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FEMINIST POLITICS IN INDIA: WOMEN AND CIVIL SOCIETY ACTIVISM

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Abstract

The paper examines feminist politics in India and the various issues with which they have been engaged. The two issues that divide women and inhibit alliances among the women's movements are the Uniform Civil Code, and the reservation of seats for women in Parliament and state legislatures. The problem is not only differences in perspectives. It is rather the shift in the centrality of feminist politics from women's issues alone, to identity politics of caste and religion. Women's interests and gender justice are undermined by the identity politics of caste and religion.

Introduction

Within the contemporary feminist discourse in India, identity politics and the assertion of communal identities in particular (both caste and religious) have become core issues. Central to these debates is the articulation of differences among women, group-specific personal laws (i.e. each religious group has its own personal law), affirmative action, and supporting minority community identities.[2] There is a view that it would not be easy to disassociate gender interests from caste and religious politics. Such a view is embedded in the political debates on secularism, Hindu nationalism, and the assertion of communal identity. This, in many ways also influences the diverse perspectives within feminist politics. The two issues that divide women and inhibit alliances among the women's movements are the Uniform Civil Code, and the reservation of seats for women in Parliament and state legislatures. The problem is not just the differences in perspectives when dealing with these issues. It is rather the shift in the centrality of feminist politics from women's issues alone, to identity politics of caste and religion. Women's interests and gender justice are undermined by the identity politics of caste and religion.

While the distinctiveness of women's experiences and perspectives seem appropriate in certain contexts, there are contradictions in the notion of group-specific rights as it is presently advocated. The contradictions arise from differential emphasis placed on *relations between the groups* as against the *gender inequalities within the group*. This not only weakens the women's rights movement but also shifts the focus

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away from women's issues to communal politics. The need to be able to talk about exclusion and oppression exists as much for the disadvantaged through gender, as it is through caste, class, religion, and ethnicity. While recognition of differences draws attention to marginality and is a starting point to address inequalities, what are the consequences for feminist politics when this leads to essentialisation of a particular difference? In examining these issues, the paper first considers the nature of feminist politics, the issues around which women were mobilised, and the shift to identity politics. The second section discusses the gendered civil society, where there are wide zones of civil society that are in practice exclusive, and skewed in favour of men. The distinction is between feminist politics and participation in other civil society organisations. The following sections analyse feminist politics using the conceptual distinction of public/private divide and the concept of differences. The term feminist politics used in the paper refers to women's movements, and debates by the feminists, where 'politics' is the observable activity in the public sphere. Women's movements (used in the plural), also referred interchangeably with feminist politics, comprises organisations and associations led by women, networks, ideas and practices that espouse feminist values and goals. Feminists as described here (dalit feminists, leftist feminists and feminists of the Hindu right) are of various ideologies and group interests, who work towards enhancing gender equality in public and private relations and improving the entitlements of women.

Feminist Politics : From Gender Differences to Differences among Women

Colonialism and the nationalist movement were central to the politicization of women's issues, determining the momentum of feminist activism. The education reforms of the late 19th and early 20th centuries widened the horizons of women and produced a 'new woman' with interests beyond the private realm (Forbes, 1996: 64). Nationalism was a neutralizing force in resolving the conflicts of social reform during the 19th century by portraying the modern woman as an embodiment of spiritual superiority of the nation, with qualities of self sacrifice, devotion and religiosity (Chatterjee, 1989). Feminist activism in the early 20th century saw the first of the organizing of women, and addressed issues such as gendered construction of the social and political domains, their changing boundaries and the challenges they posed. Feminist activism could bring into public discourse some of the crucial issues[3] and politicize them at a time when India was under colonial rule, and the political climate was less favorable than under free India.

What followed Indian Independence in 1947, and till about 1970, was a passive phase in civil society activity, when there was the expectation that the newly free state would take measures towards gender equality in opportunities and within the social and political institutions, and this could be achieved without any active mobilization of women. The phase that followed was between the early 1970s and mid-1980s when it was seen that the state did not carry out measures that were expected, and thus we observe the advent of women's associations. This can be considered the *first wave of feminist activism* in independent India.[4] Despite the divergence in ideologies, beliefs and practices, this period was characterised by consensus among the women's organizations to focus on women's rights and deal with patriarchy in the social and political institutions that undermined gender equality. The combined efforts of these organisations were successful in drawing the attention of the State to women's rights. It was expected that legal protections, a gender-sensitive criminal justice system, and policies on human resource development, would enhance gender parity. One of the reasons for the consensus was also that feminist politics at the time was rooted in the rights debate and liberal (secularism) discourse, and there was no situation which required a clear stance on religious identity politics. Political confrontation was against the patriarchy found within the institutions of family and marriage in the private sphere, and within public institutions such as the bureaucracy and government.

The *second wave of feminist politics* from the mid 1980s began with the disenchantment with the limitations of legal interventions in the absence of social and political mobilization on the deprivation of women's entitlement. The indifference of the State to issues of gender justice was evident when it succumbed to political compulsions and 'vote banks', rather than sustaining policies which enhanced the status of women.[5] These issues became focal points in women's mobilization. Feminist activism also contributed significantly to the social movements[6] during this period. What was distinct, however, was the ideological shift that affirmed that women's experiences are divergent across social groups. The construction of women power (*stree shakti*) located in the rural poor and disadvantaged (Omvedt, 1993) is a shift from the dominant pattern of urban bourgeois feminism, and the traditional Marxist approach to specific women's issues. The emphasis on differences among women intensified during the *third wave of feminist politics* since the early 1990s. Although there was involvement in debates on human rights, eco-feminism, and economic reforms, the identity politics on the Uniform Civil Code, and the reservations of seats for women in electoral politics

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have been the focal point of feminist politics since the beginning of this phase.

The anti-essentialist position within feminist politics found it difficult to accept differences and plurality as crucial factors in mobilising women and addressing women's interests.[7] This goes back to the nationalist movement where the unified construction of women was rooted in the Hindu identity of womanhood, which was not contested by any other social group. The deification of womanhood was used to make women's participation in the movement acceptable. Social differences were not reflected in this imaginary construction of women. Even after the nationalist movement, this perception persisted, although the Hindu construction of womanhood was not emphasised. Women were perceived as a unified category of interests and identity, with shared disadvantages. The anti-essentialist view contends that women's marginality is entrenched in patriarchy and hence the problems of women are common across different groups. The focus, therefore, was on the institutions and legal barriers inhibiting gender equality. Differences among women are not considered significant *as an analytical* construct since gender inequality is pervasive in the political, social, and institutional processes.[8]

The secular and modernisation discourse in post-independent India partly contributed to the ambivalence in the gender and community identity of women. A conscious effort was made to construct a universal, secular and modern feminist subject, in consonance with the image of a secular modern India. Such conceptualisation ignored both the cultural comprehension of gender differences and their conjunction with social hierarchies. While obscuring the caste and religious dimensions of gender, feminist politics has not developed the analytical tools to distinguish between the plurality of patriarchies or to relate them to the specificity of historical conjectures.[9] The women's movements, therefore, do not address issues such as secularism, citizenship, and rights, from a gender perspective. Translating these notions into feminist activism leads to a manifestation of extreme views, as in the case of uniform civil laws and community rights, i.e. either indifference to group specificity or over-emphasis of minority religious identity even when it is inimical to women's rights. While there are many inconsistencies and contradictions in according primacy to gender justice alone, feminist politics has not evolved a framework that balances the extreme positions.

The strengthening of the politics of differences reflects the larger trend in the political reorganisation of various social groups since

the 1980s. The emergence of counter-narratives during this period recognised the differences and diversity among women, challenging the anti-essentialist bourgeois feminist emphasis on women as a single category. The shift of the leftist feminist organisations to arguments of differences in the experiences of women is more due to political considerations, taking a distinct position from the women's groups of the Hindu right. The assertion of the differences perspective came strongly from the dalit women's movement who articulated their subordinate position and the need to recognise their 'otherness'. The dalit feminists are of the opinion that emphasis on dalit identity and counter positioning is emancipating. They wanted separate space to articulate their own experiences of disadvantage and marginalisation, which is distinct from that of the other (non-dalit) women.

The Uniform Civil Code debate was the turning point in the shift to the differences perspective and the rigidity in its articulation. The claims of majority/minority religious groups undermined gender identity and the divergent interests of women as individuals. Associated with communal politics and the sharpening of religious and caste identities is a noticeable subordination of gender interests[10] and the reinforcing of the public/private dichotomy. The changed position among the leftists is that practices associated with the community are now considered the personal matters of a woman, even when they undermine the rights and interests of women in general. A part of the problem is also the reluctance of feminist politics to debate on issues related to politicisation of caste and community, which are seen as antithetical to women's interests. Feminist politics, therefore, have not been able to evolve effective strategies to engage with communal politics that have become central to the present political discourse in the country.

The resurgence of Hindu nationalism has significantly contributed to the divisiveness in feminist politics. The *Hindutva* ideology supported uniform secular laws.[11] This is accepted by some feminist organisations[12] which are the women's wings of the Hindu right wing groups. These organisations deified Hindu womanhood (*matri shakti*), while also raising issues such as economic independence of women, and affirmative action for women in education and employment (Sarkar, 1991; Kapur and Cossman, 1993). The symbolic construction of Hindu womanhood synchronises with the essence of mainstream feminist politics in India, where the image is of the emancipated woman ready to confront violence, and who is willing to explore new opportunities in the gendered public space. The woman who fights to reclaim gender

equality within the household, however, also makes a conscious attempt to avoid the subversion of patriarchal power in the family. Leftist feminists believe that right wing feminists have appropriated the feminist agenda. The consequence of this has been that the leftist feminists reacted cautiously, or went on the defensive on issues which were strongly supported by the right wing women's groups.

Civil Society and Feminist Activism — the Distinctiveness

Civil society in India includes a wide diversity of organisations even if one were to confine the definition to associational activity that seeks to influence the state. These include interest groups, trade lobbies, mobilisation by subaltern communities and minority groups asserting democratic rights, and women's activism for economic, political and legal rights. There are also organised social blocks based on caste and religion, with some of them professing a political agenda mobilising mass support, undermining coexistence of plural and ethnic identities, what Smithu Kothari calls 'regressive mobilisation'. The reach of civil society, however, is limited, with only a small section of the citizens being members of various organisations, in contrast to the State, which has a wider reach through institutions of the Government. Since the mid-eighties, religious and caste identities have dominated civil society space. In this diverse terrain, mapping women's participation in civil society activities gives clear indications of the gendering of associational activity and the lack of integration of women's activism in different spheres of civil society. Women's exclusion which is widely prevalent in different areas of public life including political institutions, is reflected in the civil society. While greater accommodation of caste, religious and ethnic groups is emphasised, gender rights and provisions are subsumed within the goals of the various social groups and not treated distinctly. The fact that women's movements did not result in the augmentation of women's participation in various associational activities needs closer examination.

Questions pertaining to the position of women in society do not arouse the same degree of passion and resentment as was seen during the reformist movement (Chatterjee, 1989). The marginalisation of women's issues in civil society started during the active phase of the nationalist movement, when the politics of nationalism glorified India's past and defended everything traditional (Murshid, 1983). This is related to the social conservatism (in the maintenance of caste distinctions and patriarchy and acceptance of the sanctity of *shastra*) and selective

acceptance of liberal western ideas.[13] Whatever changes since that time in the social and legal position of women were through post-independence legislations. While the nationalist movement skirted women's issues, citing social and cultural problems, the reluctance to address women's concerns in present-day civil society is related to the identity politics that is currently in vogue.

In post-Independence India, committed to liberal democratic notions of citizenship, civil society and its normative discourse were influenced by western concepts. The contradiction, however, is that the liberal democratic ideology of the political institutions is in opposition to the dominant social culture and hierarchical relationships of Indian society (Bhambri, 1991). The activities in the realm of civil society, therefore, do not represent the pure model of origin (Chatterjee,1989). Also, it does not always conform to the egalitarian principles of equality, autonomy, democratic structure, deliberative procedures, and recognised rights and duties of its members. Since Indian society continues to be dominated by the orthodoxy of 'social segmentation' and communities with hard set boundaries (Saberwal, 1994:180-81), the style of organisational activity conforms more to this structural form than to the western liberal individualistic tradition of civil society. Gender inequality and patriarchy within the civil society can be added to the list of orthodoxy that is prevalent. There has been no 'transition from a community-based system (*gemeinschaft*) to one that is contractual, impersonal and bound by universal norms (*gesellschaft*)' (Mahajan, 2001). The problem is also that communal identity is sometimes articulated through women, and is subject to the traditional norms and practices.

The distinction between women's participation in different associational activities of civil society and women's movements is important for understanding feminist politics in civil society and its influence on public policy. The distinction is based on the composition of men and women as members in various civil society associations (where women's membership is low), ambivalence in pursuing women's agenda, and reluctance to politicise women's marginality. Such a distinction in my view is crucial to comprehend the various dimensions within the civil society which define the agenda and identity politics of women's activism. It also provides greater clarity to the processes contributing to women's civil society activism playing a subservient role to communal identities and politics, which often are against women's interests. This distinction can be better understood within the discourse of power, where there is a centre (the core) and periphery in civil society, each signifying the

power of the components that comprise this space, and to influence state policy. The core of the civil society is at the disposal of the privileged, and constitutes the political elite (Chatterjee, 1997; Oommen, 2001), while the space available for the disadvantaged to voice their concerns and protests constitutes the periphery. While the core comprises trade lobbies, and associations of the dominant castes, the activism of women and subaltern groups constitutes the periphery.

Women's mobilizations are categorized into four types based on the nature of associational activity and location in political power.[14] These include, associations and organisations affiliated to political parties, autonomous women's associations, participation in protest and social movements, and development sector activities (NGOs, self help groups and micro finance groups). The lower levels of participation of women in the 'core' of civil society leads to less of political participation, which results in their poor influence on public policy.

Women's participation in political party activity is mainly through women's wings of the parties and all the major political parties [(viz., Bharatiya Janata Party, Congress I, leftist parties (Communist Party of India and Communist Party of India (Marxist) and Janata party)] have their own women's wing. There are also women's organisations formed by political parties but are distinct from the women's wing of the party. These are meant to be apolitical 'cultural' organisations though supported by political parties.[15] All of them share the ideology, and agenda of the political party of which they are part, and organizationally receive their support. Women do not have any significant role in the decision-making bodies of most political parties, though one could also cite a very rare case, such as that of Jayalalithaa who is the sole decision maker of the party (All India Anna Dravida Munnetra Kazhagam) she heads.

Political parties have strong links with specific trade unions, and women participate in the women's wing of the trade unions (if there was one) or as members of the union. Women's participation in the trade unions has been limited to membership without being actively involved in decision-making. While there are a few examples of successful unionised activities of women,[16] the membership of women in trade unions (Centre for Indian Trade Unions, All India Trade Union Congress, Indian National Trade Union Congress) is less than ten per cent even in Kerala, which has a higher degree of union activities than most other states of the country.

The ability to create space for gender-specific issues within the organizational structure of the political party and trade unions depends

largely on the quality of leadership (of the women's wing or organization) and the agenda of these organizations. Women's groups associating with the political party benefit if they can expand their organization using the party network, and can bring into the party agenda women's issues and use them for lobbying with the government. The leftist feminists argue that political isolation would be greater if there are no links with political parties. Giving credence to such a belief is the fact that in the mid 1980s, leftist women's organisations were more politically active, and mobilized women on various legislations that were being debated. The same cannot, however, be said about women's organizations affiliated to the Congress Party, although it has a wider network across the country and several states with Congress governments—possibly due to the very fact that the Congress was in power and hence these groups did not want to take a confrontationist stand. This points to the negative side of the interface with political parties. Women's interests were less important, as the party line was central to the organizational activity of the women's groups. The affiliation to political parties also often restrains the coordination between women's organisations as the differences at the political level influence their networking. One of the reasons for leftist groups opposing a uniform civil code was that the BJP was heading the government at the Centre and the women's organisations of the Hindu right strongly supported the bill.

The *autonomous women's associations* on the other hand are critical of political party support of any nature and strongly hold the view that political parties are androcentric and therefore unlikely to support feminist agenda of any nature.[17] The autonomy that these groups are referring to is about their collaboration with other civil society associations and movements. Most of the autonomous groups had a leftist leaning, formed by the women who were earlier members of leftist organisations, and were of the view that being apolitical was an efficacious way of addressing patriarchy within social and political institutions (Menon, 2000). Whether the autonomy of women's associations from larger civil society organisations is desirable or not is similar to organisations affiliated to political parties, as discussed earlier. Autonomy for its own sake is less relevant if a few compromises can make the outcome more effective rather than being autonomous and are marginalized in the process.[18] Civil society participation in associations that influence public policy or could generate debate on various issues has important implications for strengthening and carrying forward the agenda of women's activism. Feminism should not be seen as being autonomous alone, as it would be marginalized in other struggles where gender asymmetries can be

addressed.[19] The 'apolitical' nature of civil society participation of the women's movement, and the weak links with other civil society associations has contributed to pushing women's organisations to the margins of civil society. The weakest link in feminist politics is the absence of horizontal linkages with other civil society organisations and lack of support between women's associations that are autonomous and those women's organisations that are associated with political parties. The negotiating and lobbying power, the ability to influence policy may be enhanced if women participated actively in core civil society associations. Over the years, feminist politics has not been able to develop oppositional gender consciousness and politicise it, so that women's activism could progress from the margins to the centre of civil society.

Remaining apolitical has also contributed to the passive attitude towards participation in elective positions. Women are not organised as a local/regional/national electoral force, they are not in a position to lobby for representation in electoral politics or for influencing the agenda of political parties (i.e. representing women's interests). While there are demands for the reservation of seats for women in parliament and the state legislatures, feminist politics has had minimal influence in local government (panchayats), where, over thirty-three per cent of the seats are occupied by women representatives. It needs to be pointed out that the reservation of seats for women in the institutions of local government is not the outcome of any women's movement. The scope for substantially increasing women's representation followed the Constitutional Amendments (73rd and 74th) and the reservation of one third of the seats for women in local government. High levels of *de facto* politics (where women are nominal representatives but men are the actual wielders of political power) and lack of gender accountability in local governance raises questions on the effectiveness of women's organisations in engaging with the political system. Even after a decade of women's participation in local governance, women's associations (including those affiliated with political parties) do not play any noticeable role in either enhancing the quality of women's representation in local bodies or providing support to the elected women. Women's organisations are reluctant to be involved in electoral politics, and want to avoid confrontation with political parties. In the process, feminist politics has failed to address issues of women's electoral politics, negotiating with the government at different levels, and enhancing gender accountability.

The same can be said about the engagement of women's associations in the electoral politics at the state and national levels.

Unlike farmer's groups, trade unions, or caste associations, which mobilised support for the election of their members to parliament and state legislatures (which also lobbied for these groups when the need arose), women's associations do not have lobbying power within electoral politics.[20] Electoral politics has become a domain of identity politics, mostly related to caste, linguistic, religious, and ethnic background.[21] Gender identity politics was never a consideration in electoral politics. Lack of political mobilisation and lobbying capacity is a major inadequacy of feminist politics, and an indicator of this is the low representation of women (less than nine percent) in parliament. Women's participation in protest or 'struggle-oriented movements' and social movements is one of the few areas where women actively participated in civil society. Women participated in large numbers in protest movements such as tribal landless labourers movement,[22] dalit movement,[23] anti-price rise movement, anti-dowry movement, anti-rape agitations, which were more urban-centred, and in rural movements such as share croppers' movement, Chipko movement, Narmada Bachao Andolan, and in the Right to Information movement. While women's groups played a significant role during the active phase of the social movements, there is often no continuity in the associational activities of the women after its conclusion or termination. As each of these movements was on a specific issue the efforts were fragmented and the mobilisation at the local level was not consolidated at the national level. Since women's organisations and groups are not networked, the participation or the success is seen as individual achievements and has not generated the capital to sustain women's mobilisation on interests common to women across different regions.

Participation in other mass movements such as peasants' and workers' movements, and cultural nationalism points to a strategic value contained in the inclusion of women. It needs to be mentioned that men who led these movements were instrumental in mobilising women to participate in the mass movements. Women's agency is effectively used for securing better outcomes, but there has been no augmentation of women's movements in civil society, as the momentum generated did not last long and no effort was made to sustain the capital generated by the participation of women in social movements. The extension of this strategic use can be seen in the mobilisation of women within the organisations of the Hindu right[24] who played a vital role in cultural nationalism. The reactionary potential of women within these organisations has lately been seen as a matter of concern by other women's organisations.[25]

In the past two decades there has been a large-scale advent of NGOs, micro-credit/micro-finance, self-help initiatives which present diverse relations with the state. Some of these groups are being created with the support of the state and even co-opted in certain cases. The development sector associational activity is also seen in contemporary civil society discourse as a major component in social activism and development. Most of the NGOs are not social or political mobilisations and, with a few exceptions, NGO activities are sponsored both by the government and/or donor agencies. They have carried out development programmes for international funding agencies and/or are working as an arm of the state, assisting in development programmes. In the multi-stakeholder forums of international financial agencies and the government, the NGOs and the groups formed by them are often token agents to ensure accountability and participation in government programmes. There is a high degree of mobilisation of women in the activities of NGOs and government-sponsored associational activity, which are increasingly seen as civil society activity of women in rural areas. While the government often created these groups (for example 'user groups') either to meet donor stipulations, or as target-driven programmes in empowering women (self help groups, micro finance groups under various names in different parts of the country), such associations have limited potential to address issues related to the skewed distribution of development resources, leave alone challenging asymmetries within cultural and gender systems. These groups are characterized by frequent changes in membership and lack of continuity in group activity. They do not form the core of the civil society, as the NGO/ self help groups/micro finance groups sector has largely been the receiver of beneficiary programmes and has limited capacity to influence state policy. Whether these groups should be considered part of civil society, particularly those funded by the government, is an important issue, as the continuity of these groups depends on the government programmes and not the mobilization capacity or the activist agenda of the groups. Considering the activities of the groups as civil society participation would be misleading.

Women's Activism and Public/Private Distinction

Feminist activism and women's participation in civil society is determined by how they perceived and related their activities in the public space with their private lives, and their perception of differences among women. The public/ private dichotomy in feminist discourse considers the association of women with the private sphere, and the consequent devaluation of its activities, as the main reason for gender and power

inequality. Women's interests are intertwined with the notions of culture and community (Rao 1995) and the emphasis of the public/private division is associated with this process. Since women's interests are constructed within the discourses of social and cultural identities there are bound to be situations where boundaries of the 'private' become rigid. The adoption of women's rights as human rights in the Beijing Conference (1995) revived the focus on the public/ private distinction and considered violence against women in the private sphere as human rights violation. The conventional boundaries drawn between 'public' and 'private' realms were questioned, and the need to recognise domestic life as deeply political was emphasised. While feminist politics has been able to overcome these boundaries on some issues, there are others where the public/ private divide is reinforced.

The public/private distinction is not spelt out as an analytical concept in feminist politics in India, although it can be discerned from the issues around which women are mobilised. Historically, this division has been central to the middle class feminist struggle, and the interpretation of what constituted 'women's questions'. The strengthening of the public/ private dichotomy and its gendering can be traced to colonialism, and was seen as one of the effects of colonial rule (Chatterjee, 1989 and Banerjee,1989). The *bhadramahila* (respectable woman) notion of middle class private sphere (in Bengal) draws the Victorian notion of womanhood, which was constructed against the western materialism and lower caste/class sexual norms.[26] The construction of womanhood (gender-related), the notions of spirituality (caste/class related) is part of the formation of the ideal notions of feminity of middle class (Sangari and Vaid 1989). The collusion of the colonialist and nationalist discourses in legislating and regulating the sexuality of these women, and selective encouragement of women's entry into the public space cannot be missed (Mohanty, 1991). The conflict between the progressive and conservative notions thus formed the basis of women's struggle during its emergence. While feminist politics emphasised the democratisation of the public and private space, and gender equality in family and work place, the questioning of the institutional structures was nevertheless tied to the middle-class familial ideologies.

In contemporary feminist politics the organisational activism of women is related to the distinction of public/private in citizenship and political discourse. These themes present both interrelationship and distinctness. Two issues are crucial while looking at women's activism from the point of public/ private discourse. The first is related to politicising the 'private', taking up issues of the private space, and making the

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deprivation of rights of the women within the family a discourse in the public realm. Second, taking up unjust and oppressive practices in the social norms pertaining to religion and caste (that is, private), for deliberation and change in the public sphere. Women's activism has not, however, been consistent in addressing these issues. While public/ private distinction was contested when arguing for economic, political and legal rights, it was also reinforced when religious and caste identities were involved. In most cases, secular legal intervention is not sought when the oppression is within religious practices, and is even resisted by emphasising their distinct religious identity.

There were instances (for example, anti-dowry agitations, anti-arrack movement) where issues of the private realm were politicised by women's movements to mobilise opinion and change societal practices and norms. Through legislations and awareness-building measures they were successful in bringing into the public realm the problems within the institution of marriage and family (such as dowry, divorce and inheritance of property). The anti-dowry agitations have been one of the most strident campaigns of women's organisations (1975-1985), where dowry related crimes were made a public issue, resulting in a special law against such crimes. The networking of women's associations and consolidation of their efforts were more conspicuous during the agitation for anti-rape laws, (1978-1988). The anti-arrack[27] movements in Maharashtra (in the 1970s) and in Andhra Pradesh (1992), which took up the case of physical violence against women in the family and the economic problems of the household associated with alcoholism of men, are examples of women trying to bring issues that are of the private space into public discourse and seek state intervention.[28]

Transcending the public/ private division, women participated in organisational activity, seeking to be agents of change in mitigating their economic problems and also addressing practical needs. The Chipko (which literally means 'hugging', and in this instance hugging trees) movement is an environment movement, which provides an example of women looking beyond gender questions to address livelihood needs. Women participated intensely in the forest action, transcending the boundaries of 'private' to protect the trees. The contrived absence of the men of the village planned by forest officials of the state government, led to the mobilisation of women, who marched to the forests to stop the felling of trees (Guha, 1989). Women's participation (in Chipko) is related to core issues of the economic struggle for survival which, and unlike in other movements, is an example of the collaboration of men and women (Bandopadyaya, 1999).

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There were also counter-trends within the feminist politics, emphasising a distinction between the public/ private, which began in the mid 1980s, seen in the communal divide over women's issues. The counter movements are closely related to the religion-based identity politics. As religion is a private matter there are practical difficulties in making interventions to change religious precepts that embody gender inequality religious pronouncements of gender inequality. The State, according to this perspective, has a limited role so far as religion and personal laws are concerned. Interventions to change any such practices are seen as a violation of private space. It is also argued that women have the option between personal laws and secular laws and can exercise their choice in seeking legal intervention under secular laws. While this in principle would mean that women could get legal redressal under secular laws through rejecting religious laws, the reality is different and degrading to women. It is the oppression within the private space that weakens gender equality. It also restricts the freedom and autonomy of women, who have limited options and have to endure oppressive practices unless there are interventions from outside. [29] It would be much harder for a woman to fight against rigid religious norms, and against the family and community and seek redressal under secular laws. Certain women's groups accept the rigidity of the public/ private divide, and as with the case of some organisations, even oppose state intervention in introducing secular laws. Religious identities take precedence and women's rights are relegated to the margins.

Communalising Women's Identity –
Identity Politics, Differences and GenderInterests

Differences among women have been inherent to feminist politics but since the mid 1980s they have found strong articulation in dalit politics and debates on uniform civil laws. Prior to this period, there was no situation where the women's groups had to define their identity *vis-à-vis* secularism and communal politics, as the differences were primarily about class. While class differences were treated as an analytical category in feminist politics, there was a strong view that women's movements should transcend caste and religious identities. In the process, feminist politics did not address issues of women belonging to religious minorities and dalit communities. Subaltern castes were an issue only when there were instances of upper caste atrocities against women belonging to lower caste groups. Dalit feminism is a counter discourse to women's movements overlooking the marginalisation of dalit women in social, economic and political relations.

Ideologically and organisationally, dalit feminism is closer to the dalit movement, and alienated from women's movements. Concentrated in urban areas, these organisations (some of which had non-dalit women as members, while others excluded non-dalits) strongly articulated in seminars, and protest rallies, the differences in the experiences of marginalisation and disadvantages between dalit and non-dalit women (Vijayalakshmi 2004). There was aggressive opposition from a section of dalit feminists to the idea of their participation in the women's forums, and they did not want to consider dalit women's organisations as part of feminist politics, which they perceived as bourgeois and dominated by the upper castes. Non-dalit women were perceived as 'outsiders' to the dalit women's movement, and as such unable to empathize with their (dalit) experiences. Dalit women's associations were critical of the women's movement's insensitivity to the experiences of dalit women and did not want to be engulfed by the broader issues of gender inequality addressed by feminist politics. In feminist politics, discrimination faced by women belonging to the subaltern castes found little expression.

While dalit feminism has been criticised for being confined to a framework of post-modernism as against feminism (Dattar, 1999), feminist politics cannot be insensitive to the exclusion and deprivation that dalit women face.[30] The anti-essentialist position of the women's movements does not recognise the specific problems of dalit women who are differently positioned and constrained by rigid caste hierarchies.[31] Feminist politics has to reconsider its position on caste politics and look at it as modern expressions of inequality (John, 2000).

The other issue which has women's movements taking a strong view on is the Uniform Civil Code. For the past decade, the opposition to uniform civil laws has intensified, and this can be attributed to the Bharatiya Janata Party gaining political importance in national politics as well as the fact that the BJP supports uniform civil laws. For nearly two decades the demand has been seen within a section of feminist politics as an anti-Muslim position rather than as a pro-women legislation (for example, see Kishwar, 1986, Padke, 2003). Feminists of the Hindu right supported uniform civil laws and argued for gender justice and secular laws. The differences within feminist politics is seen as essentially between two camps, the traditionalists versus modernists and elitists. The former are the feminists of the Hindu right and the latter comprises those who are opposed to the Hindu right and do not share similar views on secular laws. The differences are also in the ideology of these groups where the former subscribes to 'women's strength' (*Nari shakti*) as

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against the latter, which is for 'women's liberation' *(Nari Vimukti)*. While maintaining an ideological difference within feminist politics the women's groups of the Hindu right focused on women's rights and argued for secular and gender equal legislations. The politics of the Hindu right and its capture of the feminist agenda put leftist feminists on the defensive. Part of the reason for this is the reluctance to accept Hindu right feminism as part of feminist politics. Feminist politics maintained a distinction from Hindu right feminists, and their response varied from cautious silence to concern for secularism and legal uniformity, to arguing for legal pluralism. There was some disquiet among leftists, and those left of centre, that the secular laws, which are beneficial to women, are articulated by the feminists of the Hindu right. Much to the discomfort of the leftist groups they agreed with the agenda of the Hindu right feminists on at least some issues. However, the shift in the leftist organisations to the politics of difference, from the earlier support for a unified gender approach on important legislations such as the Uniform Civil Code, can be attributed to their opposition to the Hindu right politics of the Bharatiya Janata Party, which took a hard line on uniform legal provisions for women. While women's organisations based on the Hindu right wing ideology are smaller in number, they have been politically more assertive, at least in part because of the presence of its allies in government (till 2004) and the thrust given to feminist agenda within the Hindutva discourse. Irrespective of the position taken by the feminist groups, the response has been guided by communal identity politics than by gender justice. While gender equitable legislations drafted by the leftist feminists are seen as a solution,[32] there are differences of opinion on the timing of the legislation.

The differentiated civil society activism among women indicates a weak relationship between the feminist agenda and issues related to differences among women. Although feminist politics and identity politics address inequality and marginalisation, they are often in conflict with each other. The tension between the two raises crucial questions for feminist politics, whether gender interests should precede interests based on religion and caste differences; and, what should be the limits of universalistic claims?[33] The differences based on religion and caste emphasise the exception from the universal rule. The problem arises mainly due to the fact that the struggle for women's interests is linked to the communal identity politics, and primacy is given to the claims of community rather than to women's interests. The emphasis on primordial identities perpetuated inequalities based on sex and social identities, and is antithetical to feminist thinking. This has the risk of further perpetuating gender inequality and differential privileges among women. Personal laws

are justified by treating women's own religious beliefs and identity as their private matter, and that reform should be from within and cannot be externally enforced. Consent to aspects of personal laws that undermined women's freedom and rights reinforced patriarchy. Sangari (1995:3293) points out that conforming to personal laws goes beyond individual beliefs and 'reflects the ways in which religion and patriarchies are articulating with other social structures'.

It is nearly two decades since women's organisations have been articulating these diverse views on the Uniform Civil Code, and there is no consensus on the issue. The leftist organisations wanted reforms which targeted specific issues related to marriage and divorce that would ensure gender justice and provide secular legal options. There are also women's organisations that are of the view that since the political party heading the government is in favour of the secular and gender-just laws, the opportunity should be to bring forth reforms, and feminists should support any step in this direction.[34] The opinion of the women's organisations opposed to the Uniform Civil Code is that the present political situation is not congenial for a decision on the subject. We cannot ignore the fact that feminist politics has had serious limitations in diverting the focus from the community claims to women's interests, thereby giving political advantage to social oppression and religious conservatism. Proposals to provide options for women to choose either secular or personal law, depending on which was more advantageous to them, has limitations. While simultaneously having several systems of law is not a viable situation, the complexity of the issue is not the legislative reforms, but the deliberate linking of the communal identity with women's interests. The Hindu religious affiliation is made political because Hindutva politics is aligned with institutions of power, and issues that involved religious minorities have divided the women's movement. For example, one of the recent events that has widened the gap between two religious communities is the post-Godhra communal riots in Gujarat.[35] The ghettoisation on community lines has posed more questions for the women's movement, as communal hostility took precedence. Women chose to align strongly with their religious identity and trusted the support of their own community.[36]

Conclusion

The fragmentation in feminist politics has several dimensions. Feminist politics did not evolve through a phase where there was a shared perception among women, and however dispersed women are across different social groups, the marginality, oppression and exclusion encountered by women needs a common perspective. The position of disadvantage that women hold can hardly be thought of without a structural conception of women as a collective social position (Mouffe,1995). The first step in feminist resistance to such oppression is the affirmation of 'women' as a group and the development of oppositional consciousness. The absence of this phase in the context of India, and the quick transition of women's movements to the politics of difference proved divisive for feminist politics. While plural expressions of feminism are important, locating women's oppression as disjointed articulations, often seen in conflict with each other, has fragmented feminist politics.

Feminist politics is disassociated from identity politics of gender and is circumscribed by community identity politics. While recognising the differences without essentialising any particular identity, the issues before women's movements are certainly complex. There is no clear framework within which women's movements can address issues such as secularism, communal politics, and its consequences for women. Since feminist politics is not adequately rooted in gender identity politics there is uncertainty in dealing with women's issues when community identity is involved. The ambiguity is greater when feminist politics supports community identity politics. Resolving whether to support women's equality, or give priority to community interests that undermine gender justice, raises crucial questions for feminist politics. How then are we to engage the diverse groups in 'shared agenda politics' while at the same time giving enough space for them to retain their group identity? Feminist politics cannot be located only in gender equality framework or identity politics. As Squires (2002) suggests, what is essential is a diversity politics framework of feminist politics endorsed by 'contextual impartiality' which is a negotiated path between universalism and differences. Concerted engagement between women's movements rather than disjointed activities would also help in discursively arriving at a common understanding on women's questions. It would also help bridge the divergent perspectives, (particularly between the leftist, dalit and Hindu right feminists), and avoid pushing the various components of feminist politics into the terrain of communal politics.

Notes

[1] Some of the issues raised in the paper were discussed with James Manor, David Hirschmman, Mark Robinson and Anand Inbanathan, and I am grateful to them.

[2] 'Secularism' in India, reflected in the Indian Constitution was articulated essentially as the separation of State and religion, and where religious beliefs were meant to be a private concern of individuals. In practice, however, votes of religious minorities have been sought by virtually all political parties through inducements of different kinds.

[3] Such as women's suffrage, Hindu Women's Right to Property Bill, an Amendment to the Child Marriage Restraint Act, a bill to allow inter caste marriage, the Hindu Women's Right to Divorce Act, the Muslim Personal Law Bill, the Prevention of Polygamy Bill, and Muslim Women's right to Divorce bill. In the provincial legislatures anti-dowry bills, marriage laws, and bills to allow women to inherit (Forbes, 1996).

[4] On women's movements in India see, Krishnaraj, 2003, Ray 1998, 1999, Ray and Korteweg, 1999, Akerkar, 1995, Basu, 1992, Gandhi and Shah,1992.

[5] The Shah Bano case was one such instance of the State's ambivalence on this issue. In the Shah Bano case (1985) a divorced Muslim woman appealed for maintenance under Art.125 of the Code of Criminal procedure. There was a backlash from the Muslim community, as the judgment that provided for her maintenance and emphasized a Uniform Civil Code was seen as an infringement of religious freedom and undermining *Shariat*, the religious laws. The political mobilization of the community ensured the passing of Muslim Women (Protection of Rights on Divorce) Bill in 1986, which exempted Muslim women from Art.125 of the Code of Criminal procedure.

[6] For example, anti-price agitation, peasant movements in different states, anti-rape and anti dowry protests.

[7] See also Anveshi Law Committee, 1997.

[8] A radical perspective of such a view was the homogenising of women's power and its relationship to eco-feminism, in women's struggle against exploitation of natural resources, in their effort to protect nature, and contesting patriarchal power (Shiva, 1988).

[9] See Sangari (1995) for a discussion on politics of diversity and multiple patriarchies.

[10] For a discussion see Hasan, 1994.

[11] It was envisaged even at the time of Independence that a common civil code should, some-day, come into existence. However, it was possible to include the Common Civil Code only in the Directive Principles of the Constitution, which are neither mandatory nor justiciable. We may add here that a common criminal law exists in India.

[12] Such as Rashtra Sevika Samithi, Durga Vahini, BJP's women's wing, Mahila Agadi.

[13] Sarkar (1973) quoted in Chatterjee, 1989.

[14] There is no documentation available on the total number of associations or the membership of various women's organisations.

[15] The All India Women's Conference (AIWC) associated with the Congress Party has a long history and was started in 1927. In the post Independence period other political parties established women's organisations. The National Federation of Indian Women (NFIW) under the CPI (1954), the All India Working Women's Coordination Committee (AIDWA) is affiliated to CPI(M) (1970) and was formed after the split in the communist party, Women's Self Development Organization (*Mahila Dakshatha Samithi* (1978) is associated with the Janata Party, Durga Vahini of the VHP, Rashtra Sevika Samithi and Matri Shakti of the RSS are apolitical bases of the BJP. There are other organisations active in some states such as Progressive Organization of Women (POW) linked to Naxalite People's War Group, Stri Shakti Sangatana (SSS), All India Women's Front (Samgraha Mahila Agadi) affiliated to Shetkari Sangatana which have a leftist orientation but are not attached to any political party.

[16] For example, Self-Employed Women's Association (SEWA), a trade union for women in the informal sector in Gujarat (1972), Working Women's Forum (1978) in Chennai, and Annapurna Mahila Mandal in Mumbai (1975).

[17] Beginning in 1970s the groups which opted for '*autonomy*' are the 'women only' groups, without any political party affiliation, and without an organizational structure which is considered hierarchical and competitive.

[18] This has also been pointed out in the context of other countries Beall et al (1989) in the context of Palestine, and Jallal (1991) on Pakistan.

[19] Basu (1995).

[20] In Kerala for example, women in leftist parties (Communist Party of India and Communist Party of India (Marxists) were active in their party activities compared to women members in Congress I. But the leftist parties did not take up women's issues.

[21] Katzenstein, et al (2001). The Hindutva movement had electoral dividends as it was projected as a national movement, Basu (2001).

[22] Such as Shahada movement, Shramik Sangatana movement in Dhulia District of Maharashtra

[23] For example, Yuva Sangaresh Vahini of dalit women activists in Bihar and dalit movement in Maharashtra.

[24] For example, *Durga Vahini and Matri Shakti* women's wings of Vishwa Hindu parishad, *Rashtriya Sevika Samithi* of *Rashtriya Sevak Sangh*.

[25] For example, the mobilisation of women during the demolition of the *Babri Masjid*, where out of an estimated two lakhs of kar sevaks (voluntary workers) at Ayodhya, about a third were women .

[26] The *Bengali Bhadralok* has its origin in the Nineteenth Century, comprising the English educated sons of absentee landlords, East India company agents, traders, various professions and government servants, who had certain common standards of behaviour and cultural norms despite differences in economic and social status (see Banerjee, 1989).

[27] Arrack is mostly a low cost liquor and generally consumed by poor people.

[28] The anti-arrack movement is an example where domestic difficulties faced by women due to the drinking habit of the men acted as a catalyst for political activism against the arrack traders, and women's resistance to consumption of alcohol by men. The campaign was successful in forcing the government to ban sale of liquor in Andhra Pradesh, although only for a short period. On the arrack movement in Andhra Pradesh see Reddy and Patnaik, 1993, and on Maharashtra see Mies (1976).

[29] There are examples elsewhere supporting this view. In France, a section of Muslim women preferred the ban on wearing head scarfs as otherwise they would be forced by their family to follow the traditional religious practices and wear a scarf (Pollitt, 1999 quoted in Chambers, 2002).

[30] See Rege, (2000) for a critical discussion on dalit feminist perspective.

[31] Some of these issues are discussed in a forthcoming working paper on 'Citizenship, Differences and Identity: Dalit Women and Political Inclusion'.

[32] Human Rights Law Network is building an alliance with other groups to promote the idea of drafting secular laws.

[33] These issues were also pointed out in the context of feminism and multiculturalism, see for example, Okin, 1999.

[34] A proponent of this view is the Forum Against Oppression of Women, Mumbai.

[35] The riots started when individuals from a minority group allegedly torched the compartment of a train at Godhra, killing over 50 Ram devotees returning from Ayodhya. The communal riots that followed targeted the minority Muslim community, killing nearly two thousand people.

[36] See also Agnes, 1994.

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