

Women and the Nation-State: An Analysis

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Abstract

Gender Equality and Sustainable Development has been the subject-matter of discussion in many of our academic conferences. We recognize that most positive step towards sustainable future would be to uphold and incorporate Sustainable Development Goals (SDG, s) in all schemes, initiatives and policies to be taken for women and development. These goals contain the potential to empower women and lay the foundation for a just and inclusive social order. A recent study by the world Bank cited by many authors found that countries lose \$160 trillion in wealth due to the differences in lifetime earnings between men and women (1) It is significant to revisit the year, 1908 when 15000 women garment workers marched through the New York city protesting sexual harassment, low wages and long hours of work. This in one sense marked the rise of "phenomenal women". In India notably the history of struggle for rights and dignity of women is very much a part of freedom movement whose legacy got transmitted into the nation-building process after 1947. This legacy equally influenced the constitution-making and constitutionalism in post-independence period.

Introduction

The patriarchy and gender bias are built-in the idea of nation-state which gave rise to a kind of politics of exclusion of margins. The idea of nationalism is centralizing and is aimed at organizing different groups and nationalities into a single nation-state. The nation-state fears diversity and is intrinsically opposed to pluralism and group identities. The partition of India in 1947 marked the rise of nation-state of European variety which is not in sync with civilizational ethos of Indian sub-continent. The people and other identity groups have lived in South Asia with a lot of internal autonomy and thrived outside the gaze of modern nation-states. The partition of India in 1947 was accompanied by its own horrors. Eminent author Urvashi Butalia characterized the partition of India one of the great human convulsions. She writes that 75000 women were raped during the partition of 1947. The women were abducted and killed. Almost twenty thousand Muslim women were recovered in India and 3000 Hindu and Sikh women were recovered in Pakistan (02). The nation-building in contemporary South Asian states is an incomplete project and people and groups at margins are fighting million battles for a share in power and resources. The contemporary state is increasingly turning exclusivist in politics and policies and resultantly huge chaos, violence and instability in the polity. The women as a category suffer exclusion at multiple levels. The conservative politics by nature tries to identify political /ideological enemies who can be blamed for what are called as historical wrongs. The discrimination with women is one such issue.

Wrong Notions

There are wrong notions about Muslim rule in India and how some rulers allegedly due to their obscurantist views kept women outside the institution of power and state. This is a narrow and one-sided view and truth lies in the nature and working of state and society at a given point of time. The women of all communities were at the margins and when anti-colonial movement started the women irrespective of caste and community started playing their role in different spheres. True, due to feudal nature of society and economy the cake for native population was limited and confined to higher echelons of social strata although the higher social strata too faced neglect and exclusion and many among them had to fight and create spaces for their identity expression. The first generation educated women like Savitribai Phule, Anandbihia Joshi and Kadambini Ganguly had to face the wrath of the patriarchal orthodoxy of their times. Kadambini the first practicing female doctor in India with a degree in western medicine was called the equivalent of a prostitute by the Bengali Magazine "Bangabashi". She and Savitri Phule were pelted with stones and cow dung during their daily trips between home and the school. According to one account 225 Muslim women got martyred in the first war of independence in 1857. Begum Hazrat Mahal the illustrious wife of Nawab Wajid Ali Shah and Begum Abida Bano (mother of Ali's brothers) along with the wife of poet Maulana Hasrat Mohani fought for India's, freedom and worked in close cooperation with M K Gandhi in Khalafat and Non-cooperation movements. Syeda Hamid prominent social activist and former Chancellor of Maulana Azad Urdu university states that Quran places men and women on an equal footing. During an earlier era, women had participated in the national movement and were active in journalism and literature. There were English schools for Muslim women. The school in Aligarh was supported by many eminent women like Sarojini Naidu, Shaifa Tyabji, Lady Abdullah Suhrawardy and Alia Fyzee. Muslim women ran their own magazines (03). It is equally significant to note that Mrs. Savitribai Phule the wife of Jyotra Phule - became the first female teacher and Capt. Laxmi Sehgal - a doctor built the first all Muslim regiment of Netaji, s Indian national army.

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Post-Colonial Journey

In India after 1947 half of the battle for women upliftment was won by men through decisions taken in the constituent assembly of India. The assembly was predominantly male dominated institution, and we still refer to its architects as founding fathers' conscious of the fact that there were no sufficient women to mother it. Be that as it may all Indians irrespective of gender, caste and sex were given equal voting rights. The project of a socialist and welfare state in India led to many women- friendly laws and policies to remove the roadblocks in their progress and advancement. After 1980 visibility, voice and vision of the women widened due to positive interventions of a welfare state. In the Panchayat and Municipal bodies compulsory minimum reservation of 33 percent for women by law enabled at one shot more than a million women to acquire a political voice. The women have become articulate and there is rise of new leadership among women at different levels. They ask and agitate for their rights although the much-publicized Women's Reservation Bill seeking representation of 33 percent in the Lok Sabha and Rajya Sabha has not been passed. The Supreme court of India opened ten command positions to women in army and quite recently three women were appointed to the supreme court as judges. The male judges of the Supreme court took it as a matter of pride. The learned male judges (Justice Chandrachud and Justice Rastogi) in a liberative tune quoted progressive poet Abrarul- Haq Majaz who exhorted women to fight : Terre mathe pe ye anchal toe buhat hi Khub hai lekin tu is anchal se ik parcham bana leti acha tha"(while the raiment covering your head is good, it would be better if you made a banner of it).

The women no longer can retire after fourteen years of service. They will also have full pensionary benefits. After India attained independence and just in 1948 Miss CB Muthamma became the first woman to join the Indian foreign service. Three years later Miss Anne George was the first to Join IAS. Both were to sign undertakings that they would quit if they chose to marry but no such conditions were imposed on male officers. After some time, C B Muthamma was promoted to Ambassador. She challenged it in Supreme court of India. The court in a landmark judgment said, "whether Art 14 and 16 belong to myth or reality". The last line of the judgment was quite revealing "we dismiss the petition but not the problem". This sounds encouraging but the fact remains that state in India is an " incomplete project". In Assam Jabeda Khatun, s claim to be an Indian citizen was rejected by Foreigners tribunal and Guwahati High court rejected her 2019 appeal though she presented fifteen documents in her defense. In 2019 the then Governor of Jammu and Kashmir state Mr. Satyapal Malik revoked the waiver of stamp duty to properties registered in the name of women. The law was made when Mehboba Mufti was the Chief Minister. According to government data asset-ownership in J&K is largely dominated by men. In the case of landowners hip only 23 percent women hold property in their name while the figure for men is 73 percent. The revocation of stamp duty was not a mere arbitrary act of the state but a terrible onslaught on a composite legacy bequeathed by "New Kashmir manifesto 1944". The manifesto remained the catalyst for socio-economic change in and outside Kashmir. This has shaped the political culture of Kashmir and made it gender-sensitive by granting rights and dignity to women in an exceptional manner.

Women and Nation-Building process

In recent times there is renewed focus by state and non-state institutions on women empowerment issues. In the run-up to Azadi ka Amrit Mahotsav the present Modi government has heralded what is called the age of "Nari-Shakti" aimed at gender mainstreaming. It makes eminent sense that in this limited space some mapping of policy interventions for women is undertaken so as to understand the nature of policy frameworks. The ration cards exclusionary logic of identification -with its issuance to the usually male head of the household – was replaced by unique identification for all, Aahaar. The aim is to emphasize that women can have their identity independent of husbands and fathers in a more self-reliant manner. The government also claims to reorient the country's employment and labor landscape. The Pradhan Mantri Mudra Yogna (68 percent women are Mudra accountholders) aims at honing the entrepreneurial potential of women to enhance their employment opportunities. The contribution of women in agriculture- a male fort has been called to the fore with annual observation of Mahila Kisan Diwas celebrations and mandate of earmarking 30 percent of funds in governmental, agricultural beneficiary-related interventions for female farmers. Enabling socio-legal environment has been created to remove barriers to the entry of women into Indian society, polity and economy (04) The government introduced the National Creche Scheme for children of working Mothers in 2017 to address barriers created by care gaps. To further support working women, a liberal revision over the erstwhile 12 weeks stipulation was offered by way of 26 weeks of paid maternity leave for expecting mothers. Similarly, Pradhan Mantri Ujjwala Yojna promises concessional LPG connections to women beneficiaries in tough households thereby providing them more dignity by this ownership of a facility. Another underrated policy innovation that the government curated was the decimation of surrogacy bazaars that allowed "renting a womb". Given global inequalities, India became a lucrative "bio market" for surrogate mothers. The bodies of poor Indian women became bioavailable to the residents of the Global North, spurring commercialization of motherhood, the commodification of women and their reduction to their reproductive capacity. The government thus brought necessary changes in the Surrogacy (Regulation) Act, 2021 replacing commercial surrogacy with ethical, altruistic surrogacy (05). With all good things happening around us let it

be known that in a larger context the following recommendations need to factor in the nation-building project to really create an egalitarian landscape for women in polity, society and the economy.

Way Forward

First, we need to seriously address gender dimension of inequality. The Oxfam reports have consistently highlighted this issue. Globally men own 50 percent more wealth than women and also dominate positions of economic and political power. There is a link between economic and gender inequality. OF the 60 million domestic workers world over, 80 percent are women and just 10 percent are covered under labor laws. However, on the positive side larger - scale digital and smartphone technologies have given fillip to women upliftment. It has been proven time and again that when more women enter the workforce economies grow faster. When women are empowered the issue of poverty elimination becomes easier. Policy makers need to further build on this thought process.

Second, the political representation of women needs to be increased by all means. Globally, only 18 percent of ministers and 24 percent of parliamentarians are women. Political parties with an agenda for women empowerment are definitely going to be benefitted by this reach out. Earlier women voters had an unprecedented say in shaping landslide victory of Aam Adami party in Delhi. The women participation in peace process makes peace agreements stronger, societies resilient and economies sustainable. The women from among the minority communities particularly Muslims need to be given space and state support. This can make a huge difference to the socio-economic profile of the community and country. The upwardly mobile educated women in positions of power need to come forward in the service of common women. An excellent example of women in the service of women is how women started an English school for women in Aligarh during freedom movement supported by eminent women like Shaifa Tyabji, Lady Abdullah Suhrawardy and Alia Fyzee. Representation of women in decision-making bodies is crucial for any advancement in their socio-economic status. Administrative gimmicks have limitations to enhance dignity of women. On March 08, 2022, international Women's Day Commissioner of police in Tamil Nadu appointed women police officers as heads of police stations for a day. These officers held the posts for 24 hours. Getting himself photographed with them, the commissioner said that is to recognize, honor, celebrate and cherish the role of women in our uniformed services. These gimmicks cannot help in mitigating sufferings of women. The hard-wired power structures need to be transformed to challenge the maleness of public spaces.

Lastly, leadership at all levels, women self -help groups and women's movements need to do proper mapping of emerging areas where jobs can emerge, and employment avenues can be created for womenfolk. The gig, platform and care economy are future fields for women The gig and platform economies offer flexibility and freelancing jobs and according to ILO Global survey (2021) working from home and job flexibility are essential for women. Access to education adoption of new skill sets and digital technology are three enablers for women to get economically independent, politically equal and socially confident.

All this and much more is possible if men and women without perceiving "empowerment project" a turf war work towards a common destination of equity, dignity and integrity of the society. The slogan adopted by some women's groups "Ghar Ka Kaam, Sab Ka Kaam "makes eminent sense. We need to balance work and home and ensure better working hours and work-life balance. Justice Ayesha Malik judge of Supreme court of Pakistan has never missed any parent- teacher meeting in schools. The managers of nation-state project need to appreciate that women of all classes and communities have huge aspiration to see their daughters educated. The Increasing violence in society seems to be a barrier in advancement of women and their progress.

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