindset and will of the authority

INTRODUCTION

Gender inequality exists all over the world, with different effects in different religions. These differences are primarily due to cultural legacies, historical development, geographic location and the religious norms which predominate in society.ⁱ The status of women in society is an outcome of the interpretation of religious texts and of cultural and institutional set-up of religious communities. The role of religion varies across time and space. In the history of religions, the voice of women is rarely heard due to the patriarchal dispositions of societies in which these religions emerged, which eventually shifted some of the changes in the status of women triggered by these new religions.

All the religions of the world agree on the respect for women and their crucial role in family life, especially with emphasis on women as mothers and wives. They do not; however advocate emancipation in the sense of total equality with men.ⁱⁱ Male and female roles are therefore much differentiated and also unbalanced in the world religions. The influence of women on the formation of religious norms and traditions is small.ⁱⁱⁱ

STATUS OF WOMEN UNDER DIFFERENT RELIGIONS

Romans and women

Roman family was based on the paternal power or patria potestas. The head of the family was its sole representative, and he alone had any *locus standi* in the Councils of State. A daughter after marriage

became subject to a different authority. Legally she ceased to be a member of her father's hearth, and therefore no legal relationship existed between them and their grandfather's family.^{iv} Thus the status of Roman women may be summarized as under:

- a. No women could be without guardian.
- b. No marriage could take place without consent of the father.
- c. In early times a father could even kill his son or daughter for disobedience or misconduct.
- d. She became her husband's property, being sold and conveyed in much the same manner as goods were sold and delivered.
- e. The husband could kill his wife for misconduct and adultery.
- f. The wife's property passed to the husband on marriage.
- g. No civil or public office could be held by women.
- i. She could not adopt, nor could she be a surety or a tutor.

Such was the status of women as given by historians in an Empire which is considered to have been the most magnificent and civilized, and from which modern Europe has adopted many laws and is proud of having done so.^v

Status of women in Greece

The position of women in Greece was about the same, if not worse. The custom of selling daughters in marriage was general. The superiority of man over women was vehemently asserted on all sides. The Greek recognized two distinct orders of womanhood. Firstly the duty of wife was fidelity to her husband and secondly, there was mistress who subsisted by her fugitive attachments. Their movement in public was restricted. Lecky says that after the age of Plutarch the position of virtuous women was very low one. In case of inheritance, her male relations were preferred to her. Euripides, the great dramatist, puts in to the mouth his media the remark that "Women are impotent for good, but clever contrivers of all evil."^{vi} In Sparta such women as could not be

expected to give birth to healthy children were often destroyed by order of the State, with the result the proportion of women to men decreased to such an extent that one wife had several husbands. It was also ordered, says Lecky, that the old or infirm husbands should cede their young wives to a stranger man who could produce vigorous soldiers for the state.^{vii}

JUDAISM AND WOMEN

The women occupied a very inferior status in Hebrew society. "The Hebrew represented women as the source of evil and death on earth", "of the women came the beginning of sin, and through her we all die."^{viii} Lecky says: "-----the custom of purchase -money to the father of the bride was admitted. Polygamy was authorized and practiced by the wisest men on an enormous scale. A women was regarded as the origin of human ills"^{ix}

"By the Jewish law," says Howard, "as it still existed at the dawn of the present era, divorce was the one sided privileges of man". Polygamy among Jews continued right up to the twelfth century. The prohibition on polygamy by the end of 12th century was attached with Jews living in Germany and Northern France; later on it was successfully adopted in all European countries. Nevertheless the Jewish Marriage Code retained many provisions which originated at the time when polygamy was still legally in existence.^x

The Jewish law of inheritance gives a restricted right of inheritance to women. She was not accepted as heir to her father in the presence of brother^{xi} Daughters were entitled to inheritance if she had no brother^{xii}

CHRISTIANITY AND WOMEN

Women under Christianity also find the deep injustice. The present status of women in Christian countries in the West has not been achieved by Christian reformer, but by social and political thinkers.

The story of the fall of man as given in the Bible:

“And I will put enmity between thee (man) and the women-----it shall bruise the head, and thou shall bruise his heel,”^{xiii}

“Unto the women He said, I will greatly multiply thy sorrow and thy conception; in sorrow thou shall bring forth children, and they desire shall be thy husband, and he shall rule over thee.”^{xiv}

The Bible again says, discussing the relative importance of sexes:

“For the man is not of the women, but the women of the man,”^{xv}

“Neither was the man created for the women, but the women for the man,”^{xvi}

In the First Epistle of Paul and Apostle the Timothy we again find the following:

“Let the women learn in silence with all subjection,”^{xvii}

“But suffer not women to teach, nor to usurp authority over the man, but to be in silence”^{xviii}

“And Adam was not deceived, but the woman being deceived was in the transgression,”^{xix}

Women is here made the scapegoat for her as well as Adam's sin. But for Eve, Adam would not have been banished from the Garden of Eden (Jannah) nor would there have been any necessity for the subsequent “Crucifixion of Jesus Christ.

Here there is difference between the notions understood in the Bible and the Holy Quran. In the Quran the fall of man was due not solely to the weakness of Eve, but to the weakness of both Adam and Eve. Both were transgressors, and both suffered.

Westermarck, commenting on the above expressions says, “you (woman) are the Devil's gate way; you are the first deserter of the divine law, you are she who persuaded him whom the Devil was not valiant enough to attack; you destroyed so easily God's

image, Man. Your desert----- that is, death----- -----even son of God had to die.”^{xx}

Lecky agreeing with Westermarck on the above line of thinking holds that women were forbidden by a Provincial Council (A.D. 578) in the sixth century on account of their impurity, to receive the Eucharist into their naked hands. Their subordinate position was continually maintained.

The religion which claim today to be Christianity is not the religion taught by the NAZARENE. Jesus had the profoundest respect and love for his mother, the Mary. Christ a model man never disregarded women. It is their disciples and those that came after him as servant and saints of church did degrade women and denied to her rightful place in society. Her emancipation in the West has been achieved by courageous social reformers.

Legal status of women and the west

The complete inferiority of the sex was continually maintained by the law. Girls were deprived of the right of inheritance of their father. Wherever the common law has been the basis of legislation the interest of wives and daughters were sacrificed till the close of the last century.^{xxi}

In England up till the 1883 as a general rule a married women contract was void though with certain exceptions a married woman could make a contract but she could not sue or be sued upon it apart from her husband. The married women's Property Acts of 1870 and 1874 enabled them to sue for such property and gave them all remedies.^{xxii}

The married women's Property Act 1880 provided additional rights to the women to acquire hold and dispose of property, real and personal possession, reversion or remainder, vested or contingent held by women.

Women's liability for torts

Under old common law a husband could be sued for torts committed by his wife. Now plaintiff has option to sue the wife separately if she has separate property or to sue jointly to the husband and the wife together.^{xxiii}

Polygamy and Christianity

Amir Ali writes that there is no intrinsic immorality or sinfulness in plurality of wives. St. Augustine, the Father of the Christian Church declared that polygamy is not a crime where it is a legal institution of a country, and the German reformers allowed and declared valid taking of a second or even a third wife, contemporaneously with the first, in default of issue or any other cause.^{xxiv} The Emperor Valentine II, by an Edict mentions that all the subjects of the Empire to marry several wives. Milton, the great English poet also narrates about practice of polygamy^{xxv}

The Bible^{xxvi} also admits polygamy:

“If he take him another wife, her food, her raiment, and her duty of marriage shall be not diminish”

Divorce and Christianity

The Protestants say “Yes” but the Roman Catholics asserts “No”

Milton called divorce “A law of moral equity, a pure moral economical law so clear in nature and reason that it was left to a man’s own arbitration to be determined life of perpetual misery, and if young, to have recourse to immorality which is hurtful to the home, the church and the State.”^{xxvii}

Pre-Islamic status of women

As the sun of Islam rose above the azure horizon of this world, the world was divided in two groups: The first group consisted of the civilized nations, such as Roman Empire, the Persian Empire and other nations such as Egypt, Abyssinia, India and China. In these societies, women were the same as captives- they were completely deprived of autonomy and the general privilege of society.

The position of women under pre-Islamic Arabia may be summarized as under:

1. Unlimited polygamy prevailed
2. A man might marry as many as many wives as he could maintain.
3. Husband could repudiate the marriage at his will.
4. A widow was an integral part of heritage of husband.

5. Marriage between step-sons and mother in law were permissible and branded as Nikah-ul-Makht (shameful)
6. Polyandry was practiced by the half-Jewish, half- Sabeen tribes of Yamen,xxviii

The consent of women was not necessary in marriage. Widow by death of her husband was divided among heirs of husband like goods. Unrestricted polygamy sanctioned by usage was universally prevalent throughout Arab. Slave girl was in practice. The men of Magian religion could marry their own daughters and sisters. The word Talaq was in use. The practice of pronouncing Talaq many time and taking back in marriage was in use. Women were not free after Talaq until her husband let her free. Women among Arabs had no corresponding right to release herself from marriage bond.^{xxix} The eagerness to have son and disregarded status of women an Arab father regarded the birth of a daughter as a calamity^{xxx}. They used to bury their daughters alive as soon as born.^{xxxi} In case of succession, customary laws of heathen where females and minors were excluded daughters, wives, sisters and mother but maintenance she could claim.^{xxxii}

ISLAM AND WOMEN

“And We said: O Adam! Dwell you and your wife in the garden to depart from it a plenteous (food) wherever you wish, and do not approach this tree, for then you will be of the unjust,”^{xxxiii}

“Then he(devil) caused them to fall by deceit, so when they tasted of the tree, their evil inclinations became manifest to them and they both began to cover themselves with the leaves of the garden, and their Lord called out to them: Did I not forbid you both from that tree and say to you that the devil is your open enemy?”^{xxxiv}

The above description contradict the story that it was Eve, and Eve alone, who was responsible for the banishment of Adam and Eve from the Garden of Eden and only Eve committed sin.

Both crave forgiveness of the Almighty. “They said: Our Lord! We have been unjust to ourselves, and if

Thou forgive us not, and have (not) mercy on us we shall certainly be of the losers.”^{xxxv}

Therefore we find that in one stroke Islam banished the stigma from women that she is man's eternal seducer and tempter. Both men and women are liable to err and make mistake.

Treatment with women

The Quran condemns the practice of slaying girl-infants in the words: “And when the buried infant shall be asked for what sin she was slain.”^{xxxvi}

The holy Quran warns men against ill-treatment of women:

“O You who believe! It is not lawful for you that you should take women as heritage against (their) will; and treat them kindly; then if you hate them, it may be that you dislike a thing while Allah has placed abundant good in it.”^{xxxvii}

The Quran provides severe punishment for accusing unmarried women. The Quran says:

“ And those who accuse free women, then do not bring four witnesses, flog them (giving) eighty stripes, and do not admit any evidence from them ever; and these it is that are the transgressors,”^{xxxviii}

False accusation to wife and husband bears severe punishment like dissolution of marriage. If husband or the wife accuses the other of infidelity but cannot produce evidence in proof of lies or her allegation, in such cases a divorce is effected as neither party is punishable for the act. If the husband accuses his wife of infidelity the wife may claim divorce by a suit.^{xxxix}

Marriage under Islamic law should be with free consent of the woman. Amir Ali quoting Hidayat, says: “It is not lawful for a guardian to force an adult virgin into marriage. None, not even a father, nor the Sovereign, can lawfully contract a woman in marriage, who is adult and of sound mind, without her permission whether she be a virgin or not.”^{xl}

Islam and Polygamy

Monogamy in Islam is a rule and polygamy an exception. The Quran says: “that it is more proper that a man have one wife, so that he may not deviate

from the right course.”^{xli} The Quran further says: “that where the husband fears that he cannot do justice to more than one wife, he must not marry more than one woman at the same time.”^{xlii} The number of wives a man can have at the same time is limited to four. Thus Islam restricts the number as during pre-Islamic period a man could have as many wives as he liked. Law cannot be understood in isolation of the society. There is variety of situations which require polygamy to be adopted under exceptional circumstances, not only for the moral but also for the physical welfare of society. Prostitution, the great evil of civilization, is practically unknown to countries where polygamy is allowed as a remedial measure. Thus laws of Islam are practical, they have been framed with a view to meet both the normal and abnormal needs of human society. If you read the Quran, you will find in Sur-e-nisa that a man can marry two, three or four wives, but no more. The subsequent line declares ‘But if you cannot deal equitably and justly with all, you shall marry only one.’ This fact has been aptly narrated by Howard: “It is so among all Mohammedan people, in Asia and Europe, as well as in Africa, ninety-five percent of the Mohammedans of India, for instance are said to be monogamists, and in Persia, it is reported only two percent of the population enjoy the questionable luxury of a plurality of wives.”^{xliii}

Islam and Polyandry

Polyandry never existed in Islamic courtiers. The prohibition is contained in the verse 4:23 which enumerates the class of women forbidden in marriage. It is also unlawful for him to take in marriage one who is already married to another person. Only captive of war can be taken in marriage even though they are married to non Muslim subject to they become Muslim.

Islam and Law of Divorce

The principles of law of divorce in Islam may be summarized as under:

- Islam recognizes the necessity of divorce if the differences between husband and wife are irreconcilable, so that the general happiness of human relations may be maintained.^{xliv}

- Islam does not give unfettered power to the husband to divorce his wife. Various forms of restraint have been placed on the exercise of such power by him.^{xlvi}
- The true spirit of Islam is against the exercise of this power without sufficient cause. The condemnation of easy divorce causes a deterrent effect on society.^{xlvi}
- Islam for the first time in human history provides wife a corresponding right to divorce herself from her husband.^{xlvi}
Here Islam treats women more justly and equitably than other religions. The change in this respect was revolutionary one because so far Arabs regarded women as mere chattels and now the women were given a position equal in all respects to that of man which was previously never recognized by any nation or any reformer.^{xlvi}

Islam and Widow Re Marriage

Islam is the only religion on the face of this earth which for the first time recognized remarriage of widow. In Arab the heirs of the deceased man used to inherit his widows but Islam gave them right to choose her won spouse without interference. The Quran says:

“And those of you who die and leave wives behind, they should keep themselves in waiting for four months and ten days, then there is no blame on you for what they do for themselves in a lawful manner, and Allah is aware of what you do,”^{xlvi}

“And there is no blame on you respecting that which you speak indirectly in the asking of (such) women in marriage or keep (the promise) concealed within your minds _____”^l

Islam and Women’s Right to Property

Islam for the first time in human history talked about property right of women.^{li} It does not give unfettered power of testamentary disposition of one’s property. The rights of heirs are guarded. All valid debts, funeral expenses, widow’s dower, bequests etc. must be paid first before inheritance can be distributed. The rights of females are recognized although their

shares are less than those of males. The reason for this provision may be:

Firstly, men are the chief bread winners and the wealth is generally increased by the efforts of men,

Secondly, women, before marriage are maintained by the father, and after marriage they are maintained and supported by their husbands. Thus their need for wealth generally is less than those of men. On the death of man, his mother, his widow and his daughters all inherit simultaneously. Their shares vary according as to whether the deceased had parents, wife and children or not. Broadly speaking the general policy of Islamic law is to recognize the rights of women to inherit as far as possible.

Islam and Women’s Right to Ownership

The women as per direction of the Quran have right to possess, ownership and dispose of property, self acquired, received in dower debt, maintenance or by inheritance. No one either wife or husband can use or misuse property of the other. The Quran says:

“O you who believe do not devour your property among yourselves falsely, except that it be by trading by your mutual consent, and do not kill your people; surely Allah is merciful to you,”^{lii}

“And whoever does this aggressively and unjustly, we will soon cast him into fire; and this is easy to Allah,”^{liii}

“And do not covet that by which Allah has made some of you excel others. Men shall have the benefit of what they earn and women shall have the benefit of what they earn; and ask Allah of His grace, surely Allah knows all things,”^{liv}

Abdur Rahim commenting upon the proprietary rights of women under Islam says that under Mohammedan law the husband does not acquire any right to or control over his wife’s property by the fact of marriage. That is to say, a women’s legal capacity is in no way affected by marriage.^{lv} Thus the position of wife and mother has been raised by Islam is clear from the provisions to right to maintenance, dower debt and custody of infant children^{lvi}

Thus Islam views humanity as a superior unit, and men and women as equally human. Even though they are different in their femininity and masculinity, they are not different in their humanity.^{lvii}

HINDUISM AND WOMEN

Social Status

The social status of woman under Hinduism as per the religious text is unpleasant. Her status is very inferior to man. She is to remain under perpetual tutelage of her male relations as long as she lives. She is born to seduce man and lead them astray, and neither even a father is safe from his daughter, nor a son from his mother.^{lviii}

Polygamy and Hinduism

Manu sanctioned polygamy^{lix} and child marriage.^{lx} The British courts in India also accepted that a Hindu may have without restriction any number of wives, and may marry again without consent, or any justification, except his own wish.^{lxi} Widow Remarriage among the high caste Hindus, especially among Brahmins is nonexistent and prohibited. On the other hand, among the lower caste, widows are permitted to remarry.^{lxii} The Brahminical prohibition reached to an extent that a widow was forcibly burned on the funeral pyre along with her husband's body, or if he died at a distance, was burned on a pyre of her own. This practice was prohibited by the Mogul Emperor, Akbar, the great and Lord William Bentinck (1829) who made Satee culpable homicide.^{lxiii} Thus we see that the attitude of Hindu law resembles very much the attitude of the Roman Catholic Church. Both regarded marriage as a sacrament, and holds the union of male and female to be indissoluble.

But it is irony of fact that there is a long gap between precept and practice^{lxiv}. Materialistic approach of men towards philosophy of life have deviated them from the religious norms and teachings.

MODERN LAW AND WOMEN

Generally law cannot be divided according to gender. Whatever law applicable to men is also applicable to women equally. However, some enactments may be intended to exclusively women to uplift the dignity

and status of women in society. In India there are nearly fifty Acts which are applicable to women.

Articles 12 to 35 of the Indian Constitution deal with fundamental rights of the people of India. Article 15 prohibits discrimination on ground of religion, race, cast, sex and place of birth. Article 16 prohibits discrimination in public services on the ground of religion, race caste and sex and place of birth. Articles 14, 19 (1), 21, 21 A, 20, 22, 23, 25 (1) 27, 28 (3) guarantee equal opportunities for women and men equally. Directive Principle of State Policy put man and woman on equal footing in respect of work and payment thereof, means of livelihood, education etc. In pursuance of Directive Principles of State Policy steps have been taken under Article 243, 243 A to 243D and Article 243 P TO 243 Z and part ix and part ix A added to the constitution of India by constitution 73rd and 74th amendment Act 1992 to guarantee political power to the women. Fundamental Duty under Article 51 A (e) provides: "It shall be duty of every citizen of India to promote harmony and the spirit of common brotherhood amongst all the people of India transcending, linguistic and regional or sectional diversities; to renounce practices to the dignity of women.

To make the provisions meaningful a monitoring body, the National Commission for Women has been established but the body lack teeth to bite the erring authority or person in case of exploitation of women. Most of the members including chairman are nominated by the Central Government and the State Governments. These members are generally associated with the government in power and they always deal the matters keeping in mind the governmental interest rather to protect the interest of women. Its report is not binding on the government.

Family Courts

In 1984 the Family Courts were established to meet the matrimonial dispute separately. In practice a woman has to pass the same ordeal as it happens in civil courts which make the justice denied.

Special Provisions under Evidence Act 1872

Evidence of character or previous sexual experience is not relevant in certain cases.^{lxv} However, where the question of consent is in issue, evidence of the character of the victim or of such person, previous

sexual experience with any person shall not be relevant on the issue of such consent or the quality of consent.

Presumption of abatement to commit suicide by wife is in favour of women. Law presumes that her husband and his relatives abated if wife commits suicide within seven years of the marriage. Similarly presumption in cases of dowry death, legitimacy of child and privileged communication are in favour of women.^{lxvi}

Under Indian Penal Code, 1860

Chapter 16, 20 and 22 of the Indian Penal Code deal with various kinds of offences against women and provides very harsh punishment to the guilty. The offences may be summarized as under:

- Offences affecting human body (S. 100),
- Causing death of women by any burns or bodily injury within seven years of marriage. (S. 304 B),
- Cruelty by husband or relatives of husband (S. 498 A),
- Causing miscarriage without women's consent, (S. 313),
- Voluntarily throwing or attempting to through acid on women, (S. 326 B),
- Outraging the modesty of women is punishable, (S. 354),
- Sexual harassment of women is punishable, (S.354 A, 354 B and 354C)

Sections 360, 363, 364 A, 366 B, 370 deal with trafficking of person. Section 375 and 376 applies to rape and section 376D deals with gang rape. Section 494,497 deal with bigamy and adultery respectively. Besides the above provisions following special laws have been framed to protect the women against the crime against their body and reputation:

- The Protection of Children from Sexual Offences Act. 2012,
- The Protection of Women from Domestic Violence Act. 2005,
- Controlling the Misuse of the Pre-natal Diagnostic Techniques 1994,

- The Indecent Representation of Women (Prohibition) Act 1986,
- The Commission of Sati (Prevention) Act 1987
- Immoral Traffic Prevention Act 1956
- Dowry Prohibition Act 1961
- Welfare and safety of women in the Factories Act. 1948,
- Equal Remuneration Act 1976 (in pursuance of Art. 39 of the Constitution of India)

Making law to sing with the tune of international community is as easy job, but making women to realize that they are safe and secure at the national level is a herculean task which require will of the society, character, mindset and culture of the persons implementing the provisions. Bombardment of unrestricted electronic media with vulgar scenes pertaining to women exposing their body leading to develop lust in teenagers and age-old men have made the women more prone to abuse and exploitation.^{lxvii} The case of exploitation of women reached 2074 in 2013 from 1316 in 2012 and the rape cases increased to 288% from 2003 to 2013. Can the law protect the women at home? Who is responsible for such inhuman behavior? A state has to respond these questions first before making bulk of laws. Judiciary is helpless, it can only sort-out readymade solution to the problem that is why it held: "Sex in private is no misconduct"^{lxviii}, and finally the Supreme Court legalized the concept of live- in-relationship. It is irony of fact that the women victim are still waiting to get benefit of 'NIRBHAYA FUND' and the Supreme Court had to ask the Central Government to formulate plan for relief and rehabilitation of rape survivors.^{lxix}

INTERNATINAL LAW AND THE PROTECTION OF WOMEN

The need for protection of women has also been felt at the international level. Following steps have been taken for upliftment of women in the society:

United Nations Charter, 1945 and the Women

Articles 1(3), 8 and 13(1) (b) lay down equality of men and women in the matters of promotion and observation of human rights and fundamental freedoms. In pursuance of the principle of the charter 1945 the ECOSOC established a commission on the status of women in 1946.

The Universal Declaration of Human Rights 1948 recognizes the equal rights of men and women. The convention on the Political Rights of Women 1953 provides: "women shall be entitled to vote in all elections on equal terms with men without any discrimination"^{lxx}. Women shall be eligible for election in all publicly elected bodies, established by national laws, on equal terms with men without any discrimination.^{lxxi} Women shall be entitled to hold public office and to exercise all functions, established by national laws, and equal terms with men, without discrimination.^{lxxii}

Convention on the Nationality of Married Women 1957 protects nationality of married women: "Neither the celebration nor the dissolution of a marriage, not the change of nationality by the husband during marriage, shall automatically affect the nationality of wife."^{lxxiii} Article 3 provides that each contracting state should guarantee the alien wife on her request the nationality of her husband through naturalization. The Convention on consent of marriage confers right on women to choose their husband with her free will. It also makes registration of marriage compulsory. It is worth mentioning here that this provision had been laid down as back as sixteen hundred years by the Islam.

The International Convention on Civil and Political Rights 1966 also talks about equality of men and women in respect to enjoyment of civil and political rights set forth in the convention. On the other hand International Covenant on Economic, Social and Cultural Rights 1966 uses the word non discrimination among men and women for enjoying economic, social and cultural rights.

The Declaration of the Protection of women and Children in Emergency and Armed conflict 1974 prohibits use of chemical weapons, degrading treatment and violence against women, repression

including torture, imprisonment, destruction of dwelling etc. in the course of war and armed conflicts.

However, Convention on the Elimination of All Forms of Discrimination Against Women, 1979, Declaration on the Right to Development 1986, Declaration on the Elimination of violence Against Women, 1993 all of them emphasizes only on the aspects of equality and nondiscrimination. These declarations have simply persuasive effects on the states for implementing the objectives it lay down. It is important to mention here that the Committee established on the Elimination of Discrimination against Women is simply a recommendatory body. It may submit its report to the Secretary General of UNO, who shall transmit the reports of the Committee to the Commission on the Status of Women for its information.^{lxxiv} The committee may invite the specified agencies to submit reports on implementation of the Convention.^{lxxv} Here we see no coercive measure on the part of the international body to ensure the effective implementation of the objects and goals of the declarations mentioned above. CEDAW has been criticized for failing to declare when and where a national law government policy or countries practice constitute a breach of convention. CEDAW has never formally pronounced a State Party to be in violation of the convention even though many countries failed to carry on their obligations^{lxxvi} on the 20th anniversary of the Convention on the Elimination of All Forms of Discrimination against Women, Deputy Secretary-General Louise Frechette recognized how violence and discrimination against women pushes them to society's margin. The US government's commitment to women's rights around the world jeopardized by two competing foreign policy concerns:

- i. The desire to promote advantageous economic and strategic relations with other governments regardless of human rights considerations^{lxxvii},
- ii. The desire to protect US practices at home and abroad from scrutiny and criticism on human rights grounds. Besides this, preoccupied with keeping US citizens outside the courts' jurisdiction, the US played an obstructionist role.

CONCLUSION AND SUGGESTIONS

Thus we see that most of the national and International instruments emphasize on two words: Equality and Non discrimination. These principles guarantee uniform treatment irrespective of the limitations which the women suffer. In other words women require special measures for their protection keeping in mind their physical attributes, modesty, dignity and security. Women need equality in fact, equality in law which prohibits discrimination of any kind is not sufficient. Women are weak, modest, vulnerable and shy. They need diversified approach for their protection so that they preserving their identity as women may develop their personality. Islam, like men presents women as complete members of the human society and equally considers each to be joint elements of the community but being a complete member of the society does not necessitate that all members of the society have identical rights and privileges. It is true that all members of the society must be equal before the law yet this equality is equality regarding the execution of the law i.e benefiting from justice- not equality in social value and determined rights. The ways in which discrimination against women manifested itself varied from one culture to another. There are many International Declarations, Conventions, Covenants and Protocol to protect the women against discrimination. A few of them talks about different needs to empower them. The governmental failure to change their national legislations made the International Covenant on Civil and Political Rights meaningless.

Now the question is who is going to implement the provisions of declarations, conventions and protocol?

Is there any coercive machinery at the international level to see whether the provisions laid down by the Declarations and Conventions are being followed in letter and spirit?

Are the States bound to follow the norms laid down by the World Community uniformly?

Is there any effective agency or machinery at the national level to scrutinize the effectiveness of special laws made under municipal law for protection of women?

Fear plays an important role in human life. The protection of women should be judged on the basis of intensity of fear among women community in respect of their security, property, liberty and modesty. History knows the armed conflicts and its effects on women. The alarming global dimensions of female targeted violence are not explicitly acknowledged by the international community. Rape is still being used as weapon of war, a strategy used to subjugate and terrify entire communities. Waging war by civilized nations for establishing selective democratic setup of government in selective regions on the plea of maintaining peace and justice in the world, left millions of women widow, homeless, sexually abused, compelled to migrate as refugee^{lxxviii} and become sex worker and prostitutes in neighboring countries^{lxxix}. The U N Peacekeepers forced girls to have sex with dog in Central African Republic but the response of the Secretary General Ban Ki-moon was ‘it is shocking to the core’ and the French UN Ambassador called the incident “Sickening and odious” and promised exemplary action.^{lxxx} Who is responsible for such injustice and barbaric treatment with women community in this civilized world? Is this response of the highest authorities of the world community is effective and sincere to the cause of women protection?

However, making provisions, declarations, conventions and holding conferences to mourn on the pathetic conditions of women is not sufficient. A good provision may be a bad provision if the persons working behind them are of a bad lot. The true protection lies in the ‘will’ of the state and mindset of the persons involved in implementing the provisions.

So far as protection of women under religion is concerned it can be looked into keeping in mind the basic philosophy of the religion- the universe, mankind and society. Religion emphasizes not only on worldly life but also on life after death whereas man made laws are concerned with external behavior of man in its different form in the worldly life. Religion stresses on both internal and external purity, the modern law gives importance to external expressions. Religion is concerned with preventive measures, causes and cure of the disease which a man suffers on the other hand law is satisfied with cure by giving antibiotic. Sanction behind religion is both psychological and temporal and law talks about

coercive force for implementation of law. Most of the religions lost its originality. The status of women as it is stated in different religion is the narration of persons of the time, who interpreted it according to the time and place either suited to the state or changing norms of the society. Islam, the latest edition of religion has diversified approach to the protection of women. It is concerned not only with rights but it is conscious enough to the duties towards society. Religion confers rights with corresponding duties keeping in mind the purpose of creation of the world and mankind who can achieve the object by leading a particular life style^{lxxxix}. Religion emphasizes on character, human values and brotherhood. Law emphasizes on reason and see only biological phenomena of a man (women) ignoring its objective test. Men and women are two important wheel of chariot of life. She is as important as a man in life. Man and woman are equal up to certain extent but their role in society and need in life is different. Hence an identical equality may jeopardize the very object of creation and it is bound to fail. Compulsion cannot bring fruitful result unless the intrinsic traits of human beings are improved. Hence the teachings of morality, human values and character oriented society are paramount to solve the problem. Law is not the brooding omnipresence up above the sky; it must have some connection with reality of the society. Hence there is a need to develop a kind of culture, respect, understanding and habit of sacrifice to the human values with open mind which may provide a real protection to the crying lot of women in the society.

Let us pray:

O! The Women of the World!

May God give you an unprecedented power,

May all humans elect you as their choice,

May they learn the lesson to follow the females.

ⁱ . Stump, R (2008), The Geography of Religion: Faith, Place and Space, Maryland, Roman and Littlefield Publishers.

ⁱⁱ . Kamila Khingorova, Department of Social Geography and Regional Development, Faculty of Science, Charles University in Prague, Czech Republic, 2003.

ⁱⁱⁱ . Helm, J, Women in Religion, 1994, p. 12, New York.

^{iv} . Hunter, Introduction to Roman Law, p. 37.

^v . C.A. Soorma, The Status of Women in World Religions & Civilizations, Dar-ul-Isha At-Kutub-E-Islamia, Bombay.

^{vi} Lecky, W. E. H., A History of European Morals, vol.2, 1869, p.306

^{vii} Ibid. p. 308

^{viii} Westermarck, E. Origin and Development of the Moral Ideas, vol.2, p.662, 1912-1917,

^{ix} Lecky, W.E.H., A History of European Morals, vol.2, 1969, p. 308.

^x Mielziner, M., The Jewish Law of Marriage and Divorce, 1884., p.30

^{xi} Kamaluddin, A. K., Status of Women In Islam, Dar-Ul-Isha At-Kutub-E-Islamia, Bombay, p. 78

^{xii} Numbers 27:8, 9 "And thou shalt speak unto the children of Israel, saying, if a man die and have no son, then, ye shall cause his inheritance to pass unto his daughters".

^{xiii} Gen. 3:15

^{xiv} Gen. 3:16

^{xv} 1 Cor. (11:8)

^{xvi} 1 Cor. (11:9)

^{xvii} 1 Tim, (2:12)

^{xviii} 1 Tim, (2:12)

^{xix} 1 Tim, (2:14)

^{xx} Westermarck, E., Origin and Development of the Moral Ideas, 2nd edn., p. 6662

^{xxi} Lecky, p. 339.

^{xxii} Anson, Law of Contract, p. 153.

^{xxiii} Seroka v. Kattenberg, 1886, 17 QB.D. p.177,

Earl v. Kingscote, 1900, 2 ch, p.585, Court of Appeal.

Beaumont v. Kay, 1904, 1 KB., p. 292.

^{xxiv} Amir Ali, Life and Teachings of Mohammad, p. 220

^{xxv} Milton, A Treatise on Christian Doctrine, p. 231

^{xxvi} Exod. 21:10

^{xxvii} Milton, Doctrine and Discipline of Divorce, Prose Works, III, p.241-242

^{xxviii} Amir Ali, Life and Teachings of Mohammad, p. 225.

^{xxix} Abdur Rahim, Muhammedan Jurisprudence, p. 9-11

^{xxx} Quran, Surat al-Nahl, 16:58-59 "And when one of them was given the good tidings of the birth of a girl, their face would darken in repressed anger. They would hide from the people because of the bad news they received asking themselves whether they should keep it in disgrace or bury it in the earth. Ah! Evil is that which they judge."

^{xxxi} Abdur Rahim, Muhammedan Jurisprudence, p. 12, Amir Ali, Mohammedan Law, vol. II, p. 19

^{xxxii} Ibid. p.16

^{xxxiii} Quran, 2:35

^{xxxiv} Quran, 7:22

^{xxxv} Quran, 7:23

^{xxxvi} Surat al-Takwir 81:8,9

^{xxxvii} Quran, 4:19

^{xxxviii} Quran, 24:4

^{xxxix} Mulla, Mohamedan Law, 8th ed., p.194, Quran, 24:8, 24:7, 24:6, 24:4.

^{xl} Amir Ali, Mohamedan Law, vol. II, p.279

^{xli} Quran, 4:3

^{xlii} Quran, 4:129,

^{xliii} Howard, History of Matrimonial Institutions, vol. i., p. 142

^{xliv} Quran, 4:35. (And if you fear a breach between the two, then appoint a judge from his people and a judge from her people; if they both desire agreement, Allah will effect harmony between them; surely Allah is knowing". If the differences are irreconcilable, then a divorce may be pronounced by the Qazi against the party at fault.

^{xlv} Quran, 4:35, 2:35,2:226, 2:227.

^{xlvi} Abu Daud, 13:3, the holy Prophet said 'of all the things which have been permitted to men divorce is the most hated by Allah.

The right of divorce is to be exercised under exceptional circumstances. (Quran, 33:37)

^{xlvii} Bukhari, 68:12, (Khula, Mubarat, Talak-e-tafweed) Amir Ali writes that a wife who has obtained a release from the marital tie by Khula or Mubarat is entitled to maintenance during her iddat period, (Amir Ali, Mohammedon Law, p. 580)

^{xlviii} Amir Ali, Mohammedon Law, vol. II, p.529-566.

^{xlix} Quran, 2:234.

^l Quran, 2:35

^{li} Quran, 4:11, 4:12, 4:117

^{lii} Quran, 4:29

^{liii} Quran, 4:30

^{liv} Quran, 4:32

^{lv} Abdur Rahim, Mohammadan Law, p. 333.

^{lvi} Ibid. p. 334, Mulla, p. 174, Amir Ali, p. 293, Quran, 2:41

^{lvii} Quran, Surat Al- Imran 3:195, "I shall not leave unrewarded the work of any agent in you, whether man or woman; you are all members of the same race____", Surat Al-Hujurat 49:13- "O people! Surely, I have created you males and females and have made you +into (diverse) races and tribes that you may know one another. Verily, the most among noble among you before Allah is the most pious of you____"

^{lviii} Manu, v. 148, "In childhood a female must be subjected to her father, in youth to her husband, when her lord is dead to her sons; a women must never be independent.", Manu, ix. 17, " (when creating them) Manu allotted to women (a

love of their) bed, (of their) seat and (of) ornament, impure desires, wrath, dishonesty, malice, and bad conduct."

Manu, ix. 14, "Though their passion for men, through their untenable temper, through their natural heartlessness, they become disloyal towards their husbands however carefully they may be guarded in this world."

Manu, v. 154, "Though destitute of virtue, or seeking pleasure (elsewhere), or devoid of good qualities, (yet) a husband must be constantly worshiped as a god by a faithful wife."

Manu, ii.213. "It is nature of women to seduce men in this (world); for this reason the wise are never unguarded in (the company of) females."

Manu, ii. 215, "One should not sit in a lonely place with once mother, sister, or daughter; for the senses are powerful, and master even a learned man."

^{lix} Manu, iii.12, "For the first marriage of twice – born men (wives) of equal caste are recommended; but for those who through desire proceed (to marry again) the following females, (chosen) according to the (direct) order (of the castes) are most approved."

Manu, viii. 204, Manu, ix. 85, 86, 87.

^{lx} Manu, ix. 94.

^{lxi} Viraswami v. Appaswami, 1Madras H.C, p.378

^{lxii} Mulla, D. F., Principles of Hindu Law, 5th ed. 1926, p.427.

^{lxiii} Mayne, J.D., A Treaties on Hindu Law and Usage, 9th ed. 1922, p. 115.

^{lxiv} "If to do were as easy to as to know what were good to do, chapels has been churches, and the poor men's cottage, had been princes palaces". William Shakespeare, Quoted by Mohd Shabbir Khan, Status of Women in Islam, APH.Publishing Corporation, 2016. New Delhi

^{lxv} Section 354, 354A., 354B, 354C, 354D, 376 A, to 376E. of the Indian Penal Code.

^{lxvi} Sections 113 B, 122, 112 of the Indian Evidence Act.

^{lxvii} Hindu, Oct. 13, 2012, "A 37 year old father raped his daughter of 6th standard student at various times between July and Sept. 2012, in the presence of his wife and children."

^{lxviii} Times of India, Allahabad High Court, Justice Katju and justiceRB Misra.

^{lxix} Times of India, 28th May, 2016, p.1.

^{lxx} CPRW, Article 1

^{lxxi} Ibid. Article 2

^{lxxii} Ibid, Article 3

^{lxxiii} CNMW, Article 1

^{lxxiv} CEDAW, Article 21.

^{lxxv} Ibid, Article 22

^{lxxvi} Khan, M.A., Women and Human Rights, SBS Pvt.Ltd., 2007, New Delhi. P.280

^{lxxvii} Khan, M.A., *Women and Human Rights*, New Delhi, 2007, p.273, "the US government was less critical about blatant sex discrimination practices like Mexico, its second largest trading partner."

^{lxxviii} Hindu, Sept. 14, 2015, 'More than 350,000 refugees have tried to cross the Mediterranean Sea in to Europe.'

^{lxxix} Hindu, Sept. 14, 2015, p.11. "The root cause of refugee crisis in Central Asia is the pursuance of narrow political objectives that western powers entered West Asian territories and destabilized them. They cannot absolve themselves of all responsibility.

^{lxxx} Times of India, April 2, 2016

^{lxxxi} Quran, Surah Ahzab 33:35, The Quran praises righteous and worthy men and women similarly- "Verily, for Muslim men and women, for faithful men and women, for obedient men and women, for truthful men and women, for patient men and women, for humble men and women, for almsgiving men and women, for fasting men and women, for men and women who guard their private parts, and for men and women who remember God much, Allah has prepared forgiveness and a mighty reward."

TO VEIL OR NOT TO VEIL: COMPULSORY HIJAB AND PORNOGRAPHY

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Abstract

Until the late 17th century, the Islamic world consisted of powerful empires without any need to Europe. By the advent of industrialization and modernity, Islamic empire began to decline in power. As the result of need of industrial economies for raw materials and markets as well as political and economic competition, European countries colonized the Islamic countries. It was the starting point for Orientalism as well as Islamism and extremism. Three themes are distinguished in extremism: nostalgia, otherness, and religious machismo. While in democratic countries, gender roles and sexuality are regulated by individuals or their families, in Islamized societies that are ruled by extremists, state laws regulate them. Extremist leaders are against the concept of individual rights as a Western idea. They believe that in a Muslim society, individual rights are meaningless. The Islamic priority is Muslim community, so the other concepts must be sacrificed to save the community. In the light of such a belief, their official policies justify any desexualization, such as the hijab and punishment of adultery, of women outside their homes. In such societies, women are considered 'others' and are dehumanized. Forcing women to wear the hijab can be considered as an implication to degradation of women. Such dehumanization and objectification serve as hatred of women, so compulsory hijab is an attempt to humiliate and degrade the female body. Women in such societies are considered sex objects, robots, and an agent for corrupting the safety and security of society.

Keywords: tradition; modernity; Islamized countries; extremism

INTRODUCTION

Until the late 17th century, the Islamic world consisted of powerful empires without any need for Europe (Tohidi, 2003). Although these Muslim societies were diverse, they shared the same cultural values and religious teachings. By the advent of industrialization and modernity, the Islamic empire began to decline in power (Tohidi, 2003). As the result of industrial economies' needs for raw materials, markets and political and economic competition, European countries colonized the Islamic countries. This was the starting point for Orientalism (Leitch et al., 2010) as well as Islamism and extremism.

In such a condition, Muslims, who imagined Islam was the perfect religion chosen by God, tried to figure out the reasons for the inferiority of Muslims. To solve the problem, some Muslim intellectuals believed the best response was retrogressive in nature, so they challenged the modernity and found it

to be a manner of Westernization (Tohidi, 2003). The other elites suggested progressive ways to redefine Islam and form a secular nationalism. As Tohidi (2003) pointed out, "Progressive response coming from the newly formed intelligentsia and political elites (a new stratum of professional military, bureaucratic, or landowning intelligentsia, modern-educated middle-class professionals, and technicians) who were trained in western techniques" (p. 34). On the middle point, some scholars believe in accepting those aspects of modernity that were proper for Muslim societies, and rejecting the improper ones. They emphasized empowerment of the people over improper, traditional social and cultural conditions (Alini and Bijani, 2013).

Progressive intellectuals tried to change the traditional characteristics of Islamic societies into modern countries, but at the same time, as the modernity was developing, anti-modernism was growing in its womb. To figure out the inconsistent

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situations of these societies with regard to modernity, some explanations are required.

Tradition, Modernity, and Modernization

Tradition is the heritage that transfers from parents to offspring, from one generation to another, to keep customs, hierarchy of values, and beliefs. Traditional societies focus on the past because it has been tested over and over. They share some similarities in their features; these features include:

- Relying on established traditions as a way of social life;
- Slight tendency for social change (Alini and Bijani, 2013)

Modernity, on the other hand, celebrates the humanities' abilities in changing the world. Additionally, its institutions as well as industrial productions and economy are based on market (Alini and Bijani, 2013). More importantly, modernity is accompanied by democracy and limitations in power.

There exists a difference between modernity and modernization. In Third World countries, particularly in the Middle East, modernization refers to economic growth, industrialization, and the transformation of rural societies to secular and urban ones which is led by an authoritarian leader and serves the interests of a privileged minority (Nagpal, 2010). Modernity, on the other hand, includes a vast area that comprises of political and cultural growth as well as economic dimensions. Accordingly, with socio-economic development and industrialization, many traditional customs and beliefs will be switched towards higher individualism. In the process of modernization, there is a movement from a traditional, simple, community-like setting toward a rational, complex and business-like social and economic arrangement (Nagpal, 2010). As history demonstrates, modernism in European countries brought about social justice, political democracy, and secularism, but most of these factors were absent in Middle Eastern and Islamic countries.

In such countries, industrialization and urbanization were the two prominent factors in the process of moving towards modernization. Secularism was the only aspect of modernity that was considered in this process but the cultural norms remained

unchangeable because they did not change automatically in this process. In Muslim societies, cultural change is "path dependent"; this means that cultural norms and values, which are based on Islamic teachings, have enduring effects that influence development and resist change (Haghighat-Sordellini, 2010).

Modernity often reminds people of empowerment, improvement and freedom for women (Haghighat-Sordellini, 2010), which means that a change in constitution and cultural norms and values is needed to establish democracy (El-Feki, 2013). One of the most significant changes in Islamic societies is felt in the family, which is often undemocratic. The basis of a democratic country is on democratic families, and democratic marriages (Mill, 1970). In democratic countries and family, women and men have equal rights, so women are empowered to realize their rights (Mill, 1970). Islamized countries, on the other hand, have collectivistic views, and prioritize the society. The collectivistic system is not based on individualistic rights, so governments, and even ordinary people, are allowed to restrict the people in the name of keeping the society secure. In such a standpoint, the family is considered as the base of the society and has a specific status, so its safety must be preserved.

Such a society does not recognize human rights, because human rights are based on equality in rights between all people (Mill, 1970). This is why these societies are based on patriarchy. In a patriarchal system, families rather than individuals are the building blocks of social order (Tohidi, 2003). Obviously, in such societies, egalitarian and equality in rights between men and women are rejected. Some argue that men and women are biologically different (De Beauvoir, 1996), Islamists/extremists use this argument and believe that men and women have complementary but not equal roles, and consequently they have unequal rights. Such an incorrect way of thinking considers masculinity to be the scale for defining gender roles and rights (De Beauvoir, 1996). There exist some differences between men and women, biologically and physiologically, but this does not indicate superiority of one gender over another (De Beauvoir, 1996).

Descriptions of the structures of everyday life in patriarchal societies reveal that the family as an institution enacts a gendered division of labor, as it normatively relegates most women to the private sphere and most men to the public sphere (De Beauvoir, 1996). However, there is an extraordinarily unequal consequence for men and women resulting from the normativities of the public/private distinction. As long as women's natural social role consisted of reproducing the private sphere of family, motherhood, and marriage, women's access to the public sphere of work, decision making, law making, knowledge production, culture production, and politics remained minimal. As individuals and as a group or class, women did not enjoy equal liberties, parities, and opportunities in the public sphere as compared to those enjoyed by most men (Engels, 1993). The public/private distinction revealed an additional factor. Although society on the whole promotes its own social reproduction with natality policies, women, more than men, were expected to take on most of the responsibilities connected with social reproduction, such as childrearing and attending to family needs (Engels, 1993).

In fact, absolute tradition and full modernity can be considered as two polar sides of the same continuum. Different societies are located in different places on the continuum according to their conditions, but the situation of women with regard to their freedom, emancipation, and participation in the community is the most significant indicator in situating a society on this continuum (Phizacklea, 1983). Although world has been entered to post-modern era, traditional societies, Middle Eastern countries in particular, are still involved in a challenge between tradition and modernity.

An explanation is needed here; there is a crucial difference between an Islamic country and an Islamized country. An Islamized country is marked by a politicized Islam governing in both private and public lives and spheres of individuals, women in particular, whereas an Islamic society is a country where the majority of people are Muslim and Islamic beliefs and practices in private lives are dominant (Moghissi, 2009); Islamist societies are ruled by Islamists/extremists.

The majority of these societies are involved in a duality; they are bound by both tradition and modernization. In such societies, there exists a separation with Westernization, the realization of the importance of industrialization and technological advancement led them to modernization. On the other hand, traditional beliefs and practices based on religious laws, which are enforced by the Islamist fundamentalists/extremists, generate a traditional atmosphere in the society, especially in the case of women.

To understand the condition of societies under extremists and the situations of women there, different types of Islamism should be discussed. Islamists can encompass three different categories.

- *Quietists*-Apolitical groups or individuals whose concerns are only on religious institutions and seminary schools. They believe in the separation of state and religion, and consider clerics too beyond politics to involve themselves in the running of the state. (Moghissi, 1999);
- *Islamic liberal reformers*-They try to both reform their societies according to the principles of Islam, and at the same time, adjust Islam to the modernity and the new needs in the society (Moghissi, 1999);
- *Islamist fundamentalists/Extremists*-Fundamentalism refers to lack of rationality and is an attitude towards time (Moghissi, 1999). As mentioned above, Muslim intellectuals can be categorized into two groups, progressive (aforementioned) and retrogressive, regarding modernity. Fundamentalists/retrogressives imagine the "Islamic golden age" as the ideal past, and try to reconstruct society according to it. To restore the imaginary golden age (Tohidi, 2003), they do not tolerate any modern values and try to enhance traditional pre-modern norms and values. The fundamentalist belief is based on absolute total "truth." They believe that the subordination of Islamic societies is the result of their deviation from the absolute "truth," true Islam. In fact, fundamentalism emerged in reaction to

the inferiority, which was experienced by Muslim societies under colonialism, industrialization, modernity, and later Westernization (Tohidi, 2003).

The salient characteristic of an extremist society is its basis on a correct interpretation of the scripture, and its being modeled after the first Islamic state under *the Prophet Mohammad, the Messenger of Islam* (Kaya, 2000). Establishing such a society, extremists require the eradication of the corrupted situation and the state in power to purify the society (Barber, 1992). As Moghissi (2006) explained, “They look to the Quran not merely for its moral principles, but to find clues for the future of the world. Jihadist movements are similar in that they are determined to subjugate all aspects of human life—be they economic, political, cultural, aesthetic, familial, or personal—to the will of God, as declared in religious scripture” (p. 70).

To obtain this goal, they justify any brutal force (Moghissi, 2006). They consider themselves as righteous to regulate all aspects of public and private life. *Ayatollah Khomeini* in Iran, *Taliban* in Afghanistan, *ISIS* in Syria and Iraq, and *Hezbollah* and in Lebanon are prominent examples of fundamentalists. Two different types of fundamentalism can be distinguished with regard to their level of literacy:

- *High fundamentalists*-Are those who are highly trained and well-educated in scientific disciplines, most of them are educated in Western and modern countries, but at the same time, they believe in a violent irrational version of Islam. Generally, they support the low fundamentalists, financially and technically (Quzgane, 2006);
- *Low fundamentalists*-Are those who are not well educated in scientific disciplines, but believe in a violent irrational version of Islam (Quzgane 2006).

Although both of these groups oppose modernity, low fundamentalists represent their opposition in local dimensions while high fundamentalists show it in global aspects (Quzgane, 2006). However, despite ideological, political, and cultural differences between fundamentalist movements, they share

plenty of similarities. Three themes are distinguished in fundamentalism: nostalgia, otherness, and religious machismo (Tohidi, 2003).

Firstly, as mentioned above, they are all anti-modernity; obviously, any rejection of rationality and focus on the past will result in the rejection of enlightenment and modernity. Any individual rights, or separation of religion and state are meaningless in their viewpoint (Haghighat-Sordellini, 2012). However, a paradox is clear in their behavior and thoughts; Islamic fundamentalist leaders use modern living conditions and send their youth to modern educational institutions in the West. Students in religious schools use computers and the Internet and so forth. The majority of their leaders are living in luxurious modern mansions. It seems that fundamentalists are just against the ideas and ideals of modernity, not the products of modernization (Moghissi, 1999).

Secondly, extremists are anti-democracy because their focus is only on the Muslim society (Afshar, 2007). According to the Quran, non-Muslims are considered as “others” and are dehumanized. In such societies, those non-Muslims whose religions emerged before Islam, such as Jews, Christians, and so on, are considered to be second-class citizens. Those whose beliefs emerged after Islam, for example Baha’is or atheists, have no rights and live under severe pressures (Tohidi, 2003). Such beliefs make fundamentalists highly intolerant to other people, who are considered as “others” not “us.” Again, there is a paradox here; Muslims always criticize Westerners for considering Muslims to be “others,” but non-Muslims in their countries are under severe pressure and are considered to be “others” and second-class citizens. It seems that according to Muslim extremists, only Westerners are expected to act according to equal rights.

Thirdly, Islamic fundamentalists are all anti-feminism. They consider women to be a potential threat for Islamic society, and they must be controlled (Moaddel, 1998; Gerami and Lehnerer, 2001; Kazemzadeh, 2002). They emphasize patriarchy in order to restrict women, and limit their activities in the family. According to Haghighat-Sordellini (2012), “Patriarchy is considered a system that enables men to dominate women and maintain the

power and control of resources. Women-especially younger ones-have minimal power and are dependent on men" (p. 13-14). Therefore, patriarchal social structure is characterized by four dimensions include:

- *Male dimension*-Men hold the powerful roles while women hold the least ones.
- *Patriarchal control*-Women are controlled by men and experienced various kinds of abuse such as physical, psychological, and verbal in everyday lives.
- *Male identified*-Highly valued and most prestigious aspects of society are identified as male's characteristics, and the less valued ones as females'.
- *Male centricity*-Public sphere of the community is dedicated to men while women are marginalized (Haghighat-Sordellini, 2012).

Nature and Culture of Islamized Society

Extremists believe that women must take their roles in their family because of their specific biological and psychological nature and traits. Islamized culture is traditional, and patriarchal (Price, 2001). Since the majority of people in these societies are Muslim, tradition and cultural norms are rooted in Islam. For this group of people, extremists, *hijab* is a requirement for women; also, they believe women should take domestic roles while public roles are more appropriate for men. Polygamy and temporary marriage are acceptable and adulterous men are less punished than adulterous women, who are severely punished. Obviously, in such an environment, daughters' behaviors are more monitored than sons' behaviors (Price, 2001).

While in democratic countries, gender roles and sexuality are regulated by individuals or their families, in Islamized societies, state laws regulate them (Mahdavi, 2009). Extremist leaders are against the concept of individual rights, seeing it as a Western idea. They believe that in a Muslim society, individual rights are meaningless. The Islamic priority is Muslim community, so other concepts must be sacrificed to save the community. In the light of such a belief, their official policies justify any desexualization, such as *hijab*, punishment of adultery, and restricting women from going outside their homes (Yeganeh, 1993). In such societies,

women are considered "others" and are dehumanized. In fact, forcing women to wear the hijab can be considered as an implication to degradation of women. Such dehumanization and objectification serve as hatred of women, so compulsory hijab is an attempt to humiliate and degrade the female body. If pornography considers women to be sex objects in the West (Mackinnon, 2000), compulsory hijab refers to considering women as sex objects all around the world, especially in the East.

Muslim women have different approaches regarding wearing the hijab. Some believe that the hijab is a must for Muslim women and they are obliged to act according to God's will. Some other Muslim women believe that wearing the hijab is not necessary for Muslim women. Haddad et al. (2006) pointed out:

Some women express their allegiance to Islam in very public ways. Rejecting the social norms of Western culture, they try to dress, speak, and live in as close adherence as possible to what they understand to be the dictates of the Quran and the traditions of the Prophet. Others may practice Islam in private and with their families but do not choose to show publicly that they are Muslim (p. 8).

In 2000, Ghazal Read and Bartkowski explored how a sample of middle-class educated Muslim women in Turkey, negotiated their gender identities with regard to the suitability of the hijab. They explained that some Muslim women wear the hijab to demonstrate their belief about gender differences, while others are strongly motivated to wear the hijab as a mechanism for criticizing Western colonialism in the Middle East. Thus, the hijab for Muslim women has a range of meanings.

Ghazal Read and Bartkowski (2000) highlighted that veiled women not only offered religious reasons for wearing the hijab, but also presented arguments regarding the differences between masculinity and femininity to advocate for the propriety of the hijab; therefore, for many of the participants in her study, the notion of masculine hyper-sexuality and feminine vulnerability to the male sex drive was an essential reason to justify the rationale for the hijab. Those Muslim women who did not wear the hijab, on the other hand, argued that the hijab enforces gender differences that have created unsuitable conditions for

Muslim women (Ghazal Read and Bartkowski, 2000). According to many of the unveiled women, the hijab was imposed on Muslim women due to the unwillingness of Middle Eastern men to appropriately manage their sexual drive and their eagerness to dominate women.

Recently, some Muslim women protested against the hijab by posting an article in *the Washington Post* and challenging the concept of the hijab in Islam and among Muslim women. Nomani and Arafa (2015) stated,

We reject this interpretation that the “hijab” is merely a symbol of modesty and dignity adopted by faithful female followers of Islam. This modern-day movement, codified by Iran, Saudi Arabia, Taliban Afghanistan and the Islamic State, has erroneously made the Arabic word hijab synonymous with “headscarf.” This conflation of hijab with the secular word headscarf is misleading. “Hijab” literally means “curtain” in Arabic. It also means “hiding,” “obstructing” and “isolating” someone or something. It is never used in the Koran to mean headscarf (2015, December 21).

Muslims and people from Islamic cultures represent a growing proportion of the current population of immigrants and refugees worldwide (Hunter, 2002). It is estimated that the Muslim population in Europe is over 15 million, which places Islam as the second-largest religion in the continent after Christianity (Hunter, 2002). However, this population is highly heterogeneous (Moghissi, 2006), not only due to the internal differences in each society, class, ethnicity, rural–urban status, and sectarian affiliation, but also due to the national–cultural traits and their influence on each immigrant community as a result of their originating from different cultures and societies, alongside the integration policies of the host societies (Moghissi, 2006).

Some of these immigrants have a number of difficulties in integrating or adjusting themselves to Western culture; so sometimes, veiled women have different problems in Western countries, which are always accompanied with Islamized protests and demonstrations around the world. Again, there is a paradox here. Muslims, especially extremists, are always criticizing the West because of its behavior

towards veiled Muslim women in European countries. They claim that Westerners do not treat veiled Muslim women in accordance with human rights and force them to wear Western style dresses instead of letting them enjoy freedom of dress. However, women, either Muslim or non-Muslim, are forced to wear the hijab in Islamized societies. They do so under the excuse that human rights is a Western concept and that they do not believe in it, they only believe in Islamic rules. So the question is: how do Islamists expect that Westerners let women enjoy freedom of dress while women in their societies are not allowed to wear whatever they want?

In Islamized societies, women who personally do not believe in the hijab are forced to wear it by extremists or their male relatives, such as fathers, brothers, husbands, and so forth. Although in Islamic countries (such as the United Arab Emirates) women enjoy the freedom of dress, in Islamized societies (such as Iran and Saudi Arabia) or Islamist groups (such as ISIS and the Taliban) women are forced to wear the hijab. In such countries, exercise of physical and psychic forces can be seen either in a general scheme in the society and the public sphere as a whole, or in some families and the private sphere. The physical force (physical violence) engages threats of or use of physical behavior to enforce the government’s or men’s will upon women; this restricts women’s freedom, e.g., restricting the freedom of choice is used by the police force in public or the repercussions of injury or death are used by husbands, brothers, or fathers. Using psychic force corrupts women’s self-image, self-confidence, self-esteem, and wellbeing. The dominant belief in such countries is that women ask to be raped if they do not wear the hijab; they should have worn the hijab, and should not have been out so late at night. It is not considered that blame and responsibility for a criminal assault are the assailant’s, not the victim’s.

In all patriarchal societies, women are considered “Others,” so they are dehumanized. In Islamized countries, women are forced to wear the hijab as an excuse for making the society secure and keeping the women safe of violence and immoral actions. However, as Gore (1994) believed, it is necessary for a woman “To look suspiciously at what is taken for granted about the superiority of the ‘we’ who empower a ‘you’ an ‘Other’, and asks ‘What can

‘We’ do for ‘You’? (p. 430) This is an excuse to justify gender-based behavior to restrict women's freedom with the justification that women must be protected from immoral treatment.

According to Gheyntchi (2001) and Mahdi (2003) to achieve limitations on women, the Islamized societies apply three strategies: first, the rejection of women's rights through the statement that such rights are the product of Westernization. Second, it restricted the spatial maneuverability of women by segregating buses, university classes and many other areas of the public sphere into male and female regions, and forced women to wear the hijab. Third, it limited any communication between women and not-previously-known men.

It seems that the premises of pornography and the compulsory hijab are the same: that sexual aggression occurs within a patriarchal power structure. Pornography and the compulsory veiling are two extreme points of the same continuum of women's dehumanization. Such physical, sexual, and emotional abuses can be considered as stimuli to the social subordination of women (Mackinnon, 2000). Both pornography and the compulsory veiling cause objectification and dehumanization of women and communicate with one another based on the same reason: women are naturally inferior to men, and do not deserve respect, safety, or basic human rights. Violence against women is a consequence of an established gender inequality within society and of existing structure of power in gender relations. It is rooted in cultural patterns, especially in harmful influences of particular traditional practices or customs, education systems, religious beliefs and media influences. Violence against women perpetuates gender inequality and stands as an obstacle to achievement of equality.

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TO GO TO SCHOOL OR NOT? - USE OF SOCIAL COGNITIVE CAREER THEORY TO UNDERSTAND NON-PARTICIPATION OF RURAL GIRLS IN FORMAL SCHOOLS

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Abstract

Majority of out of school girls are located in rural areas of the world. There exist many challenges both at the demand side and the supply side which keep them away from school. This essay conducts a literature review of all such challenges and uses the Social Cognitive Career Theory to identify possible reasons for non-participation of girls in schools in rural areas. The review finds that girls in rural areas suffer from low self-efficacy and possess non-ambitious outcome expectations with respect to educational and occupational pursuits in life, which also lead to low goal settings. The main reasons for this are traditional gender role expectations from girls by community, economic condition of a family, absence of positive role models amongst others. Possible intervention points are then suggested with the hope that researchers will conduct in-depth research into challenges of these girls which is used by policy makers in the near future.

Keywords: rural, education, girls, cognitive theory

INTRODUCTION

Education is a human right, enshrined in the Universal Declaration of Human Rights and the United Nations Convention on the Rights of the child (Unesco.org, 2015). In light of this declaration, the World Bank put forward the Millennium Development Goal (MDG) 2 of achieving universal primary education. The world has made impressive strides in achieving this goal. Countries such as Bangladesh and Nepal have achieved 92% (2010) and 98% (2013) net primary enrollments (Data.worldbank.org, 2015). Bhutan has also achieved 88% enrollment of primary school age children in 2008. India has also achieved 93% (2011) enrollment at the primary school level (Data.worldbank.org, 2015).

However, most recent data by UNESCO Statistical Institute states that 58 million children are still out of school throughout the world (Uis.unesco.org, 2015). Other backdated figures, by Lewis and Lockheed (2006) further present that around 60 million girls are

‘out of school’. Majority of these girls live in rural areas all around the world (Uis.unesco.org, 2010). What is keeping these girls away from school? Much evidence, illuminating reasons of non-participation of girls in school, is available. This essay presents a detailed literature review of the same. The next step will be to use the Social Cognitive Career Theory (SCCT) to structure the literature review for better understanding of issues at hand, to look for possible solutions and to provide way for future research in the area.

SCCT, grounded in and derived from Bandura's social cognitive theory is an appropriate lens to understand non-participation, low enrollment of girls in rural areas for the fact that the theory puts emphasis on dynamic nature of personal mechanisms which influence an individual to take decisions. This study is useful to understand what drives the girls and the community to opt out of school and make certain career choices. SCCT provides a framework to delve

in deeper in the minds of the community and girls and why they take certain decisions and make certain career choices. Perun and Bielby (1981) propose that women's educational attainment should be viewed in a life-span perspective and should also incorporate social structure restrictions prevalent in the society. The SCCT solves this purpose and presents the role of barriers related to social structure restrictions in girls' educational attainment and how these influence her mind.

This essay is divided into four parts. The first section explains the SCCT theoretical construct. Then, the second section presents a literature review of the reasons for non-participation of girls in schools. The third section synthesizes the information and breaks it into components listed under SCCT. The last section puts forward possible solutions/interventions that would help policy makers in designing programmes targeted towards girls in rural areas. This section also presents the scope for further research briefly.

LIMITATIONS OF THE STUDY

This study is a purely secondary study and hence the reader may find some missing information during the course of reading this piece. This will be highlighted where such a condition is encountered.

Social Cognitive Career Theory

The original social cognitive theory, introduced by Albert Bandura in 1986 provides a framework for understanding and predicting human behavior (Bandura, 1986). The framework has been used in fields of politics, school achievement and health among many others. It is based on two core constructs: *self-efficacy* and *outcome expectancies*. *Self-efficacy* is concerned with an individual's belief about his/her capabilities to perform a task and *outcome expectancies* are concerned with beliefs around consequences of an action (Luszczynska & Schwarzer, 2005). Anchored in this general theory, the Social Cognitive Career Theory (SCCT) provides a method to understand processes, through which individuals form interests, make choices and achieve varying levels of success in educational pursuits. There are three basic tenets of SCCT - (1) self-efficacy (2) outcome expectations and (3) goals (Lent, Brown & Hackett, 1994). However, Lent, Brown & Hackett (2000) express their discomfort

towards the fact that environmental factors have not been given the importance they deserve. Most of the research has been focused on cognitive person variables – self efficacy, outcome expectations and goals. They divide environmental factors into two categories – distal and proximal. Distal, background contextual factors consists of factors that affect learning experiences which further give rise to self-efficacy and outcome expectations. Examples of these include the presence of relevant role models and support received for engaging in academic activities. Proximal category on the other hand consists of factors that play an important role during active phases of educational or career decision making. However, for simplicity, both of these have been clubbed under one head called – barriers (explained later).

An individual builds **self-efficacy** via four methods: (1) by observing their own success or personal performance, (2) by watching others, whom they emulate, (3) by receiving encouragement of others and lastly (4) by judging their physiological stress levels in a particular situation (Bandura, 1977). Gibbons (2004) presents an example of a girl Lisa who believes that she will not be able to attend college because of her poor grades in math. This belief was formed by statements made by her teacher that she will be unable to pass math next year. She also feels stupid in front of her high performing classmates. Lisa, in this case is driven by her performance in math class and interaction with fellow classmates and her teacher which led to formation of a low/negative self-efficacy regarding her ability to join college in the next year.

This paper uses SCCT model as theorized by Lent, Brown & Hackett (1994), with a focus on six variables – barriers, self-efficacy, outcomes expectations, interests, goals and actions. Figure 1 below depicts the simplified SCCT model used for this essay. Person inputs, distal and proximal environmental factors in SCCT as explained by Lent, Brown & Hackett (1994) have been grouped together - called *barriers* in this essay. This is due to lack of specific information for environmental factors in detail. A detailed qualitative review of girls in rural areas would provide the necessary insights required for explanation of all the factors. A simplified version of SCCT is used here. Various forms of barriers

influence self-efficacy and outcome expectations in girls. Their perspective of self-efficacy and outcome expectations defines the line of actions the girls take for themselves. This is not a linear process as self-efficacy and outcome expectations have an influence on interests, goals and actions.

Challenges in girls' education in rural areas

Rural areas of developing and under-developing nations have been struggling to increase enrollments of girls. However, post the formation of Millennium Development Goals (MDGs) in the year 2000; these countries have seen massive improvement in girl enrollment rates. Now, the Sustainable Development Goals (SDGs) have provided more impetus to the goal of educating the girl child. There still lie considerable obstacles in this path. The next few paragraphs will focus on identification of such obstacles which then will be the foremost step should be to understand her life circumstances and behavior & perspective of people around her.

Researchers have conducted in-depth studies in various countries illuminating reasons for non-participation of girls in schools. It has been observed that participation of girls is highest in primary stage, keeps decreasing through secondary and finally the lowest participation is observed in tertiary stages. Girls are pulled out of school as they grow older due to various reasons encountered within families and schools. Stromquist (1989) identifies 'family-related factors as - economic condition of household, cultural and social factors, parental aspirations; and 'school-related' factors as - distance to school, school infrastructure and curriculum and teaching practices.

Investigation of interdependence between gender and educational attainment by Beutal and Axinn (2002) in rural Nepal found gender differences in educational attainment because of the perceived adult-role of women in their society. The role requires them to get married, bear children and perform domestic duties/farm labour which is in conflict with the role (career oriented) that a woman is expected to adhere to after attaining education. Moreover, parents also do not find it lucrative to spend on the education of their daughters as post-marriage they join another household. Their earnings (if any) will benefit in-laws and not natal families. Similar findings were

captured by Hannum (2003) during the times of education decentralization in rural China during the early 1990s. She also posits that children's schooling decisions are an element of family survival strategies. Poverty stricken households look for investing in areas where they can receive maximum return on investment later, in turn favouring son's education. Moreover, education is rightly perceived as promoting interaction with a larger world, but which is fit only for men and not for women. Economic calculation of sending children to school saw investment in boys' education as a better proposition as compared to investment in girls' education. Girls are required extensively in domestic work and hence paying their fee for sending them to school incurs a double cost – of the labour cost and fee paid (Johnson, 1993).

Tibenderana (1945) in his review of Girls' Education in Native Administration schools in Nigera, points out similar reasons for girls not joining schools. The early all-girl schools in Nigera were built for daughters of the then ruling class. When it came to expanding participation from other social classes, parents from other classes were not keen to send their girls to such schools as they did not want them to 'mix' with the ruling class. Distance was also quoted as one of the other reasons. Jones (1980) also expressed same views with addition of a few more, such as, objections to co-educational classes, irrelevance of education for girls and protection of honor for adolescent girls, for non-participation of girls in rural Tunisia. Traveling long distances to school can prove to be physically abusive and sometimes fatal for the girls in rural areas. Johnson (1993), in her scrutiny of the situation of low girl enrollment in rural New Papua Guinea found traveling long distances to reach school as one of the most often appearing reasons for low enrollment of girls. Boys had access to boarding facilities, so had the option of staying back for the entire week, but girls did not have access to such facilities. Besides, sending girls to far off places put the girls at the risk of abuse, unmarried/unwanted pregnancies or affairs with non-local men.

Poor infrastructure, particularly, quality of toilets affects girls more than boys. In a research conducted by Mensch and Lloyd (1993) in Kenya, though only 5% of girls claimed to have stayed away from school

during their periods, but, to improve overall quality of learning at school, good quality and functional toilets and drinking water facilities are a must. The same research also found boys lurking around girls toilets. Though the research could not find a direct correlation between girl enrollment and such behavior of boys, but we can conclude that safe school environment is again an imperative to pull more girls in school.

Kirk (2006) presents the positive impact of women teachers on girls' education. There exists evidence to show correlation between number of women teachers and girls' enrollment numbers especially in Sub-Saharan Africa and Nepal. Oxfam (2011) in their briefing paper on girls' education in Afghanistan, state lack of women teachers as one of the obstacles to meet demand of girls' education. However, presence of women teachers and girls' enrollments should not be considered as a cause and effect as the two are dependent on many other factors.

Curriculum design, teaching styles and teacher expectations also present considerable challenges in girls' learning at school (Butler, 1991). Sadker & Sadker (1985) confirm in their research that boys receive more attention, encouragement and airtime than girls. Though the research in this field is not directed towards rural girls but substantial derivations and scenarios can be built for understanding challenges a rural girl faces. Perhaps, this can also be an area for future research.

Applying the SCCT

The above mentioned challenges can be divided into two sets for better clarity. The first, called the demand side barriers contain barriers emerging from the girls' side, including their families. The second – supply side barriers include factors emerging from provision of services by the government. The school is considered a service provided by the government (supply) and the girls' household is the receiver of this service (demand).

Demand side barriers

Grounded in literature review presented above, three main demand side barriers to girls' education emerge – (1) economic profile of the household, (2) gender role expectations prevalent in a society.

Economic conditions of a household heavily influence the demand for education for girls. Low income households are averse to sending their daughters to school due to lack of financial resources and need for daughters in completing daily chores and farm work. They consider it a loss making deal for three reasons (a) the daughter will get married and leave the natal family, hence any income arising post education will go to the new family (b) family loses out on income that could have been earned during time spent in school (c) their support in daily chores and sibling care is essential.

Lorie, Call & Mortimer (2001) find out that, economically successful parents, who feel more efficacious themselves, also are more likely to encourage their children. This may not be directly focused on perspective of economically successful parents towards their daughters, but is enough evidence to highlight the importance of economic conditions on parents and children both. Such transfers of efficacy could perpetuate favorable location in the stratification structure across generations as well. Furthermore, parental education emerged as the strongest factor having a positive influence on girls' school enrollment chances, with mother's education being stronger of the two in a quantitative study of 600 girls in West Bengal, India (Sengupta & Guha, 2002). Occupation also figured high in the list, in the same study. Enrollment chances were observed to be higher for girls whose fathers were employed in a white collar job and lowest for girls belonging families of agricultural labour.

Gender role expectations also play a crucial role in creating a negative demand for education for girls. Girls are expected to get married, bear children and take care of the family. The community does not see the role of education in this gender expected role of women.

Supply side barriers

Literature review on challenges/barriers to girls' education presents four supply side barriers – (1) location of the school beyond village boundaries (2) poor/no provision of clean and safe drinking water and separate toilet for girls (3) lack of boarding facilities for girls (4) non-encouraging teaching styles

and methods (5) lack of career counseling (6) lack of role models for girls.

Self-efficacy and outcome expectations

Bandura (1977) identified four principal sources of efficacy: personal performance accomplishment, vicarious experience, verbal persuasion and physiological state. That is, people gain a sense of efficacy by observing their own successful achievements, by watching others whom they emulate, by the encouragement and reflected appraisals of others, and by judging their physiological stress levels to be low in situations involving performance demands. Self-efficacy beliefs are largely social in origin. They depend not only on one's own personal experience of success or failure, but also on one's interpretation of others' experiences and on the verbal support one receives from others in the social world.

Haller & Portes (1973) find personal aspirations to be important indicators of female status attainment. Their study also revealed perception of low income females about their own educational and occupational futures as an important determinant of eventual achievement in life. These perceptions are formed by their parents', teachers and also community's view on their educational and occupational futures. Determinants of girls' lesser self-efficacy are thought to include unequal expectations and treatment by parents and teachers, as well as vicarious perceptions that female role models are restricted in their access to power and prestige (Lorie, Call & Mortimer, 2001). Kfir (1988) also notes that girls of Afro-Asian ethnic group achieved and aspired more in the beginning, but a larger number regressed to lower level of aspiration during later stages of schooling.

Sources of self-efficacy for girls in rural areas are their performance in school, watching their teachers and other grown-up girls in the community and encouragement received from their families and the community. Following derivations can be made on analysis of barriers presented in the previous section:

1. **Own performance in school** – Performance of girls in each school level starting from primary keeps decreasing. Girls tend to succeed more in primary school and less in

secondary stages due to the beginning of adolescent age which requires the girls to enter into traditional sex roles (Nash, 1979). The constant decline in school performance lowers self-efficacy of girls and the confidence of others in a girls' educational and occupational attainment.

2. **By watching others they emulate** – girls in rural areas tend to emulate grown-up women who could be their mothers, sisters and neighbours. What they find is that these grown-up girls do not go to school, work at home and farms, take care of the family, get married and bear children. These grown-up women serve as their role models.
3. **Encouragement from families** – Due to poor or average economic conditions of the household and gender role expectations prevalent in the society, girls tend to receive less encouragement from their immediate families to pursue educational and career pursuits in life.

A study conducted by Soares & Soares (1969) on self-perception of culturally disadvantaged children revealed higher self-perception of disadvantaged children than the advantaged children. It further reveals that disadvantaged girls suffer from low self-perception due to son preference in middle class families. Sons are the object of affection and investment in a middle class family. Hence, girls form low self-perception about them since elementary school. Though there is equality throughout the elementary schooling stage, but secondary school is where girls start to acknowledge their role as expected by the society. These are the years when girls tend to drop-out of school as well.

OUTCOME EXPECTATIONS

Outcome expectations are concerned with beliefs around consequences of action(s). Barriers and self-efficacy have an influence in forming outcome expectations of girls in rural areas. When self-

efficacy is low and multiple barriers exist, outcome expectations are bound to be restricted to following social norms. Kerr (1988) notes that girls are rewarded for intellectual achievement only before adolescence. By adolescence, they are rewarded for social conformity instead. Traditional gender roles, generally found in most of the rural communities, may constrain women's educational and employment options and more emphasis may be given to marriage (Jacobs et al.,1998). Even ambitious and educationally motivated girls do not have much of an option but to adopt more traditional careers or

activities if they do not receive strong support from their parents (Bender, 1994).

Interests, goals and actions

Low self-efficacy and influence of traditional gender role expectations on outcome expectations result in formation of weak interests pertaining to educational or career pursuits. This, in turn, leads to traditional goal settings which results in weak actions towards pursuing education..

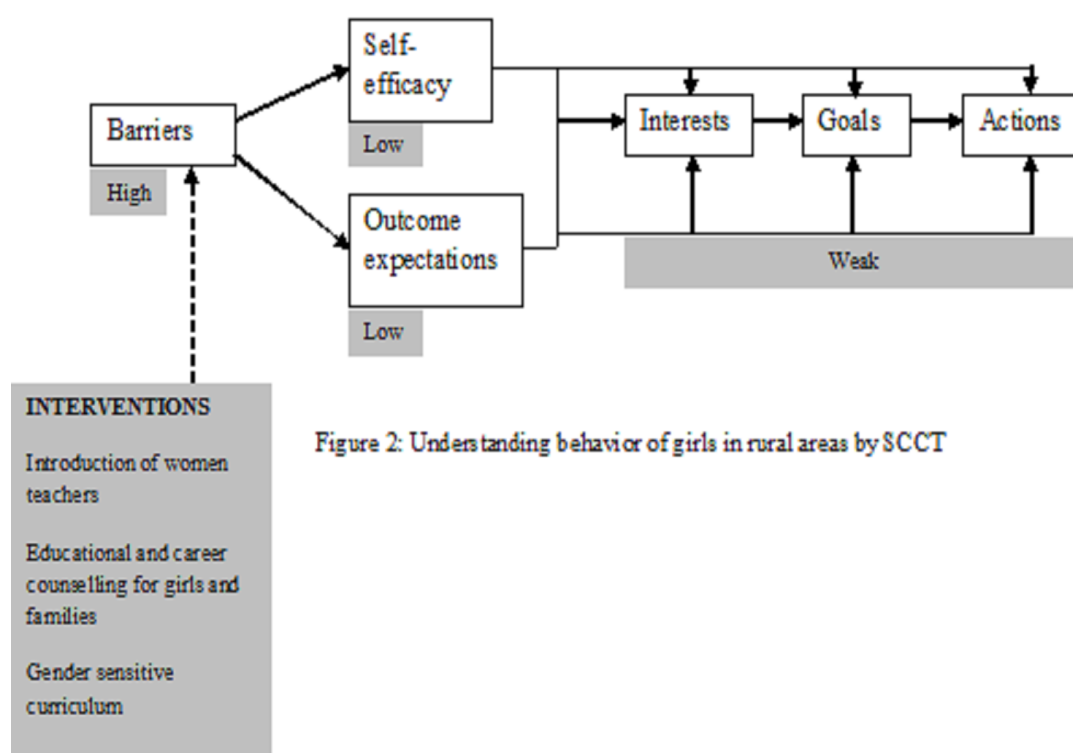


Figure 2: Understanding behavior of girls in rural areas by SCCT

Figure 1: Understanding behavior of girls in rural areas by SCCT

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WOMEN IN SCIENCE FICTION-ECHOES FROM AN UNINHIBITED WORLD

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Abstract

From the shelves devoted to Frankenstein in a book store to the possible Artificial Intelligence revolution in Ex-Machina in a multiplex theatre, science fiction has travelled some distance. Till date the exact definition of science fiction remains contested. This genre is still exploring the potential of retelling a fictitious tale of time, space, genetics, technology and experience. Infact science fiction as a genre of literature distinguishes itself from others by its portrayal of a world of imagination-utopia/dystopia. This genre plays an important role in society as it talks about an alternative world of possibilities, possibility of an equal world, where one can critique gender roles, traditions and values. A medium of communication to debate sex roles, life and changes. Post 1960s, after the women's liberation movement, changes were witnessed in the social, cultural, political and economic life of women and with this science fiction, the so called male dominated genre, also experienced changes. The popular belief of women writing only sorcery and fantasy was fading. This paper is an empirical study of women science fiction writers questioning the gender roles and advocating a social change in their fictitious worlds.

Keywords: Science Fiction, Women, Gender Roles, Change

INTRODUCTION

"I want to be free... I want, I think, to be omniscient... I think I would like to call myself 'the girl who wanted to be God'. Yet if I were not in this body, where would I be--perhaps I am destined to be classified and qualified. But, oh, I cry out against it."

-- Sylvia Plath, *Letters Home* (1975)

In a so called male dominated genre, Mary Shelley, the woman writer pioneered with her novel Frankenstein; or, The Modern Prometheus at the age of nineteen. Frankenstein was published in the year 1818. That was the time when society expected much from science, people were in a path of constant search for knowledge. It is witnessed even in the protagonist of the novel. In her work, Shelley questions the thoughtless development of science. In Frankenstein the male characters were of primary focus. The narrator Robert Walton, the protagonist Victor Frankenstein, Victor's father Alphonse Frankenstein, and brothers William and Earnest, Henry Clerval -his

best friend, and finally the monster which Victor Frankenstein creates, are all male figures. Shelley did a wonderful job of portraying women of this era, where they were seen as possessions for men, protected by men, diligently carrying out their duties of mother, daughter, wife and sister. In what is considered to be the first novel in the genre of science fiction, Shelley used Caroline Frankenstein, Justine Moritz, Elizabeth Lavenza, Safie, Mrs. Saville, and not to forget the female monster that Victor begins to create.

Caroline Frankenstein is portrayed as the damsel in distress, when she is rescued by Alphonse Frankenstein after her father's death. Caroline later on becomes the wife of Alphonse and mother of Victor. Caroline, the dutiful daughter, nurses her father Beaufort until his death. She is portrayed as the epitome of a perfect woman of that century displaying the qualities of a nurturer, bearer and selflessness. She was the sacrificial caregiver who subsequently dies doing her duty. Elizabeth Lavenza, the ideal sister, cousin and future wife to Victor, was the orphaned child who was rescued and adopted by

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the Franksteins'. Her character was described as a passive one and we see her strength once in the novel when she stood up for Justine's innocence. Justine Mortiz, the character with immense potential, was not given the scope to be explored by the readers. She was a faithful and caring servant. Shelley reiterated by the treatment to her character that women cannot speak for oneself and society decides her fate. In this novel, from a clever, gentle and extremely pretty lady she is turned into a witch and executed for the murder of William Frankenstein. The other two characters, Mrs. Saville and Safie, has minimum purpose in the novel.

Shelley echoing the voices of the society treated the women characters as secondary ones. By making her protagonist Victor Frankenstein create or rather procreate, the biological aspect of reproduction was questioned, where females had no role to play. Victor was trying to become God by deciding whom to bring to this world and whom not, his decision of not creating a mate for the monster emphasizes that. The union of men and women were not required to bring in future children. Women during that century were considered powerless and submissive which is rightly reflected in the novel.

Jane C. Loudon's *The Mummy!; A Tale of the Twenty-Second Century*, was a futuristic meditation on England. Published anonymously in three volumes in 1827, she hoped technology and social progress would improve in her country, she questioned whether the monarch and church should be abolished and whether Positivism and technology would bring in better changes in the society. It's also a take on the othering of non-Western countries, a trend that became prominent during the British Empire which began with Napoleonic discoveries of pharaonic tombs. Her work was a dismissal of the socialism of Romantic movement.

In the beginning of the book, Queen Claudia reigns. The plot includes two aristocratic families who have their eyes on the crown and glory: the Montagues and the house of the Duke of Cornwall. The Montague family has two sons, Edmund, a national hero on the fast-track to knighthood, and Edric, an intellectual. The Duke of Cornwall's family features marriageable daughters Elvira and Rosabella who are also the next

in line to the throne if anything happened to the Queen.

Overshadowed by his brother's achievements, Edric yearns for his own glory within the intellectual domain, and captivated by the idea of reanimation hatches a plan with his friend, German scientist, Dr. Entwerfen, to resurrect a mummy. Cheops is the Frankenstein of Loudon. Like Shelley Loudon's creation is also male and not purely evil—and, in fact, is a complex archetype used to subvert the Orientalism of Egyptomania when Napoleon's troops discovered their first pharaonic tomb. Edric represents a more thoughtful and conscientious vein of mad science. He is not interested in making a man, or recreating life, but in uncovering the divine with scientific experimentation. His research poses the age old philosophical question of what happens to the soul upon death. This is a debate he isn't at all fearless about; he worries whether resurrecting a corpse might result in a soulless zombie than a real man. Taking a slight detour from the main plot, we discover the world Loudon is talking about to her readers in the sub plot, a world which is undergoing popular revolt, spiritual disillusionment, and a long and disastrous flirtation with republicanism, England returns to absolute monarchy and Catholicism. Matriarchy takes over. When the new conservative regime was reestablished, the male heir to the throne refused to wear the crown; his daughter wore it and ruled England with the ruthlessness of Queen Elizabeth I. Feminism though latent in the main plot works actively in the sub plot.

Mizora: A Prophecy by Mary E Bradley Lane (1890) is the second known feminist utopian novel written by a woman. This novel encourages the concept of an all-female society where women doesn't need man for procreation. Vera Zarovitch was the narrator of the story, who was shown to be a young wife and mother. The novel's backdrop was the Polish revolt of 1863. Vera Zarovitch was found guilty and was sentenced to exile in Siberia by the Czarist regime. In her attempt to escape northward into the Arctic, her kayak by accident reaches Mizora. In Mizora, she learned their ways and culture, and planned to teach her own society what she has learned. She spends fifteen years of her life there. An interesting feature in the novel was refuting the norm of expectation from the women in Mizora. Unlike the world then where the norm was

to wear tightly-corseted dresses to flaunt their narrow waists, in Mizora, narrow waists were considered a disgusting deformity (in the words of the writer).

Charlotte Perkins Gilman's *Herland* (1915) is another utopian novel. The story talks about an isolated all-female society where again like Bradley's *Mizora* men are not required for procreation. But unlike Bradley's *Mizora*, the story of *Herland* is told from the perspective of men. Vandyck Jennings, a student of sociology is the protagonist of the story. Jennings forms a group to explore an area of Godforsaken land where the belief is that of a society consisting entirely of women. Gilman along with telling a beautiful story to her readers was also hinting at society and its beliefs. She defined how gender roles are socially constructed, how an all-female society give up their children to the care of another questioning the age old child-rearing process, and how children are not given the bondage of their last names. In Gilman's fictional world, she reverses the stereotypical gender roles: where women are depicted with short hair, the men have long hair; the woman is depicted as a teacher while the men as a learner; and further, the women are depicted physically stronger than the men,

Thea Von Harbou's *Metropolis* (1925) is about a story set in 2026 in a technologically advanced city, which is sustained by the existence of an underground society of labourers. Problems arose in the story when the son of one of the city's founders falls in love with a girl from the underground society. We witness an early Robot in the form of Maria. The story was not an exceptional one. The city *Metropolis* is a fictional city, effectively a dictatorship, ruled by the protagonist's father. Again, *Shadow on the Hearth* (1950) by Judith Merrill seems like a saga of nuclear scare nostalgia. The protagonist of the story, Gladys Mitchell, is not a scientist or physicist or someone eminent. She by no means has the potential to become a threat for the humankind. Infact the story begins with an overtly domestic scene, as Gladys washes her family's laundry, and also worrying about the social development of the people. This story is more about a Westchester woman and her two children after the explosion of a series of atomic bombs on New York.

The Birthgrave by Tanith Lee (1975) begins with a nameless female narrator awakening inside a volcano

with no idea who she is. The story has a glistening jade which may hold answers to her queries on her past and true identity. Its ironical how emerging from the volcano make her a Goddess in the eyes of the villagers. This story is more of the triumph of good over evil as our protagonist fights the deceitful Vazkor and in the end kills him. Lee uses computers of a spaceship to reveal the narrator's forgotten past. Lee echoing with fantasy let us know that Karrakaz was our protagonist's creation as an alternate personality to destroy her. In Lee's fictional world, in the end, from the eyes of Karrakaz, we witness a face behind the mask, which was unimaginably beautiful.

Ursula K. Le Guin's first novel *Rocannon's World* (1966) tells the story of Gaverel Rocannon, an ethnologist who had met Semley at the museum and he later goes on an ethnological mission to her planet, Fomalhaut II. Guin before giving her readers a chance to peep in Rocannon's life ushered us into the life of Semley. The prologue of the novel begins with a young woman named Semley. It is about her space voyage to a museum from her unnamed, technologically primitive planet, to reclaim a family heirloom. The journey which apparently looked like a short trip to her took away many years from her life without her realisation. When she returned to her planet she found her daughter grown up and husband dead. In Guin's most famous book *The Left Hand of Darkness* (1969), she talks about social relations in a society where gender is irrelevant. Readers saw as a homophobic depiction of the relationship between Estraven and Ai. Genly Ai in the novel struggles to form a bond with Estraven, and the barrier between them was finally broken down during their journey on the ice, when he recognizes and accepts Estraven's dual sexuality. This new intimacy made their bonding strong and Genly Ai taught Estraven to mind speak. Heterosexuality was the norm shown in the planet Gethen. The inhabitants of Gethen through their androgynous nature examined gender relations in human society. Critics say that her book was her way of gently critiquing masculinity. And absence of gender divisions leads to a society without the constriction of gender roles.

The Female Man (1975) by Joanna Russ is a feminist science fiction where the characters Joanna, Janet, Jael and Jeannine's (all from different parallel worlds) perspectives are expressed in the form of common

conversations which demonstrate their frustration with men's ignorance of women. The Female Man has four distinct settings, each of them an alternate version of our very own Earth. Joanna, Jeannine, and Janet have arrived in Jael's world which is experiencing a long war (around forty years) between male and female societies. Jael explains that she works for the Bureau, an organization that concentrates on people's various counterparts in different parallel worlds. She reveals that she is the one who brought all of them together because they are essentially "four versions of the same woman" (1975:162). Jael finally tells the other women the truth of assembling all of them. She wanted to create bases in the other women's worlds without the knowledge of the male society and eventually empower women to overthrow oppressive men and their gender roles for women. The novel ends with the women separating and returning to their respective worlds, each with a new perspective on her life, her world, and her identity as a woman.

Published in the year 1980 by Octavia Butler, *Wild Seed* is the story Doro and Anyanwu, two immortal mutants. Anyanwu is Butler's black female protagonist who is born in Africa with genetic mutations that endow her with immortality and physical strength. She is a "shape-shifter," someone who is capable of altering her cells to create a new identity such as a different body, sex, age, or even species. Anyanwu is a highly moral woman with a strong sense of humanity. Important to Anyanwu are family and community, autonomy and companionship, love and freedom. Unlike Anyanwu, Doro is introduced in the novel as the antagonist. He is a mutant, born in Egypt during the reign of the Pharaohs. As he approaches puberty, Doro learns quite accidentally that he is a "body snatcher," meaning that his life can be extended by killing the nearest person to him and subsuming his/her physical body. His immortality is rather snatched from other humans. Doro utilising his power was using Anyanwu to breed; tired of Doro when she planned to commit suicide, there is a change of heart in Doro and he stops Anyanwu to breed. The story ends at a note where Anyanwu decides to help him in his quest to find more promising seeds, but as an ally and partner than his slave.

He, She and It by Marge Piercy (1991) talks about a town called Tikva founded by the Jews after a long period of persecution. Tikva exists in a kind of dome over what used to be the Northeastern United States. The story is about the protagonist Shira who returns to her hometown Tikva and starts working on the socialization of the cyborg, who has been created illegally by Avram to protect the city. Yod is a cyborg whose programming has partially been completed by Malkah, Shira's grandmother. The sexual relationship between Shira and Yod pioneered a new thought in the genre. Again, Nalo Hopkinson's dystopian novel *Brown Girl in the Ring* (1998) takes place in a walled-off inner city filled with crime, drug addiction, and poverty, where the causes of the city's downward spiral are economic. In the novel, conditions worsen when those with money flee from the city to the suburbs. In this situation, Ti-Jeanne, the female protagonist, is shown trapped and injected with Buff, a drug that paralyzes her. While in a state of paralysis, she slips into an "astral" state, and she calls upon the ancestor spirits to help her. And these spirits helps her in getting justice. With folklore and magic realism the novel is a reflection of the Afro-Caribbean culture.

Lisa Goldsteins *The Uncertain Places* (2011) is the story of two friends from the turbulent 1960s, Will and Ben, both UC Berkeley undergraduates, fall into company with a quirky family of Napa wine-growers, the Feierabends. Will and Ben get romantically connected to the two eldest Feierabend daughters. The duo perceive that there's something uncanny about the family. The reader unravels, through a series of fairytales set in 19th century Germany, Depression-era California, Summer of Love Berkeley, and the greed-is-good 1980s. The world portrayed in *The Uncertain Places* is the one borrowed straight from Grimm's Fairy Tales. Justina Robson's *The Glorious Angels* (2015) focuses mainly on the lives of Tralane Huntingore and her daughters Minnabar and Isabeau. The readers do get to see each of these characters being tested in difficult circumstances. There is a sense of mistrust between the major protagonists throughout the novel. The unique feature was that the Empire is ruled by eight Empresses each with different personalities, skills and goals. Each rule a different city of the Empire, but are connected by something more than telepathy, which doesn't mean that they are all in constant

agreement, with some of the Empresses more dominant than others. The World portrayed in *The Glorious Angels* is the one which is run by women and the men of the Empire are allowed a certain amount of power in specific fields. It's a world with constant struggle for power and intrigue.

Breaking the stereotypes, most women writers in science fiction are focussing on female characters who are more concerned about academics or careers and not appearances and romantic entanglements. Traditional stereotypes of women as passive, dependent and emotional beings are broken with counter-stereotypical descriptions of women. Roles of a woman is socially constructed and externally imposed which forces one to operate in a certain kind of behaviour and appearance. This limits freedom and constrains the potential of the women. In the fictitious world of these science fiction writers social norms are entirely decoupled from potential reproductive function. In fact they were talking of an alternative world, an all-female society, where women doesn't need man for procreation. Being female or male had as little bearing on how one is expected to dress and behave. She was fairly represented in the political system. Unlike the non-fictional world, submission and subordination didn't define women. Many a times even the concept of gender was abolished in their world. To sum up, nothing can be more apt than the words of Ursula K. Le Guin (1974) If science fiction has a major gift to offer literature, I think it is just this: the capacity to face an open universe. Physically open. psychically open. No doors shut.

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AWARENESS OF BREAST CANCER AMONG TRIBAL WOMEN IN THE NILGIRIS DISTRICT

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Abstract

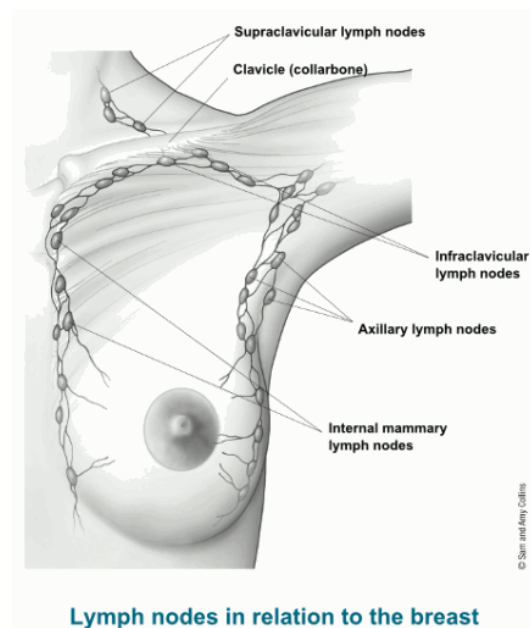
Breast cancer is the second leading cause of women in both developed and developing countries. A global burden of breast cancer is estimated to be 2 million by the year 2030 from developing countries according to Jermal A, 2011. The breast cancer incidence is growing in younger age and elder women population worldwide. In India, the breast cancer incidence is very high in rural women. Poverty, lack of education, shortage of screening facilities, advanced stages at diagnosis and gender inequality in healthcare activities etc., are barriers for increasing the breast cancer incidence in India. This study was carried out to identify the level of knowledge to understand the awareness of breast cancer among tribal women in the Nilgiris District. The sample was collected from both married and unmarried women in the age group of 18-70 years. 40 women were randomly selected by using lottery method. A self administered questionnaire was used to collect the data. The data was analyzed through simple frequencies. The study results showed that the awareness regarding the breast cancer was relatively poor. However there is significant association between the age, marital life, education level, and the level of awareness.

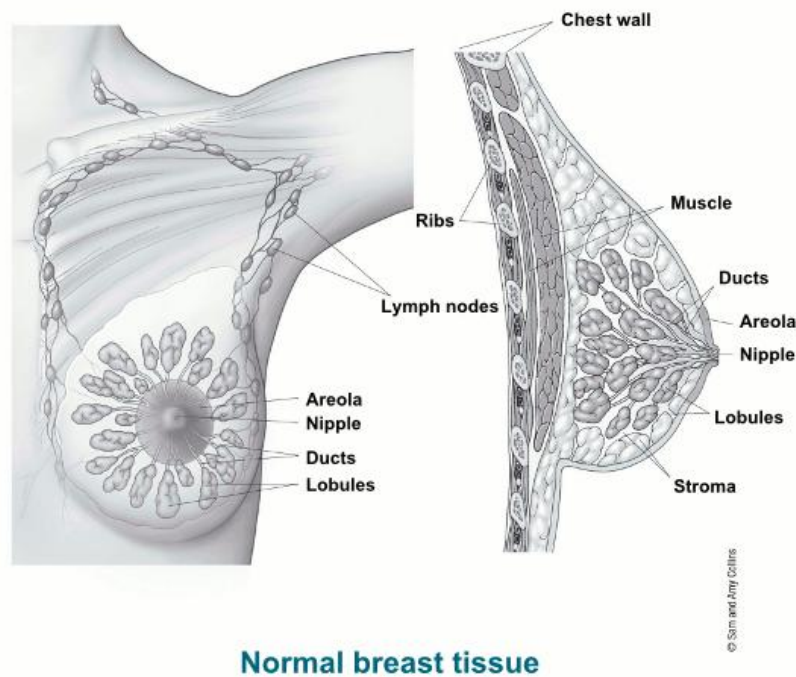
Keywords: Breast cancer, awareness, Tribal women

INTRODUCTION

According to the study conducted by an international consortium of researchers, coordinated by the Institute for Health Metrics and Evaluation (IHME) at the University of Washington, the Breast cancer has replaced cervical cancer as the leading cause of cancer deaths among women in India. 'The Global Burden of Cancer 2013', published in the journal JAMA Oncology, that the breast cancer cases was jumped by 166 per cent. The GLOBOCON Report states that Breast cancer is the second leading cause of mortality and morbidity in both developed and developing countries, worldwide statistical report shows that an estimated 14.1 million new cancer cases and 8.2 million cancer related deaths in 2012(WHO). Breast cancer usually starts off in the inner lining of milk ducts or the lobules that supply them with milk. A malignant tumor can spread to

other parts of the body. A breast cancer that started off in the lobules is known as lobular carcinoma, while one that developed from the ducts is called ductal carcinoma.





Source: American Cancer Society

Breast cancer is the most common cancer among women in India due to the different cultures, geographic variations, food habits and diets, etc., Breast cancer can be identified in early stages through the signs and symptoms. Most of the Indian studies showed that very few women knew about the symptoms regarding breast cancer. Breast cancer studies in South India results revealed that approximately 55% of women have never heard about breast cancer, 80-90% of respondents were not aware of symptoms and approximately 65% of respondents did not practice of self examination (Sri Devi, 2014; Kadam, 2014).

Breast Cancer is the Second leading cause of mortality and morbidity in both developed and developing countries. According to the International Agency for Research on Cancer (IARC) worldwide report an estimated 1671149 new breast cancer cases and 521907 deaths and 144937 new breast cancer incidence and 70218 deaths occurs in India. Mumbai is the highest breast cancer incidence in India as 5620 (30.3%) cancer cases, 5354 (28.5%) cancer incidence in Trivandrum and 3921 (22.4%) cancer incidence in Chennai reported by the Hospital Based Cancer Registry 2007-2011 in India.

Breast cancer is a sensitive issue for women in the world. So, many of the women do not participate in screening tests. Lack of awareness about breast cancer and less availability of screening facilities is one of the reasons for delayed presentation of cancer diagnosis. An estimated 2700 mammograms installed in India, which represents less than 5% of that in the US and only 30% of advanced imaging technologies such as PET-CT cancer centers are available in India (EY, July 2015). Only one percentage of women had mammogram once in a year between the age group of 40 and 69 years in India as compared to 30% in China and 65% in the US in 2014 (Poornasudha, 2013). The data was collected from 2009 to 2011, only 43% of Indian women were diagnosed at an early stage of breast cancer (i.e., Stage I or stage II) as compared to 62% in the US, 72% in China and 81% of breast cancers were diagnosed at an early stage in UK. As a result, mortality rates are increasing four to six times higher in India than the US and the cost of treatment to be higher than the annual household income for over 80-85% of households in India. (EY analysis, July 2015).

Though the government had taken action in XII five year plan for implementing the availability of opportunistic screening services for cancer at the Sub-Center, primary and district level centers in all 664 districts, women use the services at lower level because of fear and embarrassment. According to the National Family Health Survey – 4 reported that 14%, 16.9% of urban and rural women have ever undergone breast cancer examinations in Tamil Nadu and only 20.0% of women have ever undergone breast cancer examinations in The Nilgiris District (NFHS -4, 2015-16).

Tribal women are facing many health problems in India due to life style changes, changing food habits and diets etc..., Poverty, lack of education, cultural beliefs, shortage of screening facilities, advanced stages at diagnosis and gender inequality in healthcare activities etc., are barriers for increasing the breast cancer incidence among women in India. The study aims to understand the level of awareness about breast cancer among tribal women in The Nilgiris District.

OBJECTIVE

To understand the level of awareness about breast cancer among tribal Women

HYPOTHESIS

- There is no association between age and breast cancer awareness of the respondents.
- There is no association between education and breast cancer awareness of the respondents
- There is no association between marital life and breast cancer awareness of the respondents.

METHODOLOGY

The study has used both primary and secondary data. Interview schedule was used to collect primary data. Secondary data have been collected from Text books, Journals and related Websites. Coonoor Panchayat union in The Nilgiris District was selected in this study. There are 6 panchayats included in this Union. Melur panchayat was randomly selected for the study. There are 192 female tribes living in this village. 40 samples were randomly selected by using lottery method. Interview schedule was used to collect the data from married and unmarried women. The data were analyzed by using SPSS Software Version 21. Descriptive statistics were used to analyze the results.

RESULTS

40% of women were in the age group of 36-53 years, 32.5% of women had secondary level education, 65% of women are unemployed, and 70% of women belongs to Hindu community, 77.5% of women preferred living in nuclear family and 35% respondent's family income was between 10001 to 15000 rupees. 65% of women have heard about breast cancer, 55% of women said breast cancer has to be detected early with increased the chances of survival rate, and 77.5% of women knew about breast cancer through media. Nearly half of the women knew about breast cancer symptoms and more than half of the women were unaware about breast cancer risk factors. 50% and 45% of women knew that low level of breast feeding (less than 1 ½ years) and family history of breast cancer can increase the risk for getting breast cancer. Nearly one third of women know about the breast cancer screening practices and very few percentages of women practiced the early detection practices.

Table: 1

	Variables	Chi – Square test	Sig	Null Hypothesis
Awareness of breast cancer	Age	.244	Not Significant	Accepted
	Education	.004	Significant	Rejected
	Marital Status	.002	Significant	Rejected

Chi square test was applied to find the association between the age, education and marital status and breast cancer awareness of the respondents. The age of the respondent did not influence the breast cancer awareness level of the respondents. Therefore it is found that there is no significant association between them. So the null hypothesis is accepted. Chi square test was applied to find the association between the marital status and breast cancer awareness level of the respondents and it was found that there is significant association between them. Thus the hypothesis is rejected.

The statistics applied to find out the association between education and breast cancer awareness level of the respondents revealed that there is relationship between the educational status and breast cancer awareness level of the respondents which is substantiated with 99% significant. Hence the hypothesis is rejected.

25% of women have low level, 50% of women have moderate level and 25% of women have high level of awareness about breast cancer in the selected tribal areas.

DISCUSSION

In developing countries like India, diagnostic facilities are too costly which hinders the normal public women to ignore the screening practices. The resource crisis and cultural stigma also plays a major role in ignoring the health issues. The finding of the study describes a wide gap in the level of awareness about breast cancer and its risk factors among tribal women of the Nilgiris district. Though majority of the tribal had heard about breast cancer, only half of them were aware of the basic symptoms of breast cancer. This indicates that regardless of massive efforts done in creating awareness on breast cancer at national and

international level, the level of awareness of breast cancer has not reached at the community level. The burden of not reaching the community is due to the poor or unproductive education. Here the globalization and environmental degradation has played a role on tribal women's health.

Talking about the facts on breast cancer, Dr Vivek Gupta, Sr. Consultant- Surgical Oncology, informed that it was estimated that there would be 1,55,000 new cases of breast cancer in the year 2015. About 76000 women in India were expected to die due to the disease. If we did not work on creating awareness about early detection of cancer, the figure could be much worse. Breast self examination and mammography were the noble technique to deduct breast cancer cases at early stages. Dr Rudra Acharya, Sr Consultant- Surgical Oncology, pointed out that ironically most of the cases in our country are diagnosed very late and according to the statistics of World Health Organisation, more than 60% of the women were diagnosed with breast cancer at stage III or IV in India. This drastically affected the survival rate and treatment options for the patients which substantiates the present study.

Though numerous campaigns on early detection of breast cancer practices are being organized locally and nationally by the Government, women still demonstrates moderate level of awareness regarding breast cancer. The present study highlights the demand for increasing the awareness level and wide range of cancer screening activities that is consistence with local beliefs in the community. The educational efforts should be designed exclusively to influence the variables that are related to conformity with early breast cancer detection behaviors. The cancer prevention program should highlight the provision of factual information about cancer and cancer screening practices in the context of a journeying of inaccurate beliefs about cancer that may restrain health behaviors. Self examination on breast cancer

screening practices must be reinforced and they must be educated to practice on regular exercise pattern. Most of the tribal women did not take care of their health due to poverty and lack of education. Having effective relationship between family members should be allowed and encouraged to balance the breast cancer awareness level of the tribal women. The results showed that half of the women got their moderate awareness about breast cancer. According to the National Breast Cancer Foundation, Breast cancer affects one in eight women, and it is estimated that about 220,000 women are diagnosed each year,. Appreciatively, early diagnosis and treatment most often leads to a full recovery. Breast Cancer Awareness Month (October) is an annual campaign to raise awareness of the disease and the critical importance of testing for early detection.

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WOMEN EDUCATION, NOT FOR JOB: A CATALYST FOR ENHANCING HUMAN DEVELOPMENT

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Abstract

Globally gender equality and women empowerment have been recognised as the vital component to achieve overall development. Education is the most important means of empowering women with the knowledge, skills necessary to participate fully in the development process. Today, a greater emphasis is being placed on examining the range of capabilities available to women in many countries throughout the world. Increases in female education associates strongly with high levels of human development. Therefore, there is a strong correlation between HDI rank and women education in a country. The status of women education reflects on the rank held by a country in HDI. As such, improvements in human development can be achieved by focusing on expanding the capabilities available to women and the only key element is education. Increases in female education associates strongly with high levels of human development. The main purpose of this paper is to study the association between Women education and Human Development for the national progress and socio economic development. The study is based on secondary data viz. Census, 2011 and UNDP report, 2015 in order to find out the relationship between women education and Human Development rank. The major findings of the study envisaged that the countries, which have higher female adult literacy rate, are ranked high in HDI. Hence, the paper concludes that education will definitely enhance the women's capacity for participation in an increasingly knowledge based world economic growth and reduce the poverty which will serve as a tool for women empowerment and reflect in sustainable human development.

Key words: Women, Education, HDI, Rank, Literacy rate, social development, sustainable development

INTRODUCTION

*"If you educate a man you educate
an individual, however, if you
educate a woman you educate a
whole family".*

Pandit Jawaharlal Nehru

Women form nearly half of the human capital in the country, but they remain the

most deprived and long neglected segment of the society, despite the constitutional guarantee for equal rights and privileges for men and women. Emancipation of women is an essential pre-requisite for economic development and social progress of the nation.

Education is considered as a milestone for women empowerment because it enables them to respond to the challenges, to confront their traditional role and change their lives. Women have so much unexplored potential, which has never been tapped. As education is both an input and input of human development, educational equity will ensure enabling development. According to 2011 census the female literacy rate is 65.46% where the male literacy rate is over 80%. Even beyond literacy there is much that education can do for women's rights, dignity and security. Education of women is the most powerful tool of change their position in the society. Still large womenfolk of our country are illiterate, backward, weak, and exploited.

Education also reduces inequalities and functions as a means of improving their status within the family. India can become a developed nation only if women contribute to the best of her capacity and ability which is possible when she is educated and empowered. Empowerment is a multi-dimensional process, which enables the individuals to realise their full identity and powers in all the spheres of life. Empowerment of women brings equal status to women, opportunity and freedom to develop her which also means equipping women to be economically independent and personally self-reliant. Providing them quality education is the fundamental way to empower women which ensures greater autonomy in decision making or free themselves from the shackles imposed on them by custom, belief and practices in the society.

Gender Gap index 2013 (GGI) measures the gap between men and women in four fundamental categories – economic participation & opportunity, educational attainment, health & survival and political empowerment. India ranks among the lowest 101 in 136 Countries, below Countries like China, Sri Lanka and Bangladesh. This mirrors the status of women in India and gender discrimination in all aspects of life-education, economic activity and empowerment. Education is the basis for the full promotion and improvement of the status of women.

As per the latest Census of India, women constitute 48.49% of the country's population and about 90% of the informal sector. Yet they are often invisible in the development scenario. It is said that between the rhetoric of women's empowerment and the reality of decreasing fund allocation for schemes related to women's health, education etc., lies the story of women's development in India.

Denial of access and opportunities to rightful place, possession and position to women begins from home and extends beyond to schools and other institutions of learning and work. Differences in avenues to growth and development thus, become issues. The issues become areas of concern, not just for women, but for the entire society.

Women education

Education is one of the most important means of empowering women with the knowledge, skills, and self-confidence necessary to participate fully in the development process.

To measure the educational attainment (indicated by adult literacy and the combined, primary, secondary and tertiary gross enrolment ratio) of women we can also consider the Millennium Development Goals relating to Education in Goal 2 – Achieving Universal Primary Education and Target 1 of MDG 3 – Promoting Gender Equality and Empowering Women. In India, the literacy rate of male to that of the females over the last sixty years shows that although the overall literacy rates have been improving, yet women literacy rate falls far behind than that of men. Thus it is to be understood that women's empowerment is a core value for human development and achievement of MDGs.

Female education has long been acknowledged to have strong correlations with other dimensions of human and social development. As Mehrotra (2006) notes, low levels of education significantly affect the health and nutritional status of women. For instance, in the case of India, he notes that chances of suffering from the diseases caused by malnutrition decrease steadily with increased levels of education. Despite strong economic and social evidence of the high returns to female education, most communities continue to under-invest in female education relative to male education. Even as the thresholds of schooling completion increase, with significantly narrowing gender gaps in primary education in particular, discrimination against girls in secondary and higher education remains an issue. Economic and social privilege also affect gendered patterns of access, with girls in secondary and higher education predominantly drawn from higher income and social groups, endowed with higher social status. Human Development as a process of expanding people's choices, cannot be achieved when the choices of half the population of India is restricted. Targeted actions aimed at empowering women and righting gender inequities in the social and economic sphere, as well as in terms of civil and political

rights, must be taken alongside efforts to en-gender the development process.

Gender equality in education

Women's education leads to significant social development. Some of the most notable social benefits include decreased fertility rates and lower infant mortality rates, and lower maternal mortality rates. Closing the gender gap in education also increases gender equality, which is considered important both in itself and because it ensures equal rights and opportunities for people regardless of gender. Women's education has cognitive benefits for women as well. Improved cognitive abilities increase the quality of life for women and also lead to other benefits. One example of this is the fact that educated women are better able to make decisions related to health, both for themselves and their children. Cognitive abilities also translate to increased political participation among women. Educated women are more likely to engage in civic participation and attend political meetings, and there are several instances in which educated women in the developing world were able to secure benefits for themselves through political movements.

India has made significant progress in meeting human development goals, including universal primary education and gender parity in its school system. India has successfully moved towards reaching the EFA goals, especially in ensuring near universal elementary education and enrolment of girls. India's efforts has backed by the Right of Children to Free and Compulsory Education Act, 2009, and the Sarva Shiksha Abhiyan. To ensure continued participation of girls in education, Beti Bachao Beti Padhao (Save the Girl, Educate the Girl) initiative has recently been launched in India.

Women education and empowerment

Education is one of the most important means of empowering women with the knowledge, skills, and self-confidence necessary to participate fully in the development process. Globally gender equality and women empowerment have been recognized as the vital component to achieve overall development. Empowerment is a process of

awareness and capacity building leading to greater participation, to greater decision-making power and control, and to transformative action. Women empowerment is a most vital component for sustainable development. Empowerment equips women to be socially knowledgeable, economically independent, personally reliant, and politically participatory. Education is important in the process of National development. It improves the quality of life and it leads to formation of human capital and is an important asset for the development process.

Women education in human development

The role of women in development was paid more attention, since the early 1970s. Evidence shows that modernization and development have led to imbalance in outcomes for men and women, so that men have been the beneficiaries of this process and women, the victims (Ketabi, 2005). Certainly a society that tries to achieve development, should consider reducing inequalities in all political, cultural, social and economic dimensions, in particular the inequalities that the measure is sexuality. However, a part of the Millennium Development Goals is to ensure that by 2015 all children, both girls and boys would be able to finish a full course of primary schooling and gender discrimination in primary and secondary education, preferably by 2005 and at all educational levels in 2015 wiped out. Still amongst 680 million children in developing countries who are in elementary school age, 115 million children do not attend school that girls constitute three-fifths of the number. The statistics shows that the world moves to appropriate use of its manpower, developing countries can have a role in the development of the society in the use of human resource by proper training and it does not work unless determining the status of women in society and trying to raise their awareness through education and giving them the right to freedom and equality. Therefore, the purpose of education is necessary in order to achieve other development goals (Mousavi Khameneh, 2010).

Gender differences in general and gender gap in education particularly, are considered the major obstacles to economic growth and development. The developing countries in recent decades'

experiences show that increasing investment in human resource, especially women's education, provides background necessary to achieve higher economic growth and social welfare. Because women participation as half of the potential labor force can be effective in the community development, eliminating gender disparities and gaps in various sectors of the economy and the education not only leads to more "equality" but also higher "efficiency" (Emadzadeh, 2003).

One of the most fascinating and meaningful reports of United Nations, is the human development report, which is published each year since 1990. According to this report, life expectancy, education and income are factors that need to be improved to cause a positive change in the human development index. Obviously this is not possible without a comprehensive program to achieve these goals. Human development index alone indicates the status of a country and any positive or negative changes in it, shows the moving forward or backward of the country. This index is based on three indicators of life expectancy, education and Gross Domestic Product. Furthermore, education directly improves HDI and has the positive impact on the other two measures namely long and healthy life and achieving a standard level of living (King, 1987). HDI value for a country suggests the extent of the path to achieve its defined objectives. These goals include: average lifespan of 85 years, access to education for all and a decent level of income. HDI index is a measure which takes figures between 0 and 1. So that, the countries which their HDI is closer to 1, should take a shorter route to reach these goals. The human development reports divides the world countries into three categories: countries with high human development (0/8-1), medium (0/5-0/799) and low (0-0/49) as criteria to classification (2005, Koizumi, M.D, Hisako)64. One of the benefits of HDI is to show how low-income countries can have even better performance than higher-income countries. HDI does not focus only on income. The difference between HDI and GDP, shows how countries with similar GDP, have large differences in HDI, and it's due to the use of their wealth (Anxo and Lindh, 2010).

CONCLUSION

Education has the potential to contribute to alternative socialization, challenging conventional gender ideologies, levelling the playing field between males and females in relation to skills, credentials and qualification, and allowing women the use of knowledge to empower themselves in diverse ways in the society. Higher levels of education and literacy of women lead to a greater awareness and contributes in improvement of economic and social conditions. It acts as a catalyst for social upliftment enhancing the returns on investment made in almost every aspect of human development, be it population control, health, hygiene, environmental degradation control, employment of weaker sections of the society. In fine, half of the human capital is women; hence it is our duty to make them as educated masses to increase the level of Human Development India. Education will definitely enhance the Women's capacity for participation in an increasingly knowledge based world economy and has the potential to enhance economic growth and reduce the poverty which will serve as a tool for women empowerment and reflect in Sustainable Human Development.

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APPENDIX**HUMAN DEVELOPMENT INDEX**

HDI Rank	Countries	Human Development Index value	Life expectancy at birth (Years) 2014	Mean years of schooling	Gross National Income (GNI) per capita 2014
Very High Human Development					
1	Norway	0.944	81.6	12.6	64,992
2	Australia	0.935	82.4	13.0	42,261
3	Switzerland	0.930	83.0	12.8	56,431
4	Denmark	0.923	80.2	12.7	44,025
High Human Development					
73	Sri Lanka	0.757	74.9	10.8	9,779
90	China	0.727	75.8	7.5	12,547
Medium Human Development					
116	South Africa	0.666	57.4	9.9	12,122
130	India	0.609	68.0	5.4	5,497
142	Bangladesh	0.570	71.6	5.1	3,191
Low Human Development					
145	Nepal	0.548	69.6	3.3	2,311
147	Pakistan	0.538	66.2	4.7	4,866

EDUCATION DEVELOPMENT INDEX & HDI

Country	Human Development Index Rank	Human Development Index Value	Education Development Index
Very High Human Development			
Norway	1	0.944	0.910
Australia	2	0.935	0.927
Switzerland	3	0.930	0.844
Denmark	4	0.923	0.873
High Human Development			
Sri Lanka	73	0.757	0.738
China	90	0.727	0.610
Medium Human Development			
Philippines	115	0.668	0.610
South Africa	116	0.666	0.695
India	130	0.609	0.473
Bangladesh	142	0.570	0.447
Low Human Development			
Nepal	145	0.548	0.452
Pakistan	147	0.538	0.372

From the above table, it is inferred that the country which is ranked high in education development index occupies high rank in HDI.

FEMALE ADULT LITERACY RATE & HDI

Country	Human Development Index Rank	Female Adult Literacy Rate
Very High Human Development		
Norway	1	100
Australia	2	99
Switzerland	3	99
Denmark	4	99
High Human Development		
Sri Lanka	73	90
China	90	92.7
Medium Human Development		
Egypt	108	71.2
Iraq	121	71.2
India	130	65.4
Bhutan	132	38.7
Low Human Development		
Afghanistan	171	12.6
Guinea	182	3.0

From the above table, it is inferred that the country which is ranked high in women literacy rate occupies high rank in HDI.

RECOGNIZING DOMESTIC WORKERS, REGULATING DOMESTIC WORK: PROTECTION AND CHALLENGES

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Abstract

According to the Report on Men and Women (15th Issue) submitted by the Central Statistics Office in 2013, workplace participation of women in the urban sector was limited to 25.51% in the urban areas and 30.02% in rural areas. This is a clear indication of the fact that the vast majority of women in our country are engaged in housework, for which they receive no recognition, legal and otherwise. A position of women can be considered as a social replica of capitalism. Since the work done as mothers and house workers is not considered as a contribution to the value addition in society, it is not treated at par with organized labour. Furthermore, this leads to a psychological divide between the sexes. Since they are legally and financially deprived of benefits and since their skill is undervalued, they are also psychologically denied of personhood. It is because of this that feminists, irrespective of their further leanings, consider women as doubly alienated. A few countries, including Venezuela, have taken a positive step in this direction by according pension benefits to women engaged in domestic work. This paper will explore the legal and societal condition of women engaged in housework. The researchers will analyse, from the feminist perspective, the importance of recognizing their skill and contribution. The steps that need to be taken to grant them legal recognition and protection will be highlighted.

Keywords: Domestic Work, Women, Feminism, Protection

INTRODUCTION

Let us consider the case of Charu. A graduate, Charu has chosen to stay at home to look after her family, while her husband provides financial support. In this regard, she plays the role of cook, washerwoman, tutor, gardener, cleaner and several other little and big ones. Several of those works are non-quantifiable in financial terms. Because of this reason, while her husband enjoys recognition and resulting rights, Charu continues to remain a lost identity in the country's workforce. While her contributions are set aside in the name of maternal responsibility, her skill and voice is subdued in the garb of her input being non-productive to the national economy.

Our country is full of Charus who silently, yet diligently play their role in the country's

development. However, their contribution has and continues to remain unnoticed economically and legally. This paper attempts to look at the position of women engaged in domestic work in India and assess why a feminist perspective is necessary while considering their legal status and consequential rights.

In many ways, the law recognizes a person, defines his or her social identity and this in turn has a great impact on the participation of such individuals in the social order. This is based on the notion that law and society have a symbiotic relationship; they influence each other. In case we yearn for equality among the sexes in society, the law will certainly need to reflect that. It is, thus, a generally accepted belief that the State and its social provision affects women's material situations, shapes gender relationships,

structures political conflict and participation and contributes to the formation and mobilization of identities and interestsⁱ.

Women's economic and commercial activity in India is restricted by ongoing expectations that they will still also meet a wide range of family expectations. These difficulties, which women face in different ways, vary depending on whether they live as a daughter in the natal home, or as a wife in the marital home, or (rarely) independently. Whilst there is some state variation, notably in the far north and east of India where non-Hindu tribes are more predominant, there is considerable bias against women which links up labour-force inactivity with poor health and low education.

Women, as part of the unorganized workforce, form part of one of the biggest participants to the economic development in the country. However, since the workforce is not outside the formal scheme of things, their contribution goes unnoticed. This, in turn, has an impact on their social and political position. It is more important for women engaged in household work because of several reasons, including the degree of their involvement in the same.

Work in India is predominantly conducted outside of paid formal employment contracts. There is a huge formal sector in urban areas, but both rural and urban India also have large numbers of people doing farming, trading and other work in informal enterprises. Instead, there is a range of remuneration arrangements for farmers, traders, other proprietors and their families, non-family helpers and piece-rate workers and women are the biggest participants in the same. Hence, the need for women to be recognized as part of the workforce would be a step towards the attempts towards their self-actualization.

Our patriarchal culture that is ingrained in the society idealizes women in, and restricts them to, the roles of housewives and mothers. Notions of socio-ritual superiority of a group or family can be directly linked to higher restrictions on women including their physical mobility and work outside homesⁱⁱ. It is therefore imperative to acknowledge that there is a problem with the existing system. Following this we need to work towards female empowerment to help our nation realize its full economic potential.

It is also necessary to view the same from a feminist standpoint. This is because most of the research surrounding labour force is done by men or by women who are trained by men. As a result, domestic work is easily ignored since the researchers are not actively involved in the same, most of the time.

The liberation of women has, up to this point, been the work and contribution of women. Although it is welcome, we need to understand the point that if equality in the truest sense of the term has to be achieved, then the standard for the same has to be set by women. Hence, if women engaged in domestic work are to be considered equal, they need to be allowed to set standards for pay for themselves.

The policy concerning women engaged in domestic work is also going to be about recognition; the previously silent contributor to the nation's society and economy will also be rightfully recognized in the polity. Their activity as consumers will be established as equivalent to the male-dominated productive sector.

Women in the Workforce

Before concentrating on the legal issues, it is necessary to concentrate on the statistics concerning women and their contribution to the national workforce. At 22 percent, the rate of India's female graduates entering the workforce is lower than the rate of illiterate women finding jobsⁱⁱⁱ.

Worse, participation of Indian women in the workforce plummeted from 33.7 percent in 1991 to 27 percent in 2012, according to United Nations statistics^{iv}. In 2011-12, less than 20 percent of the total workers in non-agricultural sectors were women^v.

Surprisingly, female labour participation has been found to be particularly low even among urban, educated women — a demographic typically assumed to experience fewer social barriers.

As per Census 2011^{vi}, the workforce participation rate for females at the national level stands at 25.51% compared with 53.26% for males. In the rural sector, females have a workforce participation rate of 30.02% compared with 53.03% for males. In the

urban sector, it is 15.44% for females and 53.76% for males.

It is also important to note that several international reports, including those by the International Labour Organisation, mark a difference between 'unemployed' and 'non employed'. According to them, non-employment or non-standard work refers to jobs that fall outside of the realm of standard work arrangements, including temporary or fixed-term contracts, temporary agency or dispatched work, dependent self-employment, as well as part-time work, including marginal part-time work, which is characterized by short, variable, and often unpredictable, hours^{vii}.

However, in legal terms, non-employment is equated with unemployment, producing a resultant non-recognition to the former category.

Right to work

The history of the world has seen the focus on civil rights in the eighteenth century, political rights in the nineteenth century and social rights in the twentieth century. Civil rights signify the rights required for individual freedom, such as freedom of speech, the right to own property and the right to justice^{viii}. Therefore, in the economic field, the right to work can be considered as a basic civil right. Even though the struggle for guaranteeing civil rights began in the eighteenth century, from a gendered perspective, the right to work for women has not been realized in its fullest sense even today.

It is common to consider the economic and political liberation of women engaged in domestic work as an attack on the institution of marriage and, as a result, a threat to the basic social order. However, it needs to be considered that a marriage involves the active participation of two equal partners. As a result, the welfare of both participants needs to be considered.

Assessment of Attempts by the Government

In 2012 the then Women and Child Development Minister Ms. Krishna Tirath had suggested that a Bill that would entitle housewives a monthly income from their husbands would be introduced in Parliament^{ix}.

This move was justified saying, "A majority of women in India are involved in household chores after getting married but they do not get any salary for it. The socially accepted behaviour becomes a tragedy when a woman gets divorced or is widowed when she is left with nothing for survival.... When we are given an equal status by the Constitution, why is it that we have to accept the social condition that takes it for granted that women have to do the household chores? She is no slave and now we have to fight to bring about a change in thinking".

It was felt that because women primarily perform unpaid domestic labour, they do not always 'count' in the country's records of the formal economy. This Bill was claimed to be an attempt towards that. It was also felt that this would also bring respite to the women who suffer violence within the domestic setup.

Since women in the domestic sphere are often financially dependent on the men, the power equation falters. By ensuring income as a matter of right to the women working in the domestic sphere, it would recognize the skill and ability of the woman, as well as enable her financially and consequently politically.

This move is not a new concept as such. In countries such as Ukraine and Venezuela, housewives have taken matters into their own hands and have gone to the extent of forming a union. Ukraine, in fact, allows men to join such a union as long as they manage their own households.

Although the intention behind the Bill may have been noble, the same could lead to serious social connotations. First of all, this would reinforce the notion that women are to be restricted within the household. They may not be able to get out of housework. It may kill their entrepreneurship. Secondly, male members of the family can very easily shy away from housework saying that the women get paid for it. Lastly, low-income families may not be able to fit to this model.

Although the strategy may have been flawed, it does raise the important issue concerning recognition of such a workforce.

Idea of Equality in the Domestic Sphere

The steps taken so far with respect to women in the domestic sphere have been influenced by patriarchal ideas. Even though there have been several bona fide attempts to support and aid women in the domestic sphere, they all spring from the patriarchal idea of the woman as the nurturer and care-giver, almost eliminating the role of the man from the said sphere. Hence, the understanding is that although their interests need to be looked into, there is nothing wrong with women being limited to the confines of the home.

The attempts by the government in India to provide financial security to housewives would reinforce such patriarchal notions. As mentioned earlier, it would undermine the skill of the woman in the domestic sphere. It would also make women further dependent on their husbands for their income. Men would conveniently find an excuse to escape their responsibilities in the domestic structure.

Keeping this in mind, it becomes necessary to assess the notion of equality before attempting to make policy decisions that would affect the lives of millions of women across the country.

According to several feminist scholars, most notable among them being Catherine MacKinnon, sex equality can be achieved only when women are allowed to set standards for themselves^x. It is not enough to provide autonomy for women, since by doing so women are only going to echo the male sentiment. Thus, while making laws too, women should not be merely provided a voice, they need to be given an opportunity to make laws that will reflect their standards.

Therefore, when the needs of women engaged in the domestic sphere are considered, it must be done keeping in view the standards that are acceptable to women. It is only then that the goal set out in the Constitution – the one for social, economic and political equality – will be realized.

The first step towards the same would be to recognize them as part of the workforce. It is only in such a scenario that women can join deliberations with respect to what they are rightfully entitled to, as per their terms; it is only in such a scenario that women

will be able to demand rather than wait for something to be handed down to them.

CONCLUSION

In furtherance to India's commitment to development in the 21st century, we need to remember that inclusive development is the only way we can achieve a welfare State in the truest sense of the term. This would include addressing the needs of the millions of women who continue to selflessly and thanklessly work in the domestic sphere.

Since workplace participation of women is significantly lower than that of men in both rural and urban areas, there need to be steps taken to give legal recognition to them. Thereafter, steps need to be taken to assess standards as set by women with respect to their rights in their domestic workplace. It is only when such standards are taken into consideration while framing laws, can the constitutional goal of equality be realized.

ⁱ Ann Shola Orlaff, Gender and the Social Rights of Citizenship: The Comparative Analysis of Gender Relations and Welfare States, *American Sociological Review*, Vol 58, Issue 3 (Jun., 1993), 303-328, at page 303, available at <http://www.people.fas.harvard.edu/~iversen/PDFfiles/Orloff1993.pdf>, last accessed on 2 November 2015 [16:39]

ⁱⁱ Statement by Mr. Bhim Reddy, associate editor of the *Indian Journal of Human Development* in "There's No Such Thing as Equality in India's Labour Force", *Interpress Service News Agency*, 30 March 2015, <http://www.ipsnews.net/2015/03/theres-no-such-thing-as-equality-in-indias-labour-force/>, last accessed on 5 November 2015 [14:30]

ⁱⁱⁱ Wendy Olsen and Smitha Mehta, "Female Labour Participation in Rural and Urban India: Does Housewives' Work Count?", available at <http://www.radstats.org.uk/no093/OlsenMehta93.pdf>, last accessed on 9 November 2015 [19:45]

^{iv} *Ibid.*

^v*Ibid.*

^{vi}Women and Men in India, A report prepared by the Central Statistics Office, National Statistical Organisation, Ministry of Statistics and Programme Implementation, Government of India, 15th Issue, 2013

^{vii} [http://www.ilo.org/global/topics/employment-security/non-standard-employment/lang--en/index.htm](http://www.ilo.org/global/topics/employment-security/non-standard-employment/lang-en/index.htm), last accessed on 1 November 2015 [10:30]

^{viii}GroHagemann, Citizenship and social order: gender politics in twentieth-century Norway and Sweden, *Women's History Review*, 2002, 11:3, 417-429, page 420

^{ix} “Wives may no longer be free cooks”, *New Indian Express*, 8 September 2012, http://www.newindianexpress.com/states/tamil_nadu/article602773.ece, last accessed on 9 November 2015 [20:00]

^x Catherine MacKinnon, *Feminism Unmodified: Discourses on Life and Law*, Harvard University Press, Cambridge, 1987 at pg44