

Political and Legal Empowerment of Women in India

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Abstract

Focusing on Muslim women in slums of Hyderabad (India) and taking comparative sample of women who are members of self help groups and those who are not, the article has examined the relationship between women membership status of self help groups and their political and legal empowerment. The independent sample t-test has provided that this relationship is statistically significant. Further the bivariate and trivariate analysis have provided that at low socio-economic status the association is substantially significant. The *Power Relations Framework* is used as a theoretical framework to evaluate the process of empowerment on the gradient of power dynamics.

Keywords: Muslim women; Slums; Political and legal empowerment; Self help groups; Power relations.

Introduction

Global discourse on gender has progressed from a completely gender blind notion to gender mainstreaming. It changed from perceiving women as passive recipients to full and equal partners, and from the notion that development served to advance women, to a new consensus that development was not possible without the full participation of women (UN First World Conference on Women held at Mexico in 1975). The discussions moved to fundamental questions like the rights of women; rights secured by women and rights actually exercised by women (Copenhagen 1980) to equality in social and political participation of women (Nairobi 1985). Beijing Platform for Action

(1995) advocated for the effective inclusion of gender dimension throughout the institutions, policies, planning and decision-making. It called for introduction of gender mainstreaming for re-examination of society in its entirety and its basic structure of inequality.

The incidence of gender based vulnerabilities particularly in Asian and African countries and more specifically in India is high. These gender based vulnerabilities are in multiple forms and are of enormous magnitude and cumulatively affect women sense of self esteem, demolish self confidence and are a potent tool of subjugation and disempowerment. There are multiple and complex factors of vulnerability with different layers. Locus of gender violence is both inside and outside home. Women vulnerabilities increase manifold when gender vulnerability intersects with other vulnerabilities of caste, religion, region, disability, migration, sexual minorities and so on. Herein a brief discussion is attempted on gender vulnerabilities on the basis of national level data. This data has not been dissected further on the basis of gender intersections across caste, region, religion, disability and many more. Despite this, national aggregate reflects high gender

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vulnerabilities at all India level and accordingly the cause of concern for direction in which country is moving when it comes to gender.

The Census 2011 provides that female literacy rate is 65.46 per cent. The sex ratio and child sex ratio (0-6years) are 940 and 914 (Census, 2011). This again shows the dismal picture across the gender where by a miniscule progress in literacy rate and sex ratio has been doubly jeopardy by the child sex ratio which is declining unabated (from 933 in 1991, 927 in Census 2001). This consistent decline in the child sex ratio along the increasing female literacy rate reflects the bitter gender realities in India. The declining child sex ratio in the developed Indian states (also called as DEMARU states) and research findings on the increasing cases of sex selective abortions (in desperate quest for the son) in groups which have higher per capita income, higher levels of education and are more urbane, reflect still penetrating influence of patriarchy and acute gender vulnerabilities (Bose, 2001; Sen, 2001; IIPS, 2006). The *XII Five Year Plan Report of the Working Group on Women's Agency and Empowerment* noted that the declining child sex ratio is a silent demographic disaster in the making which will have adverse implications on women in the form of increased trafficking for sexual exploitation, honour killings, 'bought' brides, rapes, etc. (MWCD, 2011).

It is widely reported that early marriages in India devoid females of education and full growth and development. According to the NFHS-III, the median age of marriage for women ranges between 16.5 years to 18.3 years (IIPS, 2006). It provides that more than one-quarter (27 per cent) of the women in this age group got married before their 15th birthday and more than half (58 per cent) got married before the legal minimum marriage age of 18. In consequence, the total fertility rate (2.7), infant mortality rate (42) and maternal mortality ratio is 212 (IIPS, 2006; SRS, 2010) are high.

The direct violence against women is still at large. NFHS-III provides that one-third of women aged 15 to 49 had experienced physical violence, and approximately one in 10 had

been a victim of sexual violence. It was also found that only one in four abused women had ever sought help, and that 54 per cent of women believed it was justified for a husband to beat his wife (IIPS, 2006). National Crime Records Bureau (NCRB) also reported increasing incidence of crimes against women whereby all India figures for the incidence of crime against women in year 2012 were 244270 and the rate of total cognizable crimes against women was as high as 41.74 per cent (NCRB, 2012). Further, these numbers have to be viewed keeping in mind that not all crimes against women are reported. A study by the Ministry of Women and Child Development commissioned in 2004 reported that the age of trafficked victims is going down and around 2.8 million women are victims of trafficking, out of which 36 per cent are children (Cited in MWCD, 2011). The *XII Five Year Plan Report of the Working Group on Women's Agency and Empowerment* has rightly argued that various legal mechanisms have been put in place for addressing violence against women in the Indian Penal Code as well as through enactment of Special laws like the Protection of Women from Domestic Violence Act and Dowry Prohibition Act (DPA). However, enactment of law, though necessary as a first step to address violence against women and also to give them substantive equality, is not enough. It has to be effectively implemented and enforced. Further, victims and survivors of violence need services and support from the police, health, service providers, including legal aid, and a sensitive judiciary.

In contrast, participation of women in income generation activities and decision making processes is abysmally low. The worker population ratio is 819 of male and 336 of female (Census, 2011). The participation of women in political institutions has been considered as leap forward for empowerment. The Constitutional 73rd and 74th Amendment Acts were milestones in providing women at least one-third reservation in rural and urban local bodies respectively. Despite initial challenges and oppressive systems, women

have come forward to take leadership in local bodies and make feel the changes. However, the political class has failed to provide similar reservation in higher institutions of governance viz. State Assemblies and Parliament. In the 15th Lok Sabha there are only 10.82 per cent female MPs against 89.18 per cent male MPs.

Thus gender vulnerabilities are rampant starting from issues of survival (sex selective abortions), to poor growth and development (early marriage, illiteracy/poor education, morbidity, mortality, low work participation, direct violence) to poorer participation in decision making process. It is here that the question of contesting gender vulnerabilities becomes important. Among the myriad instrument and strategies for contesting vulnerabilities and empowering women, the self help groups are also seen as one of the key mechanism for women empowerment.

Self help group is a method of organising the poor and the marginalized to come together to solve their individual problems albeit collectively. The SHG method is used by the government, NGOs and others worldwide. It has moved beyond credit support and services to initiate the process of women empowerment.

This articles endeavours to assess the impact of SHGs in the political and legal empowerment of women in urban slums. The hypothesis is that there is a positive association between the women membership of SHGs and their political and legal empowerment.

Methodology

This study was descriptive and quantitative in nature. It attempted to describe and compare the level of empowerment of women who were SHG members and those who were not SHG members. Hafiz Baba Nagar a slum of Greater Hyderabad Municipal Corporation (GHMC) was randomly selected as the study locale. Hafiz Baba Nagar is a Muslim concentrated slum cluster. A sample of 70 Muslim women representing equal number of

SHG and non SHG members was taken. Thus a sample of 35 each SHG and non SHG Muslim women was taken using systematic random sampling. Further it was ensured that only those SHG members engaged in micro-financing for more than two years were to be selected. The non SHG members were randomly selected ensuring that the household was not involved in micro-financing. Not more than one SHG respondent or non SHG respondent was selected from each household. The structured interview schedule was used as a tool of data collection. The data has been analysed using quartile, percentage, mean, standard deviation and variance. The significance of mean scores has been statistically tested by using independent sample t-test. The bivariate association has also been tested using chi-square and the genuineness of association was further examined by trivariate analysis.

Political and Legal Dimensions of Women Empowerment

A plethora of studies have reflected on the positive impact of SHGs on women political and legal empowerment. A brief review here helps provide in identifying the different dimensions of political and legal empowerment of women wherein SHGs have a positive role. It was noted that the integration of women into micro lending circuits in Bangladesh remarkably improves their political and legal awareness and participation in public protests and political campaigning (Schuler, Hashemi and Riley, 1997; Shrestha, 1998). Kabeer (1998) found the positive effects on women's awareness of laws and politics. Cheston and Kuhn (2002) categorically argued that microfinance programs also impact on political empowerment and women's right. Sanyal (2009) argued that microfinance programs in some cases dramatically increase women's potential for collective action through their variety of unintended beneficial social consequences. It was observed that women's membership in microfinance groups have reported collectively intervening to arbitrate

in domestic conflicts and community affairs. Many group members emphasized their newly acquired ability to protest and intervene in defence of women. They contributed in annulling under age marriage, launching anti-liquor campaign, mobilizing to acquire public goods, initiative to repair village infrastructure and demanding public goods in village council meetings. Aruna and Jyothirmayi (2011) in their study of Hyderabad also noted that the effect of microfinance interventions on voting. In view of these studies, the "Political and Legal Empowerment" instrument has been developed and pilot tested. It has ten individual variables representing the level and degree of women empowerment.

1. Participation in voting,
2. Own decision in voting,
3. Influence others participation in voting,
4. Knowledge and understanding of political institutions/leadership (Counsellor, Mayor, MLA, MP),
5. Campaign/contest/elected in election,
6. Awareness about entitlement to Govt. schemes and facilities (School, AWW, Pension, Ration, Health facilities etc),
7. Capacity to access community/Govt./ non govt. resources and services,
8. Knowledge of legal rights of women (domestic violence, divorce, widow remarriage, prohibition child marriage, ban on sex selective abortion etc) ,
9. Use/application of legal knowledge for self and others, and
10. Familial support to access and promote legal rights.

The Likert technique was applied in the distribution of scores from zero to three. The response categories used in the instrument for this study were No/No participation/capacity/influence/support (0), low participation/capacity/influence/support[1], occasional/partial/middle participation/capacity/influence/support[2] and frequent/full participation/capacity/influence/support.[3] The composite weight of all ten

variables was taken to measure the political and legal empowerment. The reliability coefficient of the political and legal empowerment instrument was 0.8264 (Alpha Scale).

Locale and Sample Profile

Hyderabad distinguishes itself not only by its large number of Muslims (40 per cent of the population) but also by a unique political history (Rao and Thaha, 2012: 189). Hafiz Baba Nagar is one of the poorest slum areas located on the southern side of the Old City of Hyderabad. Most of the Muslim population in the old city are artisans and semi-skilled or even unskilled workers. One of the important semi-skilled works is bangle making, a trade which has given the old city of Hyderabad worldwide recognition. Other important works are conducted particularly by girls and women, including zari, agarbatti, tie and dye work, pandan, leather and rexene work and a number of other handicrafts. Pandey (2008) in her study of women and child labour in Old City reported that women did not want to go out and work as wage labours or domestic helpers since they considered both occupations to be below their dignity. Mostly, they prefer to be housewives taking in work at home (Pande, 2008). In the present study also most of the women in Hafiz Baba Nagar were found to be engaged in household based works like zari, agarbatti, pandan and tie and dye work. It was from here that the sample of 70 Muslim women representing 35 SHG members and 35 not SHG members was selected.

Age is an important indicator of the productive population in any society. The mean age score of the SHG members was 35.51 ± 10.27 and in case of non SHG members it was 36.57 ± 10.50 . Thus, the sample respondents of SHG and non SHG members have marginal mean age differentials and accordingly a high and better homogeneity and comparable potential.

Information was solicited in terms of total number of children, average family size, type of household and the household headship. The

mean score of total number of children of the SHG members (3 ± 1.731) was found to be lower than that of the non SHG members (4 ± 2.441). A sizable 40 per cent and 14.3 per cent of SHG members and non SHG members respectively figured in the category of small size of the total number of children at first quartile respectively. Further, only 8.6 per cent of SHG members scored more than the value of third quartile against 28.6 per cent of non SHG members. It could be concluded that in the category of child parity, the non SHG members scored ahead of SHG members by a margin of 20 per cent. Thus the overall, the mean family size score of the SHG members (5.8 ± 2.068) was found to be lower than the non SHG members (7.0 ± 2.765). The data shows that the percentage of nuclear nature of family was higher among the non SHG members by an almost 14.3 per cent. The household headship is an important signifier of the power locus and dynamics in the family. It was found that only 2.9 per cent of the SHG and non SHG members had the household headship whereas in as much as 85.7 per cent cases the household headship rested with husband and the others (11.4 per cent).

The marital status is an important determinant of the social position of women. In terms of marital status 82.9 per cent SHG member respondents were married. Further, the widow and divorced/ deserted constituted 11.4 per cent and 2.9 per cent respectively. In the case of non SHG member respondents as much as 88.6 per cent were married. The percentage of widows among non SHG members was 5.7 per cent (five per cent less than the SHG members). The higher percentages of widows/divorced/deserted among the SHG members probably show that the SHGs were seen as a mechanism to survival and a source of strength to themselves and their families.

Socio-Economic Status

Kuppuswamy's socioeconomic status scale has been in use as an important aid to measure socioeconomic status of families in urban

communities. The original 1976 version has been updated by Mishra and Singh (2003), Kumar *et al* (2007) and Kumar, Gupta and Kishore (2012). Recent update has been done by Kumar, Gupta and Kishore (2012) using latest Consumer Price Index Numbers. This updated Kuppuswamy's scale was used in this study to collect the SES details of the respondents. The five socio-economic classes have been identified on the basis of score values of the SES viz. Upper (I) [Score 26-29], Upper Middle (II) [Score 16-25], Lower Middle (III) [Score 11-15], Upper Lower (IV) [Score 5-10] and Lower (V) [Score <5].

The mean SES score for the SHG respondents was 12.05 ± 4.242 and for non SHG members it was 11.11 ± 4.632 . The SES score range for the SHG members was from 6 to 26 and for the non SHG members it was from 5 to 24. This means that in terms of socio-economic status, both the SHG members and non SHG members were in the middle category in general and more specifically in lower middle class (the Category III of Kuppuswamy's socio-economic classes). Hence, both the SHG and non SHG members represent the similar socio-economic status.

Measuring Political and Legal Empowerment

The composite "Political and Legal Empowerment" Instrument was developed based on the mean summative score values of the ten individual variables as mentioned above. This instrument has the possible score range from 0 to 30. The score range obtained for the SHG members was from 21 to 30 and for the non SHG members was from 13 to 25 (Table 1). The level of empowerment was grouped into low, middle and high on the basis of quartile values. The majority of SHG members were in the middle level of empowerment (71.4 per cent) and only 20.0 per cent had low level of political and legal empowerment. But in the case of non SHG members the majority was in low (48.6 per cent) and middle (45.7 per cent) levels of political and legal empowerment. Only a small percentage of the SHG members (8.6 per cent)