

Fundamentalism, Communalism and Gender Justice

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Introduction

It is with the firm belief that if we don't engender our understanding on fundamentalism and communalism, women's lives will be endangered, I am making this humble presentation.

Articles 14 and 15 of the Constitution of India have guaranteed freedom and equality to women irrespective of their caste, class, creed, race and religion. But, fundamentalists of all hues prevent them to be realised in Indian women's lives. Communal conflicts in the civil society create permanent scars in the psyche of women of different communities/ religious/ ethnic groups and prevent their united efforts to realise gender justice in the personal and public domain.

Fundamentalism has a connotation of a religious dogma that aggressively furthers/promotes, rather imposes traditionalist beliefs and practices, including patriarchal gender roles. (Kramarae and Spender, 2000). It is viewed primarily as rejection of secular modernity. Fundamentalisms are totalitarian as they seek to remake all aspects of society and government on religious principles. (Arrow, 08). It is oppressive because it asserts that women should be confined to care of home and children and must always submit to male rules and regulations. It insists that patriarchal control over women's sexuality, fertility and labour are God given and should not be contested. It reinforces its ideology by using vehicles such as family and kinship networks, media, state apparatus, criminal justice system and cultural constructs. Fundamentalism is a response to modernisation, socio-economic changes, demographic shifts and multiculturalism.

Two centuries back, **communalism** had a connotation of identity based on community. In the post-colonial discourse, communalism is understood as an antagonistic collective mobilisation on the basis of religion leading to the partition of the subcontinent into India and Pakistan and recurrence of communal conflicts/riots and carnages. (Maheshwari, 2000)

Background

The issue of fundamentalism, communalism and gender justice acquired prominence in the political agenda during mid eighties, globally as well as in India. End of the UN Decade for Women (1975-85) Conference in Nairobi brought to fore first hand experiences of women who were at the receiving end of fundamentalist backlash. In several Latin American countries, The Philippines, Spain and Italy; the Christian fundamentalists had penalised women who used contraceptives or underwent abortions. In many Islamic countries, the Muslim fundamentalists demanded denial of higher education for women. When women's rights activists of Kuwait were actively taking part in the deliberations of Nairobi Conference, back home their government had trampled upon Kuwaiti women's right to higher education as the fundamentalist forces felt that higher education made women uncontrollable. In Algeria, female-headed households were burnt. The fundamentalists felt, "How dare women divorcees, widows, deserted and single women and minors stay without male protection? In the North African countries, women's groups that opposed clitoridectomy of the African girls were witch-hunted. Dr. Naval Saddavi, who as a medical practitioner refused to perform clitoridectomy and wrote best-seller books on the subject, was imprisoned (Saadawi, 1982).

Women scholars, writers, novelists and professionals had to leave their native countries and live under exile due to fundamentalist backlash. Dr. Tasleema Nasreen from Bangladesh is still leading a nomadic life as fundamentalists are after her life. In several Asian countries, women rights activists who demanded gender-just family laws were penalised and implicated in false charges of sedition. In South Asia, Hindu, Sikh and Muslim fundamentalists imposed strict dress code. They punished women who cut hair; with throwing acid-bulbs on their face, physical assaults and social boycott. Antiquated, atrocious, medieval and anti women family laws dealing with important issues such as marriage, divorce, custody of children, alimony, maintenance, right to stay in the matrimonial or parental homes were imposed, The list is endless...It is in this context that all those interested in women's dignity were forced to examine gender question in identity politics. For past two decades, it has remained one of the central concerns of the women's movement. During the last quarter of 20th century only two movements have gained strength simultaneously. They happen to be feminism and fundamentalism.

Disintegration of the organised working class movements have forced the toiling poor to search for new identities. In the contexts of homogenising influence of corporate capitalism supported by the economic globalisation; religion, ethnicity and caste- based identities have become aggressively assertive. All patriarchal powers perceive women as repository of their identity and honour. Hence women end up shouldering greater burden of identity politics. Scores of power-struggles of identity politics are settled over women's bodies by control (dress-code, restriction on mobility, code of racial purity and punishment for mixed-marriages of inter-caste, inter-religious and inter-racial varieties), violence (rape, tearing of pregnant woman's stomach and assault), forced fertility (ethnic cleansing) and psychological damage (by keeping women continuously under the state of terrorisation, humiliation and subjugation).

Gender Question in Identity Politics

Communal forces had strengthened their hold on important spheres of the state and civil society that include subversion of constitution and judiciary and communalisation of culture, media, religion and lifestyle. Women are the major casualties in the bargain.

Communal politics has always played the major role in determining rights and limits of women. From the beginning of the constitutional debates, the question of personal laws that govern

important areas of man-woman relationship viz. marriage, divorce, custody of children, guardianship rights, maintenance, alimony and property has remained controversial. On the one hand, the constitution of India guaranteed equality to all its citizens irrespective of caste, class, religion and sex, while on the other, in the name of respecting all religions it formulated discriminatory family laws for women from different religions. The majority communalists are demanding Uniform Civil Code from a Hindu perspective. The Bharatiya Janata Party's concern for Shah Bano's plight and its criminal indifference and abetment of Sati as in the Roop Kanwar case should be seen from this perspective to Hinduise the democratic norms of the Uniform Civil Code. This also creates genuine fear in the minds of minority communities that takes a perverse form in increasing rigidification and restrictions on women who are demanding gender-justice in the personal arena.

Any fundamentalist propaganda that concerns itself with identity makes use of the gender question to impose rigid norms on women who are identified as repositories of culture and tradition. These norms manifest themselves in son-preference and female infanticide (quotation from Hindu scriptures- Be thy mother of 100 sons, questions are asked to wife- "Did any heroes of Ramayana or Mahabharata have daughters? That shows daughters are inauspicious!"), glorification and *sati* (widow-burning) - thousands of sati temples have flourished all over India and Global Association for Glorification of Sati has its head-quarter in Chicago (USA), witch-hunting of widows as they are perceived to be inauspicious, dress code, general demeanour and the social construction of the ideal woman who submissively accepts the patriarchal norm imposed by fundamentalists agendas. In the last Kumbh Mela 60000 women devotees were deserted by their brothers, sons and relatives. Allahabad police tried its best to reach them to their respective families but the family members refused to have known them. Now, the government has made a special budgetary provision for abandoned widows at the pilgrimage centres and women in difficult circumstances.

The fundamentalist belief also takes form of forced marriage of a widow to her brother-in-law (known as *chader-nawazi*) among Sikhs to stop division of property. Among Muslims, the same fundamentalist forces (qazis and agents) organise *mutta* (temporary) marriages with ready nikahnamas and talaqnamas. Young girls are traded by their poor, illiterate, parasite and unemployed relatives in these marriages that are not registered and hence have no legal status. Main attraction for such contract marriages is *Meher* amount (cash as well as goodies). The girls are mostly cheated and sexploited. (Jawadekar, 2003). Thus prostitution under the garb of religious ceremony is perpetuated. The criminal justice system of the demanding countries and supplying countries don't take stern measures as hard-currency received through tourism is the most crucial concern in this religious form of flesh trade. The Kinship network is used by the fundamentalist forces for cross-country trafficking of women. Young, frail, weeping and hungry girls are wrapped in *burqa* while being transported to the South Asian Countries (India, Pakistan, Sri Lanka and Bangladesh) to the Gulf countries. Many die or disappear in the process. Those who survive the torturous assault are brought back to the native country by the same nexus after they become physically unusable due to sexually transmitted diseases or HIV-AIDS and mentally ill.

Valorisation of Barbaric Behaviour with Women of Minority communities

In the riots after breaking of Babri Mosque, the use of video cameras to capture the gory details of the rape of Muslim women in Surat in the presence of military and paramilitary forces, revealed the most horrific dimensions of brutalisation of the psyche of the civil society. Showing of these video-films in front of jeering crowd left permanent scar in the minds of women and children of minority women. Their sense of shame was complete. Even in Somalia, the fundamentalist forces used the videotapes capturing weeping and wailing naked violated women rape victims to terrorise, humiliate and intimidate women and to show them their place of restricted existence. Cleansing Operations in

Bhopal (1992) and Gujarat Riots (28-2-2002 onwards) have created nightmarish situation for the Muslim women who experienced worst forms of sexual violence-rape, torture and tearing of uterus of pregnant women. (Engineer, 2003). While rape is a crime perpetrated during communal conflicts, the use of media to record, duplicate and even sell videos of rape is unprecedented and speaks of the dangerous use of media. Apart from this, the insular feelings created after each riot results into confinement and restriction of mobility of women and girls.

The nation states in all parts of the globe have proved to be ruthlessly against the minorities. In England when temples and mosques are demolished by all types of chauvinist forces: Hindu, Muslim and Skinheads, state machinery chooses not to address these issues on the grounds of non-interference with minorities. The policy of **multi-culturalism' in Britain and respect for all religion'** in India should be seen in this light. Patriarchal bias of the state always compromises women's interests so that the ruling party can fetch block votes by pleasing the patriarchs of the minority/ migrant communities. 'Non-interference' by the state when adult "girls" are confined by their family members so that they don't run away with their boy-friends and can be hurriedly forced into arranged marriage, is part of this game.

On 24-8-08, a Catholic nun was burnt alive by a group of Hindu fundamentalists who stormed the orphanage she ran in the district of Bargarh (Orissa), this according to Police Superintendent Ashok Biswall. A priest who was at the orphanage was also badly hurt and is now being treated in hospital for multiple burns. Another nun from Bhubaneswar's Social Centre was gang raped by groups of Hindu extremists before the building housing the facility was set on fire. Several tribal Christian women were abducted. The list of violent anti-Christian acts is thus getting longer. Throughout last one year, Churches, community and pastoral centers, convents and orphanages have been attacked in Karnataka, Madhya Pradesh and Orissa by mobs shouting "Kill the Christians; destroy their institutions."

Root of Communalisation of the Minorities

During the last two decades the Structural Adjustment Programmes (SAP) and economic globalisation at the behest of Trans National Corporations (TNCs) and Multi National Corporations (MNCs) have perpetrated tremendous human miseries by super-exploiting women workers and by attacking basic sources of livelihood and sustenance of large majority of the urban, rural and tribal poor people. Insecurity in the day-to-day survival needs has opened the avenues for religious sectarian forces that promote 'dog eating dog culture'. "Catch them and kill/maim/burn/rape them" policy of the custodians of law and order in Gujarat has resulted into complete erosion of faith from the state administration and the criminal justice machinery. The labour, factor and product markets are segmented to sustain super-exploitation of women from the minority communities in the sweatshops situated in the stigmatised working class areas. Dual economy thrives on fundamentalist/communist supported discrimination based on gender, caste, religion, language and migratory status of the workers. (Patel, 2003) Revolutionary mass movements of the working class and oppressed nationalities have faced tremendous crisis of leadership and the void thus created has opened the avenues for the flourishing of fascist forces.

This phenomenon has now become global as is apparent from the deteriorating situation in Somalia, Bosnia and the Middle East. In this uni-polar world, the aggressive stance of the *Orwellian* BIG BROTHER- the USA, in its economic and foreign policies to retain its hegemonic power aids and abets these fascist forces. The US after Kabul's overthrow of *Mujahidin's*, made women's liberation a major issue. At the same time, the USA allowed fundamentalists warlords into position of power. In Iraq, the USA is joining hands with the Supreme Council for the Islamic Revolution of Iraq, a

conservative Islamic group tied to the clerics of Iran. Patriarchs of Pantagon, in charge of Iraq's reconstruction have appointed only male judges and male lawyers to develop a legal code for Iraq. (Basu, 2003). Educated women in Iraq feel that the power vacuum left by Saddam's fall will be massively filled by Shia Muslim political figures who may seek to impose conservative social mores such as *hijab*, weeding out of women from the public life and double standards of sexual morality. (King, 2003).

International networking of the chauvinist forces of all hues: racist, casteist and religious have posed threat to all secular forces wedded to the ethos of pluralism in social, cultural, educational and political governance of human existence as never before. They are making extensive use of electronic media- televisions, radios and inter-net. They are poisoning young minds with xenophobia. "Catch them young" policy of fundamentalist forces, snatch away milk and textbooks from children and groom them to be gun totting terrorists. Science and technology in their hands generate death and devastation. Women suffer the most in this destructive game. Their hate campaigns generate endless human miseries in the form of either September 11 tragedies in the U.S. or the last year's Gujarat Riots. Thousands of women become widows and thousands of children become orphans. In the absence of economic independence (as fundamentalists don't approve of working women), women are forced to marry surviving and already married men.

After each war/riot/carnage polygamy flourishes with the blessing of religious bigots. It happened in Afghanistan during the last decade. (Chenoy, 2001) At present, it is happening in Iraq. Chasm generated due to identity politics come to the fore even in the relief operations for natural disaster (such as Latur and Kutch) or man-made disasters as the communal ideological weapon of 'WE' versus 'THEY' prevents minorities to take any advantage. After every disaster, the minorities get further marginalized and get thrown in the stigamised labour market for intensive capital accumulation by the economically and politically dominant groups.

Fundamentalism, Communalism and Violence against Women

Denial of human rights and fundamental rights enshrined in the Constitution of India by the fundamentalists by imposition of dress code, not granting right to work and attacks on female headed households have been objected by women's rights groups through out the world. Extreme form of punishment meted to women by the fundamentalists is in the form of stoning to death of "an adulterous woman" by the assembled community. During the last decade innumerable women in several countries have lost their lives in painful and undignified manner at the hands of self-appointed 'custodians of morality'. 'Honour killing' has become most widespread among all types of fundamentalists and communalists throughout Asia, Africa and the Middle East not only among the tribals, but among so called civilized sections of the nation states. Recently, the law court of Shariat in Nigeria has passed a judgement of stoning to death to a mother of an infant, Ms. Amina Lowal for adultery. There has been an international uproar against the judgement. As a result, for the first time, the state has not executed the decision of the Shariat.

Sex Segregation: The fundamentalists forces have prevailed upon the state to enforce sex-segregation in Iran, Albania, Sahel in West Africa, Pakhtun, Malaysia and Turkey. (Hjarpe, 1983). "Women in Saudi Arabia live complex existence which mingles strict traditions and codes of conduct with modern demands of education and freedom." (Megalli, 2002). Non-entry of women in the stadium and sports complexes is practiced in several theocratic states. On 22-1-2003, the chief justice of Afghanistan ordered nationwide ban on cable television and coeducation. (WLUML, 2003).

Al Badr Mujahideen and Lashkar-e-Jabbar, an offshoot of Lashkar-e-Toiba pasted a poster outside

the government Higher Secondary School, asking girls to discontinue their studies on December 19, 2002.

Dress Code: Kashmir conflict has created a situation of great fear and insecurity in women's lives. (Dewan, 2002). Those who opposed the imposition of burqa by Kashmiri militant had to face dire consequences. Under Taliban rule, Afghanistan went to absurd lengths to implement Islamic laws that made women's life a never-ending punishment. It imposed ban on drivers of all types of vehicles from carrying women not wearing chador or chadri. It also prevented women from washing their linen in rivers and deserts. (Pevrin, 1997). A senior Shiv Sena leader, Mr. Nanak Ram Thavani has urged the federal and state governments to formulate and implement a dress code for girls in all schools, colleges and other teaching institutes. (WLUML, 2003).

Within hours of the expiry of their deadline for muslim women and girls to wear *burqa*, the Kashmiri fundamentalist militants killed three women, including 2 students and a teacher on the morning of 20th December, 2002 at Hasiyot in Thanamandi tehsil of Rajouri district. (*The Indian Express*, 27-12-2002)

Moral Policing: Culture policing or moral policing is a term that is much discussed as it has devastating influence on young women. In fact, much of our society is split by the debate on culture and moral policing. This comes into evidence especially during Valentine's Day celebrations. There have been instances of right-wing mobs violently attacking shops and restaurants in the past and the protests continue. Also, many young couples have been driven away from sea-fronts and beaches, by conservative factions who do not like public display of affection. There have been protests against beauty pageants and bars and pubs have been shut down.

Culture or moral policing is an attempt to control the cultural and moral atmosphere prevalent in society.

Right to Work: Women were the first targets of theocratic states in the neo-colonial phase and the post liberation phases in the Middle Eastern, the Mediterranean and the North-West Frontier countries. In all these countries, women bravely fought along with their male comrades against the imperialist forces. But once, the "revolution" or "the national liberation" was attained, the fundamentalist forces dumped women into the four walls of domesticity. *Arab News*, the Saudi English language daily has revealed that Saudi women are more concerned about finding good work in tough jobs than being veiled.

The Kashmiri militant group, Lashkar-e-Jabbar has asked muslim women to quit their jobs and stay home, or face punishment, including death. (*The Times of India*, 21-1-2003).

In spite of the threats by the fundamentalists women are entering male bastions such as foreign services, diplomatic missions, judiciary, military, police force, sports such as soccer, political bodies, academic institutions, industrial chambers even in the theocratic states.

Female Headed Households: Fundamentalists of all hues perceive female headed households as eye-sore and make all efforts to persecute, stigmatise, isolate, marginalize and terrorise deserted, divorced, single and separated women leading an independent, economically self-sufficient life with dependent children or senior citizens. They don't accept, women as heads of the household. Wherever, the fundamentalist forces have become powerful, the female-headed households face persecution and witch-hunting.

Communalised Education: In the X National Conference of The Indian Association of Women's Studies the issue of communalisation of school and college textbooks was discussed at length as

representatives of different states reported that there was “ a systematic attempt by the Sangh Parivar to ‘educate’ young and old through schools, shakhas, temple networks, *satsangs*, etc. Through such education which encompasses a whole range of institutions, the Sangh Parivar has managed to draw into its fold large number of women, who in turn seem to transmit this hatred to their children.” (IAWS, 2003)

Changes in the curriculum that is being pushed through the National Curriculum Framework and the new NCERT text-books portray women only in highly regressive patriarchal terms within the framework of the family. They have targeted women’s movement as being responsible for the break-up of the family. Many women’s studies scholars have interpreted Gujarat tragedy as a failure of education that created brutalised masculinity.

Kashmir situation has jeopardised education of women. The same happened in the ULFA affected areas in Assam and LTTE prone areas in Jaffna (Sri Lanka). The Christian fundamentalists in Latin America are no different. All of them use young women in suicide squads and as cannon fodder for their barbaric agenda. In the camps of Vishva Hindu Parishad, young girls are brain-washed first with an ideological investment of communal education (“Muslims will outnumber Hindus”, “Muslim men are lustful and Muslim women are breeders”, “Muslims are born criminals”, “Caste system is crucial for racial purity”, “*Shudras* and *ati-shudras* are pollutants”) and at the same time given training to use weapons (lathis, swords and daggers). (Vaz, 2003)

Communal mindset created by Hindutva forces is so powerful that young college students of, the enlightened Wilson College got a humorous article based on stereotypes about “MUSLIM” as a murderer, drug seller, a cheater in cricket, kidnapper, terrorist, published. Its title is PAKISTANI MATH QUESTION PAPER. The very first question signifies man-woman relationship among the Muslims. It goes like this:

“Abdul was sent to jail for murder. He has seven wives in his house. Abdul distributed money to his wives in such a proportion that the youngest and the most recent wife receives maximum and oldest wife gets minimum, and each wife gets double of her former competitor. Abdul has 1700 Rupees left in his house. Abdul’s oldest wife needs at least 25 Rupees per month. Find out the time when Abdul will have to break jail to come out and come out sop that his wives don’t have to starve.” There are innumerable websites with similar constructions that demonise Muslim men.

The most widely circulated cassettes of the speeches and slogans by Sadhvi Ritambhara, the crudest version of Hindutva ideology provides Ram centered and RSS-led perspective that has nothing in store for women but “Agni pariksha” (i.e. enter the fire to prove chastity and purity). Sadhvi Ritambhara’s speeches and pet slogan “If there has to be bloodshed, let it happen once and for all” during Ram Janmabhoomi campaigns organised by Hindutva forces between 1986-1990 played crucial role in massacre of Muslims in the 1992 riots. (Sarkar, 2001)

Ban on Inter-caste, Inter-religious and Inter-racial Marriages: Obsession about racial, caste and religious purity are so deep in the psyche of fundamentalists that have strong aversion against inter-mixing and inter-marriages among citizens of different caste groups, religious communities and racial backgrounds. Newspapers are full of incidences of torture, abduction, forced abortion, lynching, and murder of newly married couples with different caste, religious, ethnic or racial backgrounds. Even the state and criminal justice system miserably fails to provide adequate protection to such love marriages. Such couples have to face social boycott, can’t easily get jobs, accommodation and school admissions for their children.

Conversion of husband or wife as a conditionality for “allowing” couples to get married is a logical extension inward looking mentality generated by the fundamentalist mindset.

Communalised Violence Against Women: The communalised violence women have experienced recently in Gujarat is unprecedented in terms of the degree of state complicity, the unashamed valorisation of these acts of depravity, the horrific participation of women in the violence and the creation of an implacable wall of hatred that provides the reason and then the justification for its spiral effect. It took us fifty years to document excesses against women during the Partition. One wonders how much longer it will take now.

The following poem by Ms. Lara Jesani vividly captures the pain and pathos of women victims of fundamentalist wrath and communal carnage whether they were women victims in 1992-93 Mumbai riots or women in refugee camps of Gujarat ten years later, in 2002-2003.

Eyes raining, without mere control,

Scruples hurt, thus dew drops roll.

Lightened, piercing, still with grief,

Forever, staring in disbelief.

Hearts melting, defences down,

Afflicted feelings, all around.

Timeless moments, of unending sorrow,

Darkened scars, that none can borrow.

Deep in hurdles, full with distress,

Pleasures replaced, by pure sadness.

Love's demise, of responsive pain,

A day's repose, then it starts again.

In response to rising communal violence, several women's organizations in Bombay have formed a united front to coordinate work regarding relief and rehabilitation based on the reports of fact-finding committees of riot affected areas in the rural, urban and tribal regions of Gujarat. Aawaaz- E-niswan, Akshara, All India Democratic Women's Association, Documentation, Research and Training Centre- Justice and Peace Commission, Forum Against Oppression of Women, Forum For Women's Health, Maharashtra Mahila Parishad, Maharashtra Stree Abhyas Vyaspeeth, Mahila Daxata Samiti, Majlis, NFIW, Sakhya, Special Cell for Women and Children, Stree Manch, Stree Mukti Sangathana, Stree Sangam, Swadhar, Vacha, Women's Centre, Young Women Christian Association joined the commemoration of national protest day on 13-5-2002 against sexual assault, beating, rape and burning of women and young girls, the cutting open of a pregnant woman and killing of her foetus, the burning of babies and children. They condemned this violence and demanded that:

1. FIRs should be registered, especially in all reported cases of sexual assault and violence against women, accepting testimonies of survivors as witnesses, in all police stations with copies made available to public groups.

Because of the state and central governments' complicity, the women's groups felt the necessity of

organizing a special public hearing on Gujarat carnage in front of an independent Women's Human Rights Commission. (Nainar and Uma, 2003).

One stop crisis center to deal with violence against women and housed in the Bombay Municipal Corporation Hospital, Dilaasa (i.e. Sympathy) team that visited refugee camps for women victims of Gujarat Carnage has recommended that trauma counseling for the victims needs to be undertaken on a long-term basis. (Bhurte, Contractor, Coelho, 2003)

Global Initiatives

In March 2003, the International Criminal Court was established for the local groups spread all over the globe who seek justice at international level when there is no hope in the domestic system. (FAOW, 2003)

A dramatic development shocked most delegates and observers on the last day of the 47th session of the UN Commission on the Status of Women (CSW) in New York. Only half an hour before the 15-day session was to end, Iran's representative, supported by delegates from Egypt and Sudan, rose to register his government's objection to paragraph (o), which read: *"Condemn violence against women and refrain from invoking any custom, tradition or religious consideration to avoid their obligations with respect to its elimination."*

They were not prepared to have their reservations on the paragraph officially recorded after the document had been adopted by consensus in its entirety. Nor were other delegations willing to drop the paragraph so that the rest of the document could be adopted by consensus.

The session was suspended in the absence of consensus on the 'agreed conclusions' relating to women's human rights and the elimination of all forms of violence against women, and delegates were told they would be informed about a fresh date for the resumption of work. The crisis was caused by the inflexibility of a tiny minority and some observers felt that efforts towards the elimination of violence against women had been sacrificed at the altar of a few male egos.

By the time the session is reconvened, most non-US based delegates and NGO representatives, who had come for the CSW, will not be around to keep a watch on the document. The agreed conclusions emerging from the CSW are meant to provide direction to policy and action at the national and international levels to promote women's human rights.

Women's human rights and the elimination of all forms of violence against women was one of the two themes addressed by the commission this year. However, the final document that will presumably be adopted (with or without the 'controversial' paragraph) includes several significant features, such as the recognition that economic and social sector policies which increase economic disparities among and within countries can also exacerbate gender-based inequalities and violence; the recognition that violence against women is intimately linked to gender-based discrimination and stereotypes; and that men can play an active part in preventing violence against women if they are enabled to recognise their role and responsibility through education and sensitisation.

Current debates

Women are not victims of their gender alone. They also bear the brunt of a patriarchal system that operates at the level of the community too, even a besieged community. The very same community, which stuck together in terrified solidarity for its survival has also sometimes turned its back to women who have been 'defiled' by the enemy. Women's rights activists have seen this prejudice in operation before and this should not come as a surprise. Yet, it does seem rather unfortunate that a community that has intimate knowledge of large-scale violations does not hesitate to further marginalize its women. It is therefore a complex motif. Creating women specific safety nets, autonomously managed by women become crucial in this context.

Women's groups such as Majlis (Mumbai) and Masum (Pune) are spearheading The Campaign to Stop Funding Hate "to bring an end to electronic collection and transfer of funds from the US to organisations that spread sectarian hatred in India". (<http://www.stopfundinghate.org/>)

Women and Family Laws: For past two decades, women's groups providing support to women in distress have been demanding gender-just family laws in the Asian, African and Latin American countries. (Akhtar, 1989) Migrant women from the developing countries settled in the industrialised world should also be governed by the gender-just family laws.

In India, majority of secular women's groups support reforms in the family laws to ensure gender justice to the women of different religious groups. (Agnes, 2003). Hindu Communal organisations are demanding the Uniform Civil Code. Due to pressure of women's groups, there has been reform in the antiquated Christian Divorce Act. Hindu Undivided Property Act has been reformed to give share in the property to daughters in ancestral property. The state of Andhra Pradesh has granted Land Rights to women. In the post independence period, the only act directly concerning Muslim lives passed is the notorious Muslim Women (Protection of Rights on Divorce) Act, 1986. The Act takes Muslim women out of the purview of section 125 of Criminal Procedure Code that ensures maintenance to a divorced wife. "The 1986 Act empowers the magistrate to order mehr, maintenance during iddat (3 months following divorce) and a fair provision to be paid within a month of application. Following this payment, the husband is absolved of any financial responsibility and the onus of maintenance of the woman falls on the parental family or as a last resort on the Wakf Board." (WRAG, 1997) Hence, the secular women's rights groups have evolved a slogan "All women are Hindu, All minorities are men, but some of us are Brave". It signifies double burden of '**patriarchy** that controls women's sexuality, fertility and labour' and "**communalism** that brutalises minority and dalit women" shouldered by women in the identity politics.

This year, on 6th January, women's groups in Bahrain demonstrated outside the Justice and Islamic Affairs Ministry to press for the establishment of civil courts to handle divorce and family cases. (Jordan Times, 6-1-2003)

Hindutva and discourse on equality have been at loggerheads in the current past. Domestic Violence Act, 2002 generated heated debate around the issue, whether casual/ occasional beating should be considered as "domestic violence". (Kapur and Cossman, 1996)

Centre for Women's Development Studies (Delhi) and Majlis (Mumbai) organised a national seminar for women activists and lawyers on "Maintenance Rights of Muslim Women- Issues and Concerns" during 6-7 May, 2001 in Delhi. The seminar concluded with the three broad statements.

(1) The personal laws of all communities should be strengthened to make them more gender just and weed out gender discrimination.

(2) The Muslim Women (Protection of Right on Divorce) Act, 1986 must be strengthened to uphold positive and gender just interpretation.

(3) The ceiling under section 125 should be removed.

The National Policy for Empowerment of Women, 2001 declares that

“At the initiative of and with the full participation of all stakeholders including community and religious leaders, the Policy would aim to encourage changes in personal laws such as those related to marriage, divorce, maintenance and guardianship so as to eliminate discrimination against women.

The evolution of property rights in a patriarchal system has contributed to the subordinate status of women. The Policy would aim to encourage changes in laws relating to ownership of property and inheritance by evolving consensus in order to make them gender just.”

Summary and Conclusion

Globalisation has made civil society more inward looking. Fundamentalist and communal elements are using caste, religious and kinship networks for their sectarian, short term and narrow motives. Chauvinist forces all over the world have been supported by an equal number of women as they are supported by men. (Patel, 1998) All networks with global connections are executing the projects of xenophobia, misogyny and jingoism. In this situation, only women’s rights activists with multicultural perspective can play important role as catalysts for women’s empowerment by promoting education, capacity building programmes, employment and economic self-sufficiency, political and legal rights for women.

Without ensuring women’s rights, no civilisation can have a human face. We should not forget that globalisation has widened income gap between the resource poor and resource rich countries. Free play of market forces have made majority of Indian women more vulnerable. We need, both distributive justice in the political economy and gender justice in the civil society, the state apparatus and the political structures. NGOs have provided islands of security in some pockets. Inspiring experiences of Moholla Committee movement in which people and police work in collaboration for communal amity should be replicated. (The Movement, 2003). In this situation, affirmative action by the democratic institutions and the nation state, in secular areas of human governance is the only answer. Because women are considered to be repository of culture and tradition, women will have to evolve creative ways of dealing with identity politics. New symbols. Icons, imagery representing multicultural ethos and praxis of gender justice will have to be actively promoted to counter fundamentalists and communalist forces.

Building solidarity and sisterhood transcending religious barriers on a global and local levels is a major challenge. At an interpersonal level, in schools, offices, communities, restaurants, pluralism in food, dress and recreational activities has come about. But the political use of religion creates an artificial barrier. We need to stress that one can be ‘religious’ and ‘plural’. Liberative aspect of religion can be highlighted and symbols of Bhakti movement, Sufism and liberation theology in Christianity can be popularised by us. Sweeping generalisations about secularism become platitudes. We need to generate alternatives in our socialisation patterns, celebrations and overall lifestyle. (Patel, 1995).

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