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GENDER PERSPECTIVES

Kashmiri Women Down The Ages: A Gender Perspective

Krishna Misri

Status of Displaced Widows from Kashmir

Bupinder Zutshi

Gender Tourism in Garhwal Himalayas

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Need to Reform Muslim Personal Law: A Gender Perspective

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UN Sub-Commission on Human Rights (52nd Session) : A Report

Sharad K. Soni

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Editor's Page

Gender equity is an essential building block in sustainable development. Indeed, none of the three 'pillars' of sustainable development namely, environmental protection, economic well being, and social equity can be achieved without solving the prevailing problem of gender inequity. According to the World Bank, "Gender issues are not the same as women's' issues. Understanding gender means understanding opportunities, constraints and the impacts of change as they affect both men and women". Partnerships and equality between men and women are the basis of strong families and viable societies in a rapidly changing world. Yet women have been consistently excluded from decision-making across history and societies.

The World Conference on Human Rights underlined the importance of the integration and full participation of women as both agents and beneficiaries in the development process. It reiterated the objectives established on global action for women towards sustainable and equitable development set forth in the Rio Declaration on Environment and Development and chapter 24 of Agenda 21, adopted by the United Nations Conference on Environment and Development.

Though Governments have a main responsibility for achieving progress on women's / gender issues, they need to build stronger links with women's NGOs and civil society in general, local public bodies and trade unions, as well as the private sector. More cultural changes will be necessary, not just in laws or government structures. For this to happen, we need concerted efforts of all stakeholders. We need the awareness of all citizens and the majority of people to embrace the necessary changes towards gender equity, if we want our societies to prosper and sustainable development become a reality. Quoting Laurie Anderson, the famous author of 'Beautiful Red Dress': "For every dollar a man makes, a woman makes 63 cents. Fifty years ago, that was 62 cents. So, with that kind of luck, it'll be the year 3848 before we make a buck."

Violence and discrimination continues unabated in many parts of the world. Thousands of "honor killings" take place every year. Thousands of women are subjected to genital mutilation and dowry harassment. Rape and physical abuse are also on the increase, but many cases go unreported because of the shame and stigma attached.

Eighty per cent of the 80 million refugees in the world are women. Rape and sexual violence is increasingly used as a weapon of war. At least 1.3 billion people are living in absolute poverty and 70 per cent of these are women. And while globalisation has brought some women greater economic opportunities and autonomy, it has further marginalized others. Even on the threshold of the 21st century, our gender influences our lives in more ways than we care to acknowledge. It is against this backdrop that this Special Issue of the *Himalayan and Central Asian Studies* offers **Gender Perspectives** on the situation of women in the Himalayas and adjoining regions in South and East Asia. Eminent specialists from various countries have contributed to this effort of the Himalayan Research and Cultural Foundation, by providing their analyses and recommendations based on years of field study and research.

Prof. Krishna Misri provides an indepth analysis of the role and contribution of Kashmiri women to society, literature, politics and modernisation process in Kashmir, in a historical perspective. Dr. Bupinder Zutshi presents the case study of displaced Kashmiri widows highlighting their travails and tribulations, based on his field survey. Situation of women as workforce in the tourism industry of Garhwal Himalayas in Uttaranchal is discussed in detail by Dr. Mondira Dutta. Prof. Shahid Siddiqi makes out a case for reform of Muslim Personal Law in India in order to remove or amend the existing provisions that are loaded against the Muslim women's interests.

Dr. Savita Pande makes a case study of violence against women in Pakistan with particular reference to rape and 'honour killings'. Role of women in sustainability in the Karakoram Himalayas by means of frugal consumption, careful conservation and minimum waste is highlighted by Dr. Farida Azhar-Hewitt. Farhana Hashem of Bangladesh examines the issue of political participation of women in her country. Contribution of women to politics, literature, science and technology, modernism and consumerism in the twentieth century China is discussed in detail by Dr. Priyadarsi Mukherji. A case study of the gender factor in the resettlement of Li minority community in Hainan Island, China is presented by Dr. Jody F. Decker. A detailed report of the proceedings of the 52nd session of the UN Sub-Commission on Human Rights, held at Geneva from 31 July-18 August 2000, is presented by Dr. Sharad K. Soni, at the end.

Editors

KASHMIRI WOMEN DOWN THE AGES

A Gender Perspective

Krishna Misri

Geopolitical, historical, religious and socio-economic factors have impacted life patterns in Kashmir including cosmology of women. Women's long and torturous journey through various phases has seen shades of highs and lows. However, while considerable scholarship has focussed on religion, philosophy, history, architecture and politics of Kashmir, no comprehensive work on the triumphs and tribulations of women is available to date. This paper makes a modest attempt to look at the issue from gender perspective.

The historical narratives from the early times down to the 13th century A.D. glorify women. Several queens acted as sovereigns in their own rights and as queen-regents or commanders of armies in ancient times. However, a close look at these narratives reveals the inbuilt discrimination and biases against women in primitive social order. There is no way to justify them, much less to see them in ennobling light. Yet, the worst followed during the middle ages under the rule of Mughals and Afghans. Both men and women in the valley were traumatized. However, women being more vulnerable became commodities and objects of lust. Humiliated and terrorized, they lost their voices and were driven to seclusion.

Nonetheless, the spirit of womanhood resurfaced in the poetic expressions of legendary Lal Ded, Habba Khatoon and other celebrated women. Interspersed with time, their verses enlivened many a gloomy lives and are on the lips of Kashmiris even today. The difficult and delayed process of resurgence was set in motion towards the end of the first quarter of the last century. Patriarchy played a positive role and helped women, perched on the edge, to break their shackles. Education and dawn of political consciousness had a multiplier effect and changed the course of women's lives. The National Conference

initially envisaged a limited role for women but later had a radical and a long-term package for them in the historical document 'Naya Kashmir'. Significantly, women's problems were viewed in the context of their empowerment for the first time. This was when no other political formation in the sub-continent had projected women's issues in this perspective. Taking advantage of the expanding educational and other opportunities under a popular government, Kashmiri women gained public space as never before. But the years of rejuvenation were shortlived. Sadly, few voices of women emerge from the valley and once again there is silence.

HISTORIOGRAPHY AND WOMEN

Kashmir, unlike many other parts of the country, rightly boasts of an almost uninterrupted history from the ancient to the modern times. *Rajatarangini* – the monumental work of the Kashmiri poet-historian, Kalhana, is the basis of historiography. Jonaraja, Shrivara and other historians have updated this narrative. Equally scholarly works in Persian by Kashmiri and non-Kashmiri scholars have followed these historical records. The erudite works of many foreign, Indian and local historians during modern times have opened these historical annals to the wider readership.

Yet, there are few historical documents that chronicle the lives of Kashmiri women down the ages. *Daughters of the Vitasta* (P.N. Bazaz, 1959) is the only comprehensive attempt at genderizing the history of Kashmir. In spite of the limitations of the book, it is a pioneering effort. An update analyzing the developments of the past fifty years in this area is in order.

Worse still, men at times ignored significant developments related to women and have solely constructed the available historical narratives. Hardly any coherent accounts by women on the dominant themes that touched their lives exist. Given the fact that patriarchy pervaded every aspect of their lives, it is difficult to infer how women defined themselves. Also, opinions are positive that the nuances of thought and action of men and women differ. Women's insights and

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perceptions, their urges and aspirations on even purely women-related issues are the missing links in these narratives. Further, women have generally been projected as ‘devoted’, ‘self sacrificing’ and yet devoid of ability to think or make decisions. These images correspond to their perceived biological and subordinate roles in society. In fact, these stereotyped images in turn influenced the self-image and future roles of women. Occasionally, some women were glorified because their accomplishments were significant by male standards. Topics intimately interwoven with women’s lives – household and agriculture technology, religious rituals and sentiments, fertility and family size, furnishing, jewellery and clothing, inheritance and property rights, marriage and divorce – were largely overlooked (Fobbs, p.1). Nevertheless, world attention was focussed on the status of women by the United Nations in 1970s and this generated a new thinking. New schools and theoretical frameworks questioning old paradigms have emerged. Feminine identity is no longer viewed as natural and essential. It has been by and large constructed. The recent research and histories of women written in India and abroad highlight the role of hegemonic processes, power-relations and structures that control their lives and determine these constructions. Moreover, recent scholarship has significantly contributed to writings on women’s histories negating stereotype perceptions. The institutes of women’s studies at various levels, women’s organisations, social workers and women activists are actively engaged in producing rich material and disseminating knowledge on themes related to women. However, we the Kashmiri women lag behind these developments in knowledge.

WOMEN IN EARLY AGES

Going back in time, a myth of ‘golden age’ is evoked about the Kashmiri women as with women elsewhere in the country. It is believed that women had reached the pinnacles of glory and achieved prominence in all walks of life in the ancient times. Bazaz optimistically observes, “Kashmiri women enjoyed remarkable freedom, wielded ample power and exercised responsibility, which gave them a high status in the society. Members of both the sexes equally shared joys and

sorrows of life” (Bazaz, p.3). Considering that the ancient societies were monarchies, surely, the queens and other women connected with royalty did enjoy a special status and played prominent roles. Not surprisingly, a long sequence of queens emerges from the pages of *Rajatarangini*. As a matter of fact, the political orientation of the queens started early in their lives, so that they could assume political roles in case there was no heir apparent to the throne or the heir happened to be a minor. Several queens including Sughandha and the formidable Didda were de-facto sovereigns during the reigns of their idolent and weak husbands. They acted as regents of their minor sons before assuming sovereign powers. Again, Kota Rani was the key figure during the crucial historical phase when Hindu rule came to end and the Sultans took over. A real power behind the throne during the fifteen-years rule of her husband Udayanadeva, she gave a crushing defeat to the Mongolian invader Achala (1330 A.D.) when her husband left the turbulent scene for personal safety. Displaying rare heroism and sacrificing her feelings of ‘widowhood and motherhood’, she later fought against great odds to preserve the indigenous rule in the kingdom but did not succeed. Moreover, there are several instances of women having access to knowledge particularly of religious scriptures during these times. Ubhayabharati, the erudite wife of Mandala Misra, a local theologian, acted as a referee during a discourse between Shankaracharya and her husband in the 8th century A.D. (Bazaz, p.6). The 11th century poet, Bilhana states that the Kashmiri women spoke Sanskrit as well as Prakrit fluently (Bamzai, p.205).

However, a major difficulty we encounter with the ancient chronicles is lack of precision and accuracy besides the paucity of adequate source material on women. More often than not, folklore, epics, myths, legends and even elements of supernatural are interwoven with facts. Modern historians, therefore, tend to question the authenticity of some of the narratives. In this connection Stein comments, “Manifest impossibilities, exaggerations and superstitious beliefs such as we must expect to find mixed up with historical reminiscences in popular traditions are reproduced without a mark of

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doubt or critical misgiving.... Kalhana knew nothing of that critical spirit which to us now appears the indispensable qualification of the historian” (Stein, p.28). Even though having liberally drawn from *Rajatarangini*, Bazaz agrees with the view and states, “The ancient historical records of Kashmir, though valuable, fall below the modern standards of historiography and most of these hardly deserve the name history.... Kalhana, at times, forgets the role of a historian and indulges in poetic fantasies and exaggerations” (Bazaz, p.1). For Bamzai, the political history of Kashmir up to the middle of the 14th century A.D. is “airy and unreal” and reads like a “fairytale” (Bamzai, p.183). Clearly, the ancient chroniclers had their own limitations and lacked a broad historical perspective which could enable them to sift historical truths from epics, myths, traditions and legends. Still more, these chroniclers could not perceive the impact of change which historical development implies. Hence their attempts were to glorify the past. Stein notes, “The further back a period lies, the closer its conditions are supposed to have approached the ideal standards conceived for the present” (Stein, p.30).

Nevertheless, the uncomfortable fact is that women have been at the receiving end from ancient to modern times. The rosy narratives of the ancient historians overlooked the internal dynamics of patriarchal and hierarchical societies, essentially biased against women. Rigid, reprehensive customs and conventions placed women inferior to men in status, rights, power and freedom in these societies. Discrimination and inequality were accepted as a natural scheme of things. Polygamy had social sanction and was widely practiced by Hindu kings, princes and all classes of nobles. Courtesans, concubines and harems formed an integral part of the luxurious lifestyles inside the palaces. King Harsha, perhaps outdoing all other kings, had over three hundred and sixty women in his inner apartment (Bazaz, p.11). Devoid of social purpose, the lives of these women revolved round the persona of the king and they literally lived and died for him.

The obnoxious and ghastly practice of ‘sati’ is a legacy of the era. *Rajatarangini* and other chronicles give vivid accounts of widowed queens burning themselves on the funeral pyres of their husbands amidst

chanting of mantras. So widespread was the horrible practice that queens, concubines and courtesans and sometimes mothers, sisters and other relatives too burnt themselves to death (Bamzai, p.208). Thus the death of one man in a natural course caused the loss of lives of several women in traumatic conditions. Women who did not fall in line were stigmatized. Kalhana casts aspersions on queens like Didda and Kayya for their non-conformism.

Widow remarriage was a taboo in ancient Hindu society. Enforced life long widowhood persisted down the centuries and created havoc with the lives of many young women. Socially marginalised, the widows led their lives of severe social, cultural, economic and psychological deprivations. Moreover, while a man could marry as many women as he liked, a widow had either to die or follow a rigorous code of conduct for the rest of her life. In fact, 'sati' and enforced widowhood plagued the Hindu society down the centuries and created a mindset that resisted change. Sustained movements were launched all over the country during the 19th and 20th centuries to fight the crippling impact of these cruel practices.

The exploitation of women manifested in several other forms, like prostitution and institution of Devdasis – women dedicated to the services of temples. Charming dancers and songstresses won the hearts of many a kings and princes and attained the status of concubines. King Kalsa chose his wife Kayya from a temple and so did his son Utkarsha, who took Sahaja as a concubine (Bamzai, p.209).

Surprisingly, the chronicles are silent about the lives of poor and low caste men and women. Not much is known about the socio-economic conditions of ordinary women – agricultural labourers, housewives and an army of maidservants who kept the harems and queens going. Their narratives lie frozen and unheard in the debris of time.

THE MIDDLE AGES

The luminous Lal Ded strode the scene like a colossus during the epoch-making changes of the 14th century. The space held by the centuries-old Hindu order along with its Brahmanic beliefs was

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shrinking and Islam was making rapid strides. The people were as distressed to come to terms with the reality as the new rulers to consolidate their newly acquired power and position. While thousands accepted the new faith through persuasion or coercion, the ambience was surcharged with uncertainty and spiritual turmoil. Lal Ded's voice of sanity and reason, at this critical juncture, eased and assuaged the feelings of her tormented countrymen.

Her indomitable spirit and profound creativity were too expansive to be encased in the outmoded familial and societal structures. The proverbial *neelvathh* (blackstone) that her heartless mother-in-law covered with thin layers of boiled rice to look a huge mound, became a metaphor for the oppressed Kashmiri womanhood. She called it a day and chose the life of a wandering ascetic, a course seldom charted by women in the middle ages. Was it a spiritual calling or domestic constraints that impelled her to break all bonds? These questions remain unanswered. Lalla channelized her energizes towards the discovery of Truth and emerged as a 'Yogini' par excellence.

Lal Ded's vision of religion and society was radical. Denouncing formalism in religion and the grip of traditional Brahmanism, she decried ceremonies, rituals and worship of trees, rivers, idols and stones in temples. Truth, she enjoined her countrymen could be realised by creating an atmosphere of purity, simplicity and equality. Her message of unity of God and universal brotherhood was profound and timely. Adding a new dimension to religion, she tried to make it relevant to the changing socio-political needs and conditions. Lal Vakyas (wise sayings), rich in philosophical theme and content, rolled down to generations through word of mouth in Kashmiri, the language of masses. In fact, she heralded the rich literary tradition of Kashmiri language and literature.

Lalla came to be loved and revered by all sections of Kashmiris irrespective of their religious beliefs. Her mortal remains, like that of Kabir, gave rise to a controversy between Hindus and Muslims, both claiming her to be their own. However, with her message of religious

tolerance and brotherhood, the timeless Lalla became a part of the collective consciousness of all Kashmiris.

Islam had a mixed baggage for the women of Kashmir. The abolition of 'sati' and introduction of widow remarriage, divorce and property rights had a salutary effect on the personal lives of majority of women who embraced Islam. Yet, under the new dispensation women receded from whatever public space they occupied earlier. Even the Muslim queens withdrew to the domestic sphere and hardly made public appearances. By law, custom and tradition, the Muslim queens enjoyed no right of interference and no authority to meddle in the affairs of the state (Bazaz, p.14). Not surprisingly, during the long stretch of nearly four centuries of Muslim rule only Biwi Haura, wife of Sultan Qutb-ud-din (1389 A.D.-1413 A.D.) acted as the regent of her minor son, Sultan Sikander. She was the last queen to hold the reins of government in Kashmir (Parimoo, p.279).

Nonetheless, Islam liberated women from the cruel practice of 'sati' and introduced several measures to ameliorate their condition. Sultan Sikander (1389 A.D.-1413 A.D.) considered 'sati' an un-Islamic practice and issued royal orders to prohibit it but the ban was later revoked by Sultan Zain-ul-Abedin. The practice continued under the Mughal rule in Kashmir despite Emperor Akbar's royal commands. Jehangir was enraged when he learnt about Muslim widows, willfully or otherwise, being immolated at Rajouri. Royal commands were immediately issued prohibiting the obnoxious practice. Though curbed to a great extent 'sati' continued to be practiced in far flung areas. Finally Aurangzeb's stern measures, motivated by religious sentiments, succeeded in eradicating the ghastly practice among the Muslim Rajput women. Further, Islam saved women from the life long repression and indignities of widowhood. Widow remarriage came as a relief to many hapless women. The right to divorce brought a basic change in the family setup even though women could only 'seek' it. Moreover, a divorcee was assured of monetary backup in the form of *Meher* at the time of marriage. The right to inheritance and property provided women minimum economic and social security which they never enjoyed before.

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In spite of these redeeming features, the seclusion of women and its outer symbol *burqah*, are associated with the middle ages. How did *burqah* reach Kashmir is not exactly known. However, historians attribute the practice to the influx of missionaries and Sayeds from Persia and Central Asia (Bamzai, p.519). Initially, the womenfolk of Sayeds, Naqashbands and Maulavis sported it (Parimoo, p.439). Soon it took upper class Kashmiri women both Hindu and Muslim in its fold. The symbolic change in dress had far-reaching impact on women; their respectability and purity came to be related with visibility in public. Sadly, the subsequent political developments gripped the Kashmiri society with panic and horror. Women distanced themselves from the outside world and enclosed themselves in *purdah*. They became faceless and their voices were inaudible. Nonetheless, women belonging to the under privileged sections of society particularly in the rural areas did not succumb. They went along their lives working in fields, gardens, on the river and shops without a veil (M. Hasan, p.227).

Interestingly, while the Sultans tried to become part of the milieu, Mughals and Afghans, conscious of their alien identity, looked down upon Kashmiris. But they targeted women and treated them as objects of lust. With the connivance of the ruling class, regular trafficking of Kashmiri women started under the Mughal rule in 1586 A.D. (Parimoo, p.439). The Pathan rule (1758 A.D.-1819 A.D.) was a nightmare, a gory tale of savagery and the masses felt under siege. Kidnapping and capturing of hapless young girls in broad daylight from the clutches of their wailing parents became a routine. Young Kashmiri women were taken to Kabul where they were bought and sold like commodities. A long painful period of horror and insecurity led to total seclusion of women and *purdah* was rigorously enforced. But the practice that was born out of sheer national emergency assumed, in later days and under better regimes, the form of propriety, a custom and an observance carrying religious and moral sanction among both Hindus and Muslims (Bazaz, p.172). Sadly, the veil has assumed political and repressive dimensions during the present crisis in the valley. Besides being used

as a cover for political activities, it has become an instrument of coercion and blackmail. Women can no longer exercise their autonomy or choices. They are threatened to disappear behind an oppressive veil or face the consequences.

Reverting to the middle ages, the impact of these traumatic and regressive developments was that women came to be discriminated in their own households. While the birth of a son in the family was an occasion for rejoicing, birth of a girl brought gloom. In fact, the daughter came to be viewed as *Brahma Hatya* (assassin of Brahma) among Pandits and *Qahari Khuda* (wrath of God) among Muslims (Bazaz, p.202). Worse still, the Dogra Rajputs initiated the practice of female infanticide and did not hesitate to kill their own off-springs. Always homebound, the girl child grew up under strict control and custody of male family members. Child marriage became a common practice among all sections of people. The lives of these unwelcome little girls are sad narratives of 'lost childhood' and 'prison terms', first served in their parental homes and soon after with in-laws. With their childhood lost the little girls did not take long to graduate to adulthood. Fuller aptly comments, "the girl child from the moment of her birth to her death undergoes continuous lifelong sufferings – as a child-wife, as a child-mother and very often as a child-widow" (Asthana, p.6). The degradation of women continued down the centuries and resulted in their total marginalisation, subjugation and disempowerment.

Not surprisingly, during a span of almost six centuries only a few mellifluous voices of women that left a mark on the thought processes of Kashmiris emerge. Miriam Schneir rightly observes, "Centuries of slavery do not provide a fertile soil for intellectual development and expression". However, a few celebrated women enlivened the bleak scenario. Habba Khatoon, a vivacious and charming village belle breathed muse right from her childhood. This resulted in the break up of her first marriage and she had to return to her parents. But her creativity blossomed after her marriage to Sultan Yusuf Shah, a connoisseur of poetry and music and the last ruler of Chak dynasty. Habba's poetry symbolized her life, romance, marriage and subsequent

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pangs of separation from her beloved Sultan. Akbar's conquest of Kashmir devastated her as Yousuf Shah was exiled. Depressed and dejected she left the palace and spent her life wandering around dales and mountains, creating superb poetry. Her verses of love and lamentation are unsurpassed in imagery and theme. Habba Khatoon became a legend in her lifetime.

Roph Bhawani is celebrated for her mysticism and sainthood. Born in 1624 A.D, she was initiated to spiritual life by her father, perhaps to fill the void created by her broken marriage. Like Lal Ded, her spiritual yearnings took her to wandering and she came in contact with several seers and saints including the famous Sufi saint Shah Qalander. Lalla's teachings impacted her immensely. Roph became an ardent advocate of Shaiva philosophy and denounced rituals as well as blind faith. *Devi Pooja*, a booklet contains her message.

Arnimal, the famous poet of the 18th century carried forward Habba's tradition of romantic poetry. Her husband Munshi Bhawani Das, a poet and literati in the Afghan court, deserted her soon after their marriage. She came back and spent rest of her life under her father's roof. Humiliated and emotionally bruised, Arnimal expressed deep anguish and longing for her husband in pathetic verses. Her poems touch the tender cords of Kashmiris.

It is perhaps not a coincidence that there are striking parallels in the profiles of Lal Ded, Habba Khatoon, Roph Bhawani and Arnimal. Married off at tender age, tormented by in-laws and marital discord, these creative women deviated from the accepted social norms and sought wider space for themselves. All with the exception of Arnimal, took recourse to wandering literally and metaphorically. Lal Ded and Roph Bhawani went on their spiritual journeys of self-awareness and conveyed their message through superb *Vaks*. Habba Khatoon and Arnimal articulated their existential angst in verses of love and lamentations. The vibrant creativity of these celebrities is a rich tradition of our literary, cultural and philosophical heritage.

MODERNIZATION

There has never been a feminist movement in Kashmir and the process of modernization was solely initiated by men. As in several parts of the sub-continent, it worked in the direction of a movement for social reform and placed women's issues high on the priority agenda. Several Kashmiri male graduates went for higher studies outside the State towards the first quarter of the 20th century. Higher education and interface with dominant political and social trends in other parts of the country deeply moulded their ideas and thought processes. They returned to the valley with a vision of a social order free from oppression and obscurantism. The other significant development that gave momentum to the change was internal; the mass upsurge of 1931. Women became an essential part of the movement. They came out of the confines of their households and were visible in overwhelming numbers in public. It was the beginning of women set on a new course under the over-arching arm of patriarchy.

Clearly, the process was belated. But the fact of the matter is that while educated women whom Fobbs calls 'the new women' had arrived elsewhere in the country, the lives of Kashmir men and women were steeped in traditional and medieval norms. Abysmal poverty, an exploitative political system, ignorance and superstition were the dominant features of the prevailing order. With no rate of literacy among people till mid 19th century, except for a few communities like Kashmiri Pandits and village Mullahs no one could read or write (Bamzai, p.278). The only 'schools' available to boys were indigenous *Maktabas* and *Pathshalas*. However, the founding of the Christian Missionary Society School for boys in 1881 was a watershed. The impact of the school was immense; a new generation of men, forward looking and imbued with zeal were born. It is these men who led the political struggle as well as a movement for female literacy and social change in the valley.

To attack the citadel of women's illiteracy was an uphill task and a long race against odds. The issue assumed a sensitive character, for female literacy came to be viewed as a challenge to the orthodox

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notions of women and their roles in the family as well as society. What added to the complexity of the problem was *purdah* which Muslim women observed. Worse still, the apprehension of a backlash from the obscurantist elements having vested interest in the status quo slowed down the process. Nonetheless, the undaunted pioneering Missionary ladies Miss Churchill, Miss Taylor, Miss Stubbs and Miss Goodall stepped in and set up the first missionary school for girls in 1890s. The going was tough, yet with their determination and zeal they were able to cross the hump. Several questions were raised when the Maharaja decided to open the first ever government school for girls. The core concerns expressed by the parents were –who would teach in these schools? What would be taught and for how many years would the girls attend the school? Furthermore, the government schools were to be staffed by male teachers, the Muslim girls had to have female teachers. Nonetheless, the Government went ahead and started a few schools. With a vague curriculum, the first government schools for girls were ‘experimental’ and communally bound. Another baffling issue, at this point of time, was that of female educators. While it was difficult to assemble learners, it was impossible to get the services of female educators. In a normal course it would be a dynamic process – only when women became educated could they become educators. Though the two issues were interlinked yet the social backwardness and stigma that came to be attached to female teachers made matters worse. No woman from a ‘respectable’ family would venture out in the field.

Interestingly, a pathfinder and pioneer Kashmiri woman who took up teaching as a profession in 1920s was Tekkri Mall. Born to a middle class family she moved to Patiala as a child bride where her husband and in-laws had settled down. It was there that she had her education. Unfortunately, her husband passed away and she returned to her parental family in Srinagar. With a widowed mother and two sisters, the family had no source of income. It was at this hour of anxiety that two public spirited lawyers, who also happened to be brothers, Har Gopal Kaul and Jankinath Kaul, persuaded her to go against the tide and be the master of her destiny. Tekkri Mall was courageous and

started teaching in a school. Unmindful of criticism and taunts from the orthodox Hindus, she was dedicated to her work. In Srinagar she became a familiar figure and came to be known as 'Tekri Master' (Bazaz, p.218). Round about the same time, Padmavati (affectionately called Nanni), a child widow and daughter of Hargopal Kaul broke the shackles. She followed in the footsteps of Tekri Master. When female teachers were almost ostracized and harassed, she took up teaching in a government girls' school and taught till her retirement. She rose to the position of the Head teacher of the school. Her long years association with the school earned it a popular name – Nanni's School (Bazaz, p.218).

There was no real progress in female literacy until the close of the first quarter of the 20th century. A shift in the official policy was visible when Maharaja Hari Singh ascended the throne. Educational facilities for women were extended and updated by the government. Encouraged by the success of missionary schools and the official policy, a band of enthusiastic local theosophists and public spirited men organised under a voluntary organisation, the Women's Welfare Trust, committed themselves to the cause of female literacy and upliftment. Their pivotal role in opening a network of schools in the city gave a spur to the movement. Over the time, the combined efforts of the Missionaries, Government and the Women's Welfare Trust gave a thrust to the drive and an elementary school system of formal education for girls was put in place.

At no stage did women's education cease to be a contentious issue. Moving towards the second phase, the controversy centered on co-education. The options for girls who completed high school were either to discontinue their studies or to join the only institution for higher education in Srinagar, the S.P. College (for boys). However, co-education was neither acceptable to the Muslims who advocated *purdah* nor to the Hindu conservative elements. Under the circumstances, only girls from few daring families withstanding social pressures, pursued college education. Vimla Kaul, who later taught generations of students and held responsible positions in the school department for girls, was the only woman who sought admission to the college in early 1930s. Many eyebrows were

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raised when my elder sister Kamala Zadoo Shanker joined the college in 1936. Recalling her college days, Kamala says that entering the new space for girls meant never to lose sight of 'propriety' and always 'forestall criticism'. She went to college clad in a white sari, covered from head to toe, with arms in the long sleeves of the blouse. Moreover, she had to be escorted by a male member to and from the college, though the college was no more than five minutes walking distance from home. For quite some time, messages of condemnation and criticism found their place on the outer boundary wall of our home. Nevertheless, despite sporadic outbursts a beginning was made.

The year 1931 was a milestone in the awakening of the Kashmiri women. Significant political developments played a key role in breaking their centuries-old isolation and women's transition from private to public life was smooth. Women's overwhelming presence and active participation in the mass struggle initiated them into political activism. They became an integral part of the ongoing movement against the Maharaja and since then they are an integral part of the political movements in the valley.

The political development of 1931 brought thousands of illiterate and downtrodden women on the streets of Srinagar, shoulder to shoulder with men. Protesting and raising anti-Maharaja slogans in the mammoth rallies, they clashed directly with the army and the police. Their stories of courage and valour became legendary. The horses of the army were trampling the crowds down and in front of them clashed a group of women with tin boxes filled with stones. Rattling them loudly, they made the terrified horses rear and hesitate (Khan, p115). Paying tribute to the brave souls N.N. Raina comments, "Women and even children from among the toiling masses participated in their thousands, in the most hazardous mass action during this period. The famous Zooni of Maisuma who seized the lance of the cavalymen tried to dismount him and died in the process, was not the only example of courage and sacrifice". Later these women surrounded the building where Sheikh Mohammad Abdullah was imprisoned and did not budge until he was released. It is remarkable that the illiterate women of Srinagar were

guiding the men (Khan, p.115). In fact, these women activists became trendsetters and forerunners for educated women who participated in the latter phases of the political struggle in the valley.

No doubt, the involvement of women with the significant political development of 1931 gave a broader purpose to their lives. Though under male tutelage, the role they played was commendable. Patriarchy was unanimous and the rites of passage easy. Surprisingly, there was a shift in the critical attitude of the Maulvis and other religious leaders, even they were supportive. Nonetheless, patriarchy perceived a limited role for women. 'Women power' was unleashed for political mobilization and adding momentum to the ongoing political upsurge. When the movement subsided, women were sidelined and they slipped back into their traditional roles. The enthusiasm and zeal of women, at this point of time, could have been channelized to change their lives. Jan Ded and many other women displayed rare courage and leadership qualities. But they came in limelight momentarily and soon passed into oblivion. An opportunity to develop women's cadres, rank-and-file leadership and organisations, addressing their concerns was lost. Sadly, the trend continues even to date. While on the one hand women are pressurized to come out on the streets and join men in political action, on the other, all attempts at the assertion of their individuality are curbed. Regrettably, diktats are issued with impunity from time to time, imposing various codes of dress and deportment on them. This not only undermines their dignity but also gives a quite burial to the women's agenda.

The political developments of 1931 impacted the Pandit women differently. Being a minority and due to the communal turn that the events took, their men folk were driven to another direction. The educated and public-spirited men from the community focussed their attention on female illiteracy, child marriage, taboos against widow remarriage and other retrograde social practices. They spearheaded movements for the rejuvenation of the society. Prioritizing female education, these enthusiastic and discerning men worked towards expanding educational facilities and a large number of women came under the network of schools opened by the Women's Welfare Trust. Again it was due to their tireless

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efforts that the Widow Remarriage Act of 1933 that legalized the marriages of Hindu widows was passed. Interestingly, they initiated a campaign for a dress code and exhorted women to discard the not so smart *Phiran* and change over to *Salwar Kameez* or *Sari*. Later, in 1940s the movement was directed against dowry and wasteful expenditure on marriage ceremonies as well as other festivals. Several women volunteers, prominent among them Uma Razdan, played an active role in mobilizing women. But “like their Muslim sisters”, comments Bazaz “and for similar reasons their glory was short lived.”

Meanwhile, the political landscape was changing with incredible rapidity. The National Conference with a new orientation and redefined policies emerged as a dominant political force. The party adopted ‘Naya Kashmir’, a framework for future policies and action in February 1944. The Women’s Charter embodied in the document was the first attempt in early 1940s to project women’s issues in radical formulations. Empowerment of women was related to enhancing their capabilities by creating equality of opportunity in social, political, economic and legal fields. In fact, the framers of the Jammu and Kashmir State constitution subsequently in November 1956 incorporated the rights enunciated in the Women’s Charter in Section 22 of the constitution. These provisions generated positive thinking about mainstreaming the women.

A landmark, the Quit Kashmir Movement in 1946 added a new dimension to the consciousness of women. The presence of Muslim women from all sections of the society in the confrontational resistance and collective protests organized by the National Conference was spectacular. The multitude of women from the deprived segments was joined by educated and upper middle class women, several belonging to the prominent political families. This development had significant implications; women began to create viable narratives of their lives. They assumed leadership roles and a large network of cadres emerged. When male leadership was put behind the bars or driven underground, the women leaders took charge and gave a new direction to the struggle. Displaying great valour and heroism, these leaders initiated a steady process, which impacted socio-political developments

significantly. However, the leaders addressed no controversial women-specific issues for they did not want to come across as social rebels. The steps they took were focussed and cautious, mainly limited to the political agenda.

Chronicling the profiles of some of the leaders who emerged from the movement, Zooni Gujree, the vibrant and charismatic daughter of a milkman stands out. Her role and scarifices were widely appreciated. She was, later, actively engaged with multifarious activities of the Women's Self Defense Corps. Fatima attained martyrdom and came from a peasant background. She fell to the bullet of an army man while leading a demonstration. These downtrodden women acted as foot soldiers of the movement. However, Begum Akbar Jehan, Zainab Begum and Miss Mahmuda A. Ali Shah, figure among upper echelons of leadership; they held the centre stage down the decades.

Begam Akbar Jehan, the wife of Sheikh Mohammad Abdullah, discarded *purdah* and plunged into the volatile politics of 1946. She provided leadership and directed the struggle when Sheikh Mohammad Abdullah and his colleagues were arrested. Her commendable role in maintaining communal harmony during the movement and the trying times of partition that followed was applauded by Mahatma Gandhi and Jawaharlal Nehru when they visited Srinagar in 1947 (Bazaz, p.263). The humanitarian work of providing relief and rehabilitation to the displaced people kept her engaged during the partition, and later when the State was raided by Pakistan in October 1947. After the installation of the popular government in the State, she patronized several women's organizations at the state and national levels and championed the cause of women's emancipation. Over the time, she acquired immense mass appeal as well as clout and came to be reckoned among the top leadership of National Conference. With her persuasive oratory and command over English, Urdu and Kashmiri, she conveyed her message with equal facility in all gatherings. She was the first Kashmiri woman to represent the State in the Union Parliament. A blend of traditional and modern, Begum Sahiba symbolized Kashmiri womanhood.

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Zainab Begum, a grass-root leader came from a respectable upper class and politically motivated family. She evolved into a prominent women's leader over the years. Disregarding the restrictions of *purdah*, she led huge women's protest demonstrations and organized rallies during the struggle. It did not take her long to establish rapport with audience; she spoke to them in their idiom. She was foremost in organizing women's resistance when the State was raided by Pakistan in 1947. With a 303 rifle slinging from her left shoulder and powerful oratory, she inspired the volunteers of the Women's Self Defence Corps. Again, it was under her leadership that the women wing of the Citizens' Council was organized during the Indo-Pak war of 1965. Along with a select group of the members of the Council, she visited Haji Pir while it was under the control of the Indian army. Zainab Begum later parted company with the National Conference and actively worked for the Congress party. She was elected to the State Legislative Assembly in 1973 and joined the government headed by Sheikh Mohammad Abdullah as a Minister of State for Social Welfare. Ideologically committed till the end, Zainab Begum never wavered or compromised with communal politics.

Mahmuda Ahmed Ali Shah stands out as a pioneering educationist and champion of women's empowerment. She combined her education with political activism. Ali Shah's political orientation was a result of her active participation in the students' movements of 1930s in Lahore, where she had her higher education. Indeed a rare opportunity, few women could boast of at that point of time. She returned to Kashmir with a vision that anticipated change and got involved with the political developments in the state. The events of Pakistan sponsored aggression in 1947 saw Ali Shah in the forefront, organizing the activities of the Women's Self Defence Corps. Again, during the Indo-Pak war of 1965, she was actively associated with the women wing of the Citizens' Council. The activities of the Council took her to Haji Pir, where she addressed several gatherings and provided relief to the poverty stricken women residing in forward areas. Above all, as a reputed educationist, Ali Shah made a mark in the area of women's higher education. The Government College for

Women, Maulana Azad Road, an institution of excellence, stands a testimony to her able leadership and untiring efforts. With her broad vision and bold initiatives, Ali Shah built the college into a reputed center of women's education and empowerment. Generations of educated young women who emerged from the college were the 'new women' of Kashmir. They became the messengers of social change and the change was visible.

TRANSFORMATION IN TRAJECTORY

While political events all over India during 1947 were changing swiftly, the situation in Jammu and Kashmir continued to be fluid and uncertain. Time was of the essence. Almost all the States acceded to either of the two Dominions, before or immediately after August 15, 1947. The Maharaja had yet to make up his mind. Seemingly, Kashmir was on the agenda of the Government of Pakistan from the day it assumed office. Reports of infiltration in Poonch area of Jammu poured in just a fortnight after independence. Though the Government of India, time and again, impressed upon the Maharaja the gravity of the situation, he prevaricated up to the last. Finally, he responded by releasing Sheikh Mohammad Abdullah and his colleagues from jail. The release of the National Conference leadership added a sense of urgency to the plans of Pakistan. Armed tribesmen belonging to the North West Frontier Province, inspired by Pakistan army officers, crossed the border on the fateful day of October 22, 1947.

Breaking into Muzaffarabad, the raiders made rapid advances, leaving behind a trail of death and destruction. The worst hit were the helpless inhabitants of Baramulla, where a reign of terror was let loose, sparing not even the Mother Superior and nuns of the St. Joseph's Convent. Several young girls were either shot dead or dumped alive into wells and river Jhelum by their male relatives to escape atrocities and humiliation. Many of those who went in hiding deep into the forests never resurfaced. There was a manhunt, especially for the National Conference workers. The raiders felt encouraged and headed for Srinagar but they had reckoned without the host. The resistance put

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up by the Dogra army and the people of Kashmir halted the ambitious march to Srinagar for some time. The martyrdom of Brigadier Rajinder Singh and the crucifixion of Sherwani testified to this fact. Darkness enveloped Kashmir and there was a total collapse of civil administration. Maharaja Hari Singh left the scene on October 25, 1947 and acute uncertainty pervaded all over. People started migrating to the Punjab and other northern areas of India. Psychologically the people felt insecure. Many Kashmiri Pandits took refuge in Kashmiri Muslim homes where they were treated with utmost regard. The Punjabi and Dogra Hindus handed over their valuables – gold and jewellery to their Muslim neighbours before leaving their homes. And sure enough, the valuables were returned to them when they came back. These examples testify to the civilizational ambience that had evolved in the State over the centuries.

It was at this grave hour of political crisis that the emergency administration, with Sheikh Mohammad Abdullah at the helm, took over. Sheikh Sahib gave a call to volunteers to resist the aggression. This had an electrifying effect. The events that unfolded form a glorious chapter of our history. Within a couple of hours, thousands of men and women across communities and religions, were marching past the streets of Srinagar. The city resounded with new slogans,

“Beware aggressor, we Kashmiris will fight back;”

“Long live Hindu, Muslim and Sikh unity.”

It was the unending stream of determined humanity, parading the streets with arms that demoralized and prevented pro-Pakistani elements from indulging in internal sabotage. The volunteers organized under the National Militia became the core of resistance. With preliminary training in the use of firearms, they held the ground for five days till the airborne Indian troops landed on October 27, 1947. These militiamen joined the small contingents of the Indian army in the military operations against the enemy. The local resistance threw up martyrs like Master Adul Aziz, Somnath Bira and Pushkar Zadoo. The deathless heroism of these militiamen made history (P.N. Dhar, p.38).

Women's Self Defence Corps, women's wing of the National Militia, was organized under such politically and ideologically altered environment. Mounting anxiety about the atrocities perpetrated on the hapless women was turned into an opportunity; the leadership lost no time in organizing them for self defence and undergoing formal training in the use of firearms. Women became a part of the Kashmir resistance. This was a defining moment for the women of Kashmir. Sadly historians have given little space to this revolutionary event.

Like many families, our family – my sisters, Kamala and Indu, brother Pushkar and myself – got deeply involved in the Kashmir resistance movement. Unfazed by the dangers looming large, we started our day with physical exercises followed by parades with or without arms. Organized in small groups, the volunteers were given instructions in the handling of weapons like 303 rifles, sten-guns, bren-guns and pistols. Firing and shooting from long and short ranges, loading and unloading of the guns were essential part of the training. The initial fright gave way to excitement and confidence, and we started handling the weapons. Soon we pulled the trigger. The real test of marksmanship was to hit the bull's eye. A perfect shot entitled the volunteer to the first prize – three packets of salt, a rare commodity in Srinagar those days! A few months of vigorous training and we were competent to participate in ceremonial parades like 'Guard of Honour' where we 'Presented Arms' to several dignitaries, including the Prime Minister of India, Jawaharlal Nehru.

The Women's Self Defence Corps became a springboard of many activities. The influx of refugees from the towns and villages into the city was a humanitarian problem and called for action. The women leaders along with groups of volunteers visited these camps regularly and did remarkable work in providing relief to displaced women and children. Participation in cultural activities was a major dimension of our activities. Significantly, women for the first time performed on stage and a trend was set. Several volunteers became the members of the Kashmir Cultural Front and contributed to the cultural renaissance of the state as artists, painters, broadcasters, singers and actors. Looking back,

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Women's Self Defence was a radical movement. For the first time the women of Kashmir came together under an exclusive organisation cutting across caste, creed and class barriers. Pulling the trigger symbolized their resolve to turn a new leaf.

The post-independence era opened new vistas for the emancipation and empowerment of women. The new political and institutional milieu encouraged women to look forward to the future as equal partners in the reconstruction of the socio-economic matrix. At the policy making levels, it was realised that education was the best investment to enable women to compete on equal terms with their male counterparts in various walks of life. Literacy and dissemination of knowledge, it was felt, had the potential of yielding the maximum social and economic returns. Moreover, women had participated in the national movement and the peoples' resistance against aggression in 1947 despite having been the victims of long entrenched disabilities and age old discrimination. The valour they displayed in trying times was fresh in public memory. Earlier, the emancipatory movements launched by the reformists had helped shatter the traditional perceptions about women. All these factors culminated in raising the consciousness of women; they sought entitlements to basic social, economic and political rights. The enlightened leaders among them realized that they could not face the new challenges without enhancing their capabilities and professional skills.

The aspiration and urges of women found a quick response from the Government. Education was made free and educational facilities were expanded. The high point in the endeavour was reached when the first ever Government College for Women was established in 1950. The college catered to the educational needs of all segments of society. Soon it became a symbol of women's emancipation. Thousands of students who passed out of the college, year after year, were on a new trajectory. Many of them joined universities and professional colleges outside the State to acquire more skills and knowledge and excelled in various fields. To meet the growing demands for skills to uplift the State from depredations of poverty, the government soon opened professional colleges. The female enrolment in these institutions showed a positive increase over the years.

The establishment of the Jammu and Kashmir University opened new opportunities for women. Incentives were provided to make education broad-based. In course of time, women entered almost all professions and were visible all over. Working women were no longer anathema; they were accepted as assets. The vertical and horizontal mobility of women was discernable. Thus Kashmiri women seizing various opportunities made a niche for themselves in the public domain. It was satisfying to see women holding key and significant positions at administrative, academic, political and other levels.

CHANGED DISCOURSE

However, the normal course of discourse has been blurred in Kashmir since 1989-90. Development issues are no longer a priority and have been pushed to the background. On the other hand myopic hard-liner politics has been pitch-forked to the centre-stage. A qualitatively changed political scenario has unfolded itself. Fundamentalism, buttressed by armed militancy rules out reason and informed debate. A fundamentalist is absolutely sure and certain about what he professes and the terms he uses. The basic premise of the fundamentalist discourse is that its value system is non-negotiable and, therefore, plurality of ideas and points of view are a sacrilege, even blasphemous. History is sought to be scrubbed to meet the fundamentalist objectives. In other words, history is distorted to attain freedom from history itself. Kashmiri women have been the worst victims of this atrocious phenomenon. Degradation, sex-differentiated exploitation, death, alienation and pangs of displacement have resulted in existential angst across the spectrum. The focus has shifted from empowerment of women to the brutal politics of intimidation and coercion symbolized by attempts to enforce a dress-code on them. Atavistic ideologies have sought to destroy the ethics that Kashmiris had nurtured for centuries after the demise of the notorious Afghan rule. The burden of the new adjustments has disproportionately fallen on women.

However, as often happens in history, societies emerge from the embers of holocausts. No society or community can bury its future in

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the past forever. Human values are abiding by definition. The core values that informed Kashmiri psyche and ethos, viz., compassion, tolerance, acceptance of diverse forms of social and religious behaviour and sound levers of a rational and humanist socio-political system. It is high time the Kashmiri intelligentsia and enlightened opinion-makers introspected to seek solutions that would enable civil society to take shape. Only a civilized socio-cultural matrix can ensure genuine emancipation and development of the women of Kashmir.

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WOMEN IN JAMMU AND KASHMIR

Status and Situational Analysis of Displaced Widows

Bupinder Zutshi

Jammu and Kashmir has been the focus of interest for gender inequality especially during the last two decades due to prevailing socio-economic and political turmoil because of which women's participation in the political, social and economic processes have taken a back seat. The implementation of Pan-Islamic beliefs by force among the women in Kashmir Valley and parts of Jammu have eroded their freedom of speech, freedom to attain education and employment opportunities. The role of women has been marginalised affecting adversely the process of human development and their well-being. The social, cultural, political and economic lives of women have witnessed sweeping changes compelling them to be a silent spectator in the fast changing political, social and economic scene. The changes have developed signs of exclusiveness driving a sharp wedge between the two biological groups. The situation has resulted in putting their identity under strain. Very few studies highlighting their plight and problems have been conducted due to lack of information, data and access to carry out such research.

The Planning Commission, Government of India has published *National Human Development Report* for the country in March 2002. The report has estimated several social, economic and gender equity well-being indicators for all the States for 1983, 1993-94 and 1999-2000. The indicators selected depict the status and their changing pattern over a period of planned development in terms of social, cultural, economic and gender equality aspects. Major sources of the data contained in this report include National Sample Survey's 38th, 50th and 55th round on household consumer expenditure, National Family Health Survey Reports, Census Reports and State Statistical information. According to the report, the estimated proportion of population below the poverty line for the State of Jammu and Kashmir

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has declined from 24 per cent in 1993-94 to 3 per cent in 1999-2000. The figure depicts a significant decline compared to other States of India. However, the status of social and gender equity indicators of well-being have shown marginal improvement due to prevailing social, cultural, economic and educational deprivation of women in the State. The political disturbances and prevailing terrorism sponsored by neighbouring country has marginalised women to have autonomy of expressing their views freely and choosing themselves their education attainment levels, career and economic generation avenues. Women have been the worst sufferers of terrorist acts, as a large number of women have lost their spouses forcing them to share the burden of fending their children on the one hand and restricting their choice for economic activities on the other hand. Women have also been the worst sufferers of abuse by terrorists forcing them to stay indoor and remain isolated from the social, political and economic spheres of the State.

The results derived from the *National Human Development Report* and other information collected from different sources for the State of Jammu and Kashmir on vital socio-economic and gender equity indicators of well-being are presented in Table 1.

The social and gender equity indicators of human development and well-being have shown insignificant improvement during the last two decades. The sex ratio in the State continues to be the lowest in the country at 900 females per thousand males in 2001, which is much below than the national average of 933. The lower sex ratio in the State depicts high female mortality rates due to prevailing marginalisation process in terms of social, cultural, economic attitude towards females. Such process of marginalisation starts right from birth as sharp disparities in the upbringing of boy and girl child are witnessed. Majority of girls are excluded for enrolments in the school. The female literacy rate especially among the districts of Kashmir division is very low depicting continued implementation of Pan-Islamic culture of excluding women from educational attainment process. Female literacy rate was ranging between 26-31 per cent among the five districts of Kupwara, Baramulla, Anantnag, Badgam and Pulwama. Srinagar district

was the only exception recording 49% literacy rate. Even in the case of Srinagar district, the literacy rate was much lower than the national average of 54 per cent for females. The lower female literacy rate and lower enrolment ratio in schools for girls depict continued isolation of girl children and women to achieve educational attainments which is one of the most powerful tools of empowerment and seeking due entitlements from society. The continued lower educational attainments for women have resulted in early marriages, high total fertility rates and marginalisation of their social, political and economic status.

High decadal population growth among the districts of Kashmir division during 1991-2001 compared to other districts of Jammu division in the absence of large scale immigration of population indicate high fertility rates and birth rates in Kashmir division. The prevailing high birth rates are possible due to early marriages and lack of decision-making empowerment processes among the women. Total fertility rate was 3 among the women aged 15-49 years in the rural areas according to the NFHS-2, 1998, survey report. (The report covered Kashmir division for the first time as NFHS-1 covered only Jammu province in 1992). Infant mortality rate especially among females continue to be high because of which sex ratio is in favour of males in the State. High mortality rate is mostly due to malnutrition, prevailing unhygienic condition in the households and lack of appropriate healthcare service. The unhygienic situation among the households is reflected by poor drinking water facility, lack of toilets in the households and non-availability of wastewater drainage system in the households. The women are the worst sufferers due to non-availability of these basic services. The burden of fetching water for the households lies only with women, thereby losing vital time, which could have been utilized for other economic generation avenues. Women also suffer constant humiliation due to lack of toilets in the households.

The women of Jammu and Kashmir have suffered economically during the last one decade as their employment rates have fallen sharply. The State recorded negative growth of employment for women between 1994-2000. Majority of women have voluntarily preferred to

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stay at home due to prevailing turmoil and terrorist activities. The proportion of women labour force has declined from 49% in 1993-94 to 39% in 1999-2000. Incidence of unemployment has increased sharply during 1994-2000.

The prevailing turmoil has even eroded the capacity to seek entitlement for this group by the emancipated women groups. Since all the women groups have been marginalized and isolated, their voice is unheard in the current scenario. There is a greater need to push forward the process of women empowerment in the State to translate the economic benefits in terms of human development and welfare.

TABLE 1
Jammu and Kashmir State
Economic, Social and Health Well-being Indicators

Indicator	Year	Value		Index of Indicator		
			Rupees per month	Rural	Urban	Combined
1. Per cent Population below Poverty Line	1983	Rural	91.75	26	18	24
		Urban	99.62			
	93-94	Rural	233.79	30	9	25
		Urban	253.61			
	99-00	Rural	367.45	4	2	3
		Urban	420.20			
2. Sex Ratio	1981	Females per 1000		892		
	1991	males				
	2001			900		
3. Literacy Rate				Male	Female	Combined
	1981	% to Total Popn.		36	16	27
	2001	% to Popn+7 Years		66	42	54
4. Enrollment Ratio	1998-99	Class		Boys	Girls	Combined
		I-V		93	64	80
		VI-VIII		80	50	65
		IX-X		29	20	25
5. Health Indicators	1999			Rural	Urban	Combined
		Birth Rate		20.8	15.8	19.8
		Death Rate		5.6	4.4	5.4
6. Total Fertility Rate	1999	15-49 years		Rural	Urban	Combined
				3.00	1.66	2.71

Bupinder Zutshi

7. Infant and Child Mortality (Rates per 1000)	1999	Proceeding 4 Years of Survey	Neo-Natal	Infant	Child
			40	64	16
8. Percent Households without any Drainage for waste water	1995-96 52 nd NSS Round		Rural	Urban	Combined
			80	25	66
9. Percent Households with Safe Drinking Water	1995-96 52 nd NSS Round	Source of Drinking Water for Combined Areas	Tap	HandPump	PuccaWell
			61	11	3
10. Per cent Households without Latrine Facility	1995-96 52 nd NSS Round		Rural	Urban	Combined
			60	11	47
11. Per cent Labour Force (Combined)	1983		Male	Female	Persons
	93-94		88	36	64
	99-00		84	49	68
			81	39	61
12. Growth in Employment	1983-94 94-00	Per cent per Annum	1.7	2.2	5.9
			-1.2	2.9	1.1
13. Incidence of Unemployment (Combined)	1983	% Labour Force	1.2	0.9	1.1
	93-94		2.7	1.4	2.3
	99-00		1.9	1.6	1.8

Sources:

1. *National Human Development Report*, Planning Commission, March 2002, *Jammu and Kashmir Statistical Abstract, 2000* (1-11, 13, 14, 20, 23 Indicators).
2. *Census of India: Jammu and Kashmir 2001* (12, 15, 16 Indicators).
3. *Sixth All India Educational Survey, 1998* (17, 19 Indicators)
4. *National Sample Survey, 52nd Round* (18, 26, 27, 28 Indicators).
5. *National Family Health Survey – 1999* (21, 22 Indicators).

JAMMU AND KASHMIR WOMEN'S AUTONOMY

The National Family Health Survey-2 conducted by the International Institute of Population Sciences presents a detailed survey of 2,786 households (1,433 households in Kashmir Region and 1,353 households in Jammu Region) undertaken in 1998 to examine the status of women in the State. A total of 2,744 women were interviewed (1,499 from Kashmir region and 1,245 from Jammu region). Appropriate representation of rural and urban areas, age composition of women and educational background of women were selected to collect the views of the respondents. Three sets of indicators were

selected to measure the women's autonomy in the participation process. (Refer Table 2).

The indicators selected for measuring women's participation were:

- Participation in Household decision making
 - Freedom of Movement
 - Access to money
1. The results obtained from the survey indicate that 12.4% women were not at all involved with any decision making process listed in the Table 2. The women were mostly involved with decisions like household cooking (80%). Only 56% women could decide about their own healthcare, while only 58% could purchase jewellery and other major items of their choice. Only 49% women could decide about their stay with parents or sibling.
 2. Only 12 per cent women were free to move and did not need any permission to go to market and only 8% women could visit families or relatives of their own. The rest of the women needed permission of parents/children/spouses to visit other family members.
 3. About 58% women indicated that they had access to some money and could spend it as per their wishes.
 4. Differences in women's autonomy on the basis of selected background characteristics were recorded. The freedom of participating in decision-making process was found to be more with the aged women compared to younger ones. Urban women had more autonomy for freedom of movement and access to money compared to rural women. Involvement in decision making, freedom of movement and access to money all generally increased with the rise in women's educational attainment.
 5. Muslim women had much less autonomy than Hindu and Sikh women to be involved with household decision-making, freedom of movement or having access to money.
 6. Scheduled caste and scheduled tribe women were found to be involved mostly in different household decisions.

TABLE 2 : Status of Women's Autonomy in Jammu and Kashmir

Back-ground	Number of Respondent	% not involved in decision making	% involved in decision making			% who do not need permission to go to market friends/relatives		% with access to Money
			Cooking	Healthcare	Purchases	Staying with parent/sibling		
Age								
15-19	97	22.9	68.1	45.9	58.0	47.4	4.3	1.2
20-24	4.1	2.6	69.7	48.4	54.7	45.2	4.3	3.4
25-29	622	74.6	74.6	54.2	58.5	49.2	8.4	4.6
30-34	524	82.3	82.3	54.5	56.3	46.8	10.3	7.1
35-39	489	84.8	84.8	58.9	57.5	49.0	16.1	9.5
40-44	371	89.4	89.4	60.9	63.4	50.6	21.5	15.9
45-49	240	87.0	87.0	60.8	60.4	56.4	17.5	12.1
Residence								
Urban	590	8.5	82.1	59.6	65.9	55.9	23.9	13.0
Rural	2154	13.4	79.5	54.3	56.1	46.9	8.7	6.4
Education								
1	1916	13.7	78.9	52.0	53.6	44.3	10.4	6.3
2	258	10.1	83.3	60.2	64.3	57.8	10.5	8.7
3	243	10.3	83.5	58.4	68.8	54.2	11.9	7.4
4	327	8.1	81.4	69.9	72.7	64.9	22.1	16.9
Religion								
Hindu	1140	5.4	91.1	72.6	75.4	69.6	14.3	11.5
Muslim	1551	17.9	71.5	42.2	44.5	33.0	9.8	4.6
Sikh	42	2.9	90.1	71.6	79.3	68.0	26.7	23.2
All	2744	12.4	80.0	55.5	58.2	48.9	12.0	7.8

Source: National Family Health Survey, 1998-99 (NFHS-2), Jammu and Kashmir.

**STATUS OF DISPLACED WIDOWS FROM KASHMIR
VALLEY : A CASE STUDY**

The displaced widows from Kashmir valley have specific problems, which they were not encountering in the valley of Kashmir before their mass exodus. The Kashmiri Pandits are comparatively modernised in terms of social custom for the emancipation of women due to several social reforms undertaken by the community during the last five decades. Widow remarriages, especially those of child or adult widows, are normally accepted by the society. There is an astonishing growth in women's education and accomplishment of their ambitions, particularly among the Kashmiri Pandit women during the last two decades. Blissfully young widows are no longer destitute, for they are educated and they eke out a career for themselves. The provision of equal property rights for women and acceptance of joint family system formed a strong economic and social support for the widows in the Kashmir valley. Most of the Kashmiri Pandit families owned their houses, with only 6% of their families living in rented quarters. Most of the houses had compounds both small and large, which were traditionally considered to be a necessity in Kashmir. In the villages as well, they mostly lived on agricultural holdings and orchards, they owned their own houses, kitchen gardens, reared livestock, mainly cattle, and generally earned additional income from other services.

But after the displacement, displaced widows are encountering tremendous problems due to a feeling of siege, a sense of rootlessness and a loss of identity and natural habitat, the trauma of forced migration, exposure to an alien and hostile environment, problems of acclimatization, poor housing, poor sanitary conditions, lack of basic amenities like drinking water, scarce medical care, malnutrition and idleness compounded by hurt and humiliation. The economic and family support to the widows has been eroded both due to the loss of property as well as lack of appropriate housing leading to disintegration of families. The joint family norm in the Kashmir valley has given way to single family norm due to lack of housing and change in cultural and social perceptions. Widows are the major sufferers due to these changes in life style forcing them to live a desperate and miserable life.

CASE STUDY OF KASHMIRI WIDOWS IN DELHI

A random sample of 80 families who have been displaced from Kashmir valley since 1989 were selected for the field survey in October-November, 2001 from 3 rehabilitation camps and 3 residential colonies of Delhi. The objective of the survey was to examine the magnitude of widows and ascertain changes in their social, cultural and economic life after the displacement. The population of these 80 families was 366 persons with an average family size of 4.57 persons per family. Sex ratio of these families was 946, which is higher than the national average of 927 as per 2001 census reports. This indicates comparatively higher mortality rates for males compared to the national average. Higher male deaths may be explained due to terrorist activities and loss of natural habitat.

The 80 surveyed families registered 25 widows recording 14 per cent widows to total female population against a national average of 6.5 per cent in 1991. Thus the terrorist activities in Jammu and Kashmir and displacement from the native land have increased the proportion of widowhood among the displaced families. 14 widows attained widowhood while staying in Kashmir before the displacement, whereas 8 became widow after displacement and spouses of 3 widows were killed in terrorist attack in the Kashmir valley. Majority of the respondents who became widows after displacement indicated loss of natural habitat and problem of acclimatization in the alien surroundings as the main reason. (Refer Table 3)

Age Composition of Respondent Widows

The distribution of respondent widows indicates that 56 per cent were above 60 years of age, 32 per cent were in the age group of 50 to 60 years while the rest 12 per cent were between 30 and 50 years of age. No widow was found in the age group of below 30 years. The society generally accepts adult remarriages especially of those having no children. In fact, in two cases, the women whose spouses had died due to road accidents were remarried at the age of 26 and 28 years. But in both the cases the widows had one child each from the previous marriage. (Refer Table 4)

TABLE 3
Characteristics of Selected Respondents (Widows)

Name of Camp/ Residential Colony	Families Surveyed	Population			Number of Widows		
		All	Male	Female	before displace- ment	due to terrorist activities	after displace- ment in Delhi
Lajpat Nagar	12	59	30	29	2	–	1
South Ext.-II	12	53	27	26	1	1	1
Bapu Dham	15	68	35	33	4	1	2
Mongolpuri	15	70	36	34	2	–	2
NOIDA	11	48	25	23	3	–	1
Dilshad Garden	15	68	35	33	2	1	1
Total	80	366	188	178	14	3	8

Source: Survey conducted in selected refuge camps and residential colonies in October-November 2001.

TABLE 4
Age Composition of Surveyed Widows

Camp/Colony	Widows	Age group			
		<30	30-50	50-60	60+
Lajpat Nagar	3	--	--	2	2
South Extention-II	3	--	1	1	1
Bapu Dham	7	--	1	2	4
Mongolpuri	4	--	--	1	2
NOIDA	4	--	--	2	2
Dilshad Garden	4	--	1	--	3
Total	25	--	3	8	14

Living Status of Respondent Widows

The survey indicates that 80 per cent widows were living with their sons, while 12 per cent were living alone and 8 per cent were living either with daughter/son-in-law or with other family relations. But 24 per cent widows were having a separate hearth and cooking arrangement, although 12 per cent of them were living with children. Thus a significant proportion of the widows had to fend for themselves, although overtly they were staying with their children/family members. Employment opportunities were less because of less mobility and less communication skills. Majority of these widows indicated that they were happy and were looked after well by their children before displacement.

The reasons for this change in attitude were loss of property, inadequate housing and loss of freedom to move and interact with relatives, friends and society. Language barrier to communicate with neighbours and society was highlighted as a major problem by majority of older widows. (Refer Table 5)

TABLE 5
Living Status of Widows after Displacement

Indicator	% of Widows Surveyed
Economic Situation	
Receiving Pension	65
Receiving Relief from Govt.	25
Completely dependent on Family/others	10
Overall economic dependence on family members/others	85
Social Security	
Feel socially/culturally isolated	89
Feel alien and loss of identity	75
Neglect of health	78
Poor housing condition	75
Communication Problems	85
Loss of privacy	90
Major Problems Faced	
• Neglect from children due to loss of property, poor economic conditions.	90
• Irritation and indifference from children due to over-crowded room space and no privacy.	85
• Complete isolation from culture, traditions and sense of rootlessness	78
• Neglect of health and required health care	75
• Feel insecure/lack of community support	85
• Less mobility/interactions	93

Socio-Economic Condition and Other Problems

Majority of the respondent windows were economically dependent on family members although a significant proportion of them were receiving family pension or refugee relief allowance from the government. 10 per cent of the widows were completely economically dependent on children/family members. Widows receiving family

WOMEN IN JAMMU AND KASHMIR

pension narrated their difficulties in managing to transfer the pension from Kashmir valley to the present place of residence. Ascertaining pension record from Kashmir valley has taken years. Majority of the widows were highly critical of the Jammu and Kashmir government due to delays in completing the formalities on flimsy grounds. Even currently, widows are facing complications in getting pensions fixed. It usually takes years to finalise it. The widows were feeling the brunt of displacement in terms of economic dependence on children and other family members because of the loss of property and other avenues of income from agriculture, renting of houses etc. The refugee relief provided to the widows is miniscule to cover the expenses in the city. The economic dependence has affected their decision making process and they feel remaining always at the mercy of children. This change has been noticed among majority of widows (widows before displacements).

The widows feel socially and culturally isolated in the alien surroundings without any moorings. Very small accommodation/rooms or room space have eroded their privacy. They feel, it has caused a lot of irritation in the attitude of children towards widows as children's privacy has also been eroded. Majority of the widows lack proper health care and nutritious diet. Another problem is lack of communication with neighbours due to the language problem. Insecurity and neglect is the common cause of worry among the widows. Widows also feel depressed because of erosion of cultural heritage and loss of traditional economic support through agriculture, horticulture and other sources. Lack of mobility has made them dependent on children. (Refer Table 6)

Comparison of economic, social and cultural life of the widows at the original place of stay in the Kashmir Valley and the present place of stay in refugee camps and other colonies in Delhi was ascertained from the widows who had attained widowhood before displacement from Kashmir valley. Information regarding their perception on economic, social, cultural, health care, living conditions, freedom to make decisions and housing facilities were sought. Majority of respondents felt that they were worse in economic condition, lacked love and care of children, felt social and cultural isolation, had poor

living conditions, lacked proper health care and other support, were unable to take decisions as all the decisions were taken by children or other family members with whom they are staying. Moreover, majority of the respondents were critical about the present housing conditions, which have curbed their movement and made them dependent on children for visiting friends etc. (Refer Table 7)

TABLE 6
Widow's Status in Displaced Location

Camp/Colony	Staying With			Hearth and Food Preparation	
	Alone	Son	Daughter/ others	Jointly	Separate
Lajpat Nagar	--	3	--	2	1
South Extention-II	1	2	--	2	1
Bapu Dham	1	5	1	6	1
Mongolpuri	--	3	--	2	1
NOIDA	1	3	--	3	1
Dilshad Garden	--	4	1	4	1
Total	3	20	2	19	6

Source: Sample Survey conducted during October-November 2001 among 80 households in Delhi.

TABLE 7
Comparison of Socio-Economic and Cultural Situations between Stay at Kashmir Valley and in Refugee Colonies of Delhi (Widow's Perceptions)

Indicator	Same	Better	Worse
1. Economic Condition	--	--	100
2. Love and attention from Children	15	--	85
3. Social and Cultural Isolation	--	--	100
4. Living Conditions	10	--	90
5. Health care and other support	10	--	90
6. Decision making and decision for making expenses	15	--	85
7. Housing facilities	10	--	90

Source: Sample Survey conducted during October-November 2001 among 80 households in Delhi.

LIVELIHOOD AND MOUNTAIN WOMEN

A Case Study of Gender Tourism in Garhwal Himalayas, Uttarakhand

Mondira Dutta Z.

Conserving mountain environment and culture while improving the mountain peoples' livelihoods augments community-based conservation, endeavouring programs through participatory approaches, building on indigenous knowledge and wisdom, which ultimately bring about sustainable development in the region. There is a simultaneous need for a comprehensive inter-disciplinary approach to sustainable mountain development as well as for the effective participation and empowerment of mountain people in the use and conservation of mountain resources. Under the impact of modernization, the influx of outside forces and population growth, many traditional beliefs and practices that have been extremely effective in preserving the environment are now being besieged.

Mountains cover at least one fifth of the earth's landscape and contain critical water towers for much of our earth's fresh water supplies. Remote mountain regions are some of the last stronghold for globally significant biodiversity and indigenous cultures. These areas with complex ecosystems, extremely fragile, unique in geomorphology, react sensitively to global climate change and hence, have to be protected and handled with care. These areas are home to at least 10 per cent of the world's population, predominantly belonging to the economically poor (United Nations, 1995). It is important to note that many cultures draw vitality and cohesion from their relationship to mountains and other sacred features of the landscape. Destroying what makes such a site sacred may undermine a culture, resulting in adverse social, economic and environmental impacts as the society falls apart and traditional controls are lost. It is believed that mountains can serve as inspiration, conscience and model for community-based conservation.

With increased accessibility into mountain areas, resource degradation as well as economic and political marginalization of mountain communities have started taking place. In order to reverse this trend and to combat the poverty of hill people, strategies for development must empower hill communities to exercise larger control over local resource management and conservation and generate income in sustainable and equitable ways. Besides, in order to ensure an integrated approach to the complexity of mountain ecosystems and the socio-economic issues at stake, there is a need for strengthening the existing institutional mechanisms as well as the knowledge base about mountain ecosystems and land-use systems, tourism, transportation policies, energy production and use. These initiatives must incorporate a participatory approach involving all stakeholders including farmers, women, local and indigenous communities as well as non-governmental organizations.

THE TARGET GROUP

Generally, most mountain societies are characterized of having less rigid social structures and hierarchies than societies of the lowlands, where dominant religious ideologies are more influential in determining social norms and traditions. The mountain societies also display similar patterns of land use, resource management as well as social organization. Due to indigenous beliefs and the dominant role of women in livelihood systems, mountain women in general have traditionally been afforded more freedom of movement, independent decision-making and higher status than women of the lowlands. In spite of this, there are other commonalities like patriarchy, impacts of environmental degradation and imposition of new values and poor representation of women's interest at all political levels, which pose as major hurdles in the process of regional development. Some common typical features of the mountain women are:

- (a) **Patriarchy:** The domination of society by males is prevalent throughout the region. It is more pronounced among Muslims and Hindus but at the same time also exists among the Buddhists and Christians.

- (b) **Low Self-image and Self-esteem:** A female is considered to be a lower form of rebirth and a kind of negative force that can bewitch and bring harm to others.
- (c) **Patrilocal Residence:** The patriarchal system is shaped by patrilocal residence and kinship relationships that force females to leave their natal homes on marriage and live in unfamiliar surroundings under the control of their husbands' families.
- (d) **Inequitable Inheritance Rights:** Women have been in the forefront of the agricultural labour force in the mountains without holding ownership and tenure rights to land, trees, water and other natural resources as well as animals. Mountain women's lack of control over fertile resources results in their inability to obtain micro-credit finances or bank loans, and are thus unable to invest in inputs and technological innovations. This marginalizes the role of women in agricultural production systems by emphasizing high-yielding crop varieties to which women have little access. It undermines the traditional knowledge women possess about agriculture and resource management hampering the mountain women's ability to expand their livelihood options by denying them credit from financial institutions as they do not possess the collateral required for loans.
- (e) **Decreased Access to Forest and Water Resources:** The reduction of forest and water resources caused by environmental degradation has an impact on the women responsible for the collection and management of these resources, often forcing them to travel longer distances to meet the daily needs of their households. They travel greater distances to collect fuel and fodder as a result of diminishing forest resources and declining agricultural base. Environmental degradation in mountain regions also increases the erosion of topsoil leading to crop failure. This leads to an increase in the out-migration, food deficits and incidences of trafficking of mountain women into lowland and urban centres.
- (f) **Heavy workloads:** The backbreaking chores of carrying water, fodder and fuel wood up and down the steep mountain slopes are undertaken daily, consuming large portions of the women's

time and energy. Female children are usually the first to face the brunt of this heavy workload. They are kept back from school as they are given the responsibility of caring for younger siblings and helping with domestic work

- (g) **Absent Men:** Conspicuous male out-migration for short or long periods is increasing throughout the region as people struggle to find ways to sustain their families and farmlands leaving more and more of the labour burdens on the shoulders of women. It is questionable, whether this provides women with a greater role in decision-making as the presence of older men in the household negates such an opportunity.

It is important to ensure the participation of women in the decision-making process. Moreover, ensuring the utilization of this participation in order to achieve the 'equality of control' over the factors of production and distribution of benefits through consensus and mobilization is even more important. The issue of rights and access to and control over assets and resources thus become highly critical and important. It is imperative that women are able to exercise equal rights over family property and assets. This will automatically increase their confidence, self-esteem, and decision-making power; ensure their position in society and add to their future security. In the specific context of starting and running an enterprise, it can provide collateral for enabling them to access credit and capital.

Tourism in the context of mountain and hill regions is growing into a significant and vital sector for the regional development of the area. Its importance has been made amply clear when in the 1998 UN General Assembly proclaimed the year 2002 as the International Year of Eco-tourism and also as the year of Mountains. Since hill people referred to as highlanders have limited scope to grow a few cash crops, tourism becomes an important source of income. It is considered to be quick and relatively painless source of cash for less-developed communities.

The primary significance of tourism for the host community is, however, always economic. Years of travelling and research in the hill

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areas reveal that among the economic benefits which the villagers usually enjoy, handicrafts are the most remunerative. However, this has a disadvantage in villages which are not frequented by tourists. Most of the products belong to the unorganized sector which is highly susceptible to exploitation. In such villages most of the transactions do not involve direct contact between the producers and the buyers, thereby reducing their profit margins. Villagers in such areas have become middlemen not only for their own village products but also for products of other hill groups as well as other imported handicrafts from neighbouring international borders. The villages which are able to generate a significant volume of trade with tourists are few in number with easy accessibility by car and are already involved in the market economy. Those remote villages visited by few tourists are forced to use the services of middlemen or to travel long distances to sell their products. Unfortunately such villages far outnumber the others in the mountain regions of the country.

Hospitality is another income-generating activity. The mountain and hill areas of the country hold within it a significant proportion of the indigenous population. Although many tribal villages especially in the Himalayan areas host tourists on an irregular basis, their numbers are usually insignificant, thus resulting in an inconsequential earning. Hospitality thus becomes a financially important source of income only in restricted pockets of tourist destinations and is usually not the business of remote villagers. Besides, a variety of other services provided by the villagers are also on a small scale. Porterage of food and baggage, for which they receive a pittance does not really go a long way in alleviating their poverty-stricken status.

Nonetheless, tourism has regrettably remained as a limited economic significance in the villages of the hill areas. Hospitality is mostly provided for tourists from outside the village and making income from these services is generally low. This has been attested in the study conducted for the valley of Kashmir in J & K (Dutta and Zutshi, 1988). The sale of handicrafts remains the chief source of income, but direct sale to tourists is almost wholly limited to the destination nodes on the

fixed route of tourist travel. It is a pity that mountain and hill tourism has nowhere been initiated by the tribal people themselves but rather by outsiders consisting of mainly small tour operators. Admittedly the operators and guides make only a modest profit from the fixed circuit tours. While the income of the highlanders from the industry is miniscule, under subsistence conditions it serves in some villages as an important source of cash. Apart from a few villages intensely involved with the industry, tourism has not yet had much impact on traditional society.

In addition to the economic benefits, one cannot ignore the social implications of tourism in the hill regions. It is believed that tourism has been the main offender in contributing lavishly to several of the social ills. With the development of tourism the negative impact is believed to be seeping into the hill economy in terms of drug abuse, superficial adoption of new cultures and a sense of loss of dignity among the people. All the same, it is hard to figure out what percentage of this negative impact is actually contributed by the tourism sector alone that cannot be attributed to other factors.

The tourism industry seems to be a particularly good ‘contender’ for engaging in efforts towards the advancement of women. Owing to its very size, the rapid growth and extremely diverse and dynamic nature, the tourism industry has an enormous flexibility. This can enable the industry to develop key initiatives for the advancement of women so that other industries can benefit from initiatives and strategies in the tourism sector as models for their own development. The creation of sustainable job opportunities, the promotion of emerging enterprises as well as appropriate training are of cardinal importance. The integral role of women in the context of a remote, fragile and highly biodiverse ecosystem of mountain regions is of crucial importance.

Despite the vital role women can play in environmental management, tourism and community development, prevailing socio-cultural and institutional norms along with the structure of economic incentives limit the prospect for enlisting the real participation of women, as evidence shows from this case study of Garhwal Himalayas.

CASE STUDY OF GARHWAL HIMALAYAS

The present study highlights and documents information about the situation of women as members of the workforce with special focus on the tourism industry of Garhwal Himalayas in Uttaranchal. The study aims at bringing gender aspects of tourism to the attention of policy makers in the state of Uttaranchal.

A survey of tourists was conducted in certain specific popular destinations, covering the entire Garhwal region. A stratified sample of 500 tourists was considered in all. It was conducted between April and October in 2001 at various destination points. The tourists were selected at random and did not represent any particular group. The distribution of the sample tourists surveyed at various nodes and their gender-wise classification is given in Table 1.

TABLE 1
Distribution of Sample Tourists, 2001
(based on sample survey)

Destination	Actual Flows 2000 (in lakhs)	Tourists Surveyed	Male	Female	% Female
Mussoorie	N.A	150	90	60	40
Rishikesh	N.A	100	65	35	35
Badrinath	6.95	100	73	27	27
Kedarnath	3.00	65	49	16	25
Gangotri	2.08	65	50	15	23
Yamunotri.	0.89	20	17	3	15
All Total		500	344	156	31

***Source:** *Tourism Policy, 2001*, Department of Tourism, Govt of Uttaranchal

In addition to the survey of tourists, data regarding the gender participation was collected through another survey conducted at random in the same destinations, among the employees of the hotel sector. The survey was conducted for 46 hotels and guest houses, which consisted of 185 employees altogether. The distribution pattern of the surveyed employees at various destinations is represented in Table 2.

TABLE 2
Sample Distribution of Employees in the Hotel Sector
(based on sample survey, 2001)

Nodes	Hotels	Employ		Govt. guest houses	Employ		Other accom	Employee		Total	
		M	F		M	F		M	F	M	F
Mussoorie	5	18	4	2	8	3	3	10	3	36	10
Rishikesh	5	19	3	2	9	4	3	11	-	39	7
Badrinath	1	3	1	2	7	2	4	10	2	20	5
Kedarnath	1	4	1	2	5	1	4	9	2	18	4
Gangotri	2	7	1	3	8	1	3	10	2	25	4
Yamunotri	-	-	-	2	7	1	3	8	1	15	2
Total	13	51	10	13	44	12	20	58	10	153	32
	46 (13 + 13 + 20)										

Regional Backdrop

With 13 hilly districts of former Uttar Pradesh, Uttaranchal got its official birth on 9th November 2000 being the 26th State of the Indian Union. The State is rich in flora and fauna, natural and touristic ambience and houses some of the most important pilgrimage centers of the country. Uttaranchal is a part of the Western Himalayan ranges starting from the Shivalik foothills to Greater Himalayas with Tibet forming its northeastern border. In the northwestern corner of the State are Himachal Pradesh and Haryana. The highest point in the State is Nanda Devi at 7,817 m above sea level and is the second highest peak in India, lying in the district of Chamoli. The region has many glaciers, passes, meadows, and trekking routes with several major rivers like the Ganga and Yamuna originating from here. Among them Ganga is considered as the holiest and the prominent one representing the soul of India with its rich culture, history and civilization. It consists of two main cultural and political divisions, namely Garhwal and Kumaon. Covering an area of 53,485 sq. kms. with an estimated population of almost eight and a half million persons, three-fourths of this mountainous land is included in the Garhwal region, which is the main focus of this study. The Garhwal region consisting of 7 districts is bisected by a number of rivers and rivulets. These districts include

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Uttarkashi, Dehradun, Tehri Garhwal, Pauri Garhwal, Rudraprayag, Chamoli, and Haridwar. Major parts of this Himalayan State come under the rain forests and alpine forests that are home to some of the highly endangered wildlife species. The alpine and tropical rainforests, which cover most parts of the state, make natural habitats for some of the best known wildlife creatures of India. Alpine forests in the region include some of the famous national parks, like the Valley of Flowers (known for its amazing variety of flowers) in the district of Chamoli, the Nanda Devi national park, the Govind national park, the Gangotri national park, and several others.

The situation of the tourist industry in Garhwal seems to be quite similar to the one existing in the labour markets of the country in general. The tourism sector has significant horizontal and vertical gender segregation. Horizontally, women and men are placed in different occupations. The women are employed as waitresses, chambermaids, sweepers, receptionists, sales ladies, etc., whereas men are employed as managers, gardeners, construction workers, drivers, etc. The typical 'gender pyramid' is prevalent vertically as well. All lower levels of occupations with fewer career development opportunities are dominated by women while the key managerial positions are usually dominated by men, with just a tiny proportion of the women succeeding in breaking through the 'glass ceiling'. Among the most prominent reasons why women and men tend to chase varied occupations resulting in horizontal and vertical separation of the labour market is because of the existing gender stereotypes, which is prevalent in almost all cultures. These gender stereotypical occupations are lower paid and do not include key executive positions. But at the same time, the situation allows the women to enter the tourism workforce based on their customary fixed roles and their own confidence to fulfill them. Their image of gender stereotype acts like an 'experience certificate' for entering the arena of job market in the tourism sector.

The Garhwali women, which constitute almost 50 per cent of the region's population, are no exception to the women in other parts of the country. They too lag behind their male counterparts in almost all

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spheres of life and carry the tag of gender stereotype roles among their community members as well as among themselves. Complex geographic conditions have made the lives of women in this region even more difficult and tough. Nevertheless, despite the adversities in terms of both natural and social environment, the contributions by women in many social movements of the region are noteworthy like, the Chipko, anti-mining, anti-alcohol, and so on.

The Census of India, 2001 pertaining to the women folk of Garhwal reveals that the sex ratio in the two districts of Garhwal namely, Dehradun and Haridwar are much lower as compared to the rest of the region. This could be attributed to a mass scale in-migration of males from the mountainous areas to the plains in search of job opportunities. They usually leave their family behind. Thus the sex ratios in these nodes record an abnormally low value. Uttarkashi, (Table 3), records the lowest density of population due to harsh weather conditions. The Garhwal Himalayan region has an overall high sex ratio with a fairly high female literacy rate, waiting to be tapped and mainstreamed.

TABLE 3
Demographic Profile of Garhwal, 2001

District	Density per sq. km	Sex Ratio	Female Literacy rate (%)
Haridwar	612	868	53.00
Rudraprayag	120	1117	60.00
Chamoli	48	1017	63.00
Dehradun	414	893	71.22
Pauri Garhwal	129	1104	66.14
Tehri Garhwal	148	1051	49.76
Uttarkashi	37	941	47.48
Uttaranchal (Total)	159	964	60.26

Source: *Census of India*, 2001.

The Garhwali women work hard toiling from morning till night fetching water, tilling the ground, growing crops and vegetables, bringing fuel and fodder and also fending for the kids, family and themselves. There exists a pool of womenfolk who are struggling to generate income

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for their family members whom they have to support and maintain. There is an urgent need to integrate and mainstream this critical 'mass' that already possess the necessary potentials for being absorbed by the tourist industry. It is essential to identify the income generating activities of the tourism sector where this target group can be converted into an asset. Otherwise women will continue to struggle in the informal sector and become easy targets of exploitation.

DAILY ACTIVITIES OF GARHWALI WOMEN

Despite an extremely promising scenario, severe constraints dominate the scene and slow down the process of active participation of women in the tourism sector of Garhwal. Low level of awareness forces the womenfolk in the region to face the disadvantage for not gaining entry into the formal sector. Studies indicate that there is a significant demand for education and training in the communities in and around popular destinations. With already a fairly high level of literacy rate among the Garhwali women it will be easy to impart training to them for income generating activities. So far there is little evidence of training in the region to enable or improve their participation in the formal sector. Trainings could include those that are linked with financial management, knowledge of foreign languages, computer skills, etc., which are essential for the tourism sector.

Community based tourism activities are an appropriate access to women for entering into the paid workforce. But expansion of such nature involving Garhwali women groups seems to encounter serious problems due to lack of marketing skills. Non-involvement of women exists within the core areas of the workforce structure not only in India as a whole, but also in the tourism sector of Uttaranchal. Only women from the younger age group are sometimes preferred in the hotel industry. In fact, a study conducted on the hotel industry in Delhi found that women in the younger age group had an edge over the older ones in terms of employment (Dutta, 2000). This trend tends to strengthen Momsen's (1994) argument that "the tourist image portrayed in source countries is still one of young women in exotic surroundings appealing to the

fantasies of middle-aged businessmen”. However, such a situation cannot be generalized for the entire region. While on the one hand, tourists ought to be provided with more information about the benefits of buying locally and using the local services, gender specific information about tourists’ needs and interests on the other hand, will be of extreme importance in order to serve the women customers better.

Table 4 reveals the low involvement of women in the workforce structure as per the 1991 Census of India. It shows a minimum number of women workers even in places like Dehradun and Haridwar where the concentration of economic activities is the highest. These are places within the Garhwal region where job opportunities are the highest. This reflects that females do not get the opportunity to enter the paid workforce structure within the organized sector easily even in the potential areas. This could be due to a number of reasons including the lack of skill training. However, a strong possibility of workers coming from outside the region cannot be ignored. This results in the local population being left out.

The hidden dimension to Uttaraanchal tourism has been its almost inconspicuous and relentless rise of pilgrims to the State. This phenomenal explosion of potential domestic tourism through pilgrimage is an inevitable by-product of economic development. Significantly located in the State, are the great religious places like Badrinath and Kedarnath. It is worth mentioning that such places can sometimes draw masses by leaps and bounds like the Kumbh Mela, which occurs once in twelve years, and had attracted more than 68 million visitors in 2000 to Allahabad, making it the largest international event other than the Haj (WTTC, 2001).

Characteristics of Female Tourists

Based on the sample survey, a series of tables (Table 5 to Table 7) are prepared to study the socio-economic characteristics of female tourists visiting the region in terms of their place of origin, age groups, income and length of stay. Out of a total of 500 tourists surveyed, 156 were found to be female tourists, (refer Table 1), which forms 31% of the total tourists visiting the study area.

TABLE 4
Workforce Structure in Uttarakhand, 1991

Names of Districts	% of total workers to			% Workers in various activities		
	Total Population	Total Male	Total Female	Primary Activity	Indus. Activity	Trade and Others
Uttarkashi	49	51	47	83	2	15
Chamoli	42	44	42	76	5	19
Tehri Garhwal	40	42	38	80	6	14
Dehradun	35	52	16	36	17	47
Pauri Garhwal	32	39	26	69	3	28
Haridwar	30	53	3	57	16	27
Rudrapur	N.A.		N.A.			N.A.
UTTARANCHAL	39	43	29	73	6	21

Source: *Census of India 1991.*

(Worker is a person who is engaged for full time work for atleast six months in a year)

P: Persons, M: Males and F: Females

Primary Activities: Agriculture, Forestry and horticulture

Industrial Activities: Household, other industrial and construction activities

Others: Transportation, trade and commerce and other services

TABLE 5
Place of Origin of the Sample Tourists
(based on sample survey)

Tourist Nodes	% of tourists originating from					Place of Origin (in %)	
	Delhi	UP, Punjab Haryana	West Bengal	MP	Others	Rural	Urban
Mussoorie	65	20	10	1	4	5	95
Rishikesh	20	57	15	4	4	18	82
Badrinath	25	53	18	1	3	17	83
Kedarnath	18	59	16	2	5	18	82
Gangotri	21	49	19	3	8	23	77
Yamunotri	42	37	8	-	13	9	91
Total	35	43	14	2	6	15	85

Table 5 depicts the places of origin of female tourists based on the sample survey. It shows a majority of these female tourists (78%) hail from the neighbouring areas of Delhi, UP, Punjab and Haryana. A total of 14%

comes from the eastern State of West Bengal. Most of these hail from the urban areas of the country. The table shows that the region is practically unknown among the southern parts of the country.

Table 6 depicts the gender wise number of tourists in the various age groups. The dominant age group among all the tourists is 20 to 60 years. A glance of the independent destinations clearly shows that the younger age groups prefer tourist resorts like Mussoorie and other high altitude places. While the elder generation visit nodes with pilgrimage importance in the Garhwal region. The pilgrimage centres are more popular among the female tourists in the age group of 35 to 60 years. A substantial chunk of tourists in the younger age group among the males do visit the high altitude pilgrim destinations. In addition to these centres being religiously significant, they are also important from the adventure point of view.

The income groups of the female tourists and their length of stay are presented in Table 7. Most of the female tourists visit the destinations for short duration and spend not more than 2 to 3 days at a particular node. In Garhwal the tourists' average length of stay does not normally exceed a week.

In terms of average expenditure a female tourist spends between Rs. 500/- and Rs. 800/- per day, most of these belonging to the income group of Rs.50,000 to Rs.1,00,000 per annum. The female tourists visiting Mussoorie and Yamunotri belong to the high and middle-income groups of Rs.50,000 and above. There exist no tourists from the low-income group of less than Rs.50,000. Among the high-income group Mussoorie is a favourite destination of the women tourists.

PARTICIPATION OF GENDER IN THE TOURISM SECTOR

The present section analyses the magnitude of gender participation in terms of hotel employees as existing in the region at present. The hotel sector has been used as it provides a proxy for the 'tourism industry', these usually being the largest employers in the tourism industry. Gender disaggregated data for the tourism sector, however, has always been difficult to obtain and has to be dependent upon primary sources through

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sample study. A set of four tables has been prepared on the basis of the data generated through the sample survey (Tables 8 to 11). These tables present different parameters like age composition, job status, wage groups and place of residence.

TABLE 6
Genderwise Distribution of Tourists in Various Age Groups
(based on Sample Survey)

Destinations	Males (in %)				Females (in %)			
	Below 20	20-35	35-60	60+	Below 20	20-35	35-60	60+
Mussoorie	9	63	24	4	12	56	27	5
Rishikesh	9	28	46	9	9	23	51	17
Badrinath	16	40	37	7	7	41	44	7
Kedarnath	16	37	39	8	13	38	44	6
Gangotri	12	36	42	10	7	20	60	13
Yamunotri	-	71	29	-	-	33	67	-
All	12	44	36	7	10	40	41	9

TABLE 7
Women Tourists: Income Groups and Length of Stay
(based on Sample Survey)

Destinations	Average Length of stay (in days)	Average Length of stay in Garhwal Region	Average Expenses per head (in Rs.)	Income Groups (Average annual income per family) (in Rs.)		
				<50,000	50,000 1,00000	>1,00000
Mussoorie	2.5	3.0	800	-	40%	60%
Rishikesh	2.0	4.0	500	20%	40%	30%
Badrinath	2.0	7.0	550	15%	60%	25%
Kedarnath	2.0	5.0	500	13%	62%	25%
Gangotri	1.5	5.0	600	10%	63%	27%
Yamunotri	1.0	5.0	750	-	58%	42%

Table 8, shows the gender wise place of residence of the employees. Among the female employees it is evident that they concentrate in the local area, so that they are not far away from their homes. Data shows none of the female employees belong to outside the Garhwal region, while among the males 18% belong to outside the

Garhwal region. Among the locally recruited employees, 33% are male employees as compared to 78% women. This clearly depicts that the women do not venture outside the region in search of greener pastures due to other family commitments. Thus they remain in the peripheral areas of the job market.

TABLE 8
Gender Distribution of Employees according to Place of Residence
(Based on Sample Survey)

Destination	% Female Employees			% Male Employees		
	Local	With in	Out side	Local	With in	Outside
Mussoorie/ Dhanolti/Chamba	70	30	—	8	64	28
Rishikesh	86	14	—	54	26	21
Badrinath	80	20	—	35	55	10
Kedarnath	75	25	—	39	50	11
Gangotri	75	25	—	24	56	20
Yamunotri	100	—	—	47	53	—
Total	78	22	—	33	49	18

Table 9 depicts that the female employees belong to the age group of above 20 years. None of them are under the age group of 20 years. Most of the female staff is within the age group of 20 to 50 years. A small section (22%) belongs to the higher age group of above 50 years. Kedarnath and Yamunotri have all its female employees belonging to the age group of 20 to 50 years.

TABLE 9
Age Structure of Female Employees
(based on Sample Survey)

Destinations	% Female Employees to Total Employees	% Female Employees in Various Age Groups		
		<20 Years	20-50 Years	> 50 Years
Mussoorie				
Dhanolti	22	—	70	30
Chamba				
Rishikesh	15	—	71	29
Badrinath	20	—	80	20
Kedarnath	18	—	100	—
Gangotri	14	—	75	25
Yamunotri	12	—	100	—
Total	17	—	78	22

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The Gender distribution pattern in the status of job description among the employees clearly shows a male dominating pattern (Refer Table 10). The women employees are conspicuous by their total absence from the higher posts. Among the highest paid jobs, female employees are only 3% as compared to 30% of male employees. As one moves towards the lower paid positions, a concentration of women workers gets prominent. This forms the bottom of the pyramid of tourist workforce structure.

Table 11 shows the various wage groups of the female employees among the destinations. Data reveals that in terms of female employees only the poor, those who earn wages less than Rs.10,000 per annum, work in Mussoorie. In Gangotri and Yamunotri all the female employees belong to the poorest wage-group, earning less than Rs.5,000 per annum. In fact 93% of the female employees belong to the two lowest wage group earning less than Rs.10,000 per annum and only 7% earn above Rs.10,000 per annum. In comparison to this, more than 41% of the male employees earn above Rs.10,000 per annum. In the highest wage group there are no female employees. On the contrary, 18% of male employees who fall into this category earn less than Rs.15,000 per annum. Nevertheless, the earnings for both the male as well as female staff are moderately too low.

GOVERNMENTAL INTERVENTIONS

To provide self-employment opportunities for local residents the government under its new scheme, 'Uttaranchal Tourism Development Scheme' has decided to offer assistance up to a maximum of 20% for projects with a capital investment of upto rupees ten lakhs. Projects under this include fast food centres, setting up retail outlets for local handicrafts, plying of buses and taxis, provision of equipment for adventure sports, establishing small motel-like residential accommodation, setting up tourism centres with PCOs/restaurants, tented residential facilities and garages. The previous government of Uttaranchal had identified certain thrust sectors under its action plan. These were:

- Strengthening of Institutional Framework
- Infrastructure Development
- Enhanced Private Sector Participation

- Mobilization of Resources
- Human Resource Development
- Publicity & Marketing
- Optimal Development of Pilgrimage Tourism
- Cultural Tourism
- Nature and Eco-Tourism
- Amusement and Leisure Tourism
- Corporate Tourism
- Adventure Tourism and Promotion of Tourism Oriented Handicrafts and Souvenir Industry

However, the government of Uttaranchal has not been forthright and specific in promoting the gender development in the tourism sector in its planning policies. The role of gender and its absorption in the light of existing as well as the future tourist demand in Uttaranchal does not seem to be in the governmental agenda so far.

CONCLUSIONS

The study reveals that the state of Uttaranchal possesses excellent potential for tourism development, the major attractions being in terms of pleasure tourists, adventure tourists and pilgrims. Nearly one-third of the region's tourists are females belonging to the age group of 20 to 60 years, originating mostly from North India. While developing facilities to demand based tourists, consideration needs to be given to the region's high female population, which almost constitutes 50% of the region's population. This target group with promising faculty like literacy skills and handicrafts needs further channelising. The role of women thus becomes of crucial importance in the region for the development of mountain tourism as well as in poverty alleviation programmes.

The following recommendations need to be considered in order to strengthen the role of women's participation in the tourism sector of Garhwal region:

- Development of the handicraft industry should form an important part of a comprehensive strategic planning for community

TABLE 10
Gender Distribution of Job Description among the Employees
(based on Sample Survey)

Destination	% Female Staff Employed as				% Male Staff Employed as					
	Manager	Office worker	Waitress	Cook	Sweepers	Manager	Office worker	Waiter	Cook	Sweepers
Mussoorie	--	--	20	10	70	28	6	33	28	6
Rishikesh	--	--	29	14	57	26	8	26	23	18
Badrinath	20	--	20	--	60	30	5	20	45	35
Kedarnath	--	--	--	25	75	39	--	22	33	6
Gangotri	--	--	--	25	75	32	--	28	28	12
Yamunotri	--	--	--	--	100	33	--	20	33	13
All	3	--	16	12	69	30	4	26	29	11

TABLE 11
Gender Distribution of Employees in Various Wage-Groups/annum
(based on Sample Survey)

Destination	% Female Employees in different wage groups (in Rupees)				% Male Employees in different wage groups (in Rupees)			
	Less than 5000	5000-10000	10000-15000	Above 15000	Less than 5000	5000-10000	10000-15000	Above 15000
Mussoorie	50	50	--	--	11	28	33	28
Rishikesh	--	71	29	--	--	10	44	46
Badrinath	60	40	--	--	20	50	30	--
Kedarnath	75	25	--	--	39	61	--	--
Gangotri	100	--	--	--	40	60	--	--
Yamunotri	100	--	--	--	67	33	--	--
All	53	40	7	--	23	36	23	18

participation in tourism, especially involving the participation of women. Within the range of potential products, the most suitable for women to develop are those with which they are familiar and in which they possess traditional skills. Careful selection of products is essential for the successful operation of women-run, or indeed any, enterprise. This will ensure the women worker to earn a regular source of income and dilute the seasonal nature of tourist industry's income generation being restricted to only a particular period.

- Different member groups of local communities, e.g., women, may need specific measures of capacity building for participation. Local Governments, private sectors and other NGOs should take such measures, e.g., working with women's groups' separately in the beginning, in order to enable them to articulate and follow-up their interests. These activities help to create financial independence for local women and challenge them to develop the necessary skills through various training programmes and also improve their education.
- Programmes for the promotion of enterprises in mountain areas, particularly those meant for women entrepreneurs, should not be minimalist, providing a single input or service like credit, training, technology or marketing, but integrated, providing all-inclusive support from a single window.
- While production can be undertaken economically at small, micro and household levels, marketing must be done on a larger collective scale to make the enterprises viable. It is important to identify and promote those marketing arrangements that have the best chance of realizing remunerative prices from among the various forms such as direct retail sale to consumers, sale to traders, link-ups with large companies, and marketing organizations of producers. It is also necessary to obtain feedback from the market on the demand - in terms of quantity, quality and variety of products. Direct participation by women entrepreneurs in marketing through their own organizations gives

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them the added advantage of exposure to wider markets as well as a better return for their efforts.

- Employers should set up programmes and schemes encouraging women to move into non-traditional occupations, invest in women's training, appoint them in managerial positions, and re-appoint them after years of less involvement due to family responsibilities. Employers should set targets for the percentage of women in key management positions, with proper facilities for a working mother, like opening of crèche, education for children, etc.
- To overcome disadvantages for gaining entry into the workforce because of low levels of education in the short term, entry for the local population can be improved by lowering standards for entry and then providing on the job training to compensate for this.
- Social, institutional, and legal mechanisms need to be developed and strengthened so as to improve women's access to and control over the resources that are necessary to start enterprises, as well as over those resulting from their efforts in running enterprises.
- The tourism industry should engage in educating tourists about women's rights and how to properly respect them in an inter-cultural context.
- An 'all-women managed special residential complex' especially meant for the women tourists' needs to be created in the major destinations of the State.

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NEED TO REFORM MUSLIM PERSONAL LAW

A Gender Perspective

Z.M. Shahid Siddiqi

Laws are not sacrosanct, unchanging and eternal. They cannot be. Because society is not static. And laws are designed to ensure just and harmonious social relationship in a changing society. In his book *Islamic Jurisprudence in Modern India* Anwar Ahmad Qadri says that “real and complete justice and kindness and measure to meet every type of situation in a changing society remain the fundamental principle of the sacred law.” However, Professor Fyzee observes that “laws differ from country to country, from time to time. They must ever seek to conform to the changing pattern of society.” When there is resistance to change in the laws by the vested interests, as often happens, it leads to social friction, disharmony and perpetuation of social injustices. To remove social inequities caused by anachronistic laws, is the *raison d’etre* of reformism.

The great Arab modernist Muhammad Abduh (1849-1905) had realised long ago the dynamic character of the laws. He distinguished between Islam’s inner core or fundamentals, those truths and principles which were unchanging, and its outer layers, society’s application of the immutable principles and values to the needs of a particular age. Therefore, he maintained that “while those regulations of Islamic law that governed worship (*ibadat*, such as prayer, fasting pilgrimage) were immutable, the vast majority of regulations concerned with social affairs (*maumalat*, such as penal, commercial and family laws) were open to change.” (John L. Esposito, *Islam: The Straight Path*, p.130). Abduh thus built up his case for reforms and “public interest,” on the principle of Islamic legal system. His approach greatly influenced later day reformers in Egypt and other Muslim countries.

Flexibility in Islam

Unfortunately, an impression has been created among both the Muslims and non-Muslims alike that there are rigid set of rules in Islam and that these rules are not liable to change. This is not correct. There are provisions in the Muslim Law for bringing about desired changes in the laws governing the Muslims.

For example, there is a well recognised source of Muslim Law known as *Qiyas* or analogical deduction. *Qiyas*, Sir Amir Ali says, is the use of man's reason in developing and bringing out every implication of the commandments in the *Quran* and *Sunnah*. He further states that the Prophet is represented as having approved that in default of revelation (*Quran*) or exact precedent from Prophet's own practice, one could rely on one's own reason to deduce a rule and rationally deal with any difficulty that may arise. The jurists after the Prophet were forced to rely on their own reason. Among the various schools the Hanafis did so more freely.

This is not all. In addition to *Qiyas*, Abu Hanifa recognised what he called *Istihsan*. It is commonly translated as preference. The root meaning of the word, according to Sir Amir Ali, is "a desire for beauty of symmetry, and as the doctrine was for the removal of discrepancies or inequalities in law, *Elegantia Juris* would perhaps be a better translation." The Holy Book declares: "Those who listen to the word, and follow the best (meaning) in it, those are the ones whom God has guided, and those are the ones endued with understanding." (39:18)

Again, *Sura 7:145* reads in relevant parts: "Take and hold these (laws) with firmness, and enjoin by the best in the precepts."

Anwar Ahmad Qadri, quoted earlier, says that the Prophet, while sending an official mission to Yemen, directed Ali and Muadh to be equitable towards the people instead of being rigid. "It shows equitable principle in the traditions."

Therefore, flexibility in Islam can be summed up in the following words of *Quran*:

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“God intends every facility for you; He does not want to put you in difficulty.” (2:185)

Istislah is yet another way provided in the Islamic-Jurisprudence (*Maliki*) to bring about improvement according to necessities and needs of circumstances. It consists of prohibiting or permitting a thing because it serves a useful purpose. And continuing with this line of thinking, a further provision in Islamic Jurisprudence is of *Istidal* or deduction. The term connotes a special source of law derived from reason and logic.

Reformatory Zeal

The Quranic commandments relating to marriage, divorce, maintenance and inheritance, as we shall presently see, are truly revolutionary, considering the age in which they were formulated. Ever since the reformist zeal, with ups and downs, has been an integral part of Islamic tradition. The time to revitalise reformist temper of Islam was never so great as it is today. Therefore, recognising that the spirit of Islam is to reform the society, we should identify areas where urgent reforms in Muslim Personal law is now needed.

Monogamy

The Prophet regarded monogamy as a most rational and practical form of marriage contract. Polygamy was permitted under exceptional circumstances, demanding fulfilment of conditions which are just impossible to satisfy. The following verse of *Quran* makes it abundantly clear:

If ye fear ye shall not be able to deal justly with the orphans,
Marry women of your choice, two, three or four;
But if ye fear ye shall not be able to deal justly (with them).
Then only one. (4:3)

Abdullah Yusuf Ali comments: “The unrestricted number of wives of ‘The Times of Ignorance’ was now strictly limited to a maximum of four, provided you could treat them with perfect equality in material things as well as affection and immaterial things. As this condition is most difficult to fulfil, I understand the recommendation to be towards monogamy.”

A subsequent verse of *Quran* that “You are never able to be fair and just between women even if it is your ardent desire” (4:129), further reinforces the argument that *Quran* preaches monogamous ideal.

Whenever the question of reform of Personal Law is taken up by the Muslim community, they should boldly recommend monogamy as the ideal on the basis of the above verses of *Quran*. Polygamy as permitted by *Quran* may now be taken away by legislation.

Divorce

The *Quran* counsels arbitration before marriage to be annulled. “If you fear a split between man and his wife, send for an arbiter from his family and an arbiter from her family. If both want to be reconciled, God will arrange things between them.” (4:35)

Yusuf Ali in his commentary says, “An excellent plan for setting family disputes, without too much publicity or mud-throwing or chicaneries of the law.”

Not many people know that Pakistan’s Muslim Family Laws Ordinance of 1961 provides, in accordance with the Quranic injunctions, compulsory reconciliation before any form of divorce could become effective. For this an arbitration council is constituted, consisting of a chairman and a representative of each of the parties. If Pakistan could do it, why can’t Muslims of India get their law of divorce changed through legislation, making it more humane and equitable.

The Muslim Personal Law in India, particularly that relating to divorce, is heavily loaded in favour of the male counterpart. While Muslim wife’s rights of divorce have been defined by the Dissolution of Muslim Marriage Act, 1929, a Muslim husband can divorce his wife whenever he desires, without giving any reasons whatsoever. ‘I divorce you’, is enough. Professor Fyzee rightly describes *talaq* as “one sided engine of oppression in the hands of husband.” Therefore, delegated power of divorce in favour of women called *Talaq-e-tafweed* must be made obligatory.

Maintenance

The existing laws and customary practices regarding divorced woman's right of maintenance is most inadequate, when the Quranic injunction on this point is very dear.

The *Sura LXV:2* says:

Thus when they fulfil
Their term appointed,
Either take them back
On equitable terms,
or part with them,
on equitable terms.

'Equitable terms' in *Quran* is quite in keeping with the modern notion of gender justice. Section 25 of the Hindu Marriage Act, 1955 could be taken as a model of the divorced woman's right of maintenance. It provides that the court may order permanent alimony and maintenance, having regard to the property and income of the parties, the conduct of the parties, and the circumstances of the case, as may seem to the court to be *just*.

Inheritance

It was a great achievement of Islam that for the first time in human history women were given share in the parental property. However, there is still scope to make it more equitable. At present the share of the daughters is half of that of the sons. It should be in keeping with the spirit of the Holy Book to give equal shares to the sons and the daughters in the parental property. Further, deprivation of women from inheriting agricultural property under the land laws should no longer be permitted as it is in contravention of *Quran*.

Conclusion

In conclusion we must state that the Holy *Quran* recommends against polygamy, frowns on divorce and says that divorce cannot be pronounced in one sitting but three divorces are compulsory. Each one month apart, and that in the event of divorce the husband and wife must

separate kindly and equitably, that is, they must provide maintenance in accordance with the equity of each case. The *Quran* is the primary source of Muslim Law and we strongly recommend legislation in the areas indicated above. Also, as regards the equal share of women in parental property we agree with the following quotation from Weeramantry, a judge of the Supreme Court of Sri Lanka:

When one considers the background against which Islam secured these rights for women, and its achievement in breaking through the virtual rightlessness of women, not only in Arabia but in the world of its time, Islamic achievement was remarkable. Attuning these concepts to the needs of the contemporary world is, as in all systems, work for contemporary societies and jurists in particular. If any of them have failed in this regard the blame needs to be laid on their door rather than on the teachings of Islam.

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Rape and 'Honour Killings'

Savita Pande

According to the *20th Century Encyclopedia of Women*, Gender relations in Pakistan rest on two basic perceptions: that women are subordinate to men, and that a man's honour resides in the actions of the women of his family. Thus, as in other orthodox Muslim societies, women are responsible for maintaining the family honour. To ensure that they do not dishonour their families, society limits women's mobility, places restrictions on their behaviour and activities, and permits them only limited contact with the opposite sex.¹

Rape and 'honour killings' have become widespread in some districts of Pakistan, according to the independent Human Rights Commission of Pakistan (HRCP). A report, which is yet to be published, said more than 150 women were sexually assaulted in the first six months of the year in southern Punjab. There were also about 40 so-called 'honour killings', carried out by men who allege that the behaviour of a woman has brought dishonour to their family.² Of the 150 women who were sexually assaulted, many were raped by more than one man.

THE MEERAWALA CASE

The report came a month after a local tribal council near the Punjabi city of Muzaffargarh ordered the gang rape of a woman as punishment for her younger brother's involvement with a woman of another tribe.

The case has hit the headlines in newspapers and has created furore in the country. It involved a woman from a Gujjar family, Mukhtar Bibi, 35, whose brother Abdul Shakoor, 14, was on June 22, 2002 abducted and sodomised by the brother (Pannu) and cousins of Salma, the 18 year old girl of the Mastoi tribe of Meerawala village, Tehsil Jatoi, 115 kms. southwest of Multan. Salma had complained that

Abdul Shakoor was harassing her. Fearing retribution, Abdul was then taken to the elder brother of Salma Abdul Khaliq, a big feudal lord who locked him with Salma. He then informed the tribe that Abdul was sexually assaulting Salma. Mukhtar Bibi and her mother were informed who in turn reported the matter to the police. When the police demanded release of Shakoor, the Mastois said that the matter would be settled in the Panchayat. The police then secured the release of Shakoor, detained him in Jatoi police station and asked the Mastois and Gujjars to mutually settle the matter.³

The Mastois then called Ghulam Farid to the Mastoi Panchayat which decided that Salma be married to Abdul Shakoor and Pannu be married to Mukhtar Bibi. This horrified Abdul Khaliq (because he considered Gujjars as belonging to the “inferior” caste) who then summoned Mukhtar Bibi to the Panchayat, the latter giving assurance for her safety. Four men from the assembly forced Mukhtar Bibi into a room and gangraped her. She was then sent out in a semi nude state - the Mastois signifying that they had exacted reprisal and hence upheld their honour. The deal for the Gujjars was worse - Ghulam Farid had to sell his cow and muster up Rs10,000 to bribe the police for Shakoor’s release.⁴ Following massive reporting in the media, a case was registered in Jatoi police station on June 30, 2002, which did not mention sexual assault on Shakoor. Following further media campaign the case of abduction and rape was registered on July 4.⁵

An Anti-Terrorist Court in Dera Ghazi Khan in Punjab province which conducted the trial announced death penalty to the four rapists and two members of the local village council who had ordered the rape. At the time of writing this article the accused have appealed against the verdict in the Multan High Court. Mukhtar Mai has sought to overturn the acquittal of eight out of the 14 men accused of raping her or ordering her rape. Her lawyer filed another appeal asking for the conviction of the men under a separate law, which prescribes the death penalty for exposing a woman in public. This appeal accuses the men of stripping Mukhtar and sending her home semi-naked after she had been gang raped.⁶

RAPE AND HONOUR KILLINGS

The case, if the criminals are punished eventually, stands in contrast to the general practice where the victims of the crime as well as punishment are women. According to Sadi Zahra, “last year 286 women were murdered in the name of honour by the male family members (and these are only the registered cases)... the root cause of these honour killings we see that they are linked to the question of land, water, money and property. But again, only the women of the poor classes are victims of this inhuman custom of *karo-kari*. This custom is seldom implemented against rich women.”⁷

Honour killings originally formed part of the Baloch and Pathan tribal customs, but are now reported not only in Balochistan, the North West Frontier Province (NWFP) and upper Sindh which has a large Baloch population, but in Punjab also. Nor are honour killings restricted to remote rural areas but are reported, on a lesser scale, from towns and cities. The modes of killing may of course vary. In Sindh, honour killings are called *karo-kari* killings. *Kari* literally means ‘a black woman’ and a *karo* means ‘a black man’. The two are ritualistically killed and hacked to pieces, often in view of public. In Punjab, such killings usually take place by shooting and appear more often based on individual decisions, occurring in an urban context and not always perpetrated in public.

To quote Rafi Ullah Shehab, “the crimes of gang rape, as the statistics show, are mostly committed by feudals of our society, but it is strange that Hadd punishments of Zina (Islamic punishments for rape, discussed subsequently) were never inflicted on them. There were serious gang rape cases of Nawabpura (Multan), Mandi Bahawalpur and Baghbanpura etc., when feudals committed these crimes in broad daylight and nobody dared to touch them. As a result this crime became a routine affair of our feudal culture. But instead of inflicting Hadd punishment on them, it was given to innocent women who were actually the victims of highhandedness of the feudals”.⁸

An Asian Development Bank paper on Pakistani women reveals that “women are also victims of male honour. If the male honour is

compromised in any way, the womenfolk of the rival party are humiliated by being made to strip off in public and paraded through the streets to take revenge from the family. The Human Rights Commission of Pakistan recorded 48 such cases in 1992-94.”⁹

An explanatory comment highlighting the situation of women comes from Rasul Bux Rais who writes:

As a person who grew up and spent the younger years of life in this region, which is known more by the administrative divisions than its Seraiki character, I wish to inform anyone who matters that abuses against women are a daily fact of life there. They are murdered brutally by fathers, brothers, husbands and other close relatives in a social ritual that the outsiders are beginning to understand as honour killings. They do so to restore the honour of the family they believe is lost in woman having illicit sexual relations. Most of the time, it is simply suspicion, rumour or even fabricated story to murder a man that drama of honour killing is enacted. In the customs of the Seraiki belt, Balochistan and interior Sindh, killing a man along with a woman does not justify revenge from the other caste or tribe. Honour killing is a shield for coward men to escape revenge. And then to settle the blood feuds, young girls are given in marriage to whosoever is willing to take from the grieved caste or tribe to calm their anger. They are abused, tortured and compelled to live subhuman lives, if spared, for the murderer fathers and brothers.¹⁰

According to the HRCP report cited above, “honour killings accounted for almost half of the 82 murders of women in the districts of Multan, Dera Ghazi Khan and Bahawalpur in southern Punjab. Four of the ‘honour’ killings were carried out by the women’s fathers, 15 by their brothers, 10 by their husbands, two by their sons and nine others by close relatives. Two women were murdered because they failed to conceive and another was killed because she refused to become a prostitute.”¹¹ Further, analysing the data on *karo-kari* killings collected by the HRCP’s Special Task Force for Sindh during 1998, a report by Amnesty International says that in a total of 196

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cases reported in Sindh, 255 persons were killed, including 158 women and 97 men. The data, however, does not in all cases include information about the perpetrators. But of 154 persons killed for reasons of honour where the relation of the perpetrators to the killed person is given, following facts have come out:

(a) in 46 instances when both a *karo* and a *kari* were killed, exactly one half of the killings were carried out by the husband of the *kari* and the other half by male relatives of the women concerned;

(b) of the 81 women killed alone as *kari*, 40 were killed by their husbands, 36 by male relatives, including, brothers, fathers, uncles or sons, five by others including their fathers-in-law or brothers-in law;

(c) of the 27 men killed as *karo*, three were killed by the husbands of the alleged *kari*, and 21 by other male relatives of the women, with three killed by others, including the husband's relatives.¹²

Confirming that domestic violence often remained a pervasive phenomenon, the 1997 Annual Report of the Human Rights Commission of Pakistan says that "the supremacy of the male and subordination of the female assumed to be part of the culture and even to have sanction of the religion made violence by one against the other in a variety of its forms an accepted and pervasive feature of domestic life."¹³ The Asian Development Bank Report too says that domestic violence which cuts across all classes, ranges "from slapping, hitting, and kicking to murder."¹⁴ The irony with the domestic violence is that it is not taken of notice by the law enforcing authorities as it is considered a private affair unless it takes gross forms like murder. It is hardly surprising then that Pakistani law does not recognize marital rape as a criminal offence.

Burning is another common form of domestic violence against Pakistani women. In 1998 and 1999, more than 560 cases of women burned at home in Punjab were reported while in 1998 alone, nearly half the victims died.¹⁵ The Progressive Women's Association, which assists attack victims, tracked "3,560 women who were hospitalized

after being attacked at home with fire, gasoline or acid between 1994 and 1999.”¹⁶

The case with custodial rape is no different. The incidents are widespread but under-reported as it is evidenced by the fact that “out of 41 cases reported in Punjab during 1998 only six got registered and only one person was arrested”¹⁷ A 1992 report found that “70 per cent women in police stations are subjected to physical and sexual violence.”¹⁸

STATUS OF WOMEN IN THE PRE- ZIA PERIOD: POSITIVE BEGINNINGS

The role of Islam in general and that of women in particular in the context of religion always remained a matter of debate, although their importance varied with time and stability of the regime. And as was the case with the former in the latter case also the outlook (ideology) and perception of the elite have been an important determinant of the status of women. The focus of this article is on the violence against women, which may have been prevalent right from the beginning, though it became a focus of public attention within and outside Pakistan after Zia’s Islamisation.

Till that time the status of women under Islam was being discussed in the context of Islam itself. The writings on the subject, though limited, focussed on how the state, including the leadership perceived the issue. The official Islam was to begin with a progressive view as far as the perception of the founder of the nation Mohammad Ali Jinnah was concerned. The most widely quoted statement of his is a testimony to this fact. Speaking at Aligarh University in 1944, he said, “No nation can rise to the heart of its glory unless your women are side by side with you. We are victims of evil customs. It is a crime against humanity that our women are shut up within the four walls of the house as prisoners. There is no sanction anywhere for the deplorable conditions in which our women have to live.”¹⁹ Women’s wings of the Muslim League then began to be set up in various cities.

After Jinnah in terms of action one sees Ayub Khan’s positive
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move towards the gender issues in the promulgation of his Family Laws Ordinances in 1961. Based on the reforms of the Dissolution of Muslim Marriage Act of 1939 to widen the scope of women's rights in marriage, divorce and inheritance, the minimum age for marriage for girls was raised to sixteen, restricted husbands rights to divorce unilaterally, and put limitations on polygamy. In 1964 under the Western Pakistan Family Courts Act, special courts were set up at district level to deal with family law matters.²⁰

Zulfiqar Ali Bhutto, a man with a modern outlook, had tremendous legitimacy when he rose to power. He resorted to steps in the name of religion like prohibition later in his tenure when opposition to him had risen considerably. His Islamic Socialism was very progressive in content, as the constitution guaranteed "no discrimination on the basis of sex alone" and Principles of State Policy promised "full participation of women in all spheres of life".

ZIA'S ISLAMISATION AND WOMEN: VIOLENCE TAKES FRONT SEAT

It was under General Zia that things changed. The regime's steps to Islamise the society resulted in setting up of *Nizam-e-Mustafa* which spelled doom for women. Its implications are discussed here.

With the imposition of martial law, Zia suspended all fundamental rights guaranteed in the Constitution of 1973, including the right to be free of discrimination on the basis of sex. He then introduced a series of laws that gave legal sanction to women's subordinate status. The most relevant include the *Hudood* Ordinances which dealt with rape, fornication, prostitution, false testimony and alcohol, suggesting punishments for all these crimes.²¹ *Zina* was defined as willful sexual intercourse between a man and a woman "without being willfully married to each other", while *zina-bil-zabr* meant rape and the punishment would entail death for married persons and 100 lashes for unmarried persons. But to prove the crime it required a confession before a court or the presence of four Muslims of good character

(*saleh*) who actually witnessed the intercourse. In case of women or non-Muslim witnesses *Hadd* would not be exercised and the crime would be a subject of punishment under the less stringent *Tazir*.²² Under *Tazir*, a rapist may be sentenced to up to 25 years in prison and 30 lashes. Women are scared of reporting rape because if they cannot prove the absence of consent, they run the risk of being charged with violation of *Hadd* ordinances for fornication or adultery.

According to Charles Kennedy, "In fact, all these crimes were already on the books as the pre-existent Pakistan Criminal Procedure Code already specified that each *tazir* crime, as specified in the *hudood* ordinances, was unlawful. The *tazir* penalties specified in *hudood* ordinances were the same penalties as specified in the Pakistani Penal Code."²³

As for the implementation of punishments under the *Hudood* ordinances, Charles Kennedy says, "they were meted out in highly discriminatory manner. Women were proven guilty of *zina-bil-zabr* through medical examination following the rape or because they became pregnant and were unmarried."²⁴ The law does not differentiate between adultery and rape and declares illegitimate birth as evidence of women's guilt (*zina* not rape) without incriminating woman.²⁵ The first case to make an impression about the power of the *zina* ordinance was that of Fehmida Biwi and Allah Bux. The two were given maximum sentences allowed under the ordinance: 100 lashes in public, and stoning to death in public. Although the punishments were not carried out, they put the implications of the *zina* ordinance in concrete terms.²⁶ In the case of Safia bibi, a blind maidservant who became pregnant following multiple rape was given 15 lashes for *zina-bil-zabr* whereas the two criminals (father and son) involved were set free because of lack of evidence and benefit of doubt respectively. Subsequently, the Federal Shariat court dismissed her sentence. However, in case of Lal Mai from Bhawalpur eight thousand men watched as she was (first one to be so) publicly whipped on September 30, 1983, on charges of adultery.²⁷ A woman in Swat was later sentenced to receive eighty lashes. The men in both cases were acquitted.²⁸

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As recommended by the Council of Islamic ideology, General Zia announced promulgation of the *Qanun-e-Shahadat* Order (Law of Evidence Order) on October 28, 1984, which stipulated that in *Hudood* cases two male or four female witnesses would be needed to prove a crime. According to Kennedy there was only one substantive change in it from the 1872 Act. Section 17 of the new Law of Evidence provided that in matters pertaining to financial or future obligations, if reduced to writing, the instrument had to be attested by two men or one man and two women, so that one may remind the other, if necessary, and in all other cases the court could accept or act on the testimony of one man or one woman or as circumstances demanded.²⁹ This was substitution of the 1872 Act which said, "No particular number of witnesses in any case shall be required for proof of any fact."³⁰

The government also moved an ordinance stipulating the setting up of *qazi* courts and that women could be appointed *qazis*. These courts of course could not overrule the decision of the military courts.

QISA AND DIYAT

According to the Amnesty International report on honour killings, the law of *Qisas* and *Diyat* covering offences relating to physical injury, manslaughter and murder "reconceptualized these offences in Islamic terms as understood in Pakistan and replaced relevant sections of the Pakistan Penal Code (PPC) of 1860 which derives from British common law. It was first promulgated as an ordinance in 1990, and since then was periodically re-promulgated till it was passed by parliament in 1997, without significant public or parliamentary debate. The law affects women adversely in many ways; at the same time, the law of *Qisas* and *Diyat* does not allow mitigating circumstances to be taken into account in murder cases, a change which benefited women but has been undermined by judicial practice."³¹

The murder basically is treated as a private affair of the family and the crime is not against the state but individual victims. The issue of domestic violence itself is treated more as a matter of civilian rather than

criminal courts. If a matter does come before a criminal court it may be punishable either by *qisas* (retribution) or *diyat* (compensation). The victim has the choice of either or whether to pardon the accused. If the victim chooses to waive *qisas*, the court has the discretionary powers to award *tazir* punishment or discretionary punishment in the form of imprisonment. The court also has the power to decide whether to punish the accused.

Furthermore, murder (*Qatl-e-Amd*) is not liable to *qisas* “when any *wali* [heir] of the victim is a direct descendant, how low-so-ever of the offender.”³² Thus, cases in which a woman has been murdered by her husband would be exempt from the *qisas* or maximum (i.e., capital) punishment for the murder if the couple in question have children, since in that case, a child or heir of the victim would also be a direct descendant of the offender. *Diyat* in such cases, entailing compensation flowing from a father to his (motherless) children, “would be a mockery.”³³

As a famous lawyer Hina Jilani states:

There is no chance of bringing the killer to book.... The prosecution case collapses on almost all the scenarios of an honour killing: In *karo-kari* cases there is no aggrieved party to pursue the case, society as a whole approves of the killing and usually there are no prosecution witnesses as nobody testifies against a family member. Since the killing takes place in a family context, forgiveness, voluntary or otherwise, is almost inevitable. If a brother kills his sister on grounds of honour, her guardian or her father can forgive his son. Courts have the discretion under the law to prosecute even in cases where the culprit is forgiven but this very rarely happens.”³⁴

The only positive ordinance was the Crimes Ordinance of 1984 which provided death penalty or life sentence for “assaulting or using criminal force against a woman, to strip her naked, and in that condition expose her naked”. The ordinance came in the wake of an incident in which a carpenter was hacked to death in Nawafur for suspected

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involvement with landlord's daughter and women members of his family were paraded naked.³⁵

During her second term as Prime Minister Benazir Bhutto established a women's bank, a ministry for women's development and various committees and literacy programmes for women. However, these were seen as "tokenism, given the prevailing autocratic disempowerment of women, the pervasive illiteracy among women, and women's limited representation in Parliament."³⁶ In terms of violence against women hardly any move was made, with horrendous ordinances still being continued as they were. In fact General Zia himself had set up a parliamentary women's division to prepare a report on the status of women subsequently released by Ms. Bhutto, his successor.³⁷

POST-ZIA PERIOD

Violence against women saw no recession in the post-Zia period. In fact, during 1990-91 several instances of women political activists being subjected to torture and rape were reported. Of particular significance was torture of Raheela Tiwana in custody in December 1990 and rape of Veena Hayat in her home in Karachi in November 1991.³⁸ In the latter case, the victim had accused the son-in law of the President Irfanullah Marwat of masterminding the crime. The family of the victim showing no trust in the official inquiry took the case to *jirga*. The former found the accused innocent whereas the latter pronounced death for him.³⁹ In a report on human rights violations in 1992 alone, 75 major cases of rape including 33 in interior Sindh were reported and in just three months 457 cases of sexual abuse against women were recorded.⁴⁰

An Amnesty International's report on Honour Killings in Pakistan says that "while a representative of the Government of Pakistan did condemn the killing of Samia Sarwar before the UN Human Rights Commission in Geneva" and the Minister of Women Development "made a statement in Washington on 10 April, four days after Samia's murder, stressing her government's commitment to women's advancement", for domestic

audiences, where attitudinal changes are urgently needed, the government only issued a statement three weeks after the killing saying it considered such acts “dishonourable and an extreme form of violence against women.”⁴¹

In February 1999, after a film on honour killings in Pakistan was shown on US television, the Pakistan diplomatic mission in Washington protested saying that it exaggerated the issue and created the impression that society as a whole sanctioned and condoned such killings.⁴² Prime Minister Nawaz Sharif, during a visit to Badin district on 18 March 1999, did mention the need for a law to “eliminate the menace of *karo-kari* killings” in Sindh, but he did not “elaborate its content or time frame.”⁴³ When the 1998 annual report of the HRCP was released in March 1999, Information Minister Mushahid Hussain reportedly defended the allegations of violence against women and of child labour by saying: “These are a feature of Pakistan feudal society, they are not part of any government policy or a consequence of any law.... It is a long-standing problem in a feudal society that unfortunately happens to be male-dominated and also in certain part male chauvinist.”⁴⁴

Significantly, in August 1999, Pakistan’s upper house, the Senate, rejected a resolution condemning the growing incidence of murder of women in the name of family honour. The resolution was moved by the Pakistan People’s Party of former Prime Minister, Benazir Bhutto, but members from the highly conservative tribal region of the North-West Frontier Province prevailed upon the house to stop the move. The bill was moved in the backdrop of an incident, which became a major issue when a woman, who had fled her home in the North-West Frontier to avoid a forced marriage, was shot down by a hired killer in the office of a human rights activist.⁴⁵ The governing party members belonging to the conservative tribal region of the North-West Frontier Province put up a forceful opposition when the PPP tried to move the resolution. What surprised many was that they were fully backed by a left-wing opposition group, Awami National Party, whose members also came from the same province.⁴⁶

Violence against women in the home was explicitly acknowledged

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as a human rights concern in 1986 when the UN Economic and Social Council recognized violence in the family as “a grave violation of the rights of women”.⁴⁷ In 1992, the most important international treaty specifically addressing women’s human rights, the Committee on the Elimination of Discrimination against Women (CEDAW) noted in General Recommendation 19 that gender-based violence impairs or nullifies the following rights: The right to life; The right not to be subject to torture or to cruel, inhuman or degrading treatment or punishment; The right to equal protection in situations of armed conflict; The right to liberty and security of the person; The right to equal protection under the law; The right to equality in the family; The right to the highest attainable standard of physical and mental health; The right to just and favourable conditions of work.⁴⁸

Pakistani President Pervez Musharraf condemned the practice of “honour killings” in a speech in April 2000. “Such actions do not find any place in our religion or law,” he said, adding that killing in the name of honour “is murder and will be treated as such.”⁴⁹ Musharraf’s assurance notwithstanding, the issue is not only one of state assurance. Violence against women, rape being the most explicit symbol of it, is not exclusive to Pakistani society. What make things particularly unfortunate are the victims being treated as an accused by the society, family and community alike. The social ostracisation may not be exclusive but state sanctioned punishments make things particularly difficult for Pakistani society. The punishments as fallouts of Zia’s regime may have been stringent or implementable during his regime only, but nothing has been done since to repeal them or undo them. It does have an impact on social sanctity. That is why from time to time there have been talks of doing away with these ordinances. Speaking at a seminar in October 2002, Dr Faqir Hussain, Secretary of the Pakistan Law Commission and a member of the National Commission on the Status of Women, said that the “Offence of Zina Ordinance 1979” should be repealed, but Federal Law Minister Khalid Ranjha dismissed it by saying that would not be possible, though some amendments might bring about a positive change in the law.⁵⁰ Quoting verses from the Holy

Quran to support his arguments while opposing the punishments like stoning to death, Dr. Hussain said, “the present Hudood Laws in Pakistan are in contradiction with many Quranic verses.”⁵¹ Speaking at the same seminar, Dr. Ranjha made it clear that it was more important to prevent the abuse and misuse of the law than trying to repeal the entire ordinance, “which is not possible”.⁵²

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WOMEN AND SUSTAINABILITY IN THE KARAKORAM HIMALAYAS

Farida Azhar-Hewitt

“Sustainable development requires ...the ...reproduction of human beings and the ecosystem in the long term ...we have much to learn from traditional societies.”¹ With this statement in mind, we look at a traditional society, on the physical, economic and political margins of the modern world, in a high mountain valley of the Karakoram-Himalaya ranges of northern Pakistan.

Every evening, Halima unlocks the wooden gate of stripped saplings and goes into her garden. Of course, she has been working hard since she got up at 4 a.m. cooking, feeding the family, cleaning the house, then weeding, watering and tending their fields, accompanied everywhere by her baby and other small children. But when she enters her garden, her pride and contentment of being there are evident. Painstakingly and skillfully she transplants tiny onion and tomato seedlings; prunes the tomato plants and deftly picks greens and coriander leaves for their evening meal. She directs water from the main channel into each vegetable bed, removing a clod of earth from the surrounding edge until the bed is flooded, replacing it and continuing to do the same with the rest of the garden. Wherever she comes across a weed, she expertly pokes it up with a sharp tool, and tosses it into a pile for fodder. She may spend as much as two hours there. All the while she answers her children's questions, delegates responsibilities, nurses the baby when he cries. “If I could, I would spend the whole day here,” she says, as her eyes travel over the garden. This work, while producing their daily sustenance is not performed solely out of duty. It is pleasurable as well, even a therapeutic activity.

At one point in the evening, Halima climbed down the ladder into her *katza* (cellar) with a small metal tray and shovel in hand. She went to a dark corner where their winter woddpile had been stored, and dug

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out the soft, dark, mouldering earth. “This is very good for the *drumba* (vegetable garden)”, she says. She also shovels the ashes out of the now-cold fireplace. “*Thalstirr* is good around the tomato plants”, she says. Apart from vegetables in the small garden near their house, flowers grow all around to add colour and beauty – hollyhocks, dahlias, poppies and marigolds. In a corner baby apricot and walnut trees that Halima has planted are nurtured until they are big enough for her husband to plant outside the garden. A thorny fence keeps unwelcome visitors out like sheep, goats, cows, children and non-family members. The care of this garden is woman’s work – sowing, transplanting, weeding, watering, harvesting – when all her other work is done. So, she comes into it in the evening, physically and emotionally exhausted, and leaves refreshed.

I was living at Halima’s home on one of my periodic visits to the mountains. I followed her in her daily routines in order to understand the complex and intricate rituals of traditional living. She is a farmer’s wife with seven children who lives in a small village, on the river Basha. Her life is at once unique and typical of women in this and other valleys. The region where she lives is called Baltistan, in the Northern Areas of Pakistan. Villagers pursue a way of living based on farming and livestock herding, largely unchanged for several centuries, although inroads of modernity are becoming increasingly evident.

Scenes of Seasonal Life

The growing begins on March 21 (*Nauroz*, literally, New Day, which coincides with the vernal equinox of the Roman calendar) and ends in early November. Throughout it, women are most visible in the landscape. In the fields, on the pathways around the village and on the rooftops they may be seen going about their work. It involves cultivation, helping with the harvest and cleaning and milling grain, picking and processing fruits and nuts as well as carrying out their household related and family chores. The watermills run continually in some part of the village or the other from the first harvest of barley in early June until November when the last of the buckwheat has been milled.

Halima went up onto the earth roof of their house one morning in May, where a large mulberry tree drooped its branches, laden with red mulberries. Jamal, the eldest son climbed up the tree, while she and her elder daughters held a large sheet under it tied to poles at either end. Jamal shook the branches and the mulberries landed mainly in the sheet. Village children scrambled for them, everyone was laughing and eating. This is the first fresh fruit they have eaten after the long winter. The mulberries are a nutritious snack when eaten fresh, and are dried on the rooftops for human consumption in the winter and also for goats and *dzo* (a yak-cow hybrid) and finally, are boiled down into a kind of jam (*osey-khandu*) eaten with barley porridge. It is one of the few sweeteners in their diet since bought commodities like sugar are scarce.

Early in the morning, after a breakfast to Tibetan style salt tea and *khurrba* (unleavened bread), Halima took a kettle, some sugar, dried milk and tea leaves tied up into bundles in the corner of her shawl. Her youngest child was secured to her back in another shawl, where he promptly went to sleep. Her three daughters, aged six, eight and ten armed themselves with little pointy wooden tools with metal tips. These are *phurrpa*, with which they were going to weed in their fields of barley, wheat, potato and beans. *Yurma* or weeding, is the main occupation of women in the early part of the growing season. It is difficult for an outsider to distinguish between weeds and crops because weeds mimic cereal very closely. The weeds are pulled out and piled up at the sides. In the evening, they will gather them up in their baskets to be used as fodder for the animals. The sun beat down on their heads as they moved along the rows on their haunches. It is tiring work but, “We do it to have a ‘clean’ harvest”, Halima told me as she lit a small fire to boil the kettle for their mid-day repast in the field. An unweeded field is the sign of a “lazy” wife and brings shame on the householder.

Harvest time is a time for everyone in the family to work. School is closed for one month in July so that the children can help their parents in the fields. Cutting, gathering, piling the grain into baskets to be carried to the threshing floors, are done in haste in case rains or winds spoil the harvest. The sky is scanned anxiously at this time. Hassan,

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the husband brings large *dzos* down from the high pastures with the help of his eldest son Jamal, who at twelve begins to do a man's work. The animals will do the actual threshing. Six or seven of them are tied to the threshing pole and the grain is laid down underfoot. *Dzos* are ideal for treading out the grain because they have large hooves with big clefts which remove the grain from the stalk without crushing it and where grain does not lodge. Their manure is carefully collected as soon as it drops to keep the grain clean and set aside for use as fertilizer. With encouraging cries the ponderous beasts were led round and round by the men, while Halima and her daughters sat on the edges, sweeping errant stalks back into the circle. Food – salt tea and loaves of barley bread – was brought out into the fields by the eldest daughter and shared with all the helpers. It is not only a time of feverish activity but also of conviviality with neighbours and relatives who join the work. In turn, their help will also be reciprocated.

In the fall, Halima and her mother-in-law work on the roof to clean, dry and store seed in wooden boxes for next season's planting. The cereals are cleaned by tossing them up in winnowing baskets so that stones and other impurities can be separated from the grain and thrown out. The clean grain is then taken in goatskin bags to the watermills for grinding. Hens run around the outskirts as the women work, pecking at fallen grain. Sleeping babies are laid nearby to be suckled when they awake and cry, or older siblings are delegated with the responsibility of tying the baby to their back.

Red and green chillies are strung on thread and hung around windows to dry in the sun, while spinach is rinsed and dried in baskets. Orange piles of apricots dry on roof tops, after their kernels have been extracted. Eaten dry, the apricots are an excellent source of Vitamin C in the long winter, and the kernels provide protein as well as yield valuable oil. Food processing is generally assigned to women because it is done close to home so that women can carry on their other tasks of nurturing the family. It is also designated as women's work because it is unskillful and repetitive.² Women tend apricot and walnut trees which supply the villagers not only fruit and nuts but also fodder for

animals as well as fuel. They dig around the trees and give them a thorough soaking with water. They climb up the trees to prune their dead branches which are then piled into a basket to carry home.

After buckwheat, the last cereal to ripen has been milled and bagged, all the animals brought down from the high pastures and the bounty of summer prepared for storage, the family moves down into the *katza*. This is their below ground winter home. Now it is *aram* (rest). The work has finally come to an end. "We clean it and sweep it", says Halima and adds, "the cupboards are filled with everything we'll need, i.e., dried apricots and mulberries; dried bunches of spinach, cabbage, and other greens; bushel baskets made of hand-woven willow filled with potatoes, turnips and radishes lean against the walls." The store-room with bags made of the hides of mountain goats is just off the main room. The bags are filled with flour – barley, bean, wheat and buckweat.

"We get light from the square hole in the roof. It's not dark. All we do is cook and clean everything up often. It's nice!", says Halima. Beside the fireplace, the woman of the house sits on a square of matting. Within easy reach are pots, pans and other utensils kept in the dark walnut cupboards. A bucket stands nearby with full of melted snow for cooking, washing and drinking. To one side, the high, carved wooden cots are piled up with pillows, blankets and quilts, where the grandmother spends most of the day, while small children snuggle and play around her.

Across a raised lintel, a doorway leads into the byre where the animals spend the winter. Their warm breath and bodies add to the warmth of the human inhabitants. This is the time for storytelling, songs and crafts. Hassan is famous in the valley as a carpenter and wood-carver. When the snow is deep and nobody can go outside, men like him weave: sturdy *charra* to cover the floor, the colours of the earth, *qar*, a warm woolen blanket, soft *bal-gosse* to wear in the form of baggy trousers and loose-fitting tunics.

However, this is a society in transition. With increasing pressures

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from the outside world as needs are created for cash to pay for a greater variety of goods and services like health care, medicines and education, modernisation is changing the everyday lives of this and other families. Men go down the country to work in the service sector or in the army or as porters and guides for foreign mountaineering and trekking expeditions. The effect on women has been the most obvious as they are left behind as virtual heads of households, but without the power. They do not participate in the benefits of modernisation, rather they are being relegated to the hidden and private domain where their work is not diminished but their voice is reduced as if they become “invisible.”³

The effects of modernisation also involve the destruction of the commons.⁴ This transhumant society needs the work from both men and women to survive. As the men are lured into the towns and cities of Pakistan, the high pastures are being neglected or wastefully used and abandoned. This leaves women with more work to do. Yet taboos bar them from high pastures in many of the valleys, so they are unable to have any say in the matter. In this way, the whole community suffers from reduced resources like butter, wool, hair, timber and herbs. However, the women are still expected to maintain the subsistence economy and the traditional way of life for their families.

What is apparent from this account of the cycle of activities is the pattern of frugal consumption, careful conservation and minimal production of waste matter. In other words, “living with respect for the limits and integrity of local ecosystems.”⁵ This is sustainability.

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POLITICAL PARTICIPATION OF WOMEN IN BANGLADESH

Farhana Hashem

Bangladesh is largely a traditional and rural society having an agrarian economy with poor per capita income and a low rate of literacy. The social structure of Bangladesh is basically patriarchal. The female population of Bangladesh was estimated at 54.14 million in 1991 representing 48.5 per cent of the total population. Due to traditional and cultural norms, women have a much lower status compared to men. Gender inequality over the years has been most revealing in the socio-economic sphere and distribution of power and authority.

The politics of Bangladesh witnesses a curious combination of women at the top of political helm, i.e., Prime Minister and the main opposition leader, and yet there is a near absence of women's participation in both the political and social activities. The dynamics of achieving positive political development through effective participation of women is relatively little known. Although some new insights on this issue have emerged, the essential gap in our theoretical understanding of the condition of women, both from micro and macro perspective, still needs to be bridged. Social exploitation, male dominance, various social norms, illiteracy, fanaticism, superstition are the main causes of deteriorating condition of women. Existence of such discriminatory attitude towards women poses obstruction to their participation in various key activities. Consequently, their belief system becomes weak and thus remain controlled.

SITUATION OF WOMEN IN BANGLADESH

The overall situation of women in Bangladesh is in awkward condition. Despite legally sanctioned rights, one can witness the existence of traditional socio-cultural practices against women and

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inequitable distribution of their opportunities in education, employment, health, control over assets, personal security, participation in the political process as well as development activities. This condition is very much similar in other countries around the world particularly in South Asia. Although women are leading the politics in most of the South Asian countries, it is not a reflection of the vast women population of the region. In South Asia, for example, only seven per cent of the parliamentary seats are occupied by women. Nine per cent of the cabinet members, six per cent of the judiciary, nine percent of civil servants and only twenty per cent members of the local government are women.¹ Most of the political parties deny party tickets to women for contesting elections. But study shows that women are more visible and spontaneous to participate in local elections as a voter.²

Like political participation, the overall educational level of women in Bangladesh is gradually increasing. The government has taken some initiatives to improve the status of female education. The rate of girl students enrollment at the primary level was 34 per cent in 1975 which was improved to 47 per cent in 1993 compared to boy students.³ Government's declaration of full free studentship for girls upto class ten gradually decreased dropout rate of girls. Despite these improvements, the total women literacy rate is only 38.1 per cent, inferior to men which is 55.6 per cent. Health status of women is also not good. It has been observed that health care for women is almost limited to their reproductive health and the general health of women is neglected. Sometimes, reproductive health care also remains in a pathetic condition. Early marriage, repeated pregnancy and malnutrition create serious health problems for women and also result in high maternal mortality rate which is 4.5 per 1000 live birth in 1996.⁴ Besides, physical and mental torture for dowry and other such violence against women are the main causes of women's death in Bangladesh.

In the sphere of employment, study shows that women constituted 5.8 per cent of the total civilian labour force compared to 94.2 per cent men in 1980.⁵ Wage differential between men and women is also very high both in agricultural and non-agricultural work. The constitution

adopted in 1972 granted equal status to both men and women as far as employment is concerned. But accross Bangladesh, women constitute less than five per cent of all employees in the autonomous bodies and various corporations. Only in the garment industry, the most important and profitable financial sector of Bangladesh, 90 per cent of all employees are female. Few of them hold managerial and decision making posts. In administration, until 1982 the number of female officials was not significant but after that women are gradually being recruited in all cadre services. The government launched a 10 per cent district-wise quota in the gazetted posts for women which has recently been raised to 30 per cent. Besides, 15 per cent non-gazetted posts and 60 per cent posts of primary school teachers are also reserved for women. Quota system is an additional facility for women to get employment in both the public and private sectors in Bangladesh. Furthermore, social awareness and government initiatives to promote the advancement of women can fulfill the gap at higher levels of administration where the rate of female participation is very low. For example, only one woman is Additional Secretary out of 80, only three out of 247 Joint Secretaries are women and out of 474 Deputy Secretaries only seven are women. In Police service, there are only five women Additional Superintendents and four Assistant Superintendents, while in Judicial services there are only two Additional District Judges.⁶

In view of the absence of women at the decision making level of the government, general observation is that their participation in politics is also formidable. Traditionally men have been in control of all financial, economic, social and political spheres where women have been sidelined. Thus women's access to decision making power and control over financial resources have become limited. This reduces women's chances of participating in politics.⁷ Having observed the above situation of women in Bangladesh, traditional belief about them in the society and their psychology about politics, a study has been undertaken to explore the causal relation of women's political belief and their participation in politics. This issue has been analysed on the basis of data collected from sampled women in the Municipal area of

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Habibganj, the 'A' grade district of Bangladesh. It is a historically important district from political point of view. Like males, females are also comparatively educated and cautious. This study tries to produce a representative character about women's political beliefs and their political participation in Bangladesh.

It is commonly stated that the modes by which women attain economic and political power are related with some basic ideas which are ingrained in the culture itself. However, it should be admitted that patriarchal definition of women's place in society, biased view of gender differences, as well as various myths and stereotype concept about women from the man's point of view justifying man's dominance are now being questioned. Women's issues are now given attention and their problems are being addressed as it is gradually being admitted that the alleged female inferiority is itself a creation of the system of unjust male oppression and exploitation of women. What still needs to be done is that policies should be formulated and programs should be initiated to uplift the position of women and enable them to contribute towards national development. In doing so the State can exercise its right to make special provision in favour of women [Article 28 (4)]. Considering the changing modes and dimensions of women's role in society, this study examines the belief system of women in politics, as well as relation between their belief system and voting behaviour or other political activism such as propaganda, community activity etc.

In fact, politics is a reflection of a citizen's thinking or view-point, which develops through the process of his/her socialisation. The family, the school, friends, neighbours, religion, media – all have widespread influence in the process of one's education, socialisation, psyche and political thinking or belief. The widespread belief that women, in general, 'are not politically conscious' is not fully correct. It is the absence of equal opportunities and the presence of powerful opposition from the males that have made it difficult for women to participate adequately in politics. Research indicates that female participation will go up satisfactorily if the avenues are opened. In the city corporation election of Dhaka in 1994, the percentage of women voters was higher

than fifty. Although the general elections of 1970, 1973 and 1979 did not see a single woman victorious, the women's participation as candidates grew over the years. In 1979, only 17 women contested, whereas in 1991, the figure increased to more than double, i.e., 36. This shows the growing trend of women's interest to participate in politics. Besides, women remained active till the last moment of campaigning. They also took part in other activities during their election campaign such as, propaganda, procession etc. Table 1 shows that women's participation in the political process is gradually increasing. While the rate of women candidacy was 0.9% in 1979, it rose to 1.5% in 1991.⁸ It clearly proves women's willingness to participate in politics.

TABLE 1
Percentage of Women Candidates in Parliamentary Elections
(1973-1991)

Elections	Percentage of Women Candidates
1973	0.3%
1979	0.9%
1986	1.3%
1988	0.7%
1991	1.5%

Source: *Women: Equality*, GOB, 1995

Bangladesh constitution also enthuses women to incorporate their special representation in local self-governing bodies (Article 9). Thirty seats are reserved for women in the parliament (Article 65). Three seats have been reserved for women in the Union Parishads and Municipal Councils. The government also tried to increase women's participation in local government bodies through nominations. In early 1980, 15,000 women were nominated for Union Parishads, Upazilla Parishads, Pourashavas and Poura corporations. Table 2 shows women's representation in Union Parishads over the period 1973-1992.⁹

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TABLE 2
Elected Women Representatives in Union Parishads
(Total Number of Union Parishads: 4,451)

Year	Female Candidates	Number of elected Female Candidates
1973	N.A.	1
1977	N.A.	4
1984	N.A.	4
1988	79	1
1992	115	15

So far as exercising the right to franchise is concerned, the study shows that women have a greater interest in participation in the local level elections than the national level elections.

TABLE 3
Voting Pattern of Women Voters

Franchise to Election	Local Election (%)	National Election (%)
Non Voter	8	12
Never	17	35
Sometime	32	17
Regular	43	36
Total	100	100

Table 3 shows that 43% female cast their vote regularly in local elections, whereas only 36% in national elections. Like other citizens of the society, women are more sympathetic to local decision making process. Their participation in local decision making process is not inferior compared to other parts of the world. The main reason which inspires them to take part in the local elections is that the candidates are their relatives or familiar to them. Simultaneously, the candidates for national election are not well-known to them as they live outside their constituencies and usually come to their area at the election time. In this case women lose interest to cast vote (35%). The table also shows that $(32+43)\% = 75\%$ women participate in local elections and $(17+36)\% = 53\%$ participate in national elections. It proves that women are more sensitive to participate in local level elections, i.e., local democracy,¹⁰ which

is comparable to developed world.¹¹ In 1991, 39% women cast their votes. This ratio is appreciable when compared to USA. This indicates women's consciousness as a citizen.¹²

On the issue of women's psychological attachment with political parties, the study shows that 51 per cent women are not attached with any political parties. That means 49 per cent women are psychologically attached with political parties either as active member or supporter or sympathetic to any party. This counters the general assumption about women that "most of the female are politically unconscious" which is not true. 72% of the women voters exercise their right according to their free will and thinking, and not due to being influenced/coerced by father, husband or neighbour.

Women are more religious minded but they hardly prefer to take along political activities and religion together. Their faith in democracy is showing a slow but steady rise. Younger generation feels closer to democratic values and ideals as religious affection becomes stronger only with age. Religious influence or interference in politics is not approved by a sizeable number of women as they do not have a clear idea about religious influence in politics. Probably this is a reflection of the other parts of the world.¹³ A good number of women would also like to support 'secular' parties, though they have a soft corner for religion (in their personal lives).

Profession wise, 57% girl students, 66% women teachers and 100% professional women disapprove any religious influence in politics. These groups have notable interest and involvement in politics because of their exposure to education, opportunities and experience. Housewives comparatively lack such exposures and, therefore, their interests in politics.

IDEOLOGICAL BELIEF OF WOMEN

Women's liberal thinking is also reflected in the area of ideological belief. Though 35% women like political parties having religious ideology, in terms of ideological belief their support to Islamic system has decreased (27%) while support to democracy remains higher (57%). It has been

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revealed that though 36% women like secular parties, and their faith in socialism is showing a decline (8%). These trends further confirm that women are more democratic and liberal minded in politics.

In the cross-table analysis the study shows that in comparison to the aged women, young women have a fascination towards democracy rather than the Islamic system. Higher the level of education, lower is the attachment to religious values and ideals. Yet, attraction towards socialism is much less than that of democracy. Given the option of Islamic system, democracy, socialism and benevolent dictatorship, most of the respondent women (63%) have expressed their support to democracy. They don't have any interest in benevolent dictatorship. However, 6 per cent respondents are supporters of socialism.

WOMEN'S PREFERENCE TO RULE SYSTEM

Generally, party rule is recognised as a developed rule system in the civil society. It would be natural for women to identify party rule system as a 'good' system. But 53% respondents state that this is a mixed (good-bad both) system. Every good thing has some bad characteristics. Party rule is not an exception. Such opinion points to their sharp calibre of observing the rule system. The analysis also shows that 13% respondents have no clear idea about party system. This ratio is also not ignorable. Besides, if 53% respondents are divided into two parts and add to those respondents who claim party system as a 'good' system (30%), the result will show that $(53 \div 2) + 30 = 56.5\%$ women are sympathetic towards party rule system.

On the contrary, 35% respondents support a military rule or a mixed rule. If half of this figure is added to those who see military rule as a 'good' system (18%), the study shows that $(17 + 18)\% = 35\%$ women term military rule as a good system. The reason of such opinion is due to lack of knowledge about the negative affects of military rule. On the other hand, 37% women describe military rule as a bad rule. If same method is adopted for calculation, it is found that $(37 + 17)\% = 54\%$ women indicate the negative attitude towards the military rule. On the basis of figures obtained, it is now proved that majority of women are liberal towards an alternative system of military rule, i.e., party rule system.

PREFERENCE TO RULE SYSTEM IN BANGLADESH

The highest percentage of respondents (39%) prefer party-rule as a suitable rule system for Bangladesh. But 16% women support military rule and 28% support civil-military coalition as rule system. The necessity of strict rule and its implication is possible under military rule. From this point of view they support military rule. It need not be mentioned here that these women are not aware about the negative impact of military rule. Moreover, civil-military coalition is not accepted in other parts of the world. This system is not helpful for democracy.

After dividing 28% respondents into two parts, the study shows that $(14+39)\% = 53\%$ women think party rule and $(14+16)\% = 30\%$ think military rule suitable for Bangladesh. On the other hand, it may be assumed that 28% women supporters of civil-military coalition are directly or indirectly supporters of military rule. So the ratio of more or less sympathetic supporters of military rule is 44%. Not only about women, but this is probably a common feature prevailing in the whole society of Bangladesh.¹⁴ It is, thus, apparent that although women are more fascinated towards party rule, their idea is not clear about the preference to rule system. The study also indicates that the women support to civilian rule is bleak.

VOTING BEHAVIOUR OF WOMEN

The study shows that women who do not have psychological attachment with any party, do exercise their right to franchise. On the other hand, most of the women who have attachment with political parties, do not take part in elections. That means there is no remarkable linkage between women's political belief and political activities, i.e., their political commitment is very weak.

It has been discovered that 33% supporters of Islamic system, 38.59% of democracy and 50% of socialism regularly cast their vote in national elections. But it is surprising that in the 1991 election, out of eight respondents among the supporters of socialism, three had voted for Awami League and Bangladesh Nationalist Party, while four of them did not cast vote. The remaining one vote went to the Communist Party

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of Bangladesh. National Socialist Party did not get any vote. That means inspite of having faith in socialism, women do not feel interested in a socialist party. So, there is no direct linkage between women's belief and ideological voting behaviour. Of course, those who have faith in democracy, their voting pattern is almost same/static.

However, according to the study 25% of women voters who favour party rule in Bangladesh do not take part in elections. Supporters of political parties spontaneously express their support in favour of civil-military coalition government in Bangladesh. No supporters of any party are pleased with party rule in Bangladesh. This is simultaneously surprising and deplorably bad for the country. The political parties are not well organised and cohesive. The political leaders almost fail to fulfill their commitments. The constant bickering and hostility among the parties and the consequent chaotic political atmosphere in the country make them think that the 'discipline' of military rule or civil-military coalition is better than any party rule. But theoretically it is a wrong idea. There is not a single example of any civil society where political stability has been established through such system.¹⁵

Marital status is an important factor in winning over women's thought and consciousness. Married women are practical and so they have to adjust to the prevailing condition in the family. They are otherwise considered to be conservative. Girl students, who happen to be mostly unmarried are more susceptible to radical ideas and political learnings. No doubt, education encourages political participation, yet curiously, it is lower among the very highly educated. There does not seem to be a pattern, although age, religion, profession and educational qualification-all appear to be variable factors. But no uniform co-relation can be drawn between these factors. The opportunities and obstacles faced are too widely variant. The only constant factor is that the women from a 'liberal' family background participate more often and more easily in political matters/activities.

WOMEN PARTICIPATION IN POLITICAL AND COMMUNITY ACTIVITIES

Study shows that it is not possible for 95% women to take part in gathering/procession or sign the statements. This is natural in a society like Bangladesh. Only 4% participate occasionally and 1% take part in regularly campaign activities. Of course, 1% regular participation in an area is remarkable. Their participation has increased in 'symbolic' activities in which 10% women 'occasionally' and 2% 'regularly' participate. From this study it is assumed that the women are unable to take part in external activities (gathering/procession) due to various social and religious barriers, but they can take part in internal activities (like wearing symbolic black badge).

18% respondents take part 'occasionally' in community activities and 5% 'regularly', i.e. those who feel comfortable to work in their known surroundings. Given the required avenues women's participation at the national level can also be increased. Despite talent and a zeal to work, in our society women's participation is limited due to lack of opportunity and proper patronage. 19% female participation in different cultural activities has been noticed largely due to support from the family as well as society.

So, it is observed that women are occasional and not regular participant. This is a common phenomenon in almost all societies in the world. The women of Bangladesh hardly lag behind as compared to women of the developed world.¹⁶

From the above discussion it can be stated that the question of active and committed political participation of women in Bangladesh is inseparably related to the issues of democracy, equality and the rights of a citizen. The weak and inadequate political presence of women raises doubts about the democratic process and political decisions taken in the country. Several issues particularly those related to women remain unattended when women do not have adequate representation in politics (or governance).¹⁷ In Bangladesh, only few women are granted party tickets for elections. Moreover, too much expenditure in elections

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and misuse of arms, people and money have now become the culture of our elections and women alone can not overcome these problems. Table 4 shows women's participation in the Bangladesh Parliamentary elections during 1979-1991.¹⁸

Table 4
Women's Participation in
Bangladesh Parliamentary Elections (1979-1991)

Year	Number of Contesting Parties	Number of Parties that put up Women Candidates	Number of Women Candidates
1979	29	9	13
1986	28	5	15
1988	10	3	7
1991	75	16	40

The women activists or workers of different political parties play an important role to mobilise and raise consciousness among women voters during elections. Though Bangladesh is the only country in the world where both the leader of the Parliament and leader of the opposition are women, in general women's lack of mobility and interaction with outside world make them unaware of the prevailing situation and put them in a disadvantageous situation.

Yet, consciousness among women is increasing. But they are not able to participate actively in politics due to family, social and religious barriers. Study shows that although the women in Bangladesh are 'parochial participant,' they are not apathetic towards participation in politics. So, Bangladeshi women voters are liberal-parochial participants. They are interested and psychologically well prepared to participate in active politics as well, if the barriers are removed.

It has also been observed that large scale entry/participation of women in politics will bring about the desired/necessary changes in the mainstream national politics. Effective political participation/involvement of women can ensure the efficient utilisation of the country's 'human resources.'

The government, political parties and other social organisations should open up avenues in order to enhance women participation in politics. For this purpose there should be a political will and commitment on the part of every political parties to ensure political participation of women. Special programs aimed at developing women's rights and dignity are also required to be initiated.

On the basis of above observations, following recommendations can be made:

- (a) 5 to 10.5 per cent seats should be reserved for women by all political parties for Parliamentary elections.
- (b) Women representatives should be directly elected to the reserved seats of the parliament.
- (c) Quota system can be adopted to ensure women's presence in the hierarchical system.
- (d) Parliamentary standing committee on women issue should be established.
- (e) Women education and professional opportunity should be encouraged in order to make their political participation easy.
- (f) Arms and money culture of politics should be prohibited.
- (g) Public and private patronage is necessary for thorough study and research on women's participation in politics.
- (h) Above all, people's mentality as well as social customs and attitude with regard to women should be developed positively to encourage women participation in politics. In this respect, education and media can play a positive role.

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WOMEN OF CULTURE IN THE SHAPING OF 20th CENTURY CHINA

Priyadarsi Mukherji

In the course of socio-political history of mankind it has been noticed that women hold half the sky with men. In fact, the role of women as a social coagulative force and also their creative undertaking can never be refuted even under the patriarchal social system. Women continue to play an indispensable role in every aspect of life.¹

Side by side with men, women too have nurtured the seeds of culture. They have proved to be a decisive force in the process of evolution of culture. In fact, mankind has reached patriarchy only after experiencing the matrilineal social system. From times immemorial, women have played a very important role in shaping human society and in cultivating the seeds of culture and ethics.

Women in a particular society can be viewed in different perspectives. Different parameters can be used to categorize women of culture in different spheres. Women of culture in China, however, can be classified as follows:

1. **Women of political culture:** Women who have shaped China or are shaping the political ethos of China through their political thoughts and deeds.
2. **Women of literary culture:** Women who have shaped China by bringing a new cultural trend by virtue of their reflections through their work of *belles-lettres*.
3. **Women of scientific culture:** Women who have shaped China through their scientific innovations.
4. **Women in modernist and consumerist culture:** The problems related to women in particular and society in general at the turn of the new millennium.

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Apart from this classification where women have been grouped in accordance with their spheres of activities, they can also be viewed under different perspectives. These are:

- (a) Politico-historical perspective, i.e., under different political regimes in the life of a country.
- (b) Socio-cultural perspective, i.e., under the changing phases of society and culture with the passage of time.

Unlike the broad classification that was made by this author while analyzing different feminine characters from the pages of Chinese and Tibetan history and folk literature,² the present paper deals mainly with the emancipated women of 20th century China, and also throws light on the recent developments involving women at the beginning of the 21st century.

POLITICAL CULTURE

By the end of the 19th century, China was caught between the corrupt Manchu rulers and the Western and Japanese colonial onslaught that sought to carve up the territory of China. In 1895, due to capitulationism pursued by the Manchu rulers, China faced a humiliating defeat at the hands of the Japanese imperialists. The Reform Movement of 1898, representing the interests of the liberal bourgeoisie and the enlightened landlords, was suppressed. With these events constituting the historical backdrop, there grew a modern political culture in China.

Qiu Jin (1879-1907), a young woman from Shaoxing, Zhejiang province, joined the revolutionary party Tongmenghui. (The League of the Chinese Revolution) led by Dr. Sun Yat-sen while studying in Japan. She came back from Japan in 1906 and in Shanghai established a newspaper *Zhongguo Nübao* (China Women's Daily) which propagated equality between men and women. It also criticized the corrupt rule of the Manchus. Her progressive ideas were part of a prelude to the 1911 bourgeois democratic revolution that finally overthrew the Manchu (Qing) dynasty, although she herself was executed by the imperial government. Her newspaper, though

shortlived, played an important role for the cause of women's liberation movement during the semi-feudal, semi-colonial era in China.

He Xiangning (1878-1972), although a well-known painter and calligrapher later in her life, started revolutionary activities in her early days against the rightist regime of Chiang Kai-shek alongwith her husband Liao Zhongkai (1877-1925). Her husband's assassination at the hands of the rightists helped her to associate herself with the leftist forces in the struggle for liberation. Later she formed the Revolutionary Kuomintang Party which joined the political ranks in post-1949 China.

Soong Ch'ing-ling (1892-1981), the wife of Dr. Sun Yat-sen (1866-1925), strived hard to achieve Dr. Sun's goals after his death. She contributed as a state leader after liberation of China in 1949. In 1952, the International Peace Hospital for Maternal and Child Health affiliated to the China Welfare Institute was built with Madame Soong's monetary award from the Stalin International Peace Prize that she received in 1951. She became the Vice President and then in 1981 the Honorary President of the People's Republic of China.

Yang Kaihui (1901-1930), wife of Mao Zedong (1893-1976), hailed from Changsha, Hanan province. In her early days she took part in opposing the feudal ethical code. Later between 1923 and 1927, she followed Mao Zedong in his revolutionary activities, and launched movements among workers, peasants and women. She was taken captive by the rightist faction of Kuomintang and was later executed.

Liu Hulan (1923-1947) became a legendary figure during the War of Liberation (1945-1949) in China. Hailing from Shanxi province in north China, she became active in land reform movement and in supporting the communist party's frontline activities. In January 1947, she was executed by the troops of the Shanxi warlord Yan Xishan. Her exemplary courage and conviction at her young age inspired many young people of the time. On her death, Mao Zedong wrote *Sheng de weida, si de guangrong* (a great life and a glorious death).

The female personages cited here were some of the many prominent figures who had contributed to shaping up the political culture in China.

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Whereas He Xiangning and Soong Ch'ing-ling lived on to see new China, the rest sacrificed their lives for their motherland. Whereas Qiu Jin, He Xiangning and Soong Ch'ing-ling belonged to elite families from the then bourgeoisie, Liu Hulan had a poor peasant background and Yang Kaihui came from a rich peasant family like Mao Zedong's. Either in martyrdom or in their constructive endeavours in the post-liberation period, these personages were spiritual builders of modern China and its political ethos. Dr. Kotnis' wife Guo Qinglan, former Premier Zhou Enlai's wife Deng Yingchao, Marshal Zhu De's wife Kang Keqing and the Red Women's Detachment during China's war of liberation, like the aforesaid figures, in their own ways, epitomized ardent patriotism, unswerving conviction and supreme sacrifice. No dissenting voice could be heard against women's emancipation. With radical ideology as their weapon and collective welfare as their objective, the women of China succeeded in achieving their social prestige.

After liberation in 1949, China took giant steps towards socialist construction. And women, side by side with men, took their respective positions in the process of agricultural and industrial production. Even during the Korean War (1950-1953) the Chinese women found their honourable position along with their male counterparts at the battlefield. During the Cultural Revolution (1966-1976) the women's social status was further enhanced following the ultra-left ideology.

Since the beginning of 1982, a programme of government restructuring and streamlining was undertaken. This streamlining eliminated duplicate bodies and combined similar ones which resulted in cutting down 52 ministries and commissions under the State Council to 41, with departments and bureaus under them reduced correspondingly. Following these changes, China took steps towards selecting a new generation of cadres who were younger, better educated and professionally competent. Four women were appointed to ministerial posts at the Standing Committee of the National People's Congress.

Zhang Zhen (b.1918) became the Minister of Nuclear Industry, while Chen Muhua (b.1921) was appointed as the Minister for Foreign

Economic Relations and Trade; Qian Zhengying (b.1923) as the Minister for Water Conservancy and Power; and Hao Jianxiu (b.1935) as the Minister of Textile Industry. Among these four ministers, the first three had been associated with the Chinese revolution in various ways. The last and the youngest minister was born to a poor worker's family. However, Qian and Hao have earned admiration of the people for their emphasis on factual survey, down-to-earth style of functioning and for maintaining a simple life.³

In the late 1980s there were 150 women mayors or deputy mayors in China. Efforts were made to improve women's capacity in management and decision-making in the state and social affairs, and also to increase the proportionate representation by women leaders. Presently, 661 cities in China have nearly 500 women in the office of mayor or deputy mayor. Despite this figure, nine-tenth of the mayors are male.⁴

Very much contrary to the viewpoints held by the pseudo-leftist elements, pseudo-feminists and China-romanticists in the country, the fact remains with what Li Qiufang, Member of the Secretariat of the All China Women's Federation (ACWF) and Director of the Women's Studies Institute of China stated, while discussing the new problems in the reform of employment system in China. She states very categorically how under the pressure of the market economy, women became the first to be unemployed. Such unemployed women, who have been laid-off, lead an extremely poor life because of unsound social security system in China. Women are often refused employment when the state organs recruit civil servants, and enterprises and state-run institutions recruit staff. Gender discrimination against women is quite rampant in the job market. The lack of employment opportunities have forced women to accept low-level and temporary jobs with low salaries, low social value and living conditions of low social security.⁵

All these have happened despite China's having a labour and social security law, guaranteeing women's "equal" right to employment.⁶ Due to their poor understanding of legal provisions, many women cadres from the school run by the ACWF could do very little to help the local women.⁷

LITERARY CULTURE

It is noteworthy that a great diversity of literary schools in China have developed freely and have contended with each other since the days as early as the Spring and Autumn Period and the Warring States Period (770-221 B.C.). Moreover, the domain of *belles-lettres* was never an exclusive territory of men. Women took to poetry and writing novels many times during the 2000 years of Chinese history. Modern Chinese literature was born with the May 4th Movement in 1919 and during the first few decades of the 20th century. The field of *belles-lettres* has been categorized as follows:

(a) Poetry, (b) Fiction, (c) Prose, and (d) Reportage.

Poetry

From various literary works of the new culture movement in the post-1919 era, we find how Rabindranath Tagore's works had influenced the thought, style and contents of modern Chinese literature. Tagore's works *The Crescent Moon* and *Stray Birds* inspired many budding poets in China to compose romantic free-style verses depicting love and natural beauty. Poets like Guo Moruo, Wen Yiduo, Xu Zhimo and others were deeply influenced by Tagore.

The most prominent poetess of this era was Bing Xin (1900-1999) whose original name was Xie Wanying. Influenced by *Stray Birds*, she published two anthologies- *Stars (Fanxing)* and *Spring Water (Chunshui)*. Poems collected in these anthologies were called the "star style" (*fanxingti*) or couplets, and her poems embodied the spirit of motherhood as well as natural and pure emotions.⁸

Poetry reached a new stage of development after the founding of the People's Republic of China in 1949. New subject matters emerged as central themes in poetry as required for a new life. However, the poetry produced during 1950s and 1960s lacked poetic flavour. The subject matter, the forms and styles of poetry were rather narrow. The Cultural Revolution devastated every aspect of life, including literary works within ten years. But after this period of hopelessness, the poetry of realism sprang up.⁹

However, at the same time, by late 1970s and early 1980s, obscure emotions and unusual imageries percolated into Chinese poetry. This school of “Misty Poetry” (*menglongshi*) found prominence in a poetess named Shu Ting (b. 1952) whose original name is Gong Peiyu. Her well known anthologies are *The Singing Iris*, *The Double-Mast Boat*, and *The Archaeopteryx*. Her poems entitled *Oh! Motherland*, *My Dear Motherland*, *Dedicated to the Rubber Tree*, *Oh! Mother*, *The Dusk in April*, *Bidding Farewell in Rain*, and *The Goddess Peak* – all vividly convey her love for motherland and deep sentiments for the beloved and friends. Shu Ting is quite skilled at expressing the twisted and complicated aspects of emotion. Shu Ting said, “What I have understood through my profound consciousness is that today people are in pressing need for respect, trust and warmth.” She also said, “I believe that human beings can have mutual understanding because we can after all find out the path leading towards soul.”¹⁰

The soul-searching trend in poetry started with the “Misty Poetry” School of Shu Ting. The ethos of the Chinese people was questioned. After the reform, the people became rich and swiftly moved towards consumerism. Gradually the entire society took to mammonism. Over-emphasis on materialism took its toll by relegating spiritual civilization to oblivion. The consumerist culture that pervades the society, gave rise to unemployment. Unemployment begot frustration, crime and social instability. In the absence of religious faith, the people landed into a spiritual void. The complex psychosis of a disgruntled society made its way into Shu Ting’s poetry. Shu Ting has combined distress, grief, pain and agony with radiance of hope.

Apart from Shu Ting, other poetesses like Fu Tianlin (b.1946)¹¹ and Wang Xiaoni (b.1955)¹² also belong to the same school of poetry that put special emphasis on delineating human emotions and the inner world. Through the emotions of the “self” and the manifestation of psychological substance their observation about the world can be communicated. This school of the so-called *introvert* poetesses consider that the foremost mission of poetry are to mould one’s spirit,

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to ameliorate human nature, to enhance the intrinsic quality of the “self” and to understand the human subsistence on nature. With such a motivation they took to poetry.¹³

In the 20th century, especially after the reform in the post-1979 era, a galaxy of more than a hundred poetesses found their distinct positions in the literary circles of China.¹⁴ During the later half of 1980s, a new poetry school called the “Third Generation” (*di san dai shiren*)¹⁵ appeared among the Chinese poetry circles.

Fiction

In the sphere of fiction writers, a woman novelist Ding Ling (1904-1986), original name Jiang Wei, whose well known novel *The Sun Shines over the Sanggan River*, published in 1948, describes the struggle to abolish feudal land ownership and the land reform process that took place in the countryside of north China in 1946. The novel vividly depicts the complex class contradictions that emerged with the land reforms, revealing the different attitudes of people from different classes and backgrounds. Ding Ling tried to reveal the actual social situation and feudal relationships in the rural areas of China through vivid depiction of real life during the land reform movement. The novel is of great historic significance. Her last but unfinished novel *In the Cold Days* is a sequel to her famous works stated above.¹⁶

Another woman novelist Yang Mo (1914-1996) became famous for her work known as *The Song of Youth* published in 1958. This novel describes the life of a group of young intellectuals during the September 18th incident and the December 9th Movement.¹⁷ The central figure, Lin Daojing, epitomizes the life of certain Chinese intellectuals during 1930s. In creating Lin Daojing, Yang Mo wrote, “according to the rationality of real life, it was necessary to honestly describe the difficulties that a woman intellectual like Lin Daojing might encounter at the beginning to accept revolution, instead of projecting her as a mature communist with lofty ideals and a perfect personality.”¹⁸ Yang Mo’s later work *Dawn in the East* is a sequel to her earlier novel.¹⁹ Both Ding Ling and Yang Mo chose to write sequels to their previous novels with an eye to the changing times.

After the turbulent Cultural Revolution, a series of literary works indicting the faulty policies of the CPC and the disaster incurred during the ten years of turmoil were created. These works were called “wound literature” (*Shanghen Wenxue*). The main form of “wound literature” were short stories that revealed the trauma in the memories of many people. Some writers sought to trace the roots of the historic tragedy. Zong Pu (b. 1928) wrote *Who Am I* reflecting the atrocities of “The Gang of Four” and the chaos created in the society. Her sympathy for the unfortunate people found expression in her novel *The Stringed Dream*.²⁰

The works of Zhang Jie (b. 1937) particularly *Children in the Forest*, with important components of “wound literature”, eulogizes the sentiments and values of a musician, thus penetrating through the dark era of Cultural Revolution. Her profound attachment towards the colour green symbolizes her yearning for a wonderful world with a new lease of life.²¹ Zhang Jie’s representative work *The Unforgettable Love* delves deep into the domain of marriage, love, morality and ethics. She raises the recurring problem between marriage and love. The female protagonists in her novels are in constant struggle with the perplexing environment and social conventions. They strive for their individual freedom and social justice for equality and dignity. Her works have combined both realism and romanticism without inhibition with typical feminine genre. *The Heavy Wings* on the other hand has been written in the background of industrial reform, depicting the overwhelming pressure weighing heavy on the wings of development and towards the road to prosperity.²²

Chen Rong (b.1936) became prominent among writers after the downfall of the Gang of Four. Her novels can be categorized into two: firstly, those reflecting the life of peasants, and secondly, those concerning the life of people other than peasants. A greater part of Chen Rong’s life spent in the countryside made her feel attached with the peasants and their livelihood. Under the second category, she has dealt mainly with the life of intellectuals. Her novel *Middle Age* depicts a middle-aged intellectual grappling with her life full of frustration and

her resolution to resist all odds. From the conventional notion that “every endeavour in human life comes to rest at the middle age”, she gave a new dimension to human life by changing the saying as “every endeavour in human life takes off at the middle age” (*ren dao zhongnian wanshi mang*). Thus, through such repeated portrayal of hard work and industry we find a picture of Chinese vitality in every endeavour of life – from revolution to reconstruction. Through the female protagonist Lu Wenting, the writing portrays heavy responsibilities and significant contributions of intellectuals which generally go unnoticed and unrecognized in society. Lu Wenting assumes three responsibilities unto herself: a good doctor, a good wife, and a good mother. Her self-denial and sacrificing the family for the sake of “four modernization” proved to be catastrophic in many ways. Readers are touched by her selfless spirit. Side by side with tragedy, Chen Rong also induces some doses of comedy by depicting Qin Bo, an old lady degenerated in her parochial world seeking a protective umbrella with high-sounding jargons from Marxist-Leninist theories.²³

Many schools of *belles-letters* have emerged lately in China with each manifesting a unique trend in literary thoughts. The “wound literature” was closely followed by the “reflection literature” (*fansi wenxue*). Next came the “root-seeking literature” (*xungen wenxue*). Then came the “modern military literature” (*junli wenxue*) whose expressive styles are more esoteric compared to traditional military literature. Apart from these prominent literary schools, there emerged lesser schools too. Novels describing life in prison was labelled as “the literature of high walls” (*daqiang wenxue*). The description of happenings in daily life in the narrow lanes was named as “hutong or alley literature” (*xiaoxiang wenxue*). There were “culture novels” (*wenhua xiaoshuo*) conveying the modern sensibility through popular methods of expression as well as “reform literature” (*gaige wenxue*) and “native literature” (*xiangtu wenxue*).²⁴

An entire new generation of young writers brought vitality in the field of fiction-writing ever since the beginning of reform. These writers include Zhang Kangkang (b.1950) and Tie Ning (b. 1957). Zhang

Kangkang's *Summer* and *Aurora Polaris* touched young people in their pursuit of ideals and individuality in modern times.²⁵ Her fictions are concerned with human dignity, values and the meaning of life. She is adept at depicting the development of people's psychological process from confusion to agitation then moving on to struggle. Tie Ning's novels, viz., *The Rose Door*, *The Topic of June*, *The Roof*, etc. mainly deal with common people. She reveals the characters' delicate inner world through daily matters. Her fiction reflects traditional cultural psychology.²⁶

Prose

In the field of prose-writing, we find that prose written after 1949 concentrated on two major themes: Socialist construction and the Korean War. Works reflecting the war include *Museum of Peace* by Han Zi (b. 1921).²⁷ Han Zi was one of the very few woman writers who had actively participated and experienced the hardship of war since 1937. Her participation in guerrilla warfare against the Japanese invaders, and later in the war of Liberation, and finally in 1952 her role in the Korean War enriched her style in prose-writing.²⁸

The most prominent woman prose-writer before 1949 was Bing Xin (1900-1999) who advocated "the philosophy of love" and expressed a strong individualism. One of her touching stories *An Orange-Peel Lamp* depicts an ill-fated little girl of nine who lost her father and struggles to look after her bed-ridden mother.²⁹ Since the reform in 1979, the splendour of social life was first published in prose. Writers began recollecting their own experiences and reformulating a new philosophy of life. Ding Ling (1904-1986) in *Life in Cowshed* described her life in cowshed during the years of turmoil.³⁰

Reportage

Another form of *belles-lettres* that emerged in China in the late Qing Dynasty and developed through the Opium War, the Reform Movement of 1898, the May 4th Movement and the Northern Expedition (1926-27) was "Reportage" (*baogao wenxue*) – a hybrid of prose and news. Drawing from their own experiences the writers

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greatly enhanced the lyrical nature of their writings. The term “reportage” did not come into use by Chinese writers until the 1930s.³¹

Among the women reportage-writers we find Huang Zongying (b. 1925), Ke Yan (b. 1929), Chen Zufen (b. 1943), and Li Lingxiu (b. 1944). To a great extent Han Zi, mentioned above, was also a reportage-writer and not simply a prose-writer. Huang Zongying in her works *Orange* and *A Little Wooden Cottage* describes the intellectuals who have overcome great disappointments and are still faced with great difficulties. Another reportage *Devotion* reveals the grim reality which a large number of middle-aged intellectuals were faced with, that is, the shackling of their talents and initiative.³²

Ke Yan in her reportage *Captain*, describes the experiences of Bei Hanting – the captain of a ship – who wins great honour for his country with his proficient technical knowledge. Ke Yan’s other works *Cancer*¹*Death*, *Strange Letters*, etc. while praising the bright did not eschew the shadow beneath it. They described a character’s successes in career and at the same time discussed their worries and frustrations in life.³³

Chen Zufen’s reportage *Motherland is above Everything* is her most famous work which narrates the fate of an engineer who had left his home in Germany and returned to China only to be wrongly dubbed as a “German spy”. After suffering all humiliations he devoted himself for his country’s welfare. The figures in Chen’s works are mostly intellectuals and party members. After 1984, her works - mostly subjective and philosophic - centred round economic reconstruction and sought to provide rich information and knowledge.³⁴

Chen Zufen’s reportage *Economy and Man* probes deep into the complexities of economic development. She surveys the position and values of people amidst the modern era of reform. According to her analysis, the progressive forces of yesteryears might turn into conservative forces of today; the oppressed of yesterday might become today’s oppressors. She cites three reasons why reform faces resistance and tribulations namely: (1) the profiteers, (2) blind love or attachment for anything old, and (3) the dogmatists who stick to conventions.³⁵

Li Lingxiu in her reportage *The Story of a Caged Eagle* urges to preserve the traditional culture by depicting the life of a snuff-bottle painter. Her other work *The Marriage of a Football Coach* is written in a narrative fashion in the form of a diary from the female athlete's point of view.³⁶

The theme that we come across in the *belles-lettres* by women in 20th century China deals, to a great extent, with patriotism in varied forms:

1. Pre-1949, during the War of Resistance against Japan and the War of Liberation.
2. Post-1949, during the socialist construction and the Korean War.
3. Between 1966 and 1976, during the Cultural Revolution in adverse conditions amidst humiliation.
4. Post-1979, during the Economic Reform through reconstruction, technical skill and expertise, and through exposing social maladies, etc.
5. Simple emotions and deep sentiments for one's fellowmen and motherland.

All these works by different poetesses and women writers of China on the one hand bring forth the gentle, tender, distinct and euphemistic flavour and images of mothers, wives and daughters, while on the other hand they are imbued with the heroic spirit of a brave fighter.³⁷

SCIENTIFIC CULTURE

Women in China fully became a significant component of the productive forces in the process of development and modernization since the beginning of the socialist construction in the post-1949 period. In the modernization of four areas – agriculture, industry, national defence, and science and technology – the role of women became decisive and indispensable. The economic reform and open-door policy since 1979 has given women greater exposure to Western sciences and technology. Many of the educated women could come in contact with the latest developments in science and technology in other parts of the

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world. However, this is not a characteristic feature only of the post-1949 or post-1979 era. Even before liberation, women hailing from the educated elite families made their prospects abroad where they pursued their study and research. They, however, were not oblivious of the roots they belonged to. Their scientific temperament, innovative methods and contribution towards scientific and technological advancement for their country have made them outstanding personages of the modern era.

Wu Jianxiong (1919-1997) came from an educated family. She worked at the Physics Department under the Shanghai Central Research Institute. In 1936 she left China for the United States to pursue her study. At Berkeley, she got the active support from Yuan Jialiu, a high-energy physicist. She did her research at Berkeley Physics Institute under Prof. E.O. Lawrence's guidance. From 1946 to 1956, she worked at the Columbia University. Her findings were related to "b decay and weak interaction." In the mid-1950s, Wu conducted a test called "b decay in line nucleus". The then existing puzzle was that the short-lived K meson surged from the nucleus was not in conservation which went against the then generally recognized "parity conservation law". This problem found solution in Wu's experiment. She found that asymmetry was visible in the b ray. Wu's experiment with the motion of atomic nucleus of radioactive cobalt under ultra-low temperature (-273.1°C) was an outstanding contribution to physics. She was awarded many prizes and became the first woman to win the Wolf Prize for physics. Wu contributed \$1 million to foster talents at the foundation she established in China.³⁸

Chen Saijuan who was born in an ordinary worker's family, became a medical doctor after being a textile worker. Her research on leukaemia took her to Paris in 1986 for advanced studies in haematology. In leukaemia diagnosis, she reported the features in the cancer gene of chromosome and came up with a molecular model in which Ph Chromosome is rearranged. In 1989 Chen returned to Shanghai and set up a laboratory. What she and her colleagues found were: the retinoic acid receptor the a gene in Chromosome 17 fused with a new gene in Chromosome 11. The team successfully cloned the

new gene for the first time in the world. On the basis of these findings, Shanghai Haematology Research Institute made a new discovery in the molecular mechanism in arsenic, a Chinese medicine used for leukaemia. The arsenic in the experimental drug directly degrades the protein, thus making the cells hit by leukaemia commit suicide. The discovery lead to a new therapy for leukaemia.³⁹

Wei Yu (b. 1940), a lecturer at the Institute of Engineering in Nanjing, was sent to West Germany in early 1979. Soon she became a research fellow of the Alexander von Humboldt Foundation – the highest honour for scientific research in West Germany. Later she developed a general nonlinear theory of the gyrotrons leading to a new microwave tube in millimetre wave range for the purpose of heating plasma in controlled nuclear fusion. The theory suggested by Wei Yu explains an advanced method for designing a gyrotron of higher efficiency. Wei Yu won the Bochers Medal. By the end of her stay in Germany, she switched over to a new subject – biomedical electronics which had broad prospects for the benefit of the Chinese people. Wei Yu refused to stay and work abroad. She spent the remainder of her scholarship money to buy a set of microcomputer system and accessories for her alma mater.⁴⁰ Later in her life, Wei Yu became the Deputy Minister of the State Education Commission. She visited India in 2000 in her new capacity.⁴¹

Neither Chen Saijuan nor Wei Yu aspired to settle abroad. Instead, they wanted to use their knowledge to help build their own country, China. Their patriotic feelings earned them a lot of admiration both at home and abroad. The scientific culture that these women scientists of China brought into play in their vigorous endeavour towards building up China into a scientifically and technologically advanced nation, was indeed an important component in enhancing the self-confidence of the Chinese people. The scientific culture has also greatly contributed to the advancement of “Four areas of Modernization”. In fact, the women of science have chalked out the destiny of their nation with a unique variety of selflessness and dedication.

MODERNIST AND CONSUMERIST CULTURE

Ever since the economic reform started in 1979, there has been a steady intensification of consumerist culture in the Chinese society. In the drive for modernization, excessive emphasis has been put on economic development. Thus, tradition and culture have been virtually marginalised. This has given rise to an impersonalised relationship between human beings. The society on the whole has become increasingly insensitive towards the problems of the common, the humble and the destitute. Following the erosion of the socialist fabric of the Chinese society, numerous vices have percolated down the ethos. With the society gradually shifting from socialist collectivism to capitalist individualism, the question of unemployment has raised its ugly head. The world's most ancient trade – prostitution is back to China since 1980s. By the beginning of the 21 century, many women – both from the humble background as well as well-to-do families, have taken up this profession either for livelihood or for pocket money.

On the other hand the Chinese government has allowed to open “sex-shops” in the name of “adult health care” (*chengren baojian*). All these have been set up presumably to impart sex education under the directives of the Sex Institute (*Xing Xuehui*). But in actuality, the state has focussed on a Western-modelled method with an eye to foreign investment and most significantly to control population growth. In the bustling city centres of Beijing, sex items are sold in shops named “Adam and Eve”, “Adult Health Care Corner”, etc. Vividly modelled reproductive organs are on display. New excito-secretory methods with acoustic and odorific considerations have been invented.

In the age of modernism and consumerism, women of the present generation tend to justify the existence of such social phenomena by simply terming them as “delightful and amusing”.⁴² Modern China has always aspired to be at par with the rest of the world or even surpass the rest to occupy the top rank.⁴³ And while seeking that position, China has often gone to the extreme even at the cost of her ethical codes and traditional bindings. The ultra-modern fashion pursued by

young women in China is often too astounding even by Western standards. China today has trodden on a path where every action is justified if it proves to be profitable. The *Shame Culture* that had shaped the Oriental civilization for centuries has suddenly disappeared from China. Modern women in market economy have virtually turned into saleable commodities. While the economy faces inflation, the society faces a staggering figure of unemployed youth.

Consumerism has also percolated down the media and entertainment culture in China as in India. The money-churning and money-earning spree on television has become a common phenomenon both in India and China. Nina Gupta's cynical show "*Kamzor Kadii Kaun*" in India has found more or less a mirror-reflection in China in Shen Bing's show "*Zhizhe wei Wang*" (lit. the wise becomes the king).⁴⁴ Shen Bing, a woman athlete not very long ago has now become a TV anchor – catering to the insatiable consumerist appetites of the *nouveaux riches*.

The different cultural features linked with women in the 20th and 21st century China have given a definite shape to the present day psyche and ethos of the people. China has undergone several phases of transformation in the last century:

(a) **Imperial China to Republican China (Post-1911 Period):**

Emancipated women from elite families joined the progressive ranks to reform the socio-political structure during the semi-feudal, semi-colonial era. It can be termed as a quest for women's liberation.

(b) **The Era of May 4th Movement:** Initially a political movement against the government policy of subjugation to Japan, later developed into a New Culture Movement, i.e., romanticism in literature, advent of democratic and scientific thoughts, and of Marxist-Leninist theories. Women's literature reflected the psychological changes especially in the minds of women and depicted the contradictions between the petty bourgeoisie or landlords and the working class. It was an era of the birth of modern Chinese literature.

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- (c) **Post-1927 Period:** Open contradiction between the rightist faction of the Kuomintang led by Chiang Kai-shek and the Communists following the massacre of workers in cities. The communist bases shifted to the countryside. Disillusionment reflected in women's literature.

- (d) **The 1930s:** Japanese occupation of Manchuria in 1931. Exodus of people from the north-east. The embryonic stage of proletarian literature: literature for the common man, and eulogizing the people's resistance against Japanese invasion. Women's novels reflect the women's psyche and gradual radicalization of thoughts.

- (e) **The Era of Yan'an Spirit (1936-1948):** The spirit of self-reliance and hard struggle was developed by the communists in the Shaanxi-Gansu-Ningxia border region. Yan'an became the communist bastion. Resistance against the onslaught by rightist elements, warlords and the Japanese invaders. New themes in literature emerged. People's resistance against exploitation by landed gentry class, corrupt politicians and the Japanese atrocities reflected in women's writings. Depiction of hurdles in the process of land reform; new life of peasants in the liberated areas of China.

- (f) **Post-1949 Period:** Founding of the People's Republic of China under the communist leadership Socialist construction, universalization of education and Development of socialist literature (1949-1956). Literary themes depicting the rural life of peasants and urban life of workers. Socialist transformation of capitalist commercial enterprises, building up of industries with state-ownership and life of soldiers and intellectuals became new subjects of literary concern.

A series of erroneous Party policies: "Great Leap Forward" of 1958, "Anti-Rightist Campaign" of 1959-1961. Development of science and technology (1956-1967) in the field of atomic energy, jet technology, semiconductors and automatic control systems.

- (g) **Cultural Revolution (1966-1976):** Era of ideological movements on wrong assumptions. Breakdown of socio-cultural fabric. Unproductive period in all sense prevailed following the faulty policies of the CPC led by Mao Zedong. Destruction of culture by the Gang of Four and other anti-people elements. The peak period of Mao Zedong's personality cult.
- (h) **Post-1979 Period:** Beginning of economic reform and open-door policy by Deng Xiaoping. Road towards economic prosperity with system of private ownership. Modernized construction regime with Chinese characteristics. Rise of different literary schools – mainly emphasizing on the losses incurred during the ten chaotic years.
- (i) **Post-1992 Period:** Deng Xiaoping's trip to south China. Encouragement for full-scale commercialization, reduction in state subsidy, beginning of market economy, increase in unemployment and social instability. Emergence of literature exposing the extravagant of life of high-profile leaders beyond the walls of Zhongnanhai; the corrupt practices and mafia culture pursued by mayors, country magistrates and section chiefs; and the civilizational crises in modern China. Betterment of material culture but erosion of spiritual culture. Western eroticism replacing Chinese traditional symbolism. Growing disparities between the rich and the poor.

With all these complex phases in the history of 20th century China, the meaning of culture too has changed through ages. The women of the earlier generation who have experienced hardship in the past can be of much encouragement and inspiration for the materially vibrant but spiritually gloomy prospects of the posterity in China.

Pragmatism – a positive aspect of the Chinese, with new mindset, would be required to deal with the complex question of culture, the means to preserve its quintessence, and of disseminating the seeds of tradition and ethics to posterity.

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GENDERED AND GEOGRAPHICAL IMPACT OF RESETTLEMENT ON LI MINORITY COMMUNITY, HAINAN ISLAND, CHINA

Jody F. Decker

This paper addresses geographical and gender factors that are impacting on a resettled minority group of internally displaced peoples (IDPs), the Li of Hainan Island, China. It focusses specifically on the morphology or configuration of the resettled village, as compared to the traditional villages from where the Li moved, and the resultant shifting gendered spaces. The work, which took place between July 1997 and July 2000, originated as part of a CIDA-funded project, whose locational and conceptual focus is integrated coastal zone management of the watershed area of Sanya City in southern Hainan province, an area extending from Tonghza City in the heart of Li country to include the 209 miles of coastline constituting Sanya municipality (Figure 1). The resettlement study evolved from my role to promote CIDA's gender equity strategy into all aspects of the project. In conjunction with the Department of Resources and the Sanya Planning Department, the project's focus is to evaluate the effects of rapid growth on both the human and physical environments in the Sanya watershed, and suggest appropriate training and management schemes to the municipality and province.

Equal in number to the global population seeking refugee status, but by definition who do not cross an internationally recognized state border, are according to Ager (1999:2), IDPs. Lee (1996:28-9) argues that defining IDPs is an important step for working toward granting them the types of protection that 'refugees' are given. Wars, natural disasters, political strife, or persecutions are the more publicized form of population displacement, but development programs, which cause major upheavals in land and water use, are causing more and more involuntary displacement of peoples world-wide.

For China, the country where this research is focussed, Cernea (1990) estimated that over the last 30-year period, at least 10 million people have been displaced due to water development projects alone, and that number is at least as high for displacement of people from urban redevelopment projects. Elizabeth Croll (1999:468) quotes a 1993 World Bank report on involuntary resettlement in China, which estimated that between 1952 and 1990 over 17 million people were resettled due to transport and reservoir development projects, such as dam construction. Urban resettlement, according to Meikle and Zhu (2000:128-9), now accounts for the majority of Chinese resettlement. The scale and significance of involuntary resettlement is appreciated when reservoir projects and urban resettlement numbers combine to total approximately 30 million people.

As Cernia (1993:11-12) points out, IDPs are a complex group with several distinguishing characteristics from refugees. They are often denied human rights, economic entitlements, or legal status, largely because they are omitted from the initial planning process; their movements tend to occur from gradual 'push' and not 'pull' factors; their relocations are permanent; the makeup of IDPs ranges from entire households, to those who retain social and economic ties with their old villages, to entire displaced groups who are suddenly thrust into a limited resource base; and their outcomes are derived from planned political decisions which usually proclaim that they are conducted "for the good of the whole", and which largely ignore cultural and social consequences. These consequences are considerable and include immediate deprivation, loss of residence and/or land, loss of economic livelihood, social disruption, loss of cultural identity, psychological and physiological ill-health.

CONCEPTUAL FRAMEWORK

From the relocation literature, a well developed theoretical model for dealing with the immediate and long-term impacts of relocation on communities is the Scudder/Colson stress-based analysis (Scudder, 1993). The model was originally developed in 1982 and refined as the group in Zambia that Scudder was studying grew. The four basic stages

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to the model, which take at least two generations to fully evolve, are as follows:

- (a) the recruitment stage of government planning which precedes awareness of the communities;
- (b) the transition stage before and after the move itself;
- (c) the stage of potential development; and
- (d) the final stage of political and administrative autonomy of the community.

A drawback of the model is that it requires longitudinal research for studying the third and fourth stages. As the research project described in this paper is in its infancy, the focus is on the second stage, the transitional stage reported on in most other work of this nature.

Geographers contribute to discussions on resettlement through studies of the relationship between people and their environment through examinations of patterns of dispersal, either spontaneous or planned at local to national scales through planning movements, resettlement patterns and policies, and more recently, through studies on the significance of 'place' and identity in generating distinctive social, economic and political processes (Black and Robinson, 1993; Kibreak, 1999). De Wet's (1988) environmentally-based model adds much of the missing spatial perspective to the Scudder/Colson model. In his model he examines the physical environment - closeness to home, similarity in topography, climate and resource base and the social environment - economic opportunities, demographic make-up, organization of the new resettlement area, morphology (architecture and landscape) of the new area, and administrative structure. As he maintains: "the nature of ...changes in people's physical and social settings will to a large extent determine their new economic, demographic and social circumstances and the behaviour patterns that develop as they respond to these new circumstances" (De Wet, 1993:323).

Jacobsen (1997) argues that patterns of settlement are one of many factors influencing integration of refugees into local communities. Although she focusses on environmental impacts such as deforestation,

soil degradation and water resources that large resettlement camps can create, she maintains that land-use practices can be inappropriate and potentially harmful in a host community if they differ substantially from the refugee's traditional environment. More widely dispersed settlements that encourage interaction between refugees and the local population, and more careful consideration of relocation settlement sites should be considered, she maintains. At a micro scale, Waldrum (1992) examined the importance of settlement patterns to IDPs in a study of the forced resettlement of Natives in the Canadian subarctic. The new Western style villages with linear rows of houses contributed to weakened kinship ties and numerous social pathologies such as alcohol abuse and depression. Although he did not have pre-location quantitative data on social indicators such as alcohol abuse, crime and violence, his fieldwork indicated the overwhelming dismay of the residents at the culturally inappropriate settlement pattern of their relocated village. This issue has been elaborated below as it is playing a role in the Li's inability to cope up with the situation.

Major considerations in any resettlement study are spatial and social mobility, accesses and barriers. In De-Wet's model, these concepts are discussed under such topics as economic opportunities, keeping contacts, and proximity to the old home. Meikle and Zhu, (2000) discuss economic manifestations brought about from a planned to a socialist market economy in several Shanghai resettlement projects and conclude that new policy provisions for compensation and new management capabilities need to be explored in the light of weakened employment rights and opportunities to displaced farmers and shopkeepers. They also identify other issues that have arisen: long commutes to work from the resettlement homes have led to poorer quality of life for the IDPs; prolongation of relocation negotiations has been less efficient, largely because the resettlement process itself is in a state of transition; achieving equitable packages for all types of IDPs has been problematic due to new economic mechanisms and patterns of ownership in China; and finally, resettlement in China is engineered through local government and party agencies which exclude participation of an independent civil society.

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As a geographical factor, gendered mobility plays a major role among the Li minority discussed in this study. But as Zhang (1999) points out, Chinese scholarship on rural-urban migration and feminist analyses of developing countries have mainly focussed on Southeast Asia, not on mainland China, nor on Hainan Island. Several key points regarding gendered mobility were summarised by Sylvia Chant (1992:197-205) from her summary of a series of essays on gendered forced migration. Men's and women's mobility, she argues, takes on regionally specific diverse forms that must be considered in migration studies along with employment and economic factors. Gender-selective mobility, at a personal level, is critical to consider as separation of the sexes can contribute to increased stress and even impoverishment. Women's mobility is governed by their position within the family and their household management duties. Finally, she notes that women tend to cultivate a broad range of social and economic links with relatives and maintain ties more with their places of origin than do men.

In resettlement of IDPs and their adaptation to new environments, it is also necessary, as Indra (1999:2) argues, to consider gender as a "relational dimension of human activity and thought...informed by cultural and individual notions of men and women...", not solely as a women's activity, belief or need. Matsulka and Sorenson's study of Eritrean refugees to Canada (1999:218-241) demonstrated that forced migration altered the sense of gendered space among women, who became users of public spaces along with private spaces. What now needs to be elaborated is how gendered space among the Li has been altered due to village morphology.

Method

At the beginning of the CIDA project, largely due to constraints of time and unfamiliarity with the study area, a "rapid appraisal" was done in which data was collected from a variety of sources but had little initial focus. The 'subjects' were allowed to define the issues (Beebe, 1995). The Li, as a case of a recently resettled minority group, were pointed out by members of the Sanya Planning Department

assigned to the Yalong Bay Development project. Exploratory work consisted of assessing secondary sources such as maps, the Hainan Yearbook, interviewing relevant members of the Sanya Planning Department, the Women's Federation of Sanya, managers in the local hotels, administrators in the township offices and observations made on a number of 'concession stands', the appearance of houses, the meeting places of children and adults etc. was accomplished over the first two years of bi-yearly visits to the traditional and resettlement villages. For much of 1999 and 2000, additional key stakeholders such as local village elders, teachers, doctors and 35 Li families were interviewed. Convenience sampling of participants was the best option as my availability was often restricted and several Li families were not at home at the time or unable to be interviewed as my translator at that time was not fluent in Li. The interviews were semi-structured, focussing on the resettlement process. The data was subjected to a content analysis and emergent themes were identified. These themes are presented in the analysis of issues arising from the settlement patterns.

Context

Hainan Island (Figure 1) was accorded a provincial status and became one of China's Special Economic Zones (SEZ) in 1988. In these zones, special regulations allow greater freedom for capitalist enterprises. The *laissez-faire* economy that emerged has led to high economic growth rates and a high rate of foreign investment. A purely extractive economy whose produce (iron ore, rubber, timber, rice) was allocated primarily to other parts of China, has now become an economy of associated enterprises, industries and manufacturing such as processing of rubber and natural gas, aqua-culture, tourism and the development of a high-tech sector.

As Table 1 indicates, Hainan's total population in 1998 was 7.25 million with approximately 2 million of that number being native Hainanese and another million being the Li minority. Smaller numbers of homogeneous non-Han groups such as the Miao, Hui Muslims, the old and new Mainlanders and the Overseas Chinese make up other

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socially and politically significant communities on the island. Hainan's interaction among its communities and its quasi-colonial relationship with the mainland have played a significant role in its development. However, new mainlanders, who are well educated and hold managerial or administrative positions, do not learn the local language and tend to regard local Hainanese as lower class (Chongyi and Goodman, 1997: 65).

The Li minority, the subject of this paper, inhabit the mountainous areas in the central and southern part of the island. The natural resources (minerals and forests) and economic crops (rubber, coffee, tea and peppers) in their territory were state-owned and regulated. In many areas such as Sanya Municipality, the Li were subsistence agriculturists. They have a long history in the Sanya region, going back hundreds of years, and they have developed a distinct agricultural-centred culture which includes pounding of the rice dances, weaving as well as a unique language and dress.

Tourism and a diverse resource potential (aqua-culture, minerals, tea, rubber, natural gas) have contributed to extremely rapid growth of the municipality of Sanya that has transformed it from a fishing village a few decades ago to one of China's prime tourist regions. About 3 million tourists visit the region annually, 120,000 of which are foreign visitors. Sanya Municipality (Table 1) has a population of 440,599 of which 155,275 (35%) live in the city itself. Over 40% of the municipality are ethnic minority groups with the balance being Han. Of the four prominent minority groups, the Li overwhelmingly predominate at 94% of the total minorities. Within the municipality there are five collective farms and sixteen administrative townships. Tian Do township is locally known as the "Gateway Township" as it is located along the major eastern highway from Haikou, 325 kms. to the northwest. The township is largely rural; only 20% of the people reside in the urban area close to the highway. Yalong Bay National Resort Area and the Li villages are located primarily within Tian Do township.

The Local Environment

Yalong Bay National Resort Area, approximately 30 kms. from Sanya, is surrounded on all sides by forested mountains and opens to the south onto a crescent-shaped 7 kms. stretch of white, sandy beach. Within its 18.6 sq. kms. are six major resort hotels, luxurious haciendas, sports facilities, shopping arcades, a tennis and golf club, restaurants, and attractions such as Butterfly Park and the Sea Shell Museum. The Yalong Development Company Limited (1999) sanctioned by the Chinese State Council and whose largest shareholder is the Top Glory Group of Hong Kong, is dedicated to making this area a multi-function facility of international standards, while at the same time promoting economic efficiency and the need for environmental protection. On either side of the main highway leading into and abutting this resort area, are the two Li villages. They are within 2 kms. of the centrally-located 5-star Gloria Hotel. Since 1994 the Li have been resettled from their traditional villages on the forested side of the main road to a new site with no forest on the opposite side of the road, approximately 2 kms. away. In the resettlement process, some contracts were signed and fees paid. At times, a bribe of a television or a motorcycle was needed as the Li did not want to leave their traditional lands. The latest expulsion of the remaining Li from their traditional village took place in late 2000 for the purpose of building a third golf course in the area.

Unlike the concealed, heavily forested and a random pattern of the traditional villages, the resettlement village is laid out in a grid pattern of long rows of white concrete structures bordering the edge of a mountain. Between the main highway and the village are fields predominantly rice paddies. Mountains rise directly behind the village with an old army base which now houses tourist blocks on the one side and the main road at the other end, thus prohibiting further expansion of the village proper. The flora has developed rapidly as palm trees are reaching the second story of the houses and providing some shade. The village, however, is noticeably hotter than the traditional villages which had a full canopy of shade.

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Only additions can be made to the 270 original structures in the resettlement village; no new housing can be built. The buildings are two-story structures, attached to one another, that vary in size. A family of more than 6 people is entitled to a house of 125 sq m; a family of 3 or 4 is entitled to 95 sq. m; and a family of 1 or 2 is entitled to the smallest house of 85 sq. m. The rooms are small and spartan. In the majority of houses, broken taps, toilets, sinks, walls or windows have not been repaired. There is one small kitchen and washroom in each house. Attached to the outside of most houses are small pens for pigs, geese, chickens and gardens, far too small the people argue, compared to their lots in the traditional village. Many animals run free in the streets.

There is one large building in the front centre of the village referred to as the “business centre”. The building is not yet open but present plans include shops, bowling lanes and various other forms of entertainment. The local American english teacher is lobbying hard to have the building used as a english and computer school. Above the ‘business centre’ is a horseshoe-shaped area housing offices of the police as well as health and village officials. Within the village a few large detached buildings also house village officials.

In 1998, there were an estimated 3000 Li in the village. That number dropped to around 2,900 in the year 2000 due to some out-migration and a change in the rules regarding the number of allowable children. As a designated minority Li do not have to adhere to China’s one child policy. Several Li families have four but some have even six children. However, the new regulations allow the Li to have only two children (down from three), one every four years. In 2000, an application had been made by 6 families to have another child.

The village has one large primary school, shown as the L-shaped structure in the centre of the village, with 470 children and 14 teachers. Contrary to the traditional primary school, this school has plenty of books and teachers of good quality. The American english teacher, however, maintains that the children are largely illiterate when they graduate, often completing middle school without knowing the names

of “body parts or the colours”. The teachers are paid well compared to other villagers - the principal we talked with earns 1030 yuan per month, while the lowest teacher’s salary is 800 yuan per month. There is a second smaller primary school run by the American english teacher for the poorer children in the village.

There is one office designated as a health clinic. Of the two doctors in the village, one has “many certificates” and is sent by the township only on weekdays. Any surgery takes place in Sanya. Delivering a baby at home is the preferred and cheapest method and it is allowed as long as the pregnancy is normal. Health care is not free. Each villager pays 4-5 yuan per month covering about 50% of the cost of an illness. Some people do not trust the clinic and its cures, so they do not participate in the plan. No health care records are kept in the clinic.

The head administrator of Tian Do township believed that because the Li had been traditional slash and burn agriculturists they were poor at conservation. As they live in a protected area it is illegal to cut down trees. Several Li go to the forest to obtain seeds and wood. According to their folklore, a constant theme from the Li was that if you lose land, you lose everything. They cannot afford to lose any more. Some men are denied their land which is “sacred”; they love the land and their hearts are with the land as it has been their tradition to farm for many generations. However, with no land their immediate concern was the lack of opportunities for employment in other sectors.

The chief economic endeavours in the village are similar to what the Li engaged in at the traditional village - growing rice and small vegetable plots. Contrary to the traditional villages, small ‘concession stands’ are scattered along the streets of the village. One woman, working for her brother, ran a stand which contained a few goods such as soft drinks and candies. As there are over 20 stands in the village, competition was tough. There was little hope for profit. Like most of the Li, her only solution was to fall back to folklore: “no land, nothing.” The Li who still farm two rice crops a year, use a new method of scattering the rice, not planting it. Fertilizers and pesticides are used.

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Although the terms of the resettlement included guaranteed work in the local hotels, only a small percentage of the Li have jobs in the tourism industry. Men and women migrate to other parts of the island and to the mainland for work. Several migrants return to help during the busy rice planting and harvesting seasons.

ISSUES ARISING FROM THE SETTLEMENT PATTERNS

Men's and women's mobility and the alteration of gendered spaces from changes in the settlement pattern are integral issues intensifying employment and economic factors for the Li. The Li were uprooted from their traditional village for economic reasons. Loss of economic resources in the form of agricultural land and differential access to new resources vis a vis the Han, have increased unemployment rates. The resettlement agreement gave some Li "adequate" settlement fees and priority rights to employment in the nearby hotels. The Li insist that those rights consist of short contracts and a highly stressed workplace. Several Li teenagers insisted the only way you could get a job in the hotels was through contacts. Members of the Sanya Planning Department, who are working on reducing poverty in the township, maintain that growing coconuts trees would give a good living. A coconut tree averages 80 coconuts per year. At 1 yuan a coconut, with 10 trees a total of 800 yuan a year could be made. The Li maintain they are unable to grow coconuts in the resettlement village as there is not enough land, the soil is not suitable and each tree takes 5 or 6 years to mature. Recently, they planted several hundred coconut trees in the village.

The economic woes of the villagers are exacerbated by several barriers. Unemployment is very high in Sanya municipality and moving to the city would not solve the problem. In the Yalong Bay area, lack of education and inability to speak Mandarin are impediments to getting better paid jobs. The vast majority of women are under-educated compared to the males and so they are unable to get better paying jobs. There are no female teachers in the village. Jobs held by older women in the tourist industry are predominantly as cleaners and ground

keepers. The younger women are waitresses. The younger men are bodyguards. A few older men have obtained seasonal work on the mainland. Several young women travel to Sanya to work in part time jobs and like the men they tend to return to the village to assist with farming. The only two women on the Village Commission are from the Women's Federation of Sanya. One woman is responsible for the census and maintenance of the child care policy. The other woman is an agricultural instructor but this form of education is becoming impractical as the Li lose their land. One reason of very few women holding the administrative positions is that it is traditional for Chinese women to stay at home and raise the family.

The Li's notion that without land they have nothing is a perceived barrier to their ability to adjust to rapid modernity and the rise of capitalism on Hainan Island. The promise of job priorities in the area which have largely not materialized and low resettlement fees have led to unhappiness among the Li. Land sold to the Li several years ago has still not been paid for by the developers. The Li are perplexed where the money has gone. The decision to sell their land was made by the Village Commission and as the villagers were not included in the initial discussions, confusion prevails. The Planning Department authorities who work in Yalong Bay have no deadline on when their project will be completed. It is done in stages when money is available, although the majority of the land has already been purchased.

Second only to their concerns about employment opportunities and education of their children, are concerns about the morphology of the village layout and house structure. Many Li are pleased not to be under the thatched roofs of the traditional village as they are the sign of backwardness and would leak in the rainy season. The new two-story houses have much higher density. The extended family and sons and daughters who normally moved to a new residence in the traditional village, now often reside in the same two-storey house. Furthermore, houses were assigned on the basis of the size of the nuclear family, which meant that little consideration was given to kin and friendship networks in the traditional village. Geographical dispersal has led to a loss of sense of

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community. Some villagers who sold their land and now live in the resettlement village still tend to crops and animals in the traditional village. They take about 2 kms. daily walk back to the traditional village.

The new houses are of poor quality. The Li say they are damp and leak inside. Wood is rotting and plaster falling down. The cost of taps and running water is prohibitive for many villagers to maintain and at least 60% of the villagers carry it from wells. The newer structures, they argue, cost more than the brick and mud/thatch hut structures of the old village. The lack of shade and inability to pay for fans inside the house means the houses are very hot. The linear rows of densely packed houses with small street widths do not allow for gardens large enough to raise animals and grow vegetables. Furthermore, there is no place to put waste other than on the streets. On my last visit in late 2000, the streets were all but impassable as the village did not have the money for garbage removal and it had piled up on the streets. The doctors reported that children were noticeably becoming sick because of playing in the dirty streets.

CONCLUSIONS

Several gendered and geographical themes emerged from the preliminary fieldwork in the Li villages: attachment to place; the resettlement village environment; and shifting gendered spaces. Unlike other development projects, the Li's adaptation to the two kms. move within Tian Do township has not involved a move into a totally new host population, nor environment. Nonetheless, geographical issues have become a major cause of stress to them.

Unemployment is high in the region but the Li are having difficulty adapting to the reality of their rapidly changing world within a province designated as an SEZ. At this point of their lives, they cannot envision themselves as anything other than farmers working in their traditional lands. Attachment to place, land and village is a barrier to their progress. The resettlement village is not a "natural" village for them. The leaky, run-down, damp, and cramped quarters of the houses are offering new challenges and humiliation for many residents.

Men's and women's roles in generating income have led to differential mobility among the Li. Men tend to move more than the local women in order to obtain work. Younger Li males and females tend to move equally to Sanya in particular, and less so to the capital Haikou to seek work. Household management is often left to the woman and grandparents. A household strategy survey (Chant, 1998) in the resettlement village would elicit more detail on how resources are allocated between reproductive and productive tasks. The data indicates that women in the village have tended to adapt to their changing situation more than men. They are running small businesses and taking charge of the family money as some of the men are spending it on alcohol.

Gendered spaces have also been altered. Women are now engaged in several small businesses such as raising and selling chickens and watermelons. Until last year, the women used to sell their wares on the main roadside between the hotels but the Village Commissioners thought these activities did not create a good impression and so put an end to them. The women now sell their goods privately or in the village 'concession stands'. In the traditional village, it was common to see both men and women hovering about the clinic. In the resettlement village, there is no communal meeting place for the adults. The "business" building is empty and locked. The streets are full of garbage. The doctors too are not frequent to their office. I sometimes saw a few adult men talking at the square near the health clinic, but never saw the women gathered in any area of the village. A few teenagers tend to gather at some of the 'concession stands' and several of the young children play around the yard in the primary school. The Christian women tend to meet on Sundays in the resettlement village which is a new 'place' for them. Religion may be playing a role in the self-empowerment of women but that remains to be investigated.

The Li are going through a highly stressful transitional phase according to the Scudder/Colson model. Contributing to this stress, it may be argued, are geographical factors emphasized by DeWet. Underestimated in his model, however, is the alternation of gendered

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space due to village morphology, also a cause of stress for the Li. Real and perceived barriers to economic opportunities and to physical and social mobility are presenting obstacles for the Li to break their poverty cycle.

TABLE 1
Selected Statistics of Hainan Island

Hainan Province	: Provincial status gained in 1988; Total population: 7.25 million as of 1998; Second largest Special Economic Zones in China 37 nationalities; 1.27 million or 16% of total population
Sanya Municipality	: Area: 1919 sq. kms.; 210 kms. of coastline Total population: 440,600 185,000 minorities or 42% of total population 173,000 are Li minority or 94% of all minorities
Sanya City	: Total population: 155, 275 (projected to be 500,000 by 2010)
Tian Do Township	: Total population: 21,475 93% of total population is Li minority 80% (17,214) of population lives in a rural area
Yalong Bay National:	Area: 18.6 sq. kms.; 30 kms.
Resort Area	South East of Sanya City

Source: *Statistical Yearbook of Sanya*, Hainan Province, 1998, pages36-41.

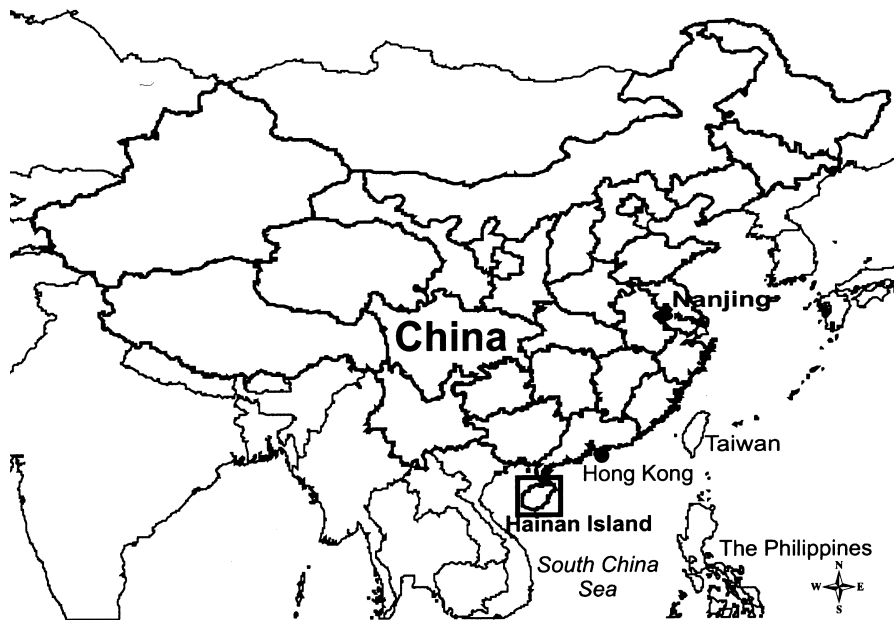
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Figure 1
China and Hainan Island: Project Study Area



(Not to Scale)

UN SUB-COMMISSION ON HUMAN RIGHTS (52ND SESSION) : A REPORT

Sharad K. Soni

The UN Sub-Commission on Promotion and Protection of Human Rights, the principal subsidiary organ of the UN Commission on Human Rights held its 52nd Session from July 31, 2000 to August 18, 2000 at Palais des Nations in Geneva. The Sub-Commission which was created in 1947 by the UN Commission on Human Rights (UNCHR) comprises of 26 independent experts representing countries from the five regional groups. As per its mandate the Sub-Commission undertakes studies and subsequently makes recommendations to the UNCHR for taking necessary actions on the concerned issues. Besides, it keeps abreast of trends in the field of human rights and explores such important issues that have not received sufficient attention. Ms. Iulia Antoanella Motoc of Romania was elected as the Chairperson of this session, while Ms. Erica-Irene A. Daes of Greece, Mr. Joseph Oloka-Onyango of Uganda and Mr. Manuel Rodriguez Cuadros of Peru were elected as the new Vice Chairpersons. Mr. Rajendra Kalidas Wimala Goonesekere of Sri Lanka was named as Rapporteur for the entire session.

In her opening remarks the Chairperson of this session, Ms. Iulia Antoanella Motoc described strengthening the rule of law in the field of human rights as a major challenge in the current scenario. She stated that persons had to be true participants in their governments and States and that weaknesses of governance by various States in relation to the rule of law had led to various human rights concerns. She stressed that “the Sub-Commission and other bodies should act to strengthen true rule of law in relation to human rights and governments and citizens had to be educated in this field of human concern”.

Addressing the meeting, the High Commissioner for Human Rights, Mary Robinson said that instances of serious violations of human rights remained a source of deep concern and that the Sub-Commission had

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an important role to play in the preparatory process for the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance. She pointed out that the Sub-Commission activities would continue to be important in the fields of economic, social and cultural rights; globalization and the relationship between business and human rights; and issues affecting children and young people. Reviewing the recent revision of Commission on Human Rights working methods, particularly as they applied to the Sub-Commission, the Chairman of the Commission Shambhu Ram Simkhada said, among other things, that “there had been a consensus that the Sub-Commission should be able to debate country situations not being dealt within the Commission and that it should be allowed to discuss urgent matters involving serious human rights violations in any country.” But, he added that “it had also been agreed that the Sub-Commission should not adopt country-specific resolutions and should refrain from negotiating and adopting thematic resolutions which contained references to specific countries.”

While reviewing relevant events that took place since the 51st session of the Sub-Commission, the outgoing Chairman, Ribot Hatano informed the Sub-Commission particularly about ramifications of changes in working methods adopted by the Commission on Human Rights in April 2000, including a reduction of the Sub-Commission’s annual session from four to three weeks. He said that the report of the Working Group of the Commission on Human Rights had been endorsed by the Commission and had been authorized by the Economic and Social Council in July 2000. Highlighting the concluding part of the report he said that “the Sub-Commission would remain at its size of 26 members who would continue to be elected by the Commission”. However, he added that “the duration of the membership was not limited in concrete terms but the benefit of continuity and renewal was emphasized.”

A number of issues deliberated at the 52nd session of the Sub-Commission on Promotion and Protection of Human Rights included the Realisation of Economic, Social and Cultural Rights and Right to

Development; Rights of the Indigenous Peoples; Prevention of Discrimination against and Protection of Minorities; Freedom of Movement including Population Displacement and the Right to seek asylum from Persecution; Elimination of all forms of Intolerance and Discrimination based on Religion or Belief; Promotion, Protection and Restoration of Human Rights at national, regional and international levels; Encouragement of Universal Acceptance of Human Rights Instruments; Elimination of Racial Discrimination including the situation of migrant workers and their families; Rights of Women; Rights of Children and Youth; Contemporary forms of Slavery; Adverse consequences of the transfer of arms on the enjoyment of human rights; Arbitrary deprivation of nationality; Implications of humanitarian activities for the enjoyment of human rights; Terrorism and Human rights; Administration of Justice, Human rights and disability etc. During the session, the Sub-Commission also considered, among other things, reports on traditional practices affecting the health of women and children, on the concept and practice of affirmative action, and on terrorism and human rights. Besides, the Sub-Commission had before it reports by three Working Groups, i.e., the Working Group on minorities created in 1996, the Working Group on contemporary forms of slavery created in 1974 and the Working Group on indigenous populations created in 1982.

Question of Violations of Human Rights and Fundamental Freedoms

This agenda item once again remained one of the Sub-Commission's most contentious issues debated at the 52nd Session. Under this item there was a report by the High Commissioner for Human Rights on the violation of the rights of human rights defenders in all countries (E/CN.4/Sub.2/2000/5) before the Sub-Commission. The report stated that in compliance with resolution 1999/3 where the Sub-Commission requested the High Commissioner for Human Rights to inquire about the security situation of persons listed in the annex to the resolution and to inform the Sub-Commission of the results of her inquiries, the High Commissioner had on January 31, 2000 transmitted

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to the Governments of Cambodia, Syria, Turkey, Tunisia, the Federal Republic of Yugoslavia, Togo, Zimbabwe and the Democratic Republic of the Congo communications concerning the security situation of human rights defenders. The report was prepared on the basis of information provided in response to the above-mentioned communications. Besides, the Sub-Commission also had before it a report by the Secretary General on the status of withdrawals and reservations with respect to International Covenants on Human Rights (E/CN.4/Sub.2/2000/7). The report focussed on the status of reservations, declarations, understandings, and communications received with respect to international treaties on human rights and the communications received concerning withdrawals.

A series of national representatives described difficulties encountered and progress made on human rights and defended their Governments' performances. Several speakers and Sub-Commission Experts used a rule under which States are not allowed to discuss human rights situations in other countries or to make reference to other countries. The Chairperson intervened three times when a representative of Ethiopia attempted to speak on the situation of Ethiopian nationals in Eritrea, when a representative of Pakistan attempted to speak on the situation in Jammu and Kashmir, and when an Eritrean representative charged various violations related to invasion of Eritrean territory. In all three cases, references to those topics were not allowed.

While assessing progress or lack of it made by countries concerning human rights violations, Sub-Commission Experts David Weissbrodt and Francoise Jane Hampson deliberated upon the situation in Belarus, Nepal, the Democratic People's Republic of Korea, Indonesia, Peru, Turkey, India, France, the Democratic Republic of the Congo, Iran, the United States, Burma, Afghanistan, Somalia, Saudi Arabia, Mexico, Colombia, Chechnya, Angola, Sierra Leone, the Great Lakes area of Africa, the Solomon Islands, Fiji, the Xinjiang Uighur Autonomous Region and Tibet Autonomous Region of China, Kosovo, and Bosnia and Herzegovina.

Sub-Commission Expert, David Weissbrodt said that although Bhutan and Nepal had discussed the problem of 80,000 to 100,000 refugees from Bhutan living in refugee camps in Nepal, a constructive agreement had not been achieved and no real progress had been made with regard to their return. Sub-Commission Expert, Francoise Jane Hampson highlighted the progress made by some countries including India. He said that India had agreed to open talks, for example, with at least some groups in Kashmir; and France had made some encouraging proposals with regard to Corsica. However, he also stressed that some situations were simply depressing - for example, six executions of persons who were under 18 at the time of the commission of their supposed crimes - one in the Democratic Republic of the Congo, one in Iran, and four in the United States.

Another Sub-Commission Expert, Miguel Alfonso Martinez said that now, since the changes ordered by the Commission on Human Rights, the positions of Experts on item 2 should change from emphasis on civil and political rights to a more balanced focus on all human rights, including economic, social and cultural rights, which after all were indivisible and interrelated. "Perhaps interest in human-rights violations would now no longer be aimed only at countries of the so-called Third World" he said and added that Sub-Commission's analysis should not be confined to countries of a given region as violations could occur anywhere in the world."

On the other hand, Sub-Commission Expert, Asbjorn Eide said that much had improved in the field of human rights as brutal and repressive regimes were slowly disappearing and most Governments were now democratic and pluralist. He said that violations of human rights these days had different characteristics and that the notions of prevention, respect, protection, sanction and remedies were useful frameworks for improving human rights. "The situations in Afghanistan, Pakistan and Turkey were sources of concern, as were the ethnic tensions in Sri Lanka and Kosovo." He underlined external poverty and inequality throughout the world as being another reason for human rights violations.

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Supporting the specific comments made on various situations by other experts, Sub-Commission expert Erica-Irene Daes stated that massive and systematic violations of human rights continued to occur around the world in spite of the collection of international and regional instruments intended to prevent such abuses. She said that one of the most inhuman institutions resulting in violations was the “embargo” and she had drafted a modest resolution which recommended, among other things, that a workshop be organised by the Office of the High Commissioner for Human Rights to be attended by experts with the purpose of examining the consequences and implications of such embargoes on human rights, particularly the human rights of vulnerable groups such as children, women, sick persons, the elderly, minorities, and indigenous peoples.

Bap Kesang of Bhutan said the Sub-Commission had adopted a Chairman’s statement last year calling upon Bhutan and Nepal to take effective and urgent action to resolve the problem of refugee camps in Eastern Nepal. Describing the problem as complex which involved the population explosion in the region, environmental degradation and extreme poverty, he said that Bhutan continued to face the problem of illegal economic migrants which posed a grave challenge to its peace, security and sovereignty. He said that lawful actions being taken by the Government to control the unending flow of illegal immigrants had been deliberately misrepresented and politicised. “The camps in Nepal had attracted all manners of people posing as refugees from Bhutan”, he said. “Bhutan remained conscious of the humanitarian nature of the situation and was concerned about their desperate plight.”

A number of NGOs also spoke before the Sub-Commission charging human rights abuses around the globe. Pradhir Talukder of the Asian Buddhist Conference for Peace said that despite substantial progress in achieving the rights of indigenous people to some extent, the overall situation was far from what was expected within the long period of the International Decade of the World’s Indigenous Peoples. He said that a number of peace initiatives had failed because of the attitude of governments which had used peace processes as a means

of swindling. Expressing particular concern about the Chittagong Hill Tracts Peace Agreement in Bangladesh he said that unfortunately 23 Jana Samhati Samiti members had been killed and more than 100 had been kidnapped by the sponsored anti-Agreement group since the decommissioning of the JSS. He called upon the Government of Bangladesh to act and also reminded the concerned international bodies of their responsibility in keeping a lasting peace.

Expressing dismay over the situation in Indonesia, particularly the Moluccas Islands where people were fleeing to escape the conflict and the military was unable to keep order or guarantee security, Charles Graves of Interfaith International stated that Muslims and Christians were now massacring each other. He said that certain mercenaries affiliated to the armies were promoting a *Jihad* against Christians and non-cooperative Muslims, which was a political misuse of religion. Reports of rape and extrajudicial executions were widespread. For many years there had been a spirit of co-existence between the religious groups. The military had now gained the upper hand and had been infiltrated by unscrupulous groups inciting religious hatred and animosity. He called upon the Sub-Commission to focus its attention on the current situation in the Moluccas islands and to make a serious attempt to resolve it.

Samina Kabir of the Association pour la Promotion de l'Emploi et du Logement while highlighting the situation in Afghanistan stated that women there were living in atrocious conditions and became virtual hostages in their own countries. The Taliban had created training camps and incited religious hatred by singling out people based on religion. The ordinary citizens were hampered from contributing in a healthy way to society. She stressed that democracy was the best guarantor of human rights and that the spread of intolerance and regression through prejudiced attitudes could lead nowhere. She urged the Sub-Commission to stand up and take notice of it.

Peter Prove of the Lutheran World Federation expressed disappointment regarding the lack of progress in finding an agreement between Nepal and Bhutan and the failure to reach a fair and lasting

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resolution which took into account representation on behalf of the displaced population and the principles of international law relating to non-discrimination, the right to return, the right not to be arbitrarily deprived of one's nationality, and the reduction of statelessness. He said that after approximately 10 years of waiting, over 90,000 people continued to languish in the refugee camps in eastern Nepal. He called upon the Sub-Commission to re-consider this matter and to continue to press for a just solution for those who were expelled from their homes in Bhutan, who fled in fear, but who nevertheless continued to cherish the hope of homecoming.

Keith Bennet of the Afro-Asian People's Solidarity Organisation brought into the Sub-Commission's notice that his colleague Khalid Quereshi, an eminent human rights activist who had spoken at the Sub-Commission in the past on behalf of the Seraiki nation of Pakistan, was unable to do so this year because the military dictators there had stopped him from reaching Geneva. Emphasizing that the Seraiki people were not terrorists and were not carrying out an armed struggle, he said that they wished to continue with their unique linguistic and cultural characteristics, yet were being persecuted in a country whose streets resounded with sectarian violence. He stressed that the rulers of Pakistan were not interested in pluralist democracy and continued to persecute minorities, including the Mohajirs, Sindhis and Baloch, and even members of the majority sect of Sunni Islam. "The paranoia among the ruling elite in Pakistan was so great that the authorities had sought to manipulate census figures," he observed. "The Sub-Commission must call upon the Pakistani authorities to stop stifling the voice of the Seraiki nation and to grant Seraikis the right to present their case to the international community," he added.

Ibad U. Rehman of the World Federation of democratic Youth reminded the Sub-Commission of the gruesome situation of human rights violations against more than 22 million Mohajirs in urban centres of Sindh province in southern Pakistan. He urged the Sub-Commission to take action in accordance with resolution 8 of the Commission of Human Rights of 1967 as human rights violations against this ethnic and

linguistic minority in Pakistan were widespread. He regretted that the ouster of so-called elected Government in Pakistan and the take-over by a military general made no difference whatsoever to the policy of oppression and suppression of Mohajirs. He called upon the Government of Pakistan to stop all violations of human rights and fundamental freedoms committed against the various ethnic and linguistic groups in the country, particularly of the Mohajir and Sindhi nationals of Sindh province.

Elimination of Racial Discrimination

Before taking this agenda item the Sub-Commission had before it a preliminary report (E/CN.4/Sub.2/2000/11) submitted by Expert Marc Bossuyt on the concept and practice of affirmative action. The document in its first section included an analysis of international conventions containing provisions relating to affirmative action and in the second section examined the limits set by international law on affirmative-action measures.

Several Sub-Commission Experts offered suggestions on the scope and particulars of the on-going study on the concept and practice of affirmative action, particularly on how affirmative action can be used to help groups which are discriminated against. A number of Experts commenting on the report on affirmative action suggested that more work was required to see what role affirmative action could play internationally, particularly in addressing the unequal international economic order and trade relations. Sub-Commission Expert, Erica-Irene Daes commended that the preliminary report on affirmative action was mainly based on the fundamental principles of equality and non-discrimination, and the inclusion of international reflections of the concept of affirmative action was proper and important.

Another Sub-Commission Expert, Halima Embarek Warzazi said that the goal of affirmative action was to promote disadvantaged groups and help them have the same rights in society. These groups should not be approached with suspicion. Expressing her concerns about the 'limits' to affirmative action set out in the report, she said that it was

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necessary to have dynamic special measures to ensure the success of affirmative action and to end negative discrimination. “Standards of equality could not be successful unless they were implemented in a realistic manner,” she added.

Gloria Morenofontes Chammartin of the International Labour Organisation said that one focus of the ILO in recent years had been addressing discrimination against migrant and ethnic minority workers, and the ILO had launched the project to that end entitled “Combating discrimination against (im) migrants and ethnic minority workers in the world of work” which aimed to document and seek remedies to discrimination in access to employment in Western Europe and North America. She informed the Sub-Commission that the ILO had initiated a process to identify “best practice” models that could be applicable, replicable, sustainable and effective in differing national legal, historical and cultural contexts.

Sharat Sabharwal of India stated that despite mankind’s impressive triumph against Apartheid, the phenomenon of racism continued to persist and indeed, to grow. “Racism remained an all-pervading cause of discrimination in several parts of the world where it cast a long shadow, deeply affecting individuals and permeating the workplace, schools, political organisations, public administration and the system of justice”, he said. “Tackling the problem of racism required the recognition of the problem, something the World Conference against Racism would contribute to.” He stressed that the World Conference should state unequivocally that racism was an affront to human dignity and an anathema to the values enshrined in the Universal Declaration of Human Rights. “It should build on the huge consensus that already existed regarding combat against racism rather than getting bogged-down in minutiae or finger-pointing”, he said.

Representatives of non-governmental organisations (NGOs) too spoke before the Sub-Commission charging racial discrimination in various countries and regions, and against such groups as migrant workers and indigenous peoples.

Keith Bennet of the Afro Asian Peoples Solidarity Organisation said that intolerance, based on concepts of race, religion and creed was fast emerging as the most potent threat to the welfare of mankind. He cited the example of Yugoslavia, Rwanda, Afghanistan and Indonesia which demonstrated how quickly the spread of intolerance could generate a conflagration. Expressing his concerns particularly over the situation in Fiji, where the overthrow of democracy had been seen, and Pakistan, where the flirtation with democracy had been doomed to end, he said that the Government spoke of democracy in one breath and jihad in the other. "Discrimination, Pakistani style, spared no one, not women, minorities nor neighbours," he stressed. "The women of Pakistan remained one precarious step away from the fate of their gender in Afghanistan, suffering from honour killings and being relegated to second class citizens." According to him racial discrimination and xenophobia had no place in a true democracy. He urged the international community to take action otherwise the rights of the people of Pakistan would be in jeopardy.

The **Himalayan Research and Cultural Foundation (HRCF)** too presented its view on this agenda item before the Sub-Commission. Its representative Khalid Jahangir said that xenophobia had assumed alarming proportions and xenophobic practices were leading to grave human rights violations in different parts of the world. "These violations were manifested in the form of brutal massacres, rapes, displacement of populations and the destruction of properties." He observed that religion was increasingly being used as a tool to promote and generate xenophobia, besides generating hate, discord and disharmony among groups of people practising different faiths and beliefs. He said that although concern was raised as to the so-called Jihad on the part of some so-called Muslim Mujahideen in some parts of the world, Islam did not sanctify this Jihad and Islamic tenets did not approve of it. He stressed the need to undertake specific case studies and then come to conclusions so as to avoid mere generalisations. "This would help in devising a strategy for dealing with the problem of xenophobia and facilitating the goal of the elimination of racism," he added.

The Realisation of Economic, Social and Cultural Rights

As the Sub-Commission began its annual consideration of economic, social and cultural rights, it discussed issues related to the international economic order and the promotion of human rights, the realisation of the right to development, the question of transnational corporations and the realisation of the right to education, including education in human rights. Under this agenda item, the Sub-Commission had before it a preliminary report by its Expert J. Oloka-Onyango and Alternate Expert Deepika Udagama (E/CN.4/Sub.2/2000/13) on globalisation and its impact on the full enjoyment of human rights. The report concluded, among other things, that “there is a need for a critical reconceptualisation of the policies and instruments of international trade, investment and finance. Such reconceptualisation must cease treating human-rights issues as peripheral to their formulation and operation.... Critical challenges must be made to the dominant neo-liberal economic framework of analysis, and in particular to the measures of austerity and punitive conditionality that have been the modus operandi of the existing system. Further reviews of existing debt relief and poverty eradication measures must also be undertaken from a human rights perspective.” The report also called for greater involvement of women in elaboration of the rules governing international trade and for “urgent reform” of those rules, and for firm formulation of guidelines that “elaborate the basic human rights obligations of the main actors within the context of globalisation.”

There was another report before the Sub-Commission prepared by the Secretary General (E/CN.4/Sub.2/2000/14) on promoting the right to development in the context of the United Nations Decade for the Elimination of Poverty (1997-2006), which outlined measures taken by the office of the High Commissioner for Human Rights and the United Nations Development Programme.

The discussion on this agenda item focussed mainly on the need of national efforts to enhance development, besides calling for greater international attention and funding for economic advancement in poorer

nations, as well as suggesting changes to the international financial system and in the operation of such institutions as the World Bank, the International Monetary Fund, and the World Trade Organisation.

Sub-Commission Experts and Special Rapporteurs Joseph Oloka-Onyango and Deepika Udagama presented their preliminary report on the issue of globalisation and its impact on the full enjoyment of all human rights. The Experts said the report attempted to capture the relevant definition of globalisation and to link it to the practical effects of the phenomenon. In the report, the role of the prominent players in this field, the World Trade Organisation, multilateral financial institutions, the World Bank and the International Monetary Fund had been considered as well as the role the United Nations could and should play in ensuring that globalisation adhered to human rights principles. They stated that situation today showed that fewer and fewer people stood to gain from current trends of globalisation.

While several Sub-Commission Experts said that transnational corporations had to be held accountable for the human rights effects of their activities, other Sub-Commission Experts expressed their concerns as to the role played by international financial institutions with regard to the direction of globalisation. It was underlined that although there were positive sides to globalisation, levels of equality and respect for economic, social and cultural rights of peoples had decreased.

Sub-Commission Expert El-Hadji Guisse presented an update to his working paper on the right of everyone to drinking water and sanitation. He highlighted the increasing scarcity of drinking water and the subsequent effects on all human rights. Sub-Commission Expert, Asbjorn Eide commended that the Independent Expert on the right to development had presented a model starting with three rights: to food, to primary health care, and to primary education, combining international cooperation with the national obligations of States. It was a useful approach that made it possible to move away from the vague and general positions often taken in the discussion on the right to development to very practical matters.

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A number of non-governmental organisations (NGOs) while speaking before the Sub-Commission stressed upon doing much to counter the negative effects of economic globalisation on poor people and poor countries and to hold international financial institutions and transnational corporations responsible for respecting human rights. Several speakers demanded to review the behaviour of transnational corporations and institutions such as the World Bank, the International Monetary Fund, and the World Trade Organisation for compliance with human-rights norms. They also called for further debt relief for heavily indebted poor countries. Many organisations emphasised the need for a code of conduct to regulate and monitor transnational corporations according to human rights norms and principles.

Highlighting the considerable consequences of globalisation on human rights, Eleni Petroula of the International Federation of Human Rights Leagues said that the control over Governments exercised by international financial institutions had reduced the capacity of Governments to control their own affairs. She stressed the need to establish a mechanism within the United Nations system for oversight of the activities of international financial institutions and transnational corporations.

Jasdev Singh Rai of Liberation called upon the Sub-Commission to help stop the Government of Pakistan from constructing the proposed Kalabagh Dam, which had been criticised by environmental and irrigation experts and by three of the four provinces of Pakistan. He said that it would displace thousands of people, decrease net agricultural production, and cause damage to the Sindh region.

While commenting on this agenda item Prof. Riyaz Punjabi of the **Himalayan Research and Cultural Foundation** (HRCF) said that the right to development required relevant evaluation mechanisms: the recognition of the human being as the central subject of development; the promotion of the relationship between democracy, development, and human rights; a strong relationship between the right to development and poverty eradication; and respect for the specific

contexts of developing countries. He said that although the United National Development Programme (UNDP) was contributing immensely towards sustainable human development and poverty eradication, a mechanism was needed to monitor and evaluate whether or not it was meeting its objectives. "The Sub-Commission could provide a service by developing such a mechanism, which could also show if the indicators recognised by the UN agencies were kept in view in the programmes and activities supported by UNDP," he added. Recalling that the Sub-Commission had stressed the relationship between democracy, development and human rights, and the need for a "favourable environment", Prof. Punjabi stated that this element could not be overemphasised and marginalised democratic institutions and unhealthy social structures proved to be greater stumbling blocks.

Pierre Porret of the Association of World Citizens said that at the end of the cold war and the taking over of neo-liberal policies, economic and social rights were more threatened than ever. It was not a lack of economic resources, on the contrary, however the resources available were being used for other purposes than development. He mentioned many problems currently facing the world such as the regression in education in Afghanistan, particularly affecting girls. "The situation for minorities was not improving, there was a regression in access to education due to attitudes which feared anything or anyone who was different," he added.

Tatiana Shaumian of the International Institute of Peace said that States were obliged to ensure that education was directed towards the development of respect for human rights and fundamental freedoms, to prepare children for responsible lives in free societies, in a spirit of understanding and tolerance. A dangerous trend was emerging in some countries of inculcating in young minds ideas of hate and violence. Making particular mention of Afghanistan, she stated that the Taliban, like many other armed groups, was a product of the network of madrasas or religious schools run by religious parties in Pakistan. "Decay in the State educational structure had left open the space these madrasas had occupied, and they were actively engaged in the

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assembly line production of child soldiers and in effectively depriving a large percentage of children of the joys of normal childhood and enlightened learning,” she added.

Juanita Olivier of the European Union of Public Relations spoke of the worrying trends facing the world today particularly in the situation of women in Afghanistan. The women had always been part of the society and had contributed to its development, yet, the Taliban was, through repression and oppression, returning the country to the dark ages. In order for development to be possible, democratic values needed to be reinstalled in Afghanistan. Another example was Kashmir, where the people were tired of the conflict, yet the violence continued in the name of religion as a result of a Pakistan-led terrorist Jihad on Kashmiri soil. “Pakistan, a poor country, was using its land and resources to aggress its neighbour and was refusing to give its people their democratic rights.” If indeed the right to development was universal, there had to be an increase in democracy world wide.

Mohammad Ahsan of Interfaith International said that the ethnic Punjabi majority in Pakistan was denying economic, social and cultural rights to minorities, particularly the Mohajirs in the province of Sindh. Citing the figures he said that the most affected were the urban centres of Sindh, especially Karachi which alone provided 65 per cent of federal revenues and about 31 per cent of Pakistan’s GDP, but the army, establishment and bureaucracy of Punjab swallowed the largest portion, eating away at the assets of the minority province. He added that despite being the local majority in Sindh province, the Mohajirs had been denied their proper right to representation in legislative bodies according to their population ratio, and they were subject to many malevolent measures and punitive laws. “People in Pakistan were being divided and manipulated on ethnic and linguistic lines and were losing their hold on their economic, social and cultural rights, and their right to development,” he said. He urged the Sub-Commission to consider the case of the Mohajirs of Sindh as a classic example of blatant violation of economic, social and cultural rights and persuade the Government of Pakistan to reverse its policy of discrimination and

repression against the Mohajirs and Sindhi and to allow true democracy and pluralism in the country.

Implementation of Human Rights with Regard to Women

Before taking up this agenda item the Sub-Commission had before it a fourth report on the situation regarding the elimination of traditional practices affecting the health of women and the girl child (E/CN.4/Sub.2/2000/17), submitted by Sub-Commission Expert and Special Rapporteur Halima Embarek Warzazi. The report reviewed national, regional and international initiatives to end the practice of female genital mutilation, besides containing a chapter on other traditional practices. It concludes, among other things, that “despite the slow but steady progress observed in the campaign against female genital mutilation, the Special Rapporteur would like to draw the attention of the international community as a whole... to the fact that many harmful traditional practices, discriminatory attitudes and acts of violence exist and are not being dealt with as they should be.... The case of the crime of honour is a perfect illustration of this. Efforts and vigilance must therefore not be relaxed, especially as there is a need to combat not just laws, but beliefs rooted in centuries of patriarchal authority and male domination, drawing strength from discrimination against women, ignorance, and indifference towards women’s fate”. Introducing her report Ms. Warzazi stressed that for practices such as honour killings, it was important that Governments amend laws to bring them into compliance with the international human-rights conventions.

There was also a report by the Secretary General on the situation of women and girls in Afghanistan (E/CN.4/Sub.2/2000/18) submitted in accordance with Sub-Commission resolution 1999/14. The report focussed on the human rights of women and girls in Afghanistan and included principal areas of concern such as health, education, employment and freedom of movement; the situation of women and girls in areas controlled by the United Front and United Nations programmes and strategies. The report recommended the close monitoring of the situation by the Special Rapporteur on the situation

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of human rights in Afghanistan, the Special Rapporteur on violence against women and other extra-conventional United Nations mechanisms; that the international community continues to call for the repeal of all edicts and the end to all forms of gender discrimination; that all armed groups in Afghanistan respect fundamental human rights and that all Afghan parties, in particular the Taliban, bring to an end, without delay, all violations of human rights of women and girls and take urgent measures to ensure the repeal of all legislative measures which discriminate against women.

During discussion on this topic particular attention was given to traditional practices affecting the health of women and the girl child and the role and equal participation of women in development. Several Sub-Commission Experts condemned the practice of female genital mutilation. It was recognised that although improvements had been made, there had to be more political will to end repressive and cruel practices, and that the non-governmental organisations could play a role in this movement.

Sub-Commission Expert, Asbjorn Eide said that the report on the situation regarding the elimination of traditional practices affecting the health of women and the girl child and Mrs. Warzazi's efforts deserved continuing support. He said that in Afghanistan, the Sub-Commission had to acknowledge that the situation there was really a return to the dark ages, and also an insult to Islam. "This shameful situation had to be ended," he stressed. "The world could not sit aside and let this tragedy continue for the women of Afghanistan and for all members of Afghanistan's society." Aida Augila of the World Federation of Trade Unions said that full and abhorrent violations of the rights of Afghan women continued to occur without much help from the international community to end them. She quoted the World Health Organisation and stated that Afghanistan had the highest rate of maternal mortality in the world. "There was a very high rate of depression among women, millions of girls were growing up with no education, no health care, and were plagued daily by threats and punishment," she noted. She stressed that the international organisations working in Afghanistan should have more women staff.

Endorsing that the UN was systematically moving in the direction of achieving the objective of elimination of violence against women in public and private life, Prof. Riyaz Punjabi of the **Himalayan Research and Cultural Foundation** (HRCF) said that in order to achieve all the objectives included in that field the Special Rapporteur was required to review the definition of gender as prevalent in different societies, and to study the balance of power between men and women at all levels of society across the world. "Violations no longer needed to remain a private affair between individuals, States were under the obligation to provide complete information to the Special Rapporteur on all aspects regarding the situation of traditional practices affecting the health of women and the girl child," he said. He added that NGOs could assist the Special Rapporteur to take measures to implement the human rights with regard to women.

Fatma Kaya of the Women's International Democratic Federation said that women were being short-changed educationally, and that was greatly hindering their ability to compete in the globalised economy. She highlighted that States were cutting budgets or privatising sectors where women were frequently employed, such as in health areas.

Tatiana Shaumian of the International Institute for Peace said that women's low social status and denial of equal access to education made achievement of a higher level of life impossible. Citing the latest available data which showed an alarming increase in the number of rural women living in poverty, she also noted that the Revolutionary Association of the Women of Afghanistan had expressed deep concern about poverty in the country, and especially women's poverty, and about the remarkably grave violations of women's rights in Afghanistan in the name of Islam. She highlighted the case of Pakistan where there were such violations as "marriage in exchange" and honour killings. "As long as Muslim women were conditioned to accept the rights used by religious hierarchies, they would never become fully free or equal to men," she stressed. "It was necessary to take legislative, administrative, social and educational measures to protect the girl child from all forms of physical or mental violence, injury or abuse, maltreatment or exploitation, including sexual abuse," she added.

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Samina Kabir of the Association pour la Promotion de l'Emploi et du Logement said that in Afghanistan despite the oppression and atrocities, there were still organisations and individuals that were holding aloft the banner of struggle against fundamentalism and for democracy, human rights and women's rights. She said that women's organisations in Afghanistan were not fighting for issues such as the legalisation of abortion or equal wages but only for the right to be accepted as human beings and that the women and people of Afghanistan needed the support of the Sub-Commission in their struggle. She urged the Sub-Commission not to allow Jihadis and the Taliban to annihilate hopes and trample on the pride, honour and national culture of the Afghani people.

Ludovica Verzegnazzi of the European Union of Public Relations said that there were problems in both the developing and developed countries – even a woman general of the United States Army was not safe from sexual harassment by a colleague. She said that in the twenty-first century there were countries that did not permit women to choose their husbands; where women were not yet enfranchised; and where they could not travel without the permission of their husbands or fathers. “Over 1,000 women had been killed in Pakistan merely because they ostensibly violated the honour of the family, as defined by male relatives, and Pakistan's hudood ordinances, which reduced women to second-class status, still remained on the books,” she added.

Highlighting the traditional practices affecting the health of women and girls in a number of countries and regions, Rubin Shaikh of Liberation spoke of Pakistan where a significant number of women and girls were subject to violence, abuse, rape, trafficking and other forms of degradation by their spouses and members of the society at large. “Female children still lagged far behind boys in education, health care and other social benefits.” Citing the medical reports, Rubin said that the majority of women and children in rural Sindh were suffering from anaemia and malnutrition and there were also many signs that honour killings were increasing and were rarely punished. Rubin condemned the Pakistani Government's negligence in punishing the buying and selling of innocent women in the Thar district in Sindh province.

“The Government had consistently failed to prevent, investigate and punish honour killings,” Rubin added.

Geneva Berryman Arif of Interfaith International said that violations of human rights of women were a common phenomenon in all spheres but one aspect which had not received adequate attention in the international community was the human rights violations of refugee women. He said that in armed conflict areas, women had always been victims of crimes and suffering particularly the forced displacement. He highlighted that in recent history, there were many examples of forced mass displacement: Kurds, Jummas of the Chittagong Hill Tracts, Bangladeshis, Iraqis, Palestinians, Afghans, Kashmiris and Bosnians. “The majority of the refugees stranded and left at the mercy of donor agencies were women and children, and there were millions of refugee women and children living in sub-human conditions in different parts of the world, facing deprivation of food, shelter, health, education and other basic needs,” he said. “There was a grave need to give applicable guidelines for policy making to facilitate provision of human rights to this large group of deprived women.”

Contemporary Forms of Slavery

Under this agenda item, the Sub-Commission had before it an update to the final report of Special Rapporteur Gay J. McDougall on systematic rape, sexual slavery, and slavery-like practices during armed conflict (E/CN.4/Sub.2/2000/21). The report recommended, among other things, special legislation at the national level providing universal jurisdiction for violations of *jus cogens* norms such as slavery, crimes against humanity, genocide, torture, and other international crimes; removal of gender bias in municipal law and procedure; adequate protection for victims and witnesses; appropriate support services for victims; an ongoing dialogue on the subject between the office of the High Commissioner for Human Rights and other relevant bodies, including the office of the Prosecutor for the International Criminal Tribunal for the former Yugoslavia and for the International Tribunal for Rwanda; greater documentation with a view towards eventual

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prosecution; and more effective action at cessation of hostilities. The report concluded that “there is a need for an understanding of the gender implications of sexual violence not only in the context of armed conflict but also in the everyday lives of women and girls everywhere. Women and girls are subordinated, devalued and discriminated against in all societies, although to varying degrees. This gender inequality is compounded further by racial, ethnic, religious or other forms of discrimination... which not only increases the vulnerability of these women and girls to sexual violence, but also creates significant obstacles to asserting their rights and seeking redress and healing for violations committed against them.”

There was an updated review of the implementation of and follow-up to the Conventions on slavery (E/CN.4/Sub.2/2000/3) and an Addendum (E/CN.4/Sub.2/2000/3/Add.1) prepared by David Weissbrodt and Anti-Slavery International. The review focussed on core international law against slavery, different forms of slavery and international monitoring mechanisms. The first section highlighted the background to core international law against slavery, the definition of slavery, the main characteristics of slavery, the instruments prohibiting slavery and the violations of fundamental rights associated with slavery. The second section focussed on different forms of slavery, including serfdom, forced labour, debt bondage, exploitation of migrant workers, trafficking, prostitution, forced marriage and sale of wives, and child labour and servitude. The final section was dedicated to the convention on slavery, the ILO mechanisms and the Working Group on contemporary forms of slavery. The review concluded that true effectiveness of a treaty can be assessed by the extent to which the States parties apply its provisions at the national level, and that the implementation of treaties includes both national and international measures and procedures adopted to review or monitor those national actions.

Besides, there was also a report by the High Commissioner for Human Rights (E/CN.4/Sub.2/2000/20) on systematic rape, sexual slavery and slavery-like practices during armed conflicts. The report focussed on the steps taken by human rights treaty bodies, steps taken

by human rights mechanisms and the steps taken by the Commission on Human Rights within this field. It noted that “during past, present and ongoing conflicts, sexual violence had been used as a weapon of war, a method of threatening populations. The first victims of these crimes are women and girls. Gender-based violence is a consequence of the low states of women and girls in society, where they are subordinated, devalued and discriminated against to varying degrees.”

Halima Embarek Warzazi introduced the group’s report, saying priority had been on discussion of debt bondage and bonded labour and that there was unanimous sentiment that victims of these practices should be freed and rehabilitated, and greater effort should be made to develop rehabilitation programmes for them.

Soorya Lal Amatya of the World Federation of Trade Unions said that women and children were very vulnerable across the world, and young girls were exploited increasingly in developing and developed countries. He said that they were forced into prostitution and did not dare to speak about their plight. Citing the example of Pakistan, he said that women there were still sold, leading to humiliating and miserable lives. Besides, he stressed on the need for continuous monitoring as far as bonded labour was concerned.

Dierdre McConnell of Interfaith International said that systematic rape, used as a weapon of war, intimidated, vilified, humiliated, and wounded not only the women of a community but the men, the children, the adolescents and the most intimate part of a whole community, where sacred new life was born.

Human Rights of Indigenous Peoples

While considering this agenda item, the Sub-Commission had before it the final working paper prepared by Special Rapporteur Erica-Irene Daes (E/CN.4/Sub.2/2000/25) on indigenous peoples and their relationship to land. The report covered the relationship of indigenous peoples to their lands, territories and resources, the history and background and impact of the doctrines of dispossession, a framework

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for the analysis of contemporary problems regarding indigenous land rights, and the endeavours to resolve indigenous land issues and problems. Introducing her report Ms. Daes said that the report had six chapters covering the complex issues involved, and reviewed several specific cases. She recommended, among other things, that the Governments should formally renounce discriminatory legal doctrines and policies which denied human rights and indigenous land and resource rights, and should adopt laws and policies in keeping with the spirit of the International Decade for the World's Indigenous Peoples. Besides, the Governments should realise that indigenous peoples did not think of "ownership" of land in the same way, and, therefore, they should accept that the Indigenous Peoples should not be deprived of their lands against their will.

A report of the seminar on the draft principles and guidelines for the protection of the heritage of indigenous people (E/CN.4/Sub.2/2000/26) was also considered by the Sub-Commission. It contained information on the organisation of work, general comments, considerations of the draft principles and considerations of the guidelines.

During discussion on the rights of indigenous peoples, several Sub-Commission Experts, NGOs and countries voiced their concerns over the treatment of indigenous peoples in various parts of the world. But they lauded the recent decision to establish a Permanent Forum on indigenous issues within the United Nations system. There were also pleas for the continued existence of the Sub-Commission's working group on indigenous populations.

Munawar Halepota of Interfaith International said that Sindh was a land of 48,000 square miles and one of the world's oldest surviving civilisations, yet it was now under threat of extinction from terrorism, cultural dilution, persecution by the establishment, increasing fundamentalism, lack of constitutional protection, and imposition of martial law. Highlighting the fact that it recently had been affected by severe famine with many people, especially children, dying, he said that the world

community was still unaware of the calamity and the government had failed to provide assistance. "Land had been forcibly taken and allocated to military generals, coastal land had been taken over by defence forces, and Sindh was being deprived of its share of water from the Indus River by construction of 32 dams upstream, including the Kala Bagh dam, which was being built despite strong indigenous opposition and clear threats to the environment," he said. "The World Conference against Racism should devote a day to discussion of indigenous rights," he added.

Prevention of Discrimination against and Protection of Minorities

Before opening up a general debate on this agenda item the Sub-Commission had before it a working paper (E/CN.4/Sub.2/2000/10) prepared by Sub-Commission Experts Erica-Irene Daes and Asbjorn Eide on the relationship and distinction between the rights of persons belonging to minorities and those of indigenous peoples. The section written by Mr. Eide noted among its concluding observations that "Persons belonging to minorities often have several identities and participate actively in the common domain. Indigenous rights, on the other hand, tend to consolidate and strengthen the separateness of these peoples from other groups of society." The section written by Mrs. Daes stated, among other things, that "In my opinion, the principal legal distinction between the rights of minorities and indigenous peoples in contemporary international law is with respect to internal self-determination: the right of a group to govern itself within a recognised geographical area, without State interference (albeit in some cooperative relationship with State authorities, as in any federal system of national government)."

The Sub-Commission had also before it a working paper presented by Yeung Kam Yeung Sik Yuen (E/CN.4/Sub.2/2000/28) on the human rights problems and protections of the Roma. The working paper focussed on the historical background, human rights problems of the Roma, human rights protection of the Roma, recourse to regional

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and international organisations for the protection of human rights and a feasibility study. Considering the magnitude and complexity of Roma human rights problems, the working paper stressed that there was a need to initiate a study to identify the reasons why, unlike other minorities who integrated successfully in their countries of choice, the problem of the Roma were recurrent in spite of the fact that they had been living for several generations within the same countries.

There was also a report by the working group on minorities (E/CN.4/Sub.2000/27). The report consisted of sections on the organisation of the session; the review of the promotion and practical realisation for the declaration on the rights of persons belonging to national or ethnic, religious and linguistic minorities; the examination of possible solutions to problems involving minorities, including the promotion of mutual understanding between and among minorities and governments; the recommendations of further measures as appropriate, for the promotion and protection of the rights of persons belonging to national and ethnic, religious and linguistic minorities and the future role of the working group. The report recommended the further development of regional networks and studies regarding the implementation of the Declaration.

During the debate on this agenda item a number of non-governmental organisations (NGOs) charged that minorities were suffering human rights abuses in various countries and regions. Several speakers urged greater support for the activities of the Sub-Commission's Working on minorities. The situation of the Roma, highlighted this year in a working paper written by Sub-Commission Expert Yeung Kam Yeung Sik Yuen, drew comments from several NGOs, including Medecins du Monde, which pointed out that the health circumstances of Roma in Europe were "worrying" and featured maternal and infant mortality rates that were many times the average for the countries concerned. The International Movement against Racism and for Friendship Among Peoples said that for a long time the response to the difficulties of the Roma had been very badly handled and now the situation could no longer be ignored – in fact, it seemed

to have been ignored for too long as a result of indifference at best and at worst outright discrimination by various Governments.

Presenting the view of the **Himalayan Research and Cultural Foundation** (HRCF), its representative Sultan Shahin stated that one obstacle to minority rights was the exploitation of minority grievances by rival States for settling their own scores or as a part of their strategic designs. He said that in India, minorities of all descriptions with any real or imaginary grievance had access to virtually unlimited funds, arms and training from across the borders, if they were prepared to engage in subversive activities. About 30 per cent of the militants in Kashmir were of foreign origin. Such narco-terrorism was not conducive to the resolution of minority grievances. "The chief obstacle to peace was the support extended to terrorism by India's unfriendly neighbours in the name of Jihad," he added. He argued that were Muslims around the world going to allow such a denigration and misinterpretation of Islam as that propounded under this senseless violence? He argued that these 'conflict entrepreneurs' exploit religion by misinterpreting it, but "peace entrepreneurs' can use religion in its right spirit to fight those nefarious designs."

Philippe Le Blance of Franciscan International raised concerns about religious intolerance and discrimination on the basis of religion. He said that religious intolerance remained at the root of a number of conflicts and ongoing violence in the world. He called upon the Government of Pakistan to seize the opportunity to demonstrate that the country was truly committed to democratic principles by ending the separate electoral system and re-introducing a joint electoral system. The former system discriminated on the basis of religion in denying religious minorities their right of universal adult franchise as one could only vote for candidates of one's own religion. The separate system silenced the expression of political views of the religious minorities in the country and negatively affected the social fabric of the country. "In an unprecedented move, Pakistani civil society had come together to gain support for ending the separate electoral system," he said. He called upon the governmental authorities to respond positively to the

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demand of civil society and urged the Sub-Commission to monitor the progress towards implementation of full democracy in Pakistan.

Milind Waidandey of the World Peace Council said that the first prerequisite for the preservation of the rights of minorities and the elimination of discrimination against them was that the society in which they lived had adequate guarantees built into its system to ensure that every individual was treated equally and given the same rights. Unfortunately, he said that affirmative action programmes had been carried out in such an overt fashion that they had given rise to resentment both among the minorities and among the majority groups. "If the lives of minority groups were to be improved, they needed to become integral parts of the societies in which they lived and to mould their uniqueness in a way that the majority community could acknowledge their contributions," he added.

Mohammad Ahsan of the Asian Buddhist Conference for Peace said that more than 22 million people belonging to the Mohajir minority community in the urban centres of Sindh province in southern Pakistan had been subjected to gross violations of human rights by successive ethnic Punjabi-dominated Governments of Pakistan. He pointed out that among the violations committed against them were extra-judicial executions, unlawful arrests and detentions, brutal torture in state custody, police and paramilitary excesses, forced displacements, and blatant ethno-linguistic discrimination. He also commented on the report of the working group on minorities which showed that the treatment of minorities in Pakistan had come under severe criticism. Urging the Sub-Commission to persuade the Pakistani Government to give up this decades-old repression and restore civil, political and human rights to Mohajirs, he stressed that suppression of the rights of the Mohajirs had been well documented and they were entitled to their demand for an autonomous status for Sindh Province.

Administration of Justice and Human Rights

Before a general debate started under this agenda item, the Sub-Commission considered a report of its working group on the administration

of justice (E/CN.4/Sub.2/2000/CRP.3), which summarised activities related to the deprivation of the right to life, imposition of the death penalty, summary, arbitrary and extrajudicial executions; privatisation of prisons – including consideration of an updated report by Sub-Commission Expert Miguel Alfonso Martinez; improvement and efficiency of judicial instruments for protection of human rights at the national level and their impact at the international level – including consideration of a report by Expert Hector Fix-Zamudio on “various judicial and procedural instruments for the protection of human rights in the domestic sphere”; administration of justice through military tribunals and other exceptional jurisdictions; and the domestic implementation in practice of the obligation to provide effective domestic remedies – a topic on which Expert Francoise Jane Hampson had agreed to produce a working paper.

The debate on Human Rights issues related to the administration of justice focussed on such topics as states of emergency, gross and massive violations of human rights as an international crime, juvenile justice, and the privatisation of prisons, the individualisation of prosecution and penalties, and repercussions of violations of human rights on families. Interventions made under this topic elicited a series of rights of reply from countries in attendance, and several Sub-Commission Experts spoke on the challenges of combating impunity for Human Rights violations committed in times of conflict. Experts contributing to the discussion were El-Hadji Guisse, Paulo Sergio Pinheiro, Jane Francoise Hampson and David Weissbrodt. They focussed mainly on the need for an independent and transparent judiciary, the problem of impunity and how bringing human rights offenders to trial was a pre-requisite for the promotion and protection of human rights.

Meanwhile, several NGOs spoke before the Sub-Commission urging action to eliminate impunity for Human Rights abuses. Kashinath Pandita of the African Commission of Health and Human Rights Promoters said that international terrorism had taken tens of thousands of innocent lives and had forced millions of people to flee their homes and regions. Drug trafficking had given rise to dreadful mafias who had

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international connections and had strong clout with the ruling apparatus of some States and so escaped punishment for their crimes. "Rich as they were, they purchased arms and provided substantial funds to those who caused insurgencies or waged proxy wars against neighbouring States," he said. Speaking about small-arms proliferation he said that such arms were supplied clandestinely, the purpose of the entrepreneurs involved was to intimidate the population, disrupt peace and tranquility, and force government into difficult situations. "A mechanism was needed by which such international crimes could be stamped out," he added.

Mohammad Mumtaz Khan of the Association for the Promotion of Employment and Housing said that for some years the organisation had protested the situation in the northern areas in Pakistan-occupied Kashmir, but conditions had not improved and in fact were getting worse. He stated that unlike India, Pakistan could not claim foreign militancy as a reason for denying fundamental rights in these territories; yet violations were widespread, not limited to any particular group, and had gone on for 52 years. "The northern areas had been under a state of emergency for a long time; the region was officially a disputed territory and part of Kashmir, but Pakistan had detached and isolated it," he said. "There was no access to justice for residents, no right to appeal, and decisions by Pakistan's own Supreme Court for restoration of fundamental rights there had not been complied with by the Government." He urged the Sub-Commission to take notice of the situation in which political activists faced treason charges and political opponents were victimised.

Sardar Shaukat Ali Kashmiri of the European Union of Public Relations brought to the Sub-Commission's notice that he had to seek asylum in Switzerland on account of extreme persecution which he had personally endured. He had suffered solitary confinement and considerable mental torture. Despite his fervent appeal to the judiciary, he was kept under unlawful detention, not knowing whether he would come out of it dead or alive. He said that it was unfortunate that some States were overtly or covertly abetting such violations of human rights,

which constituted international crimes and that these Governments did so with the sole purpose of achieving their political goals. He informed the Sub-Commission that Pakistan was a State where organisations and institutions paid scant attention to the protection of the rights of the people. "Religious seminaries had been set up and a variety of religious organisations had become the breeding ground for fanatics," he said. "Not only were the northern areas of Jammu and Kashmir under oppression and suppression, but the entire State was affected." He called upon the Sub-Commission to exercise its influence to persuade Pakistan to stop trans-border terrorism, drug-trafficking and proliferation of small arms so that the region was given a chance to stability and peace.

Expressing his concerns over the situation in the urban centres of Sindh, Mohammad Anwar of the World Federation of Democratic Youth said that over the past eight years, there had been serious human rights violations particularly in Karachi, Hyderabad, Sukkur and other cities of the province in southern Pakistan, perpetuated by a form of state terrorism on the basis of racism and ethnicity under the domination of the Punjabi ruling oligarchy. He said that the Punjabi army played the tune, direct or indirectly, and as a result the Mohajir minority suffered extra-judicial executions, unlawful arrests and brutal torture in the custody of the State, and that the new military Government too had shown no change in this long-standing and brutal campaign. He appealed the Sub-Commission to take urgent steps to check these human rights violations and recommend a mechanism for the provision of rights to the minorities of Pakistan.

Freedom of Movement

The discussion on this agenda item focussed on the right to return and the need for more specific attention to be given to the issue of freedom of movement. The situation of internally displaced persons in Afghanistan, Azerbaijan, Turkey, Nepal and Colombia was discussed. The Sub-Commission also heard the representative of the office of United Nations High Commissioner for Refugees (UNHCR) who stated

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that real or perceived political, security, economic and social costs of hosting refugees had affected the willingness and capacity of States to receive asylum seekers. "Tough restrictions on refugees' freedom of movement and severe constraints on their ability to feed, shelter, and support themselves and their families, and systematic detention in some States, significantly eroded the quality of asylum," he stated. "Arbitrary detention of asylum seekers was a violation of human rights principles and contrary to UNHCR guidelines, and that increasing xenophobia and intolerance directed at asylum seekers in some host countries was becoming a cause of concern."

Sub-Commission Expert, Francoise Jane Hampson said that the right to return could be complex and difficult to solve as facts were often disputed and mechanisms were difficult to devise and implement to the satisfaction of various parties. Mechanisms and criteria under which they applied, and procedures, for example, were part of the difficulties of the situation of those allegedly of Bhutanese origin in Nepal. Then there was the situation of the *les Ilois*, from islands near, but not officially part of Mauritius, which were dumped on Mauritius after the United States Government concluded a 50-year lease with Britain for an airbase on the most important island. A case was currently before the English courts in which the *les Ilois* were claiming the right to return. She hoped the problem would be resolved soon in a fashion consistent with the right to return.

While Tofiq Musayev of Azerbaijan said that his country had one of the largest displaced populations in the world; about one of every eight persons in the country was internally displaced or a refugee, Humanyun Tandar of Afghanistan said that for twenty years, the Afghans had been suffering due to a war imposed upon them by foreign powers. He stated that there were already an estimated 150,000 internally displaced people and there seemed to be no prospects of them being able to return home. "This was a humanitarian catastrophe, and unfortunately, the Taliban was enjoying the financial and armed support of thousands of Pakistanis." He called upon the international community and human rights bodies to ensure that Pakistan halted its

support of the Taliban which would allow the return of thousands of internally displaced people and the return of a respect for human life.

Addressing the topic was also the **Himalayan Research and Cultural Foundation** (HRCF). In his intervention the Secretary General of the HRCF, Prof. K. Warikoo described the problem of population displacements as one of the serious humanitarian, human rights, political and security concerns in this millennium. Citing the number of internally displaced people which had gone well above 25 million people, he brought to the Sub-Commission's notice that atrocities by mercenaries, terrorists and Islamist fundamentalists and other forms of violence against indigenous ethnic and religious minorities had caused forced exoduses and internal displacement of several hundred thousand people in parts of South and Central Asia. He highlighted the case of forced displacement of almost the entire Kashmiri Pandit indigenous minority which affected about 400,000 people who had been terrorised, killed and hounded out by the Islamist terrorists. "There was an urgent need to work out a policy of integrated and compassionate humanitarian assistance and sustainable development with an emphasis on health recovery, education and employment," he stressed. Prof. Warikoo urged the Sub-Commission to exert pressure on the sponsors of violence and religious terrorism so that the major cause of forced human displacement in the region was eliminated.

Appreciating the efforts made by the international community on the issue of displacement and the protection of internally displaced people, Kashinath Pandita of the African Commission on Health and Human Rights Promoters said that the number of internally displaced people had escalated from 30 million to 50 million since the beginning of the year 2000. He said that ethnic cleansing had become a weapon against internally displaced people, a practice which could be seen in Sudan, Angola and Cambodia. "These three countries had the largest number of internally displaced people, while catching up these were the people of Korea and Kashmir," he said. "Internally displaced people were in no way less victimised than refugees, in many cases States were

reluctant to act or respond to their needs.” He added that these people needed to find a place of security and safety as realities were harsh for internally displaced people who required more international attention.

Situation Regarding the Promotion, full Realisation and Protection of the Rights of Children and Youth

Under this agenda item the Sub-Commission heard its Experts, non-governmental organisations and State observers who expressed their concerns at the widespread and continuing violations of the provisions of the Convention on the Rights of the Child. The problems facing children were brought up with regards to HIV/AIDS, poverty, armed conflict, education, sexual abuse and discrimination. Highlighting national efforts to promote the rights of children and youth in his country, the representative of India, R.N. Prasad said that India’s commitment to child rights was centuries old; the current Constitution fully guaranteed child rights and prohibited child labour; childhood was protected against exploitation and moral and material dangers. He noted that a National Policy for Children had been adopted in 1974, and an integrated child-development services programme was launched in 1975, besides, setting up a separate department for women and children in 1985 which formulated a plan of action for children. He brought to the Sub-Commission’s notice that there had been a significant drop in the mortality rate of all ages of children, in part because of massive immunisation programmes. On behalf of his country he hoped that the optional protocols to the Convention on the Rights of the Child would contribute significantly to the well-being of children around the world.

Meanwhile, noting that despite several United Nations conventions, violence against children was pervasive and was too often carried out without impunity, Dr. Sharad K. Soni of the **Himalayan Research and Cultural Foundation** (HRCF) said that worse still was the plight of children in the midst of armed conflicts. He reminded the Sub-Commission that the Security Council had adopted a resolution which stressed the need for taking into account the special needs of

the girl child throughout armed conflicts and in their aftermath and to take measures for the welfare and protection of children. "It was high time that the international community make a systematic use of a resolution as an advocacy tool in the protection of children's rights in situations of armed conflict, as since 1990, over two million children had been killed in armed conflicts worldwide, over one million orphaned, six million seriously injured and twelve million left homeless," he said. Dr. Soni drew the attention of the Sub-Commission on the plight of thousands of children belonging to Hindu and Sikh minority communities in Jammu and Kashmir who had been rendered orphans due to targeted killings of the minority communities by the Islamist terrorists in the name of *Jihad* (holy war). "These child victims who have been deprived of their normal childhood, are growing in an atmosphere of deprivation, discrimination and destruction of their dear ones," he said. "There is an urgent need to address their problems of education, health and employment." He urged the Sub-Commission to take effective steps against such atrocities and to initiate action against States harbouring, training, arming and exporting terrorists.

Samina Kabir of the Association for the Promotion of Employment and Housing said that for at least two generations, Afghans had seen and known nothing but killing, rape, prostitution, suicide, looting, torture, death, starvation, begging, homelessness and execution. She stressed that these were a gift from fundamentalists and that children suffered the most under the Taliban regime, lacking the most basic rights to health, education, and family life. "Thousands had been made orphans by the conflict and many more suffered emotional trauma from the hopelessness of life and even many begged in the streets or were forced to work in other ways to supplement family income, beginning as young as age 4," she said. "Fundamentalist oppression in countries where fundamentalists were in power could only be cured by their overthrow from the political scene," she added.

Charles Graves of Interfaith International said that the children and youth of Pakistani-occupied Kashmir, including the Northern Areas, remained deprived of the enjoyment of their right to education and

work on a massive scale. He noted that education and work were the primary requirements for the youth if one did not want them to be misled into negative activities. However, he said that because of this deliberate negligence, over one million youth were left to a fate of denial and deprivation. The youth were being gradually alienated and exposed to serious reactions, which was likely to disrupt the balance of civil society. He urged the Sub-Commission to take due notice of the massive violation of the human rights of the youth in Pakistani-occupied Kashmir and the Northern Areas, the latter having been illegally integrated into Pakistan against the free will of the local population.

Review of Further Developments in Fields with which the Sub-Commission has been or may be concerned

Under this agenda item, the Sub-Commission had before it a note by the secretariat (E/CN.4/Sub.2/2000/31) on terrorism and human rights. The Sub-Commission had requested the Secretary General to transmit the preliminary report of the Special Rapporteur to Governments, specialised agencies and concerned inter-governmental and non-governmental organisations with the request that they submit to the Special Rapporteur as soon as possible comments, information and data relating to the study on terrorism and human rights. There was another note by the Secretary General (E/CN.4/Sub.2/2000/34) on the review of further developments summarising activities in relation to the international covenants on human rights, including the status of ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. Besides, there was also a review of further developments in fields with which the Sub-Commission has been or may be concerned and a review of developments concerning recommendations and decisions relating inter alia, to the encouragement of universal acceptance of human rights instruments and observance of the human rights and fundamental freedoms contained in the universal declaration of human rights by States which are not parties to United Nations human rights conventions.

While taking up this agenda item the Sub-Commission on the Promotion and Protection of Human Rights discussed a number of sub-items covering such topics as national, regional and international efforts for human rights; elimination of religious intolerance; encouragement of universal acceptance of human rights instruments; implications of humanitarian activities for the enjoyment of human rights; terrorism; peace and security as an essential condition for the enjoyment of human rights; human rights and disabilities; human rights and scientific and technological developments; the adverse consequences of the transfer of arms and illicit trafficking in arms; and arbitrary deprivation of nationality. Several non-governmental organisations (NGOs), national delegations, and Sub-Commission Experts and Alternate Members addressed these matters, with many speakers expressing dismay over the human rights impacts of international sanctions and embargoes.

It was under the sub-item “Terrorism and Human Rights” that Prof. K. Warikoo, Secretary General of the **Himalayan Research and Cultural Foundation** (HRCF) made his second intervention. He said that the scourge of terrorism had been universally recognised as the main challenge threatening domestic and international peace and security, and that despite repeated condemnations and appeals by the international community for an end to acts of terrorism perpetrated by terrorist groups, there was no end in their atrocities on innocent victims, including women and children. He expressed grave concern over the phenomenon of terrorism which had acquired multiple and dangerous dimensions, particularly the increased role of religious terrorist groups, proliferation of small arms, narco-terrorism, money laundering and proxy wars. In keeping with the spirit of the Security Council resolution of October 19, 1999, he urged the Sub-Commission to act to achieve definite results in the international battle against terrorism.

Michaela Told of the Women’s International League for Peace and Freedom speaking on behalf of seven other NGOs, said that illicit trafficking in small arms continued, despite action by the Security Council and General Assembly, to cause major human rights problems, with millions of people killed by these weapons. She said that an

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estimated 500 million of these weapons were in global circulation; they were easily transported and durable; they were affordable to State and non-State actors of every kind; they contributed heavily to the sustaining of cultures of violence and were responsible for widespread human rights violence. “The fact that they were available meant they were used in times of conflict, thus eliminating what might be the better option – dialogue that could resolve conflicts,” she said. “Even family disputes were too often resolved through the use of firearms.”

Genei Shimoji of the World Federation of Trade Unions said that children were the greatest sufferers from terrorism. He said that in East Timor, Bosnia, Mindanao, Afghanistan, and Kashmir, children had seen incessant violence throughout their formative years; those who were the victims of violence were known to all – the children of Afghanistan with artificial limbs, the children of Kashmir in their refugee camps, voices dull with horror. He said that he had come across publications from Pakistan detailing the kind of education that many religious schools provided young children; recent issues of some prestigious magazines carried cover photos of very young children brandishing automatic weapons; in some of these schools, the alphabet was taught according to the first letters of weapons. “If the world was to address the issue of terrorism and human rights, it had to demand an immediate dismantling of educational structures that taught children the alphabet in the language of death,” he added.

RARE INTERNATIONAL HONOUR FOR Prof. WARIKOO

Ravinder Kaul

It was a cold winter evening in Delhi last week. The infamous Delhi mist was just beginning to assert its presence. Yet, inside the Claridges Hotel warmth and enthusiasm permeated the atmosphere. The occasion was a very rare one that was taking place only for the second time in this country. The presentation of **Nairamdal Friendship Medal** to Prof. K. Warikoo, Chairperson, Centre for South, Central Asian and South East Asian Studies, School of International Studies, Jawaharlal Nehru University, in recognition of his services for promotion of India-Mongolia relations and for his contribution to Mongolian studies in India.

The Medal, which is the award of the highest order given by Mongolia to foreign nationals, and issued under the decree of the President of Mongolia, was presented to Prof. Warikoo by Dr. O. Nyamdavaa, the Ambassador of Mongolia in India. Prof. Warikoo is the second Indian to have received this award, the first recipient being Dr. Murli Manohar Joshi, the Union Minister for Human Resource Development. The award ceremony was attended by diplomats from most of the embassies in New Delhi, academicians, writers, senior bureaucrats, artists and intellectuals.

Prof. Warikoo, who joined the Central Asian Studies Division of Jawaharlal Nehru University, New Delhi in early 1987, is also the recipient of UNESCO's Hirayama Silk Road Award (1992). He has the distinction of having traversed by road more than 17,000 kms. the Silk Route passing through Uzbekistan, Kazakhstan, Kyrgyzstan, Xinjiang, Kansu and Tibet regions of China. Known for his pioneering contribution to Central Asian and Himalayan Studies in India, Prof. Warikoo is the Founder Editor of a quarterly journal *Himalayan and Central Asian Studies* published regularly since 1997. Prof. Warikoo has authored/edited eight books and

dozens of scholarly papers. Among the important books that he has authored/edited are *Jammu, Kashmir and Ladakh: Comprehensive Bibliography* (New Delhi, 1976. 557pp.); *Central Asia and Kashmir: A Study in the Context of Anglo-Russian Rivalry* (New Delhi, 1989. 264pp.); *Ethnicity and Politics in Central Asia* (New Delhi, 1992. 291pp.); *Central Asia: Emerging New Order* (New Delhi, 1995. 352pp.); *Society and Culture in the Himalayas* (New Delhi, 1995. 316pp.); *Jammu, Kashmir and Ladakh: Linguistic Predicament* (New Delhi, 1996. 224pp.); *Gujjars of Jammu and Kashmir* (Bhopal, 2001. 317pp.) and *Bamiyan: Challenge to World Heritage* (New Delhi, 2002. 313pp.).

During the past sixteen years of his association with the Jawaharlal Nehru University, Prof. Warikoo has supervised over fifty M.Phil. and Ph.D. scholars for their research work on various issues related to Xinjiang, Afghanistan, Himalayas, Central Asia and Mongolia.

Not content with his academic achievements alone, Prof. Warikoo founded **Himalayan Research and Cultural Foundation (HRCF)** in 1989 in New Delhi in order to initiate, co-ordinate and promote the study of various issues pertaining to the Himalayan and Trans-Himalayan



Dr. O. Nyamdavaa, the Ambassador of Mongolia presenting the “Nairamdal Friendship Medal” to Prof. K. Warikoo at New Delhi

HRCF FILE

region of South and Central Asia. HRCF has so far completed nine major research projects in collaboration with such international/national organisations like UNESCO, Indian Council for Cultural Relations, Indian Council of Social Science Research, International Labour Organisation, Indira Gandhi Rashtriya Manav Sangrahalaya, Bhopal, United Nations, Indian National Science Academy, Department of Culture and Tourism, India International Centre, Archaeological Survey of India, Indira Gandhi National Centre for Arts and the Ford Foundation. HRCF has also organised more than 22 major Seminars, Lectures and Exhibitions till date. These include international Seminars on **Cultural Heritage of Western Himalayas and its Future** (March 1994-New Delhi), **India and Central Asia in Time and Space** (December 1995-New Delhi), **Ethno-Cultural Heritage of Gujjars** (May 1999-Jammu), **The Afghanistan Crisis: Problems and Prospects of Peace** (November 2000-New Delhi), **Cultural Heritage of Indian Himalayas** (March 2001-Bhopal) and **Bamiyan: Challenge to World Heritage** (September 2001-New Delhi). The Foundation recently organised a major Art Exhibition of the paintings of Suman Gupta, a well known artist from Jammu and Kashmir State, in collaboration with the United Nations, at Palais des Nations, Geneva. In recognition of its contribution, the Himalayan Research and Cultural Foundation was accredited by the United Nation as “NGO in Special Consultative Status with ECOSOC, United Nations in July 1995, thereby bringing it at par with well established international bodies.

Prof. Warikoo is not the one to rest on his laurels. He is full of creative energy and brimming with new and stimulating ideas. However, his first priority now is to initiate research work at grassroots level in various sociological and cultural fields in his own State, so that Jammu and Kashmir State can, once again, be brought into the focus of the international community for reasons other than the ones that has kept it in news during the past 14 years.

Courtesy: *Daily Excelsior*, Jammu

16 December 2002



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Indian Council of Social Science Research (ICSSR) was established as an autonomous organization in the year 1969 to promote research in social sciences in the country. The Council consists of a Chairman, 18 social scientists, 6 representatives of the Government of India and a Member-Secretary. The Council was meant to:

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