

# **MIGRATION FOR MARRIAGE IN HARYANA**

*Dissertation submitted to Jawaharlal Nehru University  
for the partial fulfilment of the award of the degree of*

**MASTER OF PHILOSOPHY**

**GARIMA SHRIVASTAVA**



Centre for Political Studies  
School of School Sciences  
**JAWAHARLAL NEHRU UNIVERSITY**  
New Delhi 110067  
2010



JAWAHARLAL NEHRU UNIVERSITY

Centre for Political Studies

School of Social Sciences

New Delhi-110067 INDIA

Tel. : 011-26704413 Fax : 011-2671603

27 July 2010

**DECLARATION**

I declare that the dissertation entitled *Migration for Marriage in Haryana* submitted by me for the partial fulfilment of the award of the degree of **Master of Philosophy** of Jawaharlal Nehru University is my own work. The dissertation has not been submitted for any other degree of this University or any other university.

**GARIMA SHRIVASTAVA**

**CERTIFICATE**

We recommend that this thesis be placed before the examiners for evaluation.

**Chairperson**

Centre for Political Studies

School of Social Sciences

Jawaharlal Nehru University

**PROF. GOPAL GURU**  
CHAIRPERSON, CPS

**Dr. RINKU LAMBA**  
SUPERVISOR

# Acknowledgements

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*I wish to acknowledge my sincere thanks to my guide Dr. Rinku Lamba who has been very patient and helpful in supervising my work and providing critical inputs, to JNU and CPS for providing me a platform to pursue this research. Also I wish to acknowledge help of Com. Jagmati Sangwan for suggesting this topic and for her valuable references and Akhila Singh for being a guide and a friend. My sincere thanks to Mandeep Kundu and Vishal Sangwan for their valuable inputs and support which has made this work possible. And last but not the least my parents Mr. Sarveshwar Shrivastava and Ms. Meena Shrivastava who have been a source of strength and inspiration for me. I dedicate this work to them.*

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# Introduction

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Haryana is primarily an agrarian economy which makes land central to the political economy of Haryana. Also, this agrarian nature of Haryanvi economy has led marriage to become an 'economic necessity' and has required strict monitoring of marital alliances and regulation of marriages according to the rules of caste endogamy and territorial exogamy. These practices have been driven by the ideology of control of female productive and reproductive labour primarily because 'in a peasant economy, where the family is the primary producing unit, the control over land and means of production as well as human reproduction are important considerations.'<sup>1</sup> Both reproduction and production need to be controlled as they are intrinsically linked to the political economy. Also 'selection of a life partner by a female shows her independence in asserting her sexuality and her preference in relation to sexual partnership; in bestowing her reproductive and labour potential on the basis of her own choice.'<sup>2</sup> All these have necessitated strict monitoring of marriages in Haryana by the caste leaders (Khaps) as any deviation from these norms may disrupt the power equations in family and social hierarchy. Couples that do not comply with these rules and marry out of choice are punished to the extent of being killed in the name of 'honor killing'.

However there exists an irony in the marital practices in Haryana. As pointed out earlier the agrarian nature of Haryanvi economy has made marriage an economic necessity. But in Haryana we see continuous decline in the female sex ratio that has made it difficult for the men of Haryana to find brides locally. This has led men from Haryana to seek brides from faraway states. What is surprising here is that on one hand we see a society that is so strictly bound by caste and territorial norms that any couple marrying against them is killed in the name of honor, and at the same time this very society is getting brides from regions which cross the normal radius of marital alliance; these brides are from a totally different culture, whose caste lineage is not known. Such a contradiction in marital practice in the same region raises serious doubts about the acceptability of these women by a society which is so chauvinist and patriarchal in its attitude.

The present work looks into the issue of these migrant wives in Haryana who have migrated to the state after marriage. Migration for marriage is not a new phenomenon nor is it unique

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<sup>1</sup> Prem Chowdhry Contentious Marriages and Eloping Couples: Gender, Caste and Patriarchy in Northern India, Oxford University Press, 2007 Pg 1

<sup>2</sup> Ibid Pg 5

to Haryana, but what makes the case of Haryana an issue of concern is the manner in which these marital alliances are happening where these women are from some afar state with a totally different culture.

Haryana is the second most developed among states in India. But it is also one of the states with the lowest female sex ratio. It has been argued that this low sex ratio of females has made it difficult for Haryanvi men to get local brides which has in turn led these men to seek brides from poorer states like Assam, West Bengal, Bihar, Kerala. Women from these states are from poor families who cannot afford to marry their daughters locally due to obnoxious dowry demands. Men from Haryana marry these women without any dowry in fact the groom bears all the expenses of the wedding and at instances even compensates the bride's family monetarily. But the issue is not as simple as it seems, there are many dimensions to it and many factors that are influencing these alliances which I have tried to put forward in this work. In addition many newspaper reporting's have brought out cases of sexual abuse and resale in name of marriage,

while a very small percentage of the "sold for marriage" women are found to be living a married life, there are majority of others who are missing and are untraceable or are forced to live a life of sexual slave and duplicate as domestic servant or kept women. Most of these women and girls forced into coerced marriage are minors and majority of them were sexually abused by the person who trafficked them. There are also instances of girl being resold to other persons living a married life for a short period. There are also instances of selling girls to brothels.<sup>3</sup>

All such instances call for a closer analysis of the situation. The primary concern of this work is to bring to the fore what is so wrong in these alliances which make them an issue of concern and call for an immediate attention of the state authorities towards these women. In the dissertation I seek to highlight how the phenomenon of "bought wives" is reflective of a political economy generated by patriarchy that can express and re-entrench itself in domains ranging from agency-disabling medical reproductive technologies to migrant-labour policies that tend to invisibilize female labour. Comprehending the complex nature of the reasons why phenomena such as "bought wives" and "lesser wives" obtain can play a crucial role in formulating suitable strategies for alleviating the plight of female labour that finds itself located within structures of domination.

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<sup>3</sup> Shakti Vahini Trafficking of Assamese Girls in Haryana and Punjab;  
[http://www.shaktivahini.org/?page\\_id=232](http://www.shaktivahini.org/?page_id=232) Pg. 4

A key motive of this work is to make a case for these women arguing that they be looked at as migrants in the state. Chapter One looks into the various observations made by scholars and women groups working on the issue in light of newspaper reporting's. It then attempts to classify the phenomenon in the available categories of migration, marriage led migration and trafficking, arguing from an agency perspective. Also, Chapter One seeks to look into the reasons which have led women to enter these alliances of long distant marriages and what has led men from Haryana to seek brides from afar. The point is that the available literature primarily focuses on the end result of the process of movement but what becomes important here is to look into the very factors that have led to such movement in other words to address the root cause of the issue. It has been argued that low female sex ratio in the state has led to men to get brides from distant states. Poverty of the source state is said to be the push factor which has motivated these women to enter these marriages. But the question here is that if the cause is known why then nothing is been done to address it, why do we see a continuous decline in sex ratio of Haryana? Why is the issue of poverty of the source state not being addressed? What is the reason for such an acute sex ratio in a highly developed state of the country? These are just few of the many questions that arise when we look into the issue of these migrant women in Haryana.

In addition, there are newspaper reports that give a totally different picture bringing out instances of resale and other kinds of exploitation that these women have been facing under the pretext of marriage by the host societies. Shakti Vahini in a report brought out serious cases of trafficking in Haryana, in the name of marriage. Newspapers have often been reporting these women as 'bought wives' or 'lesser wives'. All these instances call for serious attention to the issue.

It has been pointed out that the skewed sex ratio of the state of Haryana is the reason why men in Haryana buy brides from poorer states. Chapter Two looks into the reasons for the low female ratio in the state. Different scholars have given different explanations for the difference in sex ratios of particular societies some relate it to the economic development of the state some to the patriarchal mindset of the society. In this chapter an attempt has been made to analyse these claims in the context of Haryana and show that no single factor can be held responsible for the situation. In fact the skewed sex ratio of Haryana makes evident the status of women in Haryanvi society. The emphasis is to bring out how patriarchy is interwoven into the political economic structures and it is their interplay that has resulted in such devaluation of women. Further, an attempt has been made to analyse and ascertain the

role of ultrasound and other sex determination technologies in aggravating the situation and the government policies in this regard, to examine how far the ban on sex selective abortion and sex selection has been successful, and what the loopholes are. Also this chapter looks into the various debates on abortion and sex selection analysing them in context of Haryana. The aim of the chapter therefore is to make clear that no particular factor can be blamed for the given state of affairs; it's a nexus of a patriarchal society with state structures based on devaluation of female which is sanctioning such systematic elimination of girls. The emphasis is to illustrate how it's not sex selection that has devalued the position of women and resulted in distortion of sex ratio but it's the embedded patriarchal attitude of the society that has been discriminating against girls for centuries and these technologies are yet another tool for its manifestation. Finally the chapter seeks to establish the relation between the low female sex ratio and its implication of marital practices in Haryana.

Chapter Three puts forward how these women contribute significantly into the state economy and makes a case arguing for recognition of the labour contribution of these women productive and reproductive in the economic process. As pointed earlier the agrarian nature of Haryanvi economy has made marriage an economic necessity but the low female sex ratio has resulted in a deficit of marriageable girls locally which has led Haryanvi men to seek wives from afar regions. Thus, it's primarily because of the need for female productive and reproductive labour that these marriages involving "bought wives" and/or "lesser wives" are arranged. But given the way these marriages are conducted neither the marriages get registered nor is the labour contribution of these women acknowledged. The idea therefore is to compare the case of these migrant wives with that of migrant female labour in brick kiln industry in Haryana bringing out the commonality in vulnerabilities arguing for recognition of labour contribution by women in both these cases. The point is that through recognition of their economic contribution these women may be in a better position to assert themselves, and placing them in category of migrant labour would give them certain financial independence and would make the state more responsive and accountable.

On the whole the work seeks to bring out the factors that have led to such a situation involving "bought wives" and/or "lesser wives." The aim of this work is to make evident the contradictory location of these women within state and societal structures which makes these women a puppet in the hands of the forces of patriarchy that have been exploiting the productive and reproductive labour of these women.



# Chapter 1

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## Marriage, Migration and Agency

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In most parts of Asia, marriage means change of place for woman. A woman is supposed to leave her natal place after marriage and go on to live with her husband; this is in accordance with the rules of 'patrivirilocality'. Another consideration here may also be that of territorial exogamy, i.e., marriage outside circumscribed spatial boundaries.<sup>1</sup> This movement at times is to afar locations which entail a totally different environment and culture which the women have to submit to and adjust with. 'The incomer (bride) is expected to follow the local mores and ways of doing things rather than those of her natal locality, and it takes time for her to be accepted and incorporated.' This movement at times can be very demanding for women especially when it is within societies which are not even remotely related like in the case of Haryana, which will be discussed in this chapter.

Migration of women after marriage is not a new phenomenon nor it's only unique to India, a similar trend has been observed in China. China's 1990 census show how the peasant women pursue migration by marrying in more developed regions in exchange for economic opportunities and agricultural work. In addition men who are socially and economically disadvantaged but geographically privileged are able to draw brides from afar. But what makes the case of Haryana peculiar is the way these marital alliances take place, the purpose and the reason behind these marriages. Also the fact that scholars and women groups have felt the need to address the issue means that problem exists, and these marriages are not just one of many that take place in our society every day. Let us first see what is the problem and what are the different views on the issue, Haryana is one of the most prosperous and developed state of India, it's also the state with the most adverse kind of sex ratio, 2001 census show that there are 817 females per 1000 males this means that one in every five men would

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<sup>1</sup> Rajni Palriwala and Patricia Uberoi Marriage and Migration in Asia: Gender Issues, Indian Journal of Gender Studies, 2005

remain unmarried due to this deficit of marriageable women in the state. Also, 'in Haryana men who reach the age of thirty and are still single are unable to find a local bride. Men who are widowers cannot marry again.'<sup>2</sup> Given this acute shortage of women in the state the society has developed a number of coping mechanisms. The discussion below will illustrate that these mechanisms 'are neither female nor family friendly'<sup>3</sup>

Let us first see what these mechanisms are, Ravinder Kaur in her article 'Across-Region Marriages Poverty, female migration and the Sex ratio' distinguishes between different kind of marriages and other transactions being observed in Haryana. She stresses that the buying/selling of girls should be distinguished from sexual trafficking in women as here marriage is part of the transaction that is women are bought for the purpose of marriage. Men who are unable to find wives locally buy women from poor families. She further **distinguishes these marriages from trafficking as the girl is not passed on to others and is not one of several 'wives' acquired.** She refers to this phenomenon as 'across region marriages' where no monetary benefit accrues to the bride's family only the groom finances his own marriage, the distinctive feature of these marriages is that not only are the brides from 'strange villages', but also from 'strange regions' with a different language and culture.<sup>4</sup> According to Kaur, these marriages are distinct from trafficking because they are not further resold and are also not of many wives acquired, however a recent report by Shakti Vahini has revealed shocking cases of trafficking under the disguise of marriage in Haryana where 'every year thousands of young women and girls in northern India are lured or sold into involuntary marriage'<sup>5</sup>. Also, according to Kaur in these alliances 'no monetary benefit' accrues to the bride's family only groom finances his own marriages, this claim however again cannot be completely true as there are newspaper reports illustrating the monetary transactions involved in these marriages and also most of these marriages are mediated by brokers.

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<sup>2</sup> Ravinder Kaur Missing Women and Brides from Faraway: Social Consequences of the Skewed Sex Ratio in India' *AAS Working Papers in Social Anthropology*, ISSN:1998-507X Pg 7

<sup>3</sup> Ibid Pg. 7

<sup>4</sup> Ravinder Kaur ( 2004) "Across-Region Marriages: Poverty, Female Migration and The Sex Ratio" *Economic and Political Weekly*, Vol. 39, No.25 June 19-25, 2595-2603.

<sup>5</sup> Kamal Kumar Pandey and Rishi Kant, Female Foeticide, Coerced Marriage & Bonded Labour in Haryana and Punjab; A Situational Report Shakti Vahini 2003

I will deal with these claims in the later section; what needs to be noted here is that both the source society and the destination society are aware of the causes and consequences and yet these alliances are happening in full swing thus, what needs to be ascertained here is whether these alliance even qualify to be a marriage, is it migration or trafficking? If it qualifies to be migration then what happens to the public policy of the state towards migrants? Is it migration into bondage or into partnership among equals or simply the least harmful alliance given the circumstances? Are these alliances out of free will and exercise of agency of these women or result of the structural implications? Why is it this particular state? Is it only the low female sex ratio in the state which is responsible for the given situation? In addition, attention needs to be paid to the conditions of women in the areas from where they have migrated and here it becomes important to understand what has led these women to enter such alliances despite being aware of the consequences, is poverty the only factor. What is the role and responsibility of the state? Is it the refugee policy or particular states development policy that has led to such movement?

Different scholars have given different reasons for the situation, according to Ravinder Kaur the unconventional marriages and transactions being observed in Haryana, are largely due to lack of availability of women for marriage locally. Also, she sees this movement by women as an attempt towards seeking upward social and economic mobility since most of these women are from poor states and families and movement to a developed state might seem to be an economically and socially viable option. A similar practice has been observed in marriage patterns in China, a closer look at the historical and social roles of marriage in China exhibits its transactional nature which undermines women's status but in a way is seen as offering disadvantaged women an opportunity to achieve social and economic mobility. Women in poor areas are constrained by their institutional positions, rural origins, low education and social status. Given these constraints many women in exchange for economic opportunities pursue marriage migration by marrying into more developed regions.

Observations made by Kaur tend to have a positive view of these alliances in Haryana she concludes by saying that the brides in these marriages have been accepted by the families there have been no instances of their resale etc. Also, she seems to be

endorsing these alliances as sees this as an effort by women towards seeking upward mobility out of these marriages, socially and economically. But on the other hand, we have the observations made by AIDWA which present a totally different picture.

Findings of AIDWA point towards the inhumanity and exploitation involved in such marriages, Jagmati Sangwan (President, AIDWA Haryana state committee) in her article 'Migration for Marriage in Haryana' talks about 'how the effects of globalisation is restructuring of social institutions and social relations, given the strengthening and alliance of patriarchy with market forces, consumerism, and re-invented tradition are leading to a further devaluation of women and poor people.'<sup>6</sup> She notes the following observed in this issue:

- 'Those who cannot afford increasing marriage expenses and dowry demands marry their daughters to these men. They ignore all the disadvantages, including age difference, because of their desperation, as the bridegroom bears all the expenses, such as the marriage party's travel, clothes, jewellery etc.
- Since the girls are marrying into where sex selective abortions are prevalent, the pressure on them to produce sons is intense, leading to ill treatment, violence, and even abandonment if they do not. In joint families, such wives are often subjected to sexual advances from various male members. Since the wife has been bought, if she doesn't 'adjust' she may be returned to her parents who may 'sell' her again or she may be 'resold' by her husband or his family. In any case the burden of adjustment in a completely alien environment is a very heavy one that the wife has to carry without any help, consideration or support.'<sup>7</sup>

Given these contradictory observations it becomes important to have a closer analysis of the situation. Too many apprehensions exists vis-à-vis these marriages, many questions remain unanswered and there exists a need to ascertain the status of women and their progeny in these alliances. We have two views one that sees something positive in these marital alliances where marriage is used by women as a tool towards seeking upward social and economic mobility. And the other view that points towards the exploitative aspects of such marriages and how it is leading to further commodification and devaluation of women. Thus in this chapter an attempt is made to analyse the two views separately in light of the secondary case studies and news paper reporting's. Further the idea would be to then analyse the two perspectives from

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<sup>6</sup> Jagmati Sangwan Migration for Marriage in Haryana, Women's Equality 2007 Pg. 12

<sup>7</sup> Ibid Pg. 13

the agency perspective and see if this phenomenon can be classified into the available categories of marriage, migration or trafficking. This classification becomes important in order to then think of solutions, since this classification will have implications on the way the phenomenon is understood and addressed also when we make a case for these women for them to be heard and recognised where do we place them as presently they very much remain invisible in government records and are often reported as 'missing'.

Now, before we enter the discussion on the two different positions on the issue let us see why such alliances are taking place in Haryana mostly, The trends of marriage migration observed in China point at clear attempt towards seeking upward mobility arising out of feminisation of agriculture and greater economic avenues. In India the case gets peculiar due to nature of these marriages where in most cases such alliances fail to get recognised as marriage.

The agrarian nature of Haryanvi society is a major factor influencing these marriage patterns, Prem Chowdhry, in her article '*Socio-economic dimensions of certain customs and attitudes, women of Haryana in colonial period*' discusses the role of economic conditions and needs in prevalence and sustenance of such marriages pointing out how 'the importance of women in agrarian economy made marriage an acknowledged economic necessity.'<sup>8</sup> In Haryana most of the field work is performed by women which made women an economic asset, this necessity is to the extent that 'a man's inability to pay his revenue dues were put down to his unmarried status.'<sup>9</sup> Also it needs to be noted here that given the agrarian milieu of Haryana and the demand for female agricultural labour, buying of wife is not the only solution found, as Prem Chowdhry has observed a significant liberal trend in marital alliances where even widow remarriage has been accepted and in fact necessitated, this however is again not free from its limitation and continues to be practiced with the same patriarchal ideology of subordination of women where women are nothing but puppets in the hands of the practitioners. 'In the given geo-economic background, adverse female sex ratio, prevalence of bride-price with wife as agricultural labour

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<sup>8</sup>Prem Chowdhry Socioeconomic Dimensions of Certain Customs and Attitudes: Women of Haryana in the Colonial Period Economic and Political Weekly, Vol. 22, No. 48 (Nov. 28, 1987), pp. 2061

<sup>9</sup> Ibid Pg 2061

asset, emerged the concept of women being married to a family rather than to an individual. Translated in terms of hard reality this concept meant that two or three brothers would share a wife; thus began a systematic and extensive sexual exploitation of women'.<sup>10</sup> It's clear that this practice of seeking brides from regions exists due to the low female sex ratio in the state of Haryana on one hand and high demand for female productive and reproductive labour on the other. But before moving further it's imperative to point out an irony in marriage practices that has been observed in Haryana.

In Haryana marital alliances are regulated by the Khap (Caste) Panchayats, the Khap Panchayats are the ones responsible for setting out the caste rules and specially for regulating of marriages. Every caste, sub-caste have their own caste Panchayats, earlier these Khap Panchayats were only among the upper caste but were soon adapted by the lower castes, thus now every caste in Haryana has its own Panchayats whose primary responsibility is regulation of marriage. Thus, the Khaps are the people who tell whom one can marry and whom one may not, and it's the Khaps who have been sanctioning Honour Killings for eloping couples. The irony of this practice is that on one hand this is the state with the highest number of cases of honour killings and on the other hand the same society is agreeing to marital alliances with brides from afar whose lineage or caste is not known. Thus how would one possibly explain that in a state where the caste system is so strong that the couples are killed for marrying against the rules of exogamy and endogamy, the same state is buying brides from afar region whose caste or familial lineage is not known. Also this situation makes one apprehensive and raises doubts about acceptance of such brides that are sought from afar states into a state which is so stringently bound by caste rules. The situation raises serious doubts about acceptability of these marriages, by a society where couples are getting punished to the extent of getting killed for marrying against the rules of caste endogamy and territorial exogamy

According to the observations made by AIDWA, the Khap Panchayats have remained indifferent towards these alliances. This could be because these girls are viewed as not having caste of their own and can be absorbed into the husband's caste; also 'it is not

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<sup>10</sup>ibid Pg. 2063

‘their’ girls who are transgressing caste boundaries’.<sup>11</sup>

Further to these observations there are newspaper reports where the couples in these alliances are referred to as ‘lesser husbands, lesser wives and lesser children’, they make apparent the status of brides in these marriages where the woman does not know whether she is the real wife and their children are not certain if they have any social standing. One such case was reported in *The Tribune* according to which:

Saaliha is one such lesser wife. Born in a remote hamlet in Bangladesh she was purchased for marriage four years ago by a 32 old man hailing from a village in Fatehabad district of Haryana. The lesser husband in this Daya Ram is the youngest of the four brothers of a poor backward class. After years of search for a suitable match, he knew bachelorhood stared in the face. That was when a friend sold him the idea of buying a Bangladeshi and, thus, raising his progeny. It has been four years since he married Saaliha and they have a two year old son Balwant. But the two have not been happily married; the toddler, of course, is oblivious of his realities. Saaliha and her son share a thatched room adjacent to the animal shed. The three wives of Daya Ram’s brothers have proper rooms in the main section of the house. Saaliha’s shelter is a constant reminder that she is the lesser wife. Daya Ram lives in a separate room. Unlike his brothers who stay with their wives, he cannot stay with Saaliha in his room. He can make only nocturnal incursions into Saaliha’s room. Balwant hardly gets noticed by his uncles and cousins. It’s only at times that the widowed septuagenarian mother occasionally gives the toddler a peck when the other family women are not looking. Saaliha is not bothered about her status or future but Balwant’s problems torment her. His rejection by his aunts means just one thing that he doesn’t get the family name and consequently no share in the meagre family assets. This trinity is just one of hundreds living across Haryana.<sup>12</sup>

This case points to another pattern observed in these marriages and has also been argued by Ravinder Kaur, where it is usually the younger son who is forced to look for brides from afar regions and not the first or second son, this is generally in order to avoid further division of property as brides bought from other regions and their progeny are not recognised to have claim in the familial property.

In addition there are several other cases that have been reported, these clearly point out that the issue is not as simple and various dimensions exist that need to be closely analysed and understood in order to come with a plausible solution. Following are some of the cases:

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<sup>11</sup>Jagmati Sangwan 2007 Pg. 13

<sup>12</sup>The Tribune ‘Haryana’s Male-Order Brides’ Saturday, December 7, 2002

**The Tribune, Chandigarh, Haryana August 13, 2003**

The Haryana police have busted a gang engaged in the sale of girls for marriage in the state by arresting four persons, including a woman. These girls were being brought from Bangladesh, Assam and Maharashtra and were to be sold to intending bridegrooms.

**The Tribune, Chandigarh, Haryana, Sunday April 4, 2004**

Fatehabad: A novel way of duping people by selling 'brides' to marriageable men for a price and then the bride running away from her 'husband's' home within days of the marriage has come to light in the district. Several families have fallen prey to such gangs in which the 'brides', procured for a price ranging between Rs 25,000 and Rs 40,000; have run away from their 'in-laws' homes within days of their marriage. In one case the procured wife escaped after administering milk laced with intoxicants to her 'husband' and his family members. In another case, an alert husband, who thwarted an escape attempt by his 'procured' wife, has been receiving threats from a broker, through whom he procured the woman.

**Deccan Herald Sunday, August 5, 2007**

In February 2006, Tripala Kumari, an 18-year-old tribal girl from Ranchi was killed by her husband Ajmer Singh, a farmer in a village in the Jind district of Haryana. Her crime? She refused to sleep with his brothers. The tribal girl was brought to Haryana by an agent who promised to get her a job. She was "married" to Ajmer Singh who desperately wanted a male heir. However, soon after her marriage she found she was expected to sleep with all his brothers. When she refused, he killed her.

These cases point towards the different dimensions of the issue which make it difficult to place the phenomenon in a particular category of marriage, migration or trafficking, hence, from here we move on-define migration, marriage led migration and trafficking and then spell out reasons using the agency view why it's difficult to simply put this phenomenon into any of these said categories. Analysing the situation from an agency perspective can help us understand the phenomenon from an individualist point seeing how the individuals involved are located vis-à-vis the given structures and also to look into three significant areas that remain obscure:

the way at any given time the state changes the wider context in which local and kin-based power



structures operate; the degree to which state structures (public policy towards migrants) penetrate or fail to penetrate local power and authority structures and so become involved in the manipulation of marriages, caste or kinship rules; and the range of actions which take forms that are difficult to fit into commonly understood typologies of organised political activity.<sup>13</sup>

### **Migration**

‘Migration may be conceptualised as an action that agents take to find a match in any market where geographical proximity impinges upon the productivity of the match. Two markets in which many agents participate are the labour market and the marriage market. These two markets interact in an important way because migration that facilitates a match in the labour market will also influence the prospects available and the outcome obtained in the marriage market and vice versa.’<sup>14</sup> Further, it’s important to look at female marriage led along with labour migration since this movement entails reproductive and productive labour. Also, ‘feminist social scientists have demonstrated that empirically speaking, a meaningful distinction between ‘marriage’ and ‘family’ migration on the one hand, and ‘labour migration’ on the other, is impossible to sustain. Given women’s role in family subsistence production, ‘wives’ are typically also ‘workers’, though their work may not be fully recognised as such.’<sup>15</sup>

The problem however is that even though women’s marriage led migration has contributed towards economic development in a big way this remains invisible in the eyes of demographers, which leads to invisibilisation of these women and their labour. ‘Statistically speaking, where patrilocality is the rule women’s ‘marriage-migration’ has invariably constituted a large proportion of total migration and the overwhelming bulk of female migration. Yet, it has been largely discounted by demographers and social scientists who have tended to dismiss marriage migration as a social phenomenon determined merely by kinship and custom, that is, as outside the realm of political economy and operation of modern market forces.’<sup>16</sup> This invisibilisation of women’s movement and their labour contribution is a much larger

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<sup>13</sup> Kumkum Sangari, “Consent Agency and Rhetoric’s of Incitement,” *Economic Political Weekly*, Vol. 28, No. 18 (May 1, 1993) Pg 868

<sup>14</sup> Oded STARK On Marriage and Migration, *European Journal of Population* 4 (1988) 23-27 North-Holland Pg 23

<sup>15</sup> Rajni Parliwala and Patricia Uberoi Pg. vii

<sup>16</sup> *Ibid* Pg. vii

and complicated issue and will be dealt in detail in chapter 3 analysing how this has contributed in further aggravating the plight of these women in Haryana. In addition this issue of women's labour is pertinent in analysing this phenomenon as high demand for female labour and lack of its availability in the region is the primary reason why brides from afar are being sought.

### **Trafficking**

'Trafficking is not an event causing any particular Human Rights violation of an individual at a particular point of time rather it consists of a combination of events occurring in series of steps, taking place in the home community, at transit points and at final destinations and resulting in lifelong exploitation, abuse and violations of multiple or ultimately almost all the Human Rights of any individual, recognised by the civil society in a democratic setup of polity',<sup>17</sup>

Shakti Vahini in its report has revealed shocking cases of trafficking in the region of Haryana, according to the report these women from states of Assam, Bihar, West Bengal, Kerala, Madhya Pradesh 'are bartered at prices that vary depending on their age, beauty and virginity, and exploited under conditions that amounts to modern form of slavery.'<sup>18</sup> Further it said that even 'living for a period of time as a wife and bearing children does not guarantee them any security. There are cases of women with three children being sold along with children. She at times also is separated from her children when sold, since at times the buyer may not be willing to take the children along. There are also cases of a single woman being sold commonly to as much as six people, who were not getting married and contributed to her cost commonly.'<sup>19</sup> These cases point towards a different picture vis-à-vis these marriages, more than thirty such cases are listed in this report and raise serious concerns for the women involved here.

### **Discussion**

Now let us look at these claims from an agency perspective, it has been mentioned earlier that an agency view would help in classification of the phenomenon, seeing these women as an individual and analysing their location within the structures of patriarchy. With use of the agency perspective the idea is to bring out the constraints

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<sup>17</sup> Kamal Kumar Pandey and Rishi Kant, 2003, Ch 2, Pg. 7

<sup>18</sup> Ibid Pg. 7

<sup>19</sup> Ibid Pg. 3

structures impose on individual choice and action and how the choices we make are unknowingly conditioned by these societal structures which are often mistaken for agency or free will. Also here it is important to understand why it is that individuals choose one alternative over another, what leads them to make these choices, one against another and , in order to understand this we need to refrain from seeing structures only as constraining and given. Since time and again it has also been pointed out by various scholars how women are manipulated into maintaining and sustaining of various castes and kin based structures that are most oppressive for them.

But before we enter the discussion it's imperative to define what we mean by 'agency' and how it is understood in feminist literature. The available literature on the phenomenon of these marriages seems to see them as result of the structural implications of the particular society in terms of poverty, patriarchy, capitalism and development, the agency view on the other hand would help in understanding the factors that responsible for the situation and how the actors involved are manipulated into practising and sanctioning them.

The structuralists perceive that our social existence is very largely determined by the overall structures of society and that the agency of individuals can therefore be explained by operation of these structures. On the other hand we have the individualists who stress the primacy of individuals over structures; they give supreme importance to the role of human beings as actors. And lastly a third view exist that aim towards achieving a certain balance between the two positions, they see structures and agency as complementary, where structures influence human behaviour and vice versa.

The third view which sees structures and agency as complementing helps us to see how patriarchies are altered or reconstituted after migration, what is the impact of moving from one form of gender stratification system to another and also how the interaction of women's role, status and age within a particular socio-cultural context result in 'migratory probability' which can also effect the ability of women to migrate.

In addition to the above there exists another view that of socialist feminist which

gives primacy to social actors and treats capitalism as a structure or system while gender is analysed from an agency perspective that assumes purposive actors. They thus see capitalism as a system operating outside of individuals constraining their activity while patriarchy is seen as operating primarily through the actions of men and women. They thus make a case arguing how patriarchies are sustained both in base and superstructure and are getting reconstituted and sanctioned through both leaving little or no scope for any agency in fact whatever less is available is so majorly conditioned through operation of these structures of patriarchy that women's agential scope are often overlooked.

I would use this framework of the socialist feminist to analyse the situation in Haryana. It appears that it's the skewed female sex ratio of the receiving state (Haryana) and poverty of the providing states (West Bengal, Kerala, Assam) that is making such marital alliances possible but here one needs to understand that what is common between the receiving state of Haryana and various providing states is the position of a woman in the given societal structures be it developed or underdeveloped. She is constantly considered burdensome, devalued and therefore happily offered for any kind of exploitation and this understanding is not peculiar only to these mentioned states but is almost universal. Its prevalence in the northern states of Punjab and Haryana expresses itself in the form of this practice of buying wives.

Rajni Parliwala and Patricia Oberoi point out 'first, how marriage migration reflects not merely individual but especially family aspirations and mobility strategies. Second, given national and global economic disparities, woman's marriage to a man in a desired location may appear to be compelled by the structural constraints of her situation, not the result of her willing exercise of agency.'<sup>20</sup> Again drawing from Parliwala and Oberoi the phenomenon of the 'so called mail-order brides (MOB) which refers to a service agency mediated marriage of a non-western woman with a western man.'<sup>21</sup> These, they aver, 'are predicated on a split between economic aspirations and status strategies, and love and romance as contradictory and distinct

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<sup>20</sup> Rajni Parliwala and Patricia Oberoi Pg. vii

<sup>21</sup> Ibid Pg xiii

motivations. It is assumed: (a) that becoming a MOB is an 'economic alternative' for women, subverting moral and emotional bases of marriage; (b) that only very pure women are motivated to become MOB's ; (c) that only Asian women are involved in such transactions.<sup>22</sup> This observation compared to the situation in Haryana is very much similar where women are being bought for the purpose of marriage, seeking economic alternative and poverty of the sending state is of course the prime push factor but one needs to take note of the commodification of women this practice enhances where she is viewed as a mere commodity which is for sale, also the issue is much more complex as here 'the dividing line between women's exercise of agency and their exploitation is completely blurred.'<sup>23</sup> This is primarily because they are made to believe that these marriages are only alternative available to escape poverty they face in their own society, presenting these marriages as an 'economic alternative' oversees the exploitation involved and by making women a mere commodity in the marriage market undermines her agentic capacities. Thus, what happens is that she starts seeing this exploitative alliance as a viable 'economic opportunity for her and her family.

Now let's take the various explanations that have been cited for the given scenario one by one. Poverty and the pursuit of economic mobility have been observed to be the main factor motivating women to enter such alliances and the same is true for the males who seek brides from afar. As has been pointed out earlier, given the agrarian nature of Haryana's economy marriage is both an economic and social necessity for a man to have certain social standing and be credible. Also, it's important for him to be married since majority of the field work is performed by women marriage and provides a sense of economic and social security since it's a mode of getting female labour in the family. Further the scholars studying the norms and culture of Haryana have concluded that matrimony serves as the main media via which the family lineage including land is transferred and distributed. Also as Prem Chaudhary has pointed out "land goes through a family lineage that is completely dependent on matrimonial alliances and then reproduction. Control on the property necessitates control on a woman's sexuality. Choice marriages here spell danger. Matrimony becomes an

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<sup>22</sup> Ibid Pg xiii

<sup>23</sup> Ibid Pg xiii

economic venture. Emotions become subordinate to utilitarian considerations.<sup>24</sup> Thus, the economic structures or the conditions on both sides have been an enabling factor allowing such alliances.

We have discussed the role of economic structures in aggravating the issue to a considerable extent; however looking at the situation from an agency perspective would require us to look at gender as a social structure in order to understand ‘the structural pressures produced by women’s contradictory location in patriarchies.’<sup>25</sup>

It has often been argued how gender divisions are structured or how gender itself has been structured where men always enjoy an upper hand on women. In fact gender as a social structure is maintained in a manner which enables reinforcement, reproduction and maintenance of patriarchal structures.

Uma Chakravathi talks about what she refers to as Brahminical Patriarchy, in Haryana the caste system is very strong and marital alliances are constantly regulated and monitored by the Khap Panchayats (Caste Panchayats). Chakravathi points out how women’s subordination is maintained through women’s complicity; it is thus a process through which patriarchy gets maintained and reinforced in our society. ‘Patriarchy in India is in the plural and not a monolithic unchanging system, it has checks and balances and the building and maintenance of patriarchy is an ongoing process.’<sup>26</sup> The point therefore is to understand that though it’s true that systems influence people’s actions but in turn social contexts or structures continue to exist only if they are sustained by people’s repeated actions.

Thus, the whole ideology that goes behind these practices is that

‘Both production and reproduction needs to be controlled, as autonomous reproduction spells danger. This means that reproduction is inextricably linked not only to its cultural life but also, importantly, to the political economy of communities. The control of her sexuality and her reproductive labour is central to maintenance of the prevailing patriarchal order. Reproduction everywhere has historically been a social rather than an individual act, also it is essentially linked to the political economy of the communities and the ways these communities organise and reproduce themselves as identifiable

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<sup>24</sup> Prem Chowdhry *Contentious Marriages and Eloping Couples: Gender, Caste and Patriarchy in Northern India*, Oxford University Press, 2007 Pg 1

<sup>25</sup> Kumkum Sangri Pg. 869

<sup>26</sup> Uma Chakravathi *Gendering Caste through Feminist Lens*

communities'<sup>27</sup>

This explains how women are embedded in social structures where they themselves contribute towards their own plight. It has been argued that gender difference is primarily a means to justify sexual stratification. Gender is so endemic because unless we see difference, we cannot justify inequality.<sup>28</sup> Thus, 'while actions are a function of interests, the ability to choose is patterned by the social structure. Also the social structure as the context of daily life creates action indirectly by shaping actors' perception of their interests and directly by constraining choice.'<sup>29</sup>

With this we come to the other issue involved here that is the issue of 'choice' or 'agency', the question is whether such marital alliances are result of willing exercise of women's agency or an implication of the various structural constraints? But before addressing this question it's important to analyse when can it be said that a particular person is an agent of his or her free will and whether a particular action performed was out of free exercise of one's agency?

It's clear from the above discussion that there are multiple factors at play at any given moment that maintain and sustain these practices; this is true for both the sending as well as the receiving societies. The states from which women are bought share the same patriarchal attitude towards women where they are seen as burdensome and a drain on familial resource and since poverty is a factor in this region, the family not being able to marry their girls locally due to obnoxious dowry demands its thought better to have them married in afar regions than risk the family honour and the shame an unmarried girl might bring upon the family. Also the daughters in our society are brought up to believe that they have a duty towards their family and if required should sacrifice for it. Since birth they are taught to inculcate virtues of Sita, Durga, Kali as to be a good daughter she should imbibe these virtues of a dutiful, chaste, virginal daughter and any deviation from these norms would bring dishonour to the entire family and this fear is so terrible that it is thought better to get rid of the daughter than risk the family honour.

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<sup>27</sup> *ibid*

<sup>28</sup> Risman, Barbara J. *Gender as a Social Structure: Theory Wrestling with Activism Gender and Society*, Vol. 18, No. 4 (Aug., 2004)

<sup>29</sup> *ibid*

Thus, in an environment where one is taught from birth itself that she can only be a daughter, sister, wife, or mother and apart from these prescribed roles she has no social standing and that her identity depends and can be derived through her male counterpart be it father, brother, husband or children (esp. Son) how can she even be assumed to know of her capacities as an agent where she can willingly exercise her rights 'For one to exercise agency one needs an enabling environment, to possess agency at the individual level, self esteem is a critical factor, the way women value themselves and do not see themselves merely as daughters to be sacrificed for the family, that they will undergo a humiliating selection process through marriage brokers, and they do not see themselves as a commodity to be sold, but instead demand dignity and respect.'<sup>30</sup> Further, 'to possess agency they must also have the communication skills to negotiate for their interests and wants with their family and partner. They must also understand the possible risks involved in marrying and be capable of taking steps to minimise their impact.'<sup>31</sup> But given the realities of the situation in both the sending and the receiving states women's agential capacities are often overlooked in fact they seldom know that they do possess certain agency as an individual since, women are never allowed to evolve as an individual. Seeing these women as an agent would require an enabling environment where they are not just daughters, sisters or wives but individual, where she has a right to choose for herself and not just be a commodity to be bought and sold in the marriage market. In case of these women who are being bought wives they don't even know if they have this freedom to choose this is primarily because of lack of alternative choices.

Thus, many apprehensions exist vis-à-vis these marriages and many questions remain unanswered, however, the most urgent need is to categorize the phenomenon into the available categories of marriage, migration, trafficking etc, this categorization is imperative in order to figure a solution to the problem and of ways of betterment of these women. Different scholars have analysed the phenomenon differently as has been illustrated in the beginning of the chapter, I would look at it from the perspective of migration, the reason for this being two, firstly, having categorised the issue into a recognisable category of being migrants in the state makes it simpler to then think of ways out, it is then that a certain policy framework can be sought for the upliftment of

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<sup>30</sup> Bruce Andrew, Making the family-Marriage Within and Across Borders

<sup>31</sup> *ibid*



the women involved. Also one of the major hurdles is that most of these alliances are not recognised by the states government, thus, keeping this movement into the recognised category of migration puts pressure on the state government in certain ways to take care of them, and it also makes them answerable and accountable. Secondly, through this movement or alliances primary motive is seeking female productive and reproductive labour as has been discussed earlier, this somewhere makes it akin to those female migrants in Haryana who have migrated for work. The difference however is that these women have migrated as wives, it's therefore important that firstly these alliances be registered as marriages in the state so that these women are recognised under the category of marriage led migrants.

In addition, categorising this movement under the category of migration gives certain recognition to these women, further, critical to the issues of gender, migration and marriage are state laws, ideologies and practices in which racialised and ethnocentric impulses interweave with local patriarchal norms of gender and family. It therefore becomes imperative that these marriages be brought under a legal, transparent and monitored system. Analysing the phenomenon from the view point of migration makes this task simpler to a certain extent. Also for the sending communities the need is to provide opportunities to these communities to minimise their need to resort to such afar region marriages to alleviate poverty, instead women in this region should be empowered and the governments should have a more gender sensitive attitude.

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## Chapter 2

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# Skewed female sex ratio: Who is responsible?

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It has been argued that the low female sex ratio in Haryana is the main reason sanctioning those marital alliances in Haryana in which women are purchased from poorer states for the purpose of marriage. 'As a consequence of adverse sex ratio, men in the states of Haryana and Punjab are experiencing a nearly twenty percent deficit of marriageable women. Given current sex ratios, one in every five men would remain unmarried.'<sup>1</sup> The lack of availability of local girls for marriage is the reason that brides from afar are being sought. The question arises is that if the cause is known than why is it that nothing is being done to improve the number of girls in the state? Why is there a continuous decline in the female sex ratio? Who is facilitating these practices of elimination of girl child? Is female feticide the only reason for the decline in sex ratio?

Elimination of girl child is not a new phenomenon it has been practiced for centuries not only in Haryana or India but across the world; though it has somehow been most prevalent in the Asian countries. Before the introduction of technologies like amniocentesis and ultra-sonography primitive methods of Female infanticide were sought. However with the availability of sophisticated medical techniques it became much easier to get rid of the 'unwanted female child'.

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<sup>1</sup> Ravinder Kaur Missing Women and Brides from Faraway: Social Consequences of the Skewed Sex Ratio in India, *AAS Working Papers in Social Anthropology* ISSN:1998-507X Pg. 7

Different views have been expressed by various scholars for the existing disparity in sex ratios across the world. According to some culture is the main reason whereas we have those who believe economic development to be the reason. But time and again either of the views has been falsified or proven inadequate to explain the situation.

It was Amartya Sen who pointed out that there are about a hundred million women missing from the world population. Sen in his article 'More than 100 million women are missing' discusses the two variables that are said to be responsible for the neglect of women. One view emphasizes 'the cultural contrasts between the East and the West (or between Occident and the Orient), claiming that Western civilization is less sexist than the Eastern'<sup>2</sup> and the other view that looks 'instead at the stages of economic development, seeing the unequal nutrition and health care provided for women as a feature of underdevelopment, a characteristic of poor economies awaiting economic advancement.'<sup>3</sup> He further points out the discrepancies and inadequacies in both the views to provide a convincing explanation for the existing state of affairs, arguing for a combined cultural and economic analysis and the need to take note of other social conditions.

If we apply the above cultural or economic explanation to the case of India it would be clear how either of these views is inadequate in explaining the situation. In India we see huge diversity in sex ratios between North and South India, the sex ratio for Haryana being 820 per 1000 males whereas its 963 females per 1000 males for Kerala (2001 census)<sup>4</sup>. Similar diversity exists when compared to the north eastern states of India. Further if we take economic development as the criteria Haryana is one of the most prosperous states of India which developed speedily after the Green Revolution but, given the situation it's obvious that development has done little for improvement of the status of women in the region. In fact with more money coming in people are now all the

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<sup>2</sup> Amartya Sen More than 100 million women are missing, *The New York Review of Books* Vol. 37, No. 20, Dec 20, 1990 Pg 2

<sup>3</sup> Ibid Pg 2

<sup>4</sup> Female deficit 2001 census

more able to avail themselves of the abortion technologies to eliminate the female fetus. Elimination of female fetus is also preferred over infanticide since it saves the practitioners the guilt of killing; also it's easier to kill the unborn as the unborn is not recognized under law. This is obvious by the fact that the ultrasound facilities are now available in the remotest of areas in the region.

Ravinder Kaur makes a similar observation, she points out that

'Scholars have attempted to explain the further decline of child sex ratios in prosperous areas in terms of access to education, information and technology in the context of the transition to a small family size. These factors may provide the mechanism of the decline but do not explain why girls are considered burdensome when people are rich and girls themselves are more literate and capable of financial independence. How and why then is son preference getting reinforced?'<sup>5</sup>

Thus, the availability of these technologies cannot be the only reason for the skewed sex ratio in the region it therefore needs to be understood that what has led to the prevalent use of such technologies? Who is providing/ making them available? What is the attitude of the state towards the issue? These are a few questions that need to be analyzed to have a proper understanding of the issue and to provide a logical explanation for its existence.

It would be absurd to blame the reason for skewed sex ratio on the availability of technology as the practice of elimination of female fetus has existed historically. Various traditional methods were used for the purpose,

'In 1871 India's first census survey was conducted by the British, it was then that the problem of infanticide became visible. The sex ratio was 940 females to 1000 males in pre-independence India. The British passed an act banning infanticide (Female Infanticide act 1870). But this act was difficult to implement or put into practice because most births happened at home, and registration of births was not common. This law led to the practice being carried out away from the public eye. Technology further changed the mode of getting rid of a girl child. Female infanticide took the form of female feticide.'<sup>6</sup>

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<sup>5</sup> Ravinder Kaur Pg. 5

<sup>6</sup> Ranjana Kumari Female Infanticide and Feticide: The Declining Sex Ratio, *National Seminar on Violence Against Girl Child* 10-11 February, 2006 Jaipur, Centre for Social Research, New Delhi Pg. 4

However the introduction of technology has further contributed in aggravating the situation by making this task of elimination of girl child simpler and easier, it's therefore important to understand the role technology has played and also to evaluate the role of government policies in this regard.

### **The Case of Haryana**

#### **'Punjab and Haryana lead in selective abortion'**

"The number of sex selective abortions in Haryana rose to 69,000 from 62,000, and in Punjab, from 51,000 to 57,000, in the last six years. Had there been no such abortions in the two states, the fertility rate would have 3.2 (instead of 2.9) in Haryana and 2.9 (instead of 2.2) in Punjab." (*The Hindu, Friday, October 19, 2001*)

'In Haryana we see a negative correlation between higher levels of development, prosperity and balanced sex ratios.<sup>7</sup> It therefore becomes important to analyze the role of various social, economic, cultural and political factors that have led to the situation.

As pointed earlier Haryana has traditionally been an agricultural society, land therefore is central to its economic structure. Further in India sons are responsible for carrying the family lineage, girl on the other hand is a guest in her own family. Also being essentially agricultural in nature, male members provide essential farm labor and also bring in other helping hand in the family by marrying. In addition, according to the Hindu tradition a son is the one who looks after the parents in old age and performs the rituals at the time of death. Girl on the other hand is a liability as she would marry and go to her own house and is therefore only a drain on family resources. The culture of dowry and its soaring demands further enhance this belief. In addition this understanding is all the more worsened by the 'Hindu Succession Act 2005 (amendment) which gives inheritance rights to women, as it is feared that this would bring further distribution of property. 'The Haryana Assembly passed a resolution in 1967 and the Punjab Assembly in 1977, both

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<sup>7</sup>Ravinder Kaur Pg.5

requesting the central government to change the said Act. The centre did not oblige. In 1979, the Haryana Assembly tried to force the issue by unanimously passing a Bill, amending the Act of 1956 and sent it for the President's approval. This was not granted.<sup>8</sup> The proposed amendment demanded that a Hindu female should inherit the property from her husband and not her father as against the ruling of original act whereby the daughters, married or unmarried get share in the property of the father.

'The debate that followed the introduction of the Bill sought to defend this amendment on the basis of 'long-established tradition of brother/sister love' which was projected to be 'in grave danger of being severely disrupted.' This defence of tradition has a wider significance, as this-brother and sister love-can only be sustained if the sister relinquishes her inheritance rights. The speakers also laid emphasis on the 'enormous increase in the fragmentation of land holdings', and the creation of uneconomic holdings'<sup>9</sup>

However since the proposed amendments stood rejected it is thought better to eliminate the girl child then risk further division of property. This explains that 'why conventional economic development has not translated into human or social development and why in such areas there is harsher discrimination against girl children.'<sup>10</sup> As has also been pointed out by Ravinder Kaur

'The explanation may lie in the intersection of political economy with the institutions of family and marriage. The narrowing of the gender gap between man and women is being achieved within social structural conditions that leave gender relations unequal and unchanged and existing political economic conditions often strengthen these. Property and inheritance relations while legally more gender-equal now continue to be practiced within a patrilineal ideology.'<sup>11</sup>

The rigid demarcation of gender roles in our society, is another issue which adds to the plight of women in our society,

'the growing flexibility in gender roles is yet to be reflected in change in societal perceptions which continue to construct men as the ideal bread-winner and women as eventual contributors only to their in-

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<sup>8</sup> Prem Chowdhry Veiled Woman "Attempts at Reversal: The Hindu Succession Act, 1956" Pg 374

<sup>9</sup> Ibid Pg. 375

<sup>10</sup> Ravinder Kaur Pg. 5

<sup>11</sup> Ibid Pg. 5

laws families. Increasing land fragmentation and slow growth of employment opportunities for educated males makes families perceive economic conditions as being especially insecure for males who continue to be perceived as the main bread winners and status-carriers for the family. Hence families feel a pressing need to invest in the success of sons, especially in the absence of social security systems for parents'<sup>12</sup>

Another important factor influencing preference for male child is of chastity of females, family honor is supposed to be attached to the girl, and it is feared that she might bring disrespect to the family by marrying outside the caste (esp. lower caste), it is therefore thought better to avoid a female child than risk the family honor. Further traditionally male child bearing mothers are respected in the family and those giving birth to are looked down upon, they have to bear taunts and humiliation from in-laws and society, therefore women who already are placed in a vulnerable position do not want to further increase their plight by giving birth to a girl child and find it better to get rid of it.

Hence it becomes important to take a holistic approach while analyzing the reasons for the low female sex ratio in the region, a one sided view is not adequate in explaining the phenomenon as there exist multiple factors influencing the situation. The point is that the necessity for strict regulation of the practice becomes imperative in a highly patriarchal and gender biased society like Haryana's. The empirical evidence and newspaper reporting leave little doubt about the fact that sex selective techniques have contributed in a big way towards distorting the sex ratio.

Given the above we now move on to look into the role of sex-selective abortion techniques in facilitating and aggravating the practice of eliminating female fetus. Also what needs to be ascertained here is who is making them available, is it the state? What is the attitude of the state towards the whole situation given that the sex determination of unborn child is banned under Pre-conception and Pre-natal Diagnostic Techniques Act? Moreover, 'utilization of ultra-sonography, amniocentesis to determine and communicate the sex of an unborn is punishable under the law since January 2006.'<sup>13</sup> Given these

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<sup>12</sup> Ibid Pg. 5-6

<sup>13</sup> Ranjana Kumari Pg. 4

restrictions who are then providing these services and what are the policies of the state vis-à-vis the issue. In addition the position of women groups in the state working on the issue need to be ascertained.

The sex selective abortive techniques may not be the only reason for the skewed sex ratio in the state but they certainly have contributed in aggravating the problem to a large extent. Therefore it needs to be ascertained as to how far they are responsible for the given scenario in order to draw a plausible conclusion.

According to Dr. Vibhuti Patel in a paper presented by her at A UN Convention to Review Status of Women at UN Headquarters New York, 2005, 'Consumerist culture oriented economic development, commercialization of medical profession and sexist biases in our society, combined together have created a sad scenario of 'missing girls'.<sup>14</sup> 'The NRT's (New Reproductive Technologies) are based on the principle of selection of the desirable and rejection of the unwanted, in India the desirable is the baby boy and unwanted is the baby girl.<sup>15</sup> There however exist two views regarding the use of NRT's, one that is for it and the other that is against it. It's quite interesting to know the kind of justification that is put forward in defense of use of the NRT's, the most famous one being that of 'choice'; "NRT's in the context of patriarchal control over women's fertility and commercial interests are posing major threat to women's dignity and bodily integrity. The supporters of sex selective abortions put forward the argument of "Women's Choice" as if women's choices are made in social vacuum."<sup>16</sup> Here one needs to understand that the Indian abortion debate is not as simple as the American abortion debate, its therefore important to take into account the context when we talk of choice or the freedom to choose and the societal pressures that are responsible for conditioning of the choice made by women, in most cases it's not the women but the in laws and husband that make the choice for her, she may not have the authority to choose for herself at all.

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<sup>14</sup> Vibhuti Patel, Sex Selection & Pre-Birth Elimination of Girl Child; Presented at *A UN Convention to Review Status of Women at UN Headquarters, New York* from 28 February to March 11, 2005 Pg. 1

<sup>15</sup> Ibid Pg 1

<sup>16</sup> Ibid Pg. 1



Also, since she has been through the agony of being a woman she may not want to give birth to a daughter and have her face the same plight. Moreover, the male biased patriarchal society has been successful in conditioning the female minds towards son preference this can be due to number of reasons, to avoid the social stigma attached to giving birth to a female child as only women who give birth to male child are treated respectfully since giving birth to the heir increases her standing in the family. Besides, the husband may remarry and get another wife in case of woman's repeated failure in producing a male child.

Another argument put forward defending the sex selective abortion is that of population control, they say it's better to have the family to abort the unwanted female fetus and have the desired male child rather than continuing to produce female children in hope of giving birth to a male child, therefore the women already having female children should be allowed to undergo amniocentesis so that they can have a 'balanced family'. The practitioners of Sex selective abortions thus consider themselves to be doing social service which is ultimately in interest of the family and welfare of the nation.

Further Vibhuti Patel points out that many economist and doctors have defended the NRT's by citing the law of supply and demand. They say that if the supply of women is reduced their demand as well as status will be enhanced. According to this logic, women will cease to be an easily replaceable commodity and this scarcity will in turn increase their value in which women have to live. Here they fail to take into account the social realities of the society in which we are situated where historically women have been victimized and treated as sex and reproductive objects. Not going far if we take examples of states with adverse sex ratio like Haryana and Punjab, the skewed sex ratio has done nothing but only further worsened the situation of women in the state. Even common sense could tell us that low availability of women will only aggravate the crimes against women such as rapes, abduction and forced polyandry. 'Hence we need to link science and technology with socio-economic and cultural reality. The class, racist and sexist biases of the ruling elites has crossed all boundaries of human dignity and decency by making savage use of science. Even in China, after 55 years of "revolution", "socialist

reconstruction” and the latest, rapid capitalist development SD (sex detection) and SP (sex pre-selection) tests have gained ground after the Chinese government’s adoption of the “one-child family” policy.’<sup>17</sup> ‘This shows how adaptive the system of patriarchy and male supremacy is. It can establish and strengthen its roots in all kinds of social structures- pre capitalist, capitalist and even post-capitalist if not challenged.’<sup>18</sup>

The following tables explain the gravity of the situation in the state of Haryana, where the sex ratio

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<sup>17</sup> Ibid Pg 13

<sup>18</sup> Ibid Pg 13

**Appendix B**  
**Sex ratio (F/M) of children (0-4 years) by districts for the year 1981, 1991**  
**and 2001. (Haryana)**

State /Districts	1981	1991	2001
Haryana	930	886	867
Panchkula	*	*	881
Ambala	940	887	826
Yamunanagar	*	882	849
Kurukshetra	880	868	857
Kaithal	*	855	849
Karnal	930	914	865
Panipat	*	899	862
Sonipat	890	883	836
Jind	880	867	876
Fathebad	*	*	890
Sirsa	940	896	883
Hisar	920	865	868
Bhiwani	940	901	881
Rohtak	940	860	869
Jhajjar	*	*	868
Mahendragarh	950	893	869
Rewari	*	907	866
Gurgaon	960	927	867
Faridabad	920	894	898

\* Not Available

Source:

Census of India 1981 Series 6, Haryana Part IV A, Social & Cultural Tables.

Census of India 1991 Series 8, Haryana Part IV A – C Series, Social & Cultural Tables.

Report and Series on Age, Series I, Census of India 2001.

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have shown a consistent decline.

**Source:** Sayeed Unisa, Sucharita Pujari, and R. Usha Measuring Sex Selective Abortions in India: Evidences from Haryana.

**Appendix A**  
**Sex ratio (F/M) of children (0-4 years) for India and States for the year**  
**1981, 1991 and 2001**

India & States	1981	1991	2001
India	977	955	933
Andhra Pradesh	1000	978	964
Assam	*	978	971
Bihar	1003	978	957
Chattisgarh	*	*	975
Gujarat	951	938	888
Haryana	921	886	817
Jharkhand	*	*	975
Kerala	974	951	951
Karnataka	980	962	947
Madhya Pradesh	988	967	938
Maharashtra	960	945	912
Orissa	1003	974	959
Punjab	925	874	794
Rajasthan	978	936	913
Tamil Nadu	973	951	946
Uttar Pradesh	964	946	929
Uttaranchal	*	*	906
West Bengal	991	972	965

\*Not Available

Source:

Census of India 1981, series 1, Part IV A, Social & Cultural Tables.

Census of India 1991, series 1, Part IV A, C Series, Social & Cultural Tables Vol - 2.

Report and Series on Age, Series 1, Census of India 2001.

Source: Sayeed Unisa, Sucharita Pujari, and R. Usha Measuring Sex Selective Abortions in India: Evidences from Haryana

### **Government Mechanisms and Provisions**

Let us now look at the government mechanisms that have been evolved to take control of the situation and what are the limitations. MTP (Medical Termination of Pregnancy) Act 2003 and the PNDT (Pre-natal Diagnostic Techniques (Regulation and Prevention of Misuse) Amendment Act 2003 are the two acts that deal with the issue of preventing sex-selective abortions in India. It's important to first understand the distinction between the two as they have been criticized to have been overlapping and are often used

interchangeably which has added to confusion and problems in implementation. In addition, ‘policies need to clearly demarcate the purposes and domains of the PNDA Act and the MTP Act. Recent media campaigns to enforce the PNDA Act to prevent sex selective abortions have blurred this demarcation and often denied access to safe abortion care to women seeking to terminate pregnancy within the legal framework. The PNDA Act and the MTP Act do not conflict or contradict but coexist. The belief that a restrictive abortion policy will prevent sex selective abortion is unfounded. Policies need to ensure that measures for preventing sex selective abortion do not affect access to safe abortion care for the genuine abortion seeker.’<sup>19</sup>

### **Medical Termination of Pregnancy Act**

‘In India, abortions were prohibited (unless medically required to save the pregnant woman) till the Medical Termination of Pregnancy (MTP) Act was passed. Two shades of opinion were in evidence. At one end were the proponents of family planning and population control who favored liberalization with a view to lowering the birth rate. At the other ends were those who were concerned about the ill effects of abortions conducted by non-qualified, untrained and ill-equipped medical practitioners under unhygienic conditions.’<sup>20</sup>

‘The MTP Act as an opening paragraph states, was designed “to provide the termination of certain pregnancies by registered medical practitioners and for matters connected therewith or incidental thereto”. The MTP act was enacted to encourage induced abortion in order to provide women with safe abortion facilities and ensures access to safe abortion care, it also defines ‘when’, ‘where’ and under ‘what’ conditions abortion is permissible. Also, ‘the MTP regulations define procedures to ensure confidentiality and anonymity in provision of safe abortion services.’<sup>21</sup>

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<sup>19</sup> Siddhivinayak Hirve Abortion in India: Lacunae and Future Challenges, *Abortion Assessment Project, India* 2004 Pg 11

<sup>20</sup> Amar Jesani and Aditi Iyer, “Women and Abortion”, *Economic and Political Weekly*, November 27, 1993. Pg. 2591

<sup>21</sup> Siddhivinayak Hirve Pg 10

However since then the act has been under criticism for its limitation and loopholes that defeat its own purpose, Those arguing the case for liberalizing of abortion services in India were driven by their own vested interests, for the doctors it was a huge profit making opportunity, they justified their decision to provide sex-selection services on various grounds like that of balanced family, uplifting of women's status, supply and demand etc.,

'Some demographers and other public health researchers condone sex-selective abortion by saying that it may actually reduce post-natal discrimination against girl children. Sex selective abortion may indeed be a substitute for female infanticide, but that does not make it a legitimate means of dealing with the later. The same 'substitution' argument could be used in defence of pre-conception sex selection, and because abortion is not involved, could be considered outside the realm of moral questioning. These arguments miss the core of the problem-the fact that these practices are symptomatic of the devaluation of women'<sup>22</sup>

'A major critique of the MTP Act is its apparent 'over-medicalisation' and 'physicians' only policy that reflect a strong medical bias and ignore the socio-political aspects of abortion.'<sup>23</sup> For instance the MTP Act permits an abortion to be induced for reasons of contraceptive failure only in the context of married woman also the necessity of seeking second opinion in case of late abortion may add further hurdle for a woman seeking abortion.

'Though abortion law allows for termination of pregnancy for a wide range of reasons construed to affect mental and physical health of the women, it remains with the doctor (and not the women) to opine in good faith, the need for such termination. Such a provider-dependent policy might result in denial in abortion care to women in need, especially the more vulnerable amongst them, for various reasons including 'conscientious objection'<sup>24</sup>

Another limitation of the MTP act is that 'in essence, it liberalizes and regulates medical practices in relation to abortion but does not even begin to provide women with the

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<sup>22</sup> Nandini Oomman, Bela R. Ganatra Sex Selection: The Systematic Elimination of Girls, *Reproductive Health Matters*, Vol. 10, No. 19, Abortion: Women Decide (May, 2002) Pg. 186

<sup>23</sup> Siddhivinayak Hirve Pg. 9

<sup>24</sup> Ibid Pg. 9

means to control their reproduction.<sup>25</sup> For instance the option of abortion in case of contraception failure is only for married women and provides no cover for single, widowed women. Next those arguing the case for abortion argue citing the rhetoric of ‘choice’ and rights of a woman as an individual to have greater autonomy and control over her reproduction; it’s only commonsense to understand how much heed would have been paid to the issue of women’s right in a society which is almost creating a world record for having the most adverse sex ratio. ‘How are individual choice and reproductive rights to be situated when they take place in a gender-biased society? Can the individual woman’s right to select the sex of her children take precedence over the right to justice and equality, which are clearly violated when society favors systematic gender-based discrimination?’<sup>26</sup> Thus,

‘instead of evaluating the contributions that a liberal law makes to the health of women and choices that they make the discussion should turn to an appraisal of whether liberalization has been supported by the provision of free, safe and above all humane health care (and abortion) services. Further, the social, economic and cultural aspects of the issue, which have a fundamental bearing on the position of women, should be inspected with great care.’<sup>27</sup>

A report prepared on ‘Situation Analysis of MTP Facilities in Haryana’ done by Centre for Research in Development and Change said that “though the MTP Act was formulated with the women’s health in view it was generally misinterpreted either intentionally or due to lack of complete knowledge.”<sup>28</sup> The study found that fewer facilities in the private sector had certification of both the site and the provider, which is a requirement under the MTP Act, 1971. It overall concluded that

‘The demand for abortion services is there in the community and they avail of the same from the sources that they are aware of, irrespective of the legality issue. The proportion of public sector hospitals providing abortion services is small. Similarly existing certified private facilities are few. However, trained personnel

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<sup>25</sup> Amar Jesani and Aditi Iyer, Pg. 2592

<sup>26</sup> Nandini Oomman, Bela R. Ganatra Pg. 185

<sup>27</sup> Amar Jesani and Aditi Iyer Pg. 2594

<sup>28</sup> Situation Analysis of MTP Facilities in Haryana, Executive Summary: Centre for Research in Development and Change (A Division of Society for Operations Research and Training Baroda) 2004 pg 1

are also involved in providing abortion services at private uncertified clinics. Quality of service in general is poor than the desired standard.<sup>29</sup>

The above are the limitations of the MTP Act which act as hurdles in way of its implementation, what is needed is that the act be more sensitive towards women and to the context in which it is operating. Further the apparent confusion between induced abortion and sex selection among the providers and users needs to be addressed for successful implementation of the act.

### **Pre-natal Diagnostics Technique (Regulation and Prevention of Misuse) 2003**

From here we move on to look into the Pre-natal Diagnostics Techniques (Regulation and Prevention of Misuse) Amendment Act, 2002, in light of its implementation and implications.

‘The Pre-natal Diagnostics Techniques (Regulation and Prevention of Misuse) Amendment Act, 2002 received the assent of the President of India on 17-01-2003. The Act provides “for the prohibition of sex selection, before or after conception, and for regulation of pre-natal diagnostic techniques for the purposes of detecting genetic abnormalities or metabolic disorders or sex-linked disorders and for prevention of their misuse for sex determination leading to female feticide and for matters connected therewith or incidental thereto.”<sup>30</sup>

Thus, the PNDT act therefore is designed to check the misuse of sex determination technologies for eliminating of female fetus, The PNDT act,

‘Is meant to regulate the use of pre-natal diagnostic techniques and prevent its misuse for prenatal sex determination leading to female feticide. It bans the use of such techniques to determine the sex of the foetus and/or advertisement of such use, requiring all facilities using such techniques to be registered and prohibiting persons conducting such techniques from revealing the sex of the foetus. The PNDT Act also prohibits family members of the pregnant woman from seeking or encouraging the woman to undergo

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<sup>29</sup> Ibid Pg 4

<sup>30</sup> Vibhuti Patel Pg. 2



prenatal testing for foetal sex determination and imposes penalties on providers who contravene the provisions of the Act.<sup>31</sup>

The Act however has been under criticism for its several shortcomings. According to Vibhuti Patel, the shortcomings of the Pre-natal Diagnostics Technique Act (regulation and prevention of misuse) Act (2003) lie in criteria set for establishing a genetic laboratory and genetic clinic/ ultrasound clinic/ imaging centre and person qualified to perform the tests.

- ‘The terms genetic clinic/ ultrasound clinic/ imaging centre can’t be used interchangeably. But the Act does.
- Moreover, the amended Act should have categorically defined persons, laboratories, hospitals, institutions involved in pre-conception sex selective techniques such as artificial reproductive techniques and pre-implantation genetic diagnosis.
- Who is a qualified medical geneticist? As per the Act, “a person who possesses a degree or diploma or certificate in medical genetics in the field of PNDT or has minimum 2 years experience after obtaining any medical qualification under the MCI Act 1956 or a P.G. in biological sciences”. Many medical experts feel that a degree or diploma or 2 years experience in medical genetics can’t be made synonymous.
- As per the Act, an ultrasound machine falls under the requirement of genetic clinic, while it is widely used also by the hospitals and nursing homes not conducting Pre-implantation Genetic Diagnosis (PGD) and PNDT.<sup>32</sup>

In addition the act has been criticized for having serious loopholes because of which it can be easily manipulated;

‘first, the crime takes place behind closed doors, and with the involvement of both parties (the doctor motivated by money and the woman coerced by family and social pressures). Evidence for a legal case is difficult to put together and there may be limitations to the use of circumstantial evidence and decoys to pin the case on a doctor. Second, the sex selection industry is run by a guild of medical professionals who have, so far, shown little inclination in putting their house in order and the authorities are apparently not taking on them. Third, there is a need to tread carefully to ensure that opposing sex selection does not undermine

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<sup>31</sup> Siddhivinayak Hirve Pg. 36

<sup>32</sup> Vibhuti Patel Pg. 29

women's right to abortion. Finally, there is also the question of what to do as new diagnostic tests on the distant horizon take foetal sex detection outside the scope of the regulatory system.<sup>33</sup>

Further, the Preconception and Prenatal Diagnostic Techniques Act, 2003, covers pre-conceptual techniques and all prenatal diagnostic techniques.

'The following people can be charged under the Act: everyone running the diagnostic unit for sex selection, those who perform the sex selection test itself, anyone who advertises sex –selection, mediators who refer pregnant women to the test, and relatives of the pregnant woman. The pregnant women are considered innocent under the Act, “unless proved guilty”. Penalties under the Act are imprisonment for up to three years and a fine up to Rs. 10,000. This is increased to five years and Rs. 10,000 for subsequent offences. Doctors will be reported to the state medical council which can take the necessary action including suspension.<sup>34</sup>

But a careful look at these provisions makes apparent the loopholes in the Act itself; firstly, the clause of woman being innocent “unless proved guilty” puts the onus of proving oneself innocent on the victim. It has already been mentioned how women are manipulated into these abortions and the patriarchal realities of our society and the position of women leave little to imagination the options or accessibility of women to the means of proving herself innocent. Thus, the act has in a way brought relief to those who force women into undergoing sex selective abortions as they can now easily shift the blame on the woman who is already helpless and vulnerable. Further the punishment inflicted on those found guilty of either providing or availing of these services for the purpose of sex selection is negligible in front of the heinous crime and the degree of impact it is having on our society. Also it is not enough to de-motivate the practitioners as the gains or profits are much more compared to the risk involved.

In addition there are other criticisms that have been raised but most importantly the major limitation of the act is that it fails to take into account the context, the societal realities

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<sup>33</sup> Sandhya Srinivasan India: Challenges in implementing the ban on sex selection. Infochange <http://infochangeindia.org/2006031077/Women/Analysis/Challenges-in-implementing-the-ban-on-sex-selection.html> 2008 Pg.2

<sup>34</sup> Ibid Pg. 2

which are a major hindrance to its implementation. Thus, to address these issues in any meaningful manner, it is pertinent to look into the political economy of technology use in this domain. The political economy of technology here imply the easy money that practitioners are making by making these technologies of sex selection available and also the users who want to avoid future dowry and cost of upbringing an 'unwanted' female child. 'The propertied class does not desire daughter/daughters because after marriage of the daughter, the son-in-law may demand share in property. The property-less daughter, the son-in-law may demand share in property. The property-less classes dispose of daughters to avoid dowry harassment.'<sup>35</sup> Also, the 'birth of son is perceived as an opportunity for upward mobility while birth of a daughter is believed to result in downward economic mobility.'<sup>36</sup> Thus, towards that end, it is significant 'to (a) demystify the manner in which an entire discourse of legitimation, carefully constructed by vested interests, ensures the production and reproduction of conditions of patriarchy, which supports technology use even for such demeaning practices as sex-based discrimination in childbirth; and (b) examine the interplay of state policy, including its response to play of forces which in effect contribute to the widespread resort to these practices.'<sup>37</sup>

Moreover, according to Dolly Arora, 'the new law appears to have little more than symbolic worth, firstly, because it does not address the problem of sex-determination in a comprehensive manner; and secondly, because it does not even possess the mechanisms necessary for its own effectiveness-it leaves enough grounds to ensure its defeating its own purpose. This Act, it appears, misses the relationship between the technology serving ends of the social prejudice and commercial interests taking advantage of it.'<sup>38</sup> In addition 'the primary mechanism chosen for the purpose of preventing their misuse under the circumstances is control over communication. The law provides that no person

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<sup>35</sup> Vibhuti Patel Pg. 16

<sup>36</sup> Ibid Pg. 16

<sup>37</sup> Dolly Arora the Victimized Discourse, Sex determination technologies and policies. *Economic Political Weekly* Vol. 31, No. 7 (Feb 17, 1996) Pg 420

<sup>38</sup> Ibid Pg 422

conducting pre-natal diagnostic procedures shall communicate to the pregnant woman or her relatives the sex of the fetus by words, signs or any other manner. It however leaves enough scope for a leak within the framework of legality. There is nothing in the Act which, for instance, bars the communication of such information to the non-relatives. One wonders if there will be any problem in case this information is passed on through friends to the woman's relatives.<sup>39</sup>

These are some of the many limitations that are major hindrances to the implementation of the act and what needs to be understood here is that nothing will change till the very societal understanding and ideology regarding the female child is altered. Son preference and female bias is inculcated in the very roots of our society, development and education has not been able to bring any significant change and has instead aggravated the practice by providing more resources and sophisticated means for the reinforcement of patriarchy. The need therefore is to think of ways beyond policy frameworks and of other possible interventions that would help uplift the status of women in the society and would in turn put an end to the heinous practice of sex selection.

Another point of concern here is given the ban on Sex Selection Abortion Techniques; these are being performed illegally in private clinics and even at the practitioner's residence and through operation of mobile vans. This illegal operation of these clinics raises an issue for woman's health, and may in turn affect the women's health adversely. Further there is a dearth of evidence on sex-selective abortions in India because most of the abortions are illegal and not reported and there is hardly any documentation on the magnitude of sex selective abortions in India.<sup>40</sup> The problem here is with the way ban on sex selection has been implemented which instead of controlling of the practice has led to its further increase, and now since these abortions are performed illegally outside the legal purview they often are done under unhygienic conditions without adequate facilities, at times even after the lapse of recommended safe gestation period, these in

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<sup>39</sup> Ibid Pg 423

<sup>40</sup> Sayeed Unisa, Sucharita Pujari, and R. Usha Measuring Sex Selective Abortions in India: Evidences from Haryana.

turn effect the women's health adversely. Its therefore important that implementation of the act be further facilitated by proper monitoring so that in process the victims are not further victimized since 'the task of keeping vigilance after legalization is as important as the struggle for legalization'.<sup>41</sup>

## **Discussion**

'The New Reproductive Technologies in the neo-colonial context of the world economies and the unequal division of labor between the first and the third world economies have created a bizarre and cut throat competition among body chasers, clone chasers, intellect chasers and supporters of femicide. There are mainly three aspects of NRT- assisted reproduction, genetic or prenatal diagnosis and prevention of conception and birth. It is important to understand the interaction among NRT developers, providers, users, non-users, potential users, policy makers, and representatives of international organizations.'<sup>42</sup> By now it is clear that no particular person or factor can be blamed individually for the given situation of female feticide, it's a whole nexus of service providers, users and even the policy makers who are together making the task possible. Also, it is not a new phenomenon but has existed for centuries it therefore becomes important to identify clearly each of the issues involved and here one need to be cautious of the fact that there is a very thin line that divides the two kinds of abortion one that is induced and sex selective abortion. Therefore care should be taken that in our fight against femicide the reproductive rights of the women are not undermined and we do not end up further increasing the plight of the victims.

It is quite evident that despite knowing the consequences and the motive with which sex selective abortions are carried in our country sex selective abortions are defended on various grounds of choice, freedom, women emancipation, population control, demand and supply etc, by both those who are providing it and those who avail of these facilities. But what one needs to be understood here are the intricacies and complexities of the

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<sup>41</sup> Amar Jesani, Aditi Iyer Pg. 2591

<sup>42</sup> Vibhuti Patel Pg 25

Indian abortion debate. As pointed out earlier decisions relating to abortion of fetus are never taken by the women individually by exercise of her will alone. It is the patriarchal structures of the society that determine and condition her choice and

‘If we avoid considering the structural limitations that patriarchy places on women’s choices, we deny the fact that a woman in such a context is not “free” to choose to have a daughter instead of a son. She is “free” only to comply with the masculinist reproductive mandate, but she is not free to resist the mandate. Pure reproductive freedom in the complete absence of constraints and structured choice should, therefore, logically result in equal sex ratios at birth. Conversely, unbalanced sex ratios at birth can be taken as evidence of the lack of reproductive freedom.’<sup>43</sup>

In addition, ‘Debates regarding abortion have also generated various legal, moral, political and ethical debates, this is because abortion is not merely a medico-technical issue but the fulcrum of a much broader ideological struggle in which the very meanings of the family, the state, motherhood and young women’s sexuality are contested’<sup>44</sup> and these decisions are therefore not made in isolation. Moreover,

‘far from being static the norms governing the ethics of abortion have been modified from time to time and from one social context to another however its noteworthy that regardless of their (restrictive or permissive) orientations, abortion norms (and laws) have been directed, almost invariably, towards the fulfillment of extrinsic social needs. Women and their right to determine their sexuality, fertility and reproduction are considerations that have seldom, if ever, been taken into account by the policy makers. In the formulation of policies related to abortion, it is the medical profession and not the women’s groups that have played a vital role.’<sup>45</sup>

The lack of participation of women’s movements in the formulation may be attributed to the time at which liberalization of abortion policies took place in India, according to Amar Jesani and Aditi Iyer

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<sup>43</sup> Barbara D. Miller, “Female-Selective Abortion in Asia: Patterns, Policies, and Debates”, *American Anthropologist* 103(4): 1083-1095. Copyright 2001, American Anthropological Association Pg 1091

<sup>44</sup> Amar Jesani and Aditi Iyer Pg. 2591

<sup>45</sup> Ibid pg. 2591

‘The liberalization of abortion services in India took place in 1972 in relative isolation from the movement. Till then, the efforts of the movement were concentrated on subverting criminal law without politically articulating specific demands. This may partly (but not wholly) be attributed to the absence of strong feminist current within the movement during the 1960s and early 1970s. Secondly, anti-abortion votaries in India are not as belligerent or as strident as their counterparts elsewhere, as a result, feminists have not been able to adopt abortion as a programmatic issue. Thirdly, the low priority may be engendered by unawareness of the fact that legalization has not actually been buttressed by safe humane abortion services’,<sup>46</sup>

Also, a closer analysis of the abortion policies in India make the lack of women’s voice in them quite evident, also the loopholes and discrepancies in their implementation show the loose and careless attitude of the policy makers and implementers vis-à-vis the whole issue.

It therefore becomes important here to question the existing policies in order to make them more sensitive towards the women. When is an abortion legitimate? Who decides on the legitimacy, the state, the woman, or familial/social structures, when does the argument that is pro-choice stops and what are its limits? These are certain questions that are the roots to the solution.

Michael Sandel in his article ‘Moral argument and liberal toleration-abortion and homosexuality, argues that “The justice (or injustice) of laws against abortion and homosexuality conduct depends, at least in part, on the morality (or immorality) of those practices.”<sup>47</sup> Sandel’s justifies this by illustrating examples of real life cases; his point is to illustrate the difficulty of bracketing moral judgments for purpose of law. He says that individual freedom should not be surrendered for the sake of value preference of majority, he is talking of abortion in context of rights of an individual and of course these rights should be available to every individual but can the same case be argued for the situation in India? I would argue not and this is what makes the Indian abortion debate

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<sup>46</sup> Ibid Pg 2591

<sup>47</sup> Michael Sandel, Moral Argument and Liberal Toleration, abortion and homosexuality Pg. 122-123

distinct and complex, here the issue is not 'abortion' but 'sex selection' which is linked to the overall status and position of women in a highly patriarchal society like ours.

There is no denial to the fact that those who oppose abortions do so because of the immorality of the practice, they argue that it prohibits the reproductive rights of the pregnant women and also the rights of the unborn, but in case of India it's both interesting and surprising that these concerns are not even secondary when the case for abortions is debated, in fact sex selective abortions has helped those desiring to get rid of daughters to escape certain amount of guilt associated with infanticide. Elaborate rituals were established to cleanse the parents off their sin, feticide saves this guilt of having killed someone 'since many Indians believe that the soul does not enter the fetus until the end of the second trimester of gestation, sex selective abortion removes the stain and guilt and is therefore far more morally acceptable'.<sup>48</sup> The socio-political context and the very ideology with which abortions take place in India leave no space for exercise of choice and rights. We have talked earlier of the patriarchal ideology which have led to elimination of girl child for centuries and how technology has done nothing but changed the mode or method of seeking that elimination from female infanticide to female feticide.

The next question is 'who decides on the legitimacy?' or as Dolly Arora puts it, 'the manner in which discursive space is created for the promotion and acceptance of such technologies and associated practices despite their extremely unhealthy nature and further, its implications for pushing an unjust meaning into the notion of rights.'<sup>49</sup> One can only imagine that how well established is the patriarchal ideology of male preference in our society that despite knowing the extremely adverse effects of the practice and of all the immorality attached to it, it is being practiced in full swing. 'The continued manipulation of discursive space to sustain and reinforce gender bias in society on the one hand, and legitimize various forms of discrimination in matter of birth in the name of

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<sup>48</sup> Rita Patel, *The Practice of Sex Selective Abortion in India: May you be the mother of hundred sons*, *Department of Maternal Health and Child Health, School of Public Health* Pg. 5

<sup>49</sup> Dolly Arora Pg. 420



choice on the other, further complicates the issue and demands that this be perceived and handled carefully and in all its complexities.’<sup>50</sup> It has been observed that the use of these technologies is more among the educated women, they of course avail themselves of it in the name of maintaining the family size and are seen as emancipatory, but, data reveals that most of the aborted fetus are female, this makes it evident the fact that education has done little to uplift the status of women and left the patriarchal understanding unaltered. It is therefore essential that women who are in the capacity, i.e., those who are educated realize that

‘the pre-natal diagnostic techniques in the name of emancipation may well primarily be encouraging or promoting the patriarchal mindset of the society that is extremely prejudiced against women and is in fact helping in the reinforcement of patriarchy. ‘In the name of ‘choice’ not only is the position of women likely to be further devalued, control of men over reproductive rights of women will only be further strengthened. What is made out to be an issue of choice in effect is an issue of control. Technologies, which offer instruments of furthering exploitative processes in the society, cannot be supported simply because they appear to increase individual choice.’<sup>51</sup>

Those who argue for the practice based on the logic of ‘supply and demand’ are justified to the extent that they are professionals and by making these services available they are simply abiding by the laws of economics. Thus it’s imperative to think of ways that would limit the demand, and this is only possible when girls are stopped as been seen as burdensome and a drain of familial resources. One way suggested by Amartya Sen is recognition of female labor,

‘Considerable empirical evidence, mostly studies of particular localities, suggest that what is usually defined as “gainful” employment (i. e., working outside the home for a wage, or in such “productive” occupations as farming), as opposed to unpaid and unhonored housework no matter how demanding can substantially enhance the deal that women get. First, outside employment for wages can provide women with an income to which they can rely, making them less vulnerable. Second, the social respect that is associated with being a “bread winner” (and a “productive” contributor to the family’s joint prosperity) can

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<sup>50</sup> Ibid Pg. 421

<sup>51</sup> Ibid Pg. 421

improve women's status and standing in the family, and may influence the prevailing cultural traditions regarding who gets what in the joint benefits. Third, when outside employment takes the form of jobs with some security and legal protection, the corresponding rights that women get can make their economic position much less vulnerable and precarious. Fourth, working outside the home also provides experience of the outside world, and this can be socially important in improving women's position within the family. In this respect outside work may be "educational" as well.<sup>52</sup>

This observation may not be completely true since in Haryana women are the ones who work as farm laborers but this is not seen as different from household work and is mostly unpaid. But on the other hand women who have migrated to Haryana from Kerala or have been bought as wives from Kerala, given the high literacy rate of the state are comparatively educated; these mostly work as nurses and are therefore in a better position. They are more or less known to have been leading a decent, socially recognized and acceptable married life.

'The terms on which women are incorporated and accepted into local society and the negotiation of cultural difference within unequal structural positions happens in diverse ways often varying in accordance with women's prior standing and cultural background. Thus, many Kerala women, who generally tend to be more educated and capable of financial independence, can negotiate much better terms for themselves in the marriage than poor, uneducated women from Bihar or Bengal.'<sup>53</sup>

It can therefore be said that 'the lack of social and economic security available to women in the present framework of rights and opportunities, whether due to the discriminatory property laws or due to policies which systematically deprive women of means of livelihood, for instance, have played a significant role in creating and reinforcing son-preference as much as these have devalued the position of women. It is impossible to address the question of changing people's attitudes without first understanding and altering the context which contributes to these.'<sup>54</sup>

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<sup>52</sup> Amartya Sen Pg. 11

<sup>53</sup> Ravinder Kaur Pg. 9

<sup>54</sup> Dolly Arora Pg. 423

It therefore becomes imperative that firstly the root of the issue be addressed, without creating awareness and empowering women it is impossible that any improvement in the situation be brought about. Also the task is much more tedious than it seems. 'Legal reforms are an important step but they must be implemented. Economic reform is required that equalizes female entitlements. Addressing women's job, unequal pay scales, dowry systems, and legacies is crucial even though strong resistance is expected from forces protective of male dominance.'<sup>55</sup> We need to counter those who believe that it is better to kill a female fetus than give birth to an unwanted female child. Their logic eliminates the victim of male chauvinism, does not empower her. 'There is a need to clarify the gender-just position from the anti-abortionist position. Women should have a right to their bodies and unconditional access to abortion is not in conflict with the claim that sex selection and sex selective abortions are unethical. It is not the abortion which makes the act unethical, but the idea of sex selection.'<sup>56</sup> Further those who are promoting their vested interests in name female emancipation, population control need to be exposed, strict implementation and monitoring of the Act is required.

In a patriarchal and gender biased society creating awareness cannot work alone it has to accompanied with stringent rules and penalties. Therefore, social awareness has to go in hand with fear of law and punishment for the struggle to be effective. It has been mentioned earlier as well that there are serious loopholes in the Act itself which limit its implementation, this is because of the fact that even the policy makers are very much part of the gender biased society we live in and such incumbencies only makes the non seriousness of the policy makers with regard to the issue more apparent.

Thus, only government mechanism is not enough and there exists serious need for efforts at the ground and in fact at every individual's since social consciousness and joint action is the only long term effective solution. Addressing female feticide is the first step

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<sup>55</sup> Barbara D. Miller Pg. 1091

<sup>56</sup> Vibhuti Patel Pg. 31

towards stopping other atrocities against women such as dowry deaths, sale/purchase of brides, rapes and the list continues.

## Chapter 3

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# Migrant women in Haryana: Policy analysis and response

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In Haryana two kinds of migrant women are found, one that migrate for marriage and second those who are seasonal migrants and have come to the state seeking work. The commonality between these two forms of migration by women is that through both types of migration women's productive and reproductive labor is being sought by the receiving or the destination state and certain kind of economic mobility is being sought by the women and who migrate. Also, the reason why it's important to bring together these two groups (migrant wives and informal female labour) is because of the discrimination these women face at the hands of their employees and the by the families they are bought into which is quite akin to migration into a form of bondage. It has been observed that 'there is only a thin line separating mediated commercial marriage arrangements, the abduction and 'trafficking' of women and bonded labour'<sup>1</sup> also a 'woman so bought (or duped into marriage) may be further traded by her husband to another man, into sex work or into other forms of bonded labour and servitude.'<sup>2</sup> Thus, what is happening is that

'On one hand, long distance marriage migration, like long-distance labour migration, may enable individual women to fulfill their social and material aspirations for a better life, and to escape the constraints of family surveillance and community pressure. At the same time, with the disruption of traditional marriage networks and preferences, and the growth of commercial marriage brokerage services, a migrant woman seeking a more comfortable life through marriage with a man from a more prosperous background may end up in a very vulnerable position in her new home, totally isolated from her natal kin and familiar environment'<sup>3</sup>

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<sup>1</sup> Rajni Palriwala and Patricia Uberoi Marriage and Migration in Asia: Gender Issues, Indian Journal of Gender Studies, 2005 Pg xiv

<sup>2</sup> Ibid Pg xiv

<sup>3</sup> Ibid Pg ix

Similar observation can be made for women who migrate for work, migration for work by women to Haryana is largely in the brick kiln industries in Haryana, these women also migrate in search of economic opportunities but employment in kilns is more in form of bondage which I will illustrate later, the plight of these women is similar since their work in the kiln remains unacknowledged and underpaid.

In the earlier chapters I have discussed the reasons that have led people in Haryana to seek brides from faraway which are primarily the low female sex ratio of the state and the need for female productive and reproductive labour. Also I have argued for viewing these women as migrants in the state, in this chapter I shall argue for placing these women who are bought as wives in Haryana in the category of migrant labour along with the other migrant female labourers in the state.

The idea in this chapter is therefore to relate the two issues, that of migrant wives and those of migrant women labour in Haryana – I will draw on details related to the brick kiln industry for the latter – and see if a certain policy framework can be evolved that could help in making the state more responsive towards these women in the light of migrant labor laws in informal sector and migrant women labor protection policies and think of certain measures that could be taken for the upliftment of these women and recognition of their labor.

### **Women, migration, work**

Women as migrants do play an important role in the family survival but unfortunately they remain invisible in the official data this is primarily because of the way the concepts are defined and data is collected. The problem with the various data on migration is the limited attention they pay to the presence of women as migrants and their work contribution. In fact ‘women’s movement remains almost invisible to policy makers and the available data continues to ascribe their mobility almost solely to marriage and family/associated movement.’<sup>4</sup> Also the problem here is that almost all of this migration remains unaccounted; there is a considerable lack of data on female migration, the reason being ‘continued focus on women’s migration under the broad category of marriage-led-migration leading to invisibilisation of women’s migration for work.’<sup>5</sup> This ultimately results in devaluation of her work and labour contribution. As has been pointed in chapter one, it’s important to look at female marriage led along with labour migration since this movement entails reproductive and productive

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<sup>4</sup> Indu Agnihotri. Women, Migration and Public Policy. Women’s Equality Issues number 3 & 4. 2007, Pg. 6

labour. Amartya Sen makes a similar observation as illustrated in chapter two, according to Sen, recognition of female labour can help in upliftment of status of women in the society, but in Haryana we see continues devaluation of female labour contribution which may be the reason for the overall devaluation of women in Haryanvi society. In addition, 'feminist social scientists have demonstrated that empirically speaking, a meaningful distinction between 'marriage' and 'family' migration on the one hand, and 'labour migration' on the other, is impossible to sustain. Given women's role in family subsistence production, 'wives' are typically also 'workers', though their work may not be fully recognized as such.'<sup>6</sup> Also, migration for a married female in so far as it is determined by her husband's attempt at earnings maximization, may act as constraint which has a deleterious effect on her attainment in the labour market both in terms of earning and employment. Thus, seeing movement of women as only tied to her spouse leads to overlooking of her capacity as an economic agent. All these discrepancies in taking note of the female migration call for gender perspective on migration, the fact that female movement is seen largely in terms of marriage is because of the practice of 'seeing women as immobile or moving only for the purpose of marriage with the institutions of marriage and family not been seen as also being linked to political economy.'<sup>7</sup>

Talking of female migration and political economy Haryana's case is one such example, where women have contributed intensively in the state's economic development and it's due to economic necessity of female labour that men are seeking brides from afar region. This practice of bringing of brides from faraway regions highlights the fact that in the process of globalization there has been restructuring of not just economic institutions, but also of social institutions. New anxieties have entered interpersonal relations as well. It has been argued that migration itself can be an empowering experience for women leading to enhancement of women's active agency, where they realize their capacity as economic agents in the process of development. However in the case of Haryana migration instead of empowering women with opening of new economic avenues has led to her further devaluation. In fact being able to draw brides from afar is seen as an easy way out to deal with the situation of low female sex ratio in the state.

Moreover, these women from afar regions are from states which are culturally totally different from Haryana and in most instances women find themselves trapped in an even more patriarchal society.

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<sup>5</sup> Ibid. Pg. 7

<sup>6</sup> Rajni Parliwala and Patricia Uberoi Pg. vii

<sup>7</sup> Indu Agnihotri Pg. 7

Most of these women are from the states of Assam, West Bengal, Bihar and Kerala though these states are poor and poverty is the factor which pushes these women into these long distance marriages but, these societies are comparatively less rigid compared to Haryanvi society which is predominated by the rules of patriarchy, one such example of this the custom of 'Ghunghat' (veil). Since, Haryanvi women are accustomed to observing purdah it's not much of a constraint for them, 'yet in Haryana, purdah or ghunghat has not prevented the rural women, despite their veiled faces, from working alongside the men in the fields nor has it obliged them to observe any kind of seclusion.'<sup>8</sup> But these women who come from afar states are not used to either observing of 'Ghunghat' or to field work thus, performing of field work and other household chores under the veil can only be constraining

'The women have to adjust to system where the separation of genders is radical, an expression of which is the local form of purdah called 'ghunghat', a veil for the face. Hindu women outside of the North do not observe purdah and have easier interaction with members of the opposite sex and with members of older generations. Freedom of mobility in their natal home is far greater. Carrying out all tasks while keeping the face veiled is felt unnaturally constraining'<sup>9</sup>

### **Invisible labour**

Women's work contributions have historically been overlooked, works performed by women are seldom acknowledged. They remain unpaid and are usually their work is not even accepted in the category of what constitutes work. Take for instance the issue of domestic labour, 'the governing assumption that domestic labour should be done by women combined with the fact that it is largely though not exclusively performed by them, underwrites its social, economic and ideological location.'<sup>10</sup>

Indu Agnihotri points out that

'this tendency towards invisibilisation of women's migration in present times dates back to demographic studies in colonial India, in view of British officialdom's assumption that pre-colonial India was characterized by lack of mobility, which was seen as hallmark of an unchanging, backward, caste-bound society. This was extended to seeing women as immobile or moving only for the purpose of marriage with the institutions of marriage and family not being seen as also being linked to political economy.'<sup>11</sup>

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<sup>8</sup> Prem Chowdhry, "The Veiled Women, shifting gender equations in rural Haryana," Ch.2, Ideological and Cultural Realities: rural women and the changed socio-economy: Section 12: Purdah: Ideological and Physical Constraints Pg 286

<sup>9</sup> Ravinder Kaur Missing Women and Brides from Faraway: Social Consequences of the Skewed Sex Ratio in India, *AAS Working Papers in Social Anthropology* ISSN:1998-507X Pg. 9

<sup>10</sup> Kumkum Sangari, "The 'Amenities of Domestic Life': Questions on Labour," *Social Scientist*, and Vol. 21, Sept-Nov, 1993 Pg, 3

<sup>11</sup> *Ibid* Pg.7



It's therefore a shame that on one hand we talk of female emancipation and being equal to men and on the other our government fails to take into account their work participation and contribution which if not more is no lesser than man's labor.

Let us first see what have been the push factors, which have led women to migrate to Haryana. 'The main 'push' reasons for migration are poverty, indebtedness, irregular availability of work and irregular low wages for both men and women in the women's places of origin.'<sup>12</sup> Similar are the push reasons for those women who have migrated to the state as brides; primarily poverty of the source state and bride's family is the reason that has led these women to enter such long distance marital alliances. However there again is no prescribed registration of these women as migrants into the state or even of these marriages which makes these women all the more vulnerable and helpless. Migration of women for marriage is an accepted and recognized category; these women however fail to get recognized here as well since most of the marriages remain unregistered and unaccounted for. Also there have been instances of a woman being sold several times. However the fact remains that the primary catalyst for the formation of these alliances is the need for female productive labour in terms field worker and animal rearing and reproductive and sexual labour. The cause and the purpose has therefore been identified it thus becomes imperative now to look into what can be done to improve the condition of these women and think of ways in which their labour be recognized and placed under accepted category of 'what constitutes 'work'.

It is a well known fact that most of the intensive farm labour work in Haryana is done by women be it agriculture or animal husbandry, they thus have been playing a major role in Haryana's economic development. The acute sex ratio of the state has made it difficult to get brides locally, which has led Haryanvi men to seek wives from afar regions. The commonality in both the cases of migration for work and for marriage in terms of purpose is that in both cases it's the female productive and reproductive labour that is being sought. It thus becomes necessary to draw connection between the two and analyze the issue in context of migrant labor policies of the state, looking at what are the implications and what are the loopholes in their implementation and how can they be corrected or made effective.

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<sup>12</sup> DP Singh Women Workers in the Brick Kiln Industry in Haryana. India *Indian Journal of Gender Studies* 2005: 12: 83

### **Trends in female work participation and evaluation in Haryana**

Field work for Haryanvi women comes naturally and is an undisputed reality, they are brought up to believe that performing household and field work is their duty, and it's not only the migrant women who perform this work, but is uniform for all women in Haryana irrespective of caste or class. Also as has been pointed out female labour is indispensable to the Haryanvi economy due to its agrarian nature. However the acute female sex ratio in the state has resulted in shortage of female labour as a result Haryanvi men are now seeking brides from afar states to overcome this shortage of marriageable women locally. But why is that despite facing the consequences of acute female sex in the state we see continuous decline in the female ratio in Haryana?

It's said that sex ratio of any state is an important determinant of the status of women in that society, Haryana's sex ratio leaves it little to be said about the position of women in Haryanvi society. Even though majority of the intensive labour work is performed by women, men still remain to be the breadwinners of the family; her labour has always been invisible. This invisibilisation is a deliberate attempt to keep women from becoming financially independent and from all decision making process. Also this lack of recognition of female labour contribution has added to her further devaluation as she is continued to be seen as a burden and drain on familial resources rather than an economic asset.

The issue of women work contribution and their condition and status have been an area of major concern and has been raised time and again by various scholars however little has been done for their upliftment. Their work contribution is seldom acknowledged and they continue to be seen as only secondary workers. Even in families woman's income is always thought of as a secondary since conventionally its only the male who is the bread winner of the family, also as Jayati Ghosh points out even though 'vast majority of women are involved in some kind of productive and/or reproductive activity. Despite this, in mainstream discussion, the importance of women's work generally receives marginal treatment simply because so much of the work regularly performed is "invisible" in terms of market criteria or even in terms of socially dominant perceptions of what constitutes "work".'<sup>13</sup>

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<http://ijg.sagepub.com/cgi/content/abstract/12/83>

<sup>13</sup> Jayati Ghosh Informalisation and Women's Workforce Participation: A Consideration of Recent Trends in Asia UNRISD report, *Gender Equality: Striving for Justice in an Unequal World*

The invisibilisation of female labour has been an area of concern, however while looking into the case of Haryana it becomes all the more important as women have played a major role in growth, development and sustenance of Haryana's economy. Before the green revolution Haryanvi economy was largely a subsistence economy highly depended on family labour where women played a major role, 'the hard subsistence level economy with total dependence on family labour for cultivation made women an economic asset'<sup>14</sup>. Further even the Green Revolution which marked 'a sharp break with colonial past bringing in phenomenal transformation of contemporary Haryana from a pastoral and predominantly subsistence level economy into one of the major grain producing surplus states of India' did little to reduce the work load on females.<sup>15</sup> This is primarily because 'this unprecedented prosperity, however, has not been evenly distributed'<sup>16</sup> this uneven development continued to cast the role of female labour in the subsistence economy, also mechanization of agriculture has resulted in reducing the work load of men not women, 'in fact mechanization of agriculture has lightened the work load of men; for example, the use of the tractor which has replaced the plough and the oxen. But the women continue to load the tractor, as she had once loaded the cart. Significantly, the work load of women has only been recast, not reduced.<sup>17</sup>' This need for female labour in agriculture has been to the extent that marriage in Haryana has been an economic necessity, and difficulty in getting brides locally has resulted in buying of brides from afar.

But the question that arises here is that if the situation of work for women across Haryana is same and they are all victims of invisibilisation of labour why must one then only look into the issue of work conditions and contribution of migrant brides in the state. The reason why the case of these women becomes peculiar is that firstly, they are bought mainly for the purpose of their productive and reproductive labour; secondly, these women are from a totally different socio-economic and cultural background and are generally not used to working in fields and animal rearing; third in most cases they are not even as accepted as wives, and are referred to as 'lesser wives' or so. Fourth it's the acute sex ratio that is necessitating these marriages they therefore are not result of willing exercise of agency but of societal compulsion where marriage has become a social and economic necessity, this shows how 'how the institution of marriage undergoing materialistic influence is losing its moral grounds and

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<sup>14</sup>Prem Chowdhry, Socio Economic Dimensions of Certain Customs and Attitudes: Women of Haryana in the Colonial Period, *Economic and Political Weekly*, Vol.22 No. 48 (Nov. 28, 1987) Pg.2061

<sup>15</sup> Prem Chowdhry, High Participation, Low Evaluation: women and work in rural Haryana, *Economic and Political Weekly*, Vol. 28, No. 52 (Dec. 25, 1993) Pg. A-135

<sup>16</sup> Ibid Pg A-135

<sup>17</sup> Ibid Pg. A-136

ethicality; it is seen as an occasion to improve financial status and conditions of the family'<sup>18</sup>. Fifth there have been instances where these women are made to stay in the outhouse and work mainly as farm labourers. Thus, given the conditions and purpose under which these women are married they primarily remain to be labourers.

Even in the animal husbandry industry which is the second largest industry in Haryana women continue to play a major role, but 'although in dairy keeping women perform intensive labour and supervisory work, the man, whose work is marginal compared to that of woman, is the key controlling authority in the crucial sphere of marketing and collection of income as well as sale and purchase of livestock.'<sup>19</sup> Such demarcation in terms of actual control and labor is evident historically in all societies where women continue to do the hard work but all the monetary and decision-making power is with the male members. This is because 'women as petty producers and traders are far more constrained by the patriarchal restrictions and norms of modest conduct'<sup>20</sup> also, by controlling the economic resources men enjoy an upper hand even in relations of production which is in accordance with the rules of patriarchy and essential for its maintenance. In addition it is also feared that if women become economically independent it would then be difficult to have control over her productive and reproductive labor, since it is only possible to regulate her productive and reproductive labor till she is economically dependent on the men. The existing division of labour where women are kept away from any decision making process and from availing any financial freedom is strategically designed to perpetuate women's social subordination, also control of her sexuality is central here as relations of reproduction and production are intrinsically linked in an agrarian economy. Consequently, 'the control of female sexuality has been central to the very existence of vast kinship system on which stability of society is based. This fear of female sexuality and the need for sexual control of women within a larger framework of gender structures where control over women's reproduction and labour for production while retaining control over decisions, both in production and distribution, is threatened by 'recalcitrant' and 'independent' women. Any break in this control, however minor in statistical terms, cannot but be viewed as a revolt and therefore disquietening from the point of view of male authority.'<sup>21</sup> Thus, what is imperative here is to understand how patriarchy has been operationalised

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<sup>18</sup>Kamal Kumar Pandey, Rishi Kant, Female Foeticide, Coerced Marriage & Bonded Labour in Haryana and Punjab: A Situational Report. Shakti Vahini

<sup>19</sup> Ibid A-141

<sup>20</sup> Kalpana Bardhan Women's Work, Welfare and Status: Forces of Tradition and Change in India *Economic and Political Weekly*, Vol. 20, No. 50 (Dec. 14, 1985), Pg2208

<sup>21</sup> Prem Chowdhry. "The Veiled Women, shifting gender equations in rural Haryana," Ch.2, Ideological and Cultural

within these structures of development and has been continuously altered and re-altered to adjust to the demands of socio-economic growth and development also it needs to be understood here 'that the realization of women's 'reproductive freedom' will have to be part of the radical transformation in the social relations of reproduction and production'<sup>22</sup>

Kalpana Bardhan very interestingly points out how 'patriarchy combines with the caste-and-class hierarchy to sustain the segmentation of the labor market and the inequities in access to the means and resources for work.'<sup>23</sup> This demarcation is also quite evident in the way work has historically been divided,

'The cultural-cum-material patriarchy is interwoven with perhaps the world's most hierarchical social structure of caste and ethnicity. What is considered to be appropriate – whether it is the form of marriage, female demeanour, or the nature of women's work – is closely linked with the family's position (ascribed and/or aspired) in the social status hierarchy. The family's caste ranking, and a community's ethnic ranking, constrains women far more than men by status hierarchy of work, confining them to certain areas or kinds of work and excluding them from certain others.'<sup>24</sup>

As is already known that the rules of caste and class have always been more stringent for women than men, this is primarily because a woman's activities are directly associated with family honor and is central to the maintenance of caste and class hierarchy. The issue of caste also becomes important when talking in context of Haryana, as this is a society that is very strictly bound with caste rules which become all the more stringent when it comes to female work participation, however irrespective of belonging to any class women in Haryana continue to work as farm laborers. But while working on their own field by women is highly regarded and is a matter of pride (even for the upper caste women) it is considered bad and looked down upon if one has to work on somebody else's fields (which only the lower caste, landless laborers do). In addition the 'gender differential has determined both work and wages in rural areas. Basically, this difference emanates from the ideology operating behind the evaluation of the work of male as compared to female agricultural labourers, their capacity to perform certain tasks and the awarding of this performance in terms of wages'<sup>25</sup> for example 'a woman is

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Realities: rural women and the changed socio-economy; Section 13: Male Perception: Projected Views and Realities Pg. 297

<sup>22</sup> Amar Jesani and Aditi Iyer, "Women and Abortion", *Economic and Political Weekly*, November 27, 1993, Pg. 2594

<sup>23</sup> Ibid 2207

<sup>24</sup> Ibid 2207

<sup>25</sup> Prem Chowdhry, High Participation, Low Evaluation: women and work in rural Haryana, *Economic and Political Weekly*, Vol. 28, No. 52 (Dec. 25, 1993) Pg. A-144-145

generally regarded inferior to a man, is considered specially handicapped in matters of acquiring mechanical skill'<sup>26</sup> this has led to reservation of certain jobs for women, 'jobs like transplantation, weeding, sowing, interculture, etc, requiring much less skill and generally stereotyped as purely female tasks have come to be reserved for females'<sup>27</sup> such division of work has affected the wage patterns, 'not only do all the jobs reserved for men carry higher wages, but men also get paid more for those wages which they share with women.'<sup>28</sup> Thus, 'the capitalist thrust in agriculture leading to severe segmentation of agricultural work has resulted in reservation of the so-called 'inferior-jobs' for women, lower payments and much lower annual earning capacity'.<sup>29</sup>

This continuous devaluation and underestimation of the contribution by female labour and the existing patriarchal ideological framework of the society within which these women are located has led to an environment where women even while doing ninety percent of the intensive labor work see themselves as only supplementary workers, 'this highlights the dominant cultural work ethics which appropriates her work application without allowing her any economic or social worth. This ideology of work ethics based on high moral values and hard work has succeeded in making rural women accept and internalize the downgrading of their own contributions and the imposing of their own subalternism.'<sup>30</sup> Women are brought up to believe that they are inferior to men and their existence is entirely dependent on their male counterpart and the various productive and reproductive labor that they perform are only part of her womanhood and therefore needs no acknowledgement or acclaim. This analysis highlights 'the dominant socio-cultural and ideological factors which have made for this continuing high participation rate of Haryanvi women, along with a cultural devaluation which considers their work to be inferior/secondary/supplementary to that of the men.'<sup>31</sup> Also this explains the processes that are activated by patriarchy and result in shrinking of women's agency. Here even though a woman is an active agent in economic development she is brought up to believe that she is only a substitute and the jobs performed by her are only supplementary to men's work. Agency needs an enabling environment, for one to able to exercise her agentic capacities the person should see his/herself as an agent. The question whether she wants to perform these duties fails to figure here simply because doesn't know if she has a choice of opting out of this work and do something else. In addition,

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<sup>26</sup> Ibid A-145

<sup>27</sup> Ibid A-145

<sup>28</sup> Ibid A-145

<sup>29</sup> Ibid A-135

<sup>30</sup> Ibid A-135

<sup>31</sup> Ibid A-135

'Another factor which has kept a high rate of female participation in agricultural work intact is the dominant cultural work ethics for women. Culturally, a woman has always been an equal work partner in agriculture. However, this only becomes demanding and operative after her marriage. In Haryana, marriage not only underlines the wife and mother roles but also her responsibility agricultural and animal rearing work. Her active agricultural work participation is born out of the cultural understanding that this is 'their work' and they are bound to do it',<sup>32</sup>

This has also been illustrated by the economic necessity of marriage and the economic and social standing it provides.

Additionally, much of Haryana's men migrate to towns for work this migration is only enabled due high female participation in the agriculture work, where the women are left behind to take care of the cattle and fields so that the men can migrate to towns for other well paid jobs. But the point is that despite such high work participation rate all we see is extremely low evaluation of not only female labor but of woman in general wherein she is still considered a burden and a drain on economic resources, leading to her elimination. The need therefore is to think of ways as to how her work contribution be recognized which may in turn help in enhancing her standard and position in a society based on norms of patriarchy and ruled by an ideology of female subordination.

The above are certain features of the discrepancies in recognition of women's labor in general which will be addressed in the later part of this chapter, from here we go back to the case of Haryana, the point is to bring out the linkages between female labor, low female sex ratio, marriage, informal female labor migrants in the state. This linkage is important for the overall evaluation and analysis of women's position in Haryanvi society, though much has been discussed in this regard but what needs to be understood here in words of Ravinder Kaur is why economic development has not translated into social development also of the state?

### **Female migrant labour in Haryana**

Let us now turn to the question of female labour in the brick kiln industries in Haryana that has migrated specifically for work to the state unlike those who have been migrated as wives. The commonality however is that in both cases the female work contribution remains unrecognized. Women who migrate for work in the brick kiln industry, generally migrate with their spouses and the

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<sup>32</sup> Ibid A-142

male workers is accounted with her wife that is, the female works as helpers to the moulders or loaders, their work contribution is therefore not accounted for separately but along with the male worker. In majority cases it's the wife, but at times even sisters and daughters assist the male workers. Similar is the case for women who work as field laborers where again they are secondary workers.

Brick making in India is a significant industry in the unorganized sector, confined mainly to rural and semi-urban. Nearly half the workers in this industry are women.<sup>33</sup> The surveys of the Labor Bureau (Government of India 1988b) in the north Indian states of Punjab and Haryana found that women workers employed in brick kilns are mostly migrant laborers from areas within as well as outside these states. Women constitute nearly 44 percent of the total workforce in the kilns, nearly 94 percent of them working as helpers to moulders or loaders/unloaders.<sup>34</sup>

In a study of brick kiln workers in Punjab it has been observed that there exists a system of bonded labour as a result of accumulated debt. 'In most cases workers decide to migrate in order to clear local debts. They do this with advance money, which is given to them by contractors in the form of 'peshagi'. Peshagi exploits them further and traps them in further debt, this time in alien environment.'<sup>35</sup> In addition,

'Migrants are governed under the Inter-State Migration Workmen Act 1979, which defines a migrant workman as one who is recruited by the contractor in the workman's home state. So far, however no migrant worker has been registered as a 'migrant-workman'. It also clearly states that when workers migrate, employers should provide them equitable money for dependent family members. Employers are even required to pay travel expenses. However, these payments have been corrupted into the 'peshagi' that the migrant has to repay over the next year. A combination of ignorance and helplessness prevents workers from demanding the rights given to them by the Workmen Act.'<sup>36</sup>

These trends bring out serious lapse on the part of the state in implementing the Act, adequate monitoring and in general certain responsibility towards these workers. Ignorance is of course the reason but then what is required is that certain steps should be taken by the government and non-governmental authorities for creating awareness among these migrants and also a redressal mechanism should be sought to look into the grievances of these migrant workers.

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<sup>33</sup> DP Singh Pg 83

<sup>34</sup> Ibid Pg 84

<sup>35</sup> Migrant Labour-Problem of the Invisible, Punjab Human Development Report, Pg 160



DP Singh in a paper on Women Workers in Brick Kiln industry in Haryana, India looks into the socio-economic status of women workers in the brick industry of Haryana and underlines the fact that these workers have a very tough life. While bearing and rearing children remains their primary responsibility, they are invariably involved in economic activities for survival, thus playing roles in both production and reproduction. Further 'women are employed exclusively for carrying head loads, while all skilled and semi-skilled work such as moulding, shaping and stacking is done by men only. As a result, women's wages, for work which is not physically less exhausting than men's, are only about half the wages earned by men.'<sup>37</sup> According to Singh, 'cling to the brick industry because of uncertain work opportunities elsewhere and the continuity of employment that this industry offers'<sup>38</sup> the study concluded that 'the lives of women working in the brick kilns are exhausting and tough because of the double burden of working at home as well as at the work site.'<sup>39</sup> Their work conditions are exploitive and 'although they contribute to the family survival, it is unfortunate that they do not receive any independent income and have to depend upon men entirely'<sup>40</sup>

In addition failure in taking note of the internal migration of these female labourers in turn makes these migrants vulnerable to all kinds of social, economic and physical exploitation. Firstly, 'the public service delivery system being residence –based, requires proof of residence at every point. This affects access and entitlements by/of short-term migrants adversely.'<sup>41</sup> Then is 'the issue of disenfranchisement-loss of political voice and voting rights because of exclusion from voters, lists or absence when voting actually takes place at the national, state assembly or Panchayat level.'<sup>42</sup> In addition, 'brick kilns have no fixed working hours and usually the work is spread over 11 to 12 hours a day. It was noticed that almost 98.5 per cent of women workers in this industry were illiterate. More than half the children did not attend school. Not a single male or female worker was reported to be a worker of the trade union. No woman worker was aware of the beneficial provisions of various labour legislations. Most of the women resided in temporary hutments, which were erected in and around the kilns with material supplied by employers. There were no facilities such as separate kitchens, bathrooms, lavatories and crèches.'<sup>43</sup>

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<sup>36</sup> Ibid Pg. 161

<sup>37</sup> Ibid Pg. 85

<sup>38</sup> DP Singh Pg97

<sup>39</sup> Ibid Pg. 97

<sup>40</sup> Ibid Pg. 97

<sup>41</sup> Indu Agnihotri, WomenPg.8

<sup>42</sup> Ibid Pg.8

<sup>43</sup> DP Singh Pg. 85

Now the question that arises is that what has led to such invisibilisation of female labour migration and work participation even in government statistics and why most of the female work goes unaccounted, Jayati Ghosh points out the following few factors that have been responsible for the invisibility of women's work participation:

- Typically, the available data do not distinguish between the factors that are especially important for women, such as: seasonal work versus usual or current work; full time versus part time work; paid versus unpaid activities; etc.
- There is substantial undercounting of female work activity, especially the activities of unpaid family workers.
- There tend to be arbitrary variations across countries with respect to the inclusion of subsistence activities in "economic activity".
- In general, data on the informal sector are very imprecise, and this tends to be a significant if not primary source of female employment in developing countries.
- The whole issue of household work remains one untouched by data. There are numerous problems in determining the ways in which household work should be incorporated into both national accounts data and statistics on economic activity, and these have meant that in general the issue is formally ignored.
- There are also problems relating to the attitudes and values of respondents, and such social and cultural considerations may determine the extent of women's work that is actually reported.<sup>44</sup>

Moreover, 'in the Indian cultural setting it is inappropriate for a woman to emphasize her economic role especially if the interviewer is a stranger or male. When male members answer the question, women's employment is underplayed. Moreover the emphasis on primary and fulltime work and longer reference period often lead to underestimation of female employment. If jobs are extension of domestic jobs then they are not even acknowledged as 'jobs'.<sup>45</sup>

Thus, the above discussion shows how female work participation has continuously been devalued in Haryana irrespective of the sector and nature of work. This situation is however not unique to Haryana as pointed out earlier but becomes important to illustrate given the peculiarities of the region it is happening and the way it is related to the primary issue of brides from afar which is the focus of this work.

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<sup>44</sup> Jayati Ghosh Pg. 4

<sup>45</sup> Gender Dimensions in Rural-Urban Migration in India: Policy Imperatives.

## **Discussion**

In the above discussion an attempt has been made to show how this practice of seeking brides from afar is related to the political economy of the state of Haryana and make a case for these women to be looked at as migrant workers in the state by comparing their situation with female migrant labour in the brick kiln industry of Haryana. This comparison becomes important in light of the vulnerabilities these women share due to invisibilisation of their work contribution and how economic empowerment of women in both these cases is important for their betterment. Both the groups of women the marriage led migrants and the migrant labourers remain unaccounted in the governmental figures, which make them all the more vulnerable to exploitation, moreover living under the belief of being 'bought' and being trapped under heavy loans from the employers puts these women in a situation of bondage. Economic empowerment through recognition of their labour contribution would help in uplifting of status of these women.

The situation in Haryana is clear example of the way patriarchy conditions the societal structures for its maintenance and survival and in the process where the victims of the setup without even realizing become part of the system. Prem Chowdhry points out how women are made to believe that their labour is inferior to men and they therefore don't see this division of work or the wage differential as unjust. 'In view of greater value placed upon men's work, women show a kind of self-imposed subalternism under patriarchal norms. Such self-image clearly stands in the way of forging a democratic movement to voice a united demand for better and equal wages'<sup>46</sup>

It has been argued in the earlier chapter that exercise of agency needs an enabling environment, for women in Haryana that environment itself is missing thus, till the time women themselves are not made aware of their rights as workers and field labourers little can be done for their betterment. The above said trends in migration by women to Haryana despite being aware of the consequences broadly imply that the socio-economic development process of the source states has not been able to accommodate the growing labour force and to create sustainable livelihood opportunities for the landless. The destination state of course due to its own limitation of acute female ratio and high demand for female labour has to seek these brides from afar. But is this any solution or can this setup or arrangement continue forever. Naturally, one would hope for progressive change in the situation. According to Jayati Ghosh 'it is wrong to assume that unpaid tasks by women would continue regardless of the way

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<sup>46</sup> Prem Chowdhry, High Participation and Low Evaluation: Women and Work in Rural Haryana, *Economic and Political*

resources and incomes are allocated. “Gender Neutral” economic policies may thus imply possible breaking points within the household or the collapse of women’s capacity. Social provision for at least a significant part of such services and tasks, or changes in the gender-wise division of labour with respect to household tasks, therefore become important considerations when women are otherwise employed.<sup>47</sup>

But given the very structuring of Haryanvi society this break or change will not come on its own, and would need much more concrete efforts on the level of governmental and non-governmental organizations. Firstly, it’s important that these women be registered as migrants in the state and that their labour contribution be recognized its only through this that certain policy framework can be developed for the betterment of status of these women.

Shakti Vahini, in a report on Female Foeticide, Coerced Marriage & Bonded Labour in Haryana and Punjab; points out to shocking cases of violence against these women who are coerced into these long distances marriages, they however they see this practice as clear case of trafficking

‘the problem of trade of women in Punjab and Haryana, into coerced or forced marriage is that while in the case of victims of trafficking into the brothel based exploitation such victims after a certain period of time become a part of the system and they rise within the hierarchy of the system and their exploitation to certain extent is reduced, in the trafficking that is going on in Punjab & Haryana, these victims of trafficking into coerced marriage never become the part of the society.’<sup>48</sup>

Also, ‘living for a period of time as a wife and bearing children does not guarantee her any security. There are cases of women with three children being sold along with children. She at times also is separated from her children when sold, at times the buyer may not be willing to take the children along. There are also cases of a single women being sold commonly to as much as six person, who were not getting married and contributed to her cost commonly, as a result obviously she couldn’t survive the assaults of sex starved beasts even in drugged state and died unattended by any medical practitioner’<sup>49</sup>

It cannot be concluded however whether this phenomenon can be seen as trafficking, this is primarily due to the diversity in ways these alliances have been taking place, one such case of a missing girl from Assam is reported by Shakti Vahini:

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*Weekly*. Vol. 28, No. 52 (Dec. 25, 1993)

<sup>47</sup> Jayati Ghosh Pg. 3

<sup>48</sup> Kamal Kumar Pandey and Rishi Kant, Pg. 3

<sup>49</sup> Ibid Pg. 3

'Kanika Das (Age 16), D/O Shri Dandi Das, (caste-Namesuthra), R/O Vill- Keyajeni. Dist. Kamrup, Assam was lured taken to Rewari, Haryana in 2000 by a local woman Deepa Das married and living in Dist- Rewari Haryana on the promise of getting job and marriage to a rich land owner in Haryana. Associates of Deepa Das and members of her family at Assam had contacted Kanika's mother of six daughters, Omari Das for marriage of her daughter Kanika to a rich gentleman from Haryana. Omari for whom the only source of income is weaving, married her elder daughter in a social marriage and the second daughter was a lucky soul for whom the help came from the family of a senior bureaucrat where is used to work as a domestic servant. The bureaucrat moved by the poverty of the girl's family took her to Delhi and now she is receiving education in IGNOU.

Inhibitions of Omari to give her daughter to an unknown lad from a distant place were won over by telling her that she will not only receive money in exchange for her daughter but her kind hearted and rich "son-in-law" will extend a regular monetary help for Kanika's younger sister and mother.

Apprehensions and fear grew in Kanika as she learnt about the offer from her mother, but her poverty and the stories of riches and better life in Haryana told to her putting her teenaged minor and immature mind in dilemma. To overcome her dilemma she took her final recourse to resolve that she will not go unless she has seen the "prospective groom" personally.

A youthful good and prosperous looking man was brought to her thatched two-room house with only home mad mat of coconut for furniture, to meet Kanika and who promised her a good life filled with love. The man was told to be Pappu Singh Ahir of village Kufurpur in distt. Rewari, Haryana.

Rs. 1600 were paid by Pappu Singh to Kanika's mother and for marriage it was said that it will be performed at Haryana following the local traditions.

Once left nothing was heard of Kanika until by chance, her mother came across Deepa who had visited again in the area for procuring girls for marriage I May 2001 and it was for her educated sister Babita who insisted on meeting her sister. When asked about Kanika, Deepa told that she is happily living with Pappu. When Babita asked for her address so that she can meet her sister or at least write to her, Deepa gave the address of Pappu Singh and a telephone number where Kanika can be contacted.

When Babita made a call on the provided number, she was told there is no such woman named Kanika in the village. Again Deepa told a new story that since Pappu Singh was making trouble Kanika was married to another good man and gave a new phone number and asked Babita to make a call after few days when she has reached there so that she can bring Kanika to attend the call.

Bomb exploded on Babita when she made the call as directed and from the other side Deepa informed her that Kanika is dead due to pregnancy related problem. Now Babita rushed to Haryana in search of her sister and asked help from Shakti Vahini.

On inquiry Pappu was found to be a poor, sick & drug addict looking 45 years old person with a small holding of land and to her surprise Babita found another minor girl Pronita of her area living with Pappu Singh. Pappu Singh denied going to Assam and bringing Kanika. However under threat of police station he revealed that Deepa Das has sold Pronita to him for Rs. 10,000 and was blackmailing him regularly to pay money or she will take away Pronita.

Finally nothing could be found of Kanika, Deepa is roaming free, police refused to register an FIR, and instead under pressure from media reporting and the NGO, it has done several face saving inquiries with all contradictory conclusions. Babita and family members of Kanika fear that Kanika has been sold to some brothel. However it is very likely that she may

have died out of giving birth for her under nourished health and tender age was not yet fit for bearing children.<sup>50</sup>

The above mentioned case of Kanika is one of many cases of missing girls in Haryana that go unreported, it's clear that its due to governments' indifference towards these women, non implementation of necessary legal instruments and non-existence of required infrastructure that has resulted in such plight of these women. The point is that till the time these women get accepted and registered under the available and acceptable category of migrant labour and wives their presence will remain unacknowledged and ignored, this is because they remain unaccounted as residents of the states in the governmental accounts, due to lack of registration as wives they can easily be further re-sold or pushed into prostitution and finally due to invisibilisation of their labour their contribution in the economic process gets overlooked.

Thus, it's only through recognition of their labour and role in economic process that these women assert themselves it is only then that they would rise from the status of being seen as commodities for sale and resale. Also with the state accepting them as migrants in their state becomes accountable and answerable towards these women. Also putting these women into the category of migrant labour gives them an economic edge, as having no economic resources of their own makes these women more vulnerable and dependent on the families by which they are bought. Having been registered as migrant labourers in the state would make the state responsive and accountable for the well being of these women to the extent that they cannot be simply said to be 'missing', also this would entail certain check on the practice reselling them. Also, it has been illustrated in the chapter how both these women who migrate after marriage and those who migrate for work in Haryana share in a certain vulnerability that can lead them to becoming bonded labour having getting recognized in the category of migrant labourers would result in recognition of their work contribution, this would empower their capacities as an economic agent and help reducing their exploitation to a certain extent by the employers and by the families they are bought by. This however could only be said to be a temporary solution or may a minor step in direction of a gigantic task.

It cannot be denied that problem exists in both the source and the destination state which has which has sanctioned, maintained and is maintaining this practice but as I have argued earlier that the root has to be addressed to arrive at a permanent solution, and the root is the devaluation of status and labour in both

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<sup>50</sup> Ibid Pg. 52-53

the source and destination state and till this very understanding or outlook is addressed and changed which stems from a patriarchal ideology and mindset rooted in our society little can be done in terms of changing the larger picture.

# Conclusion

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In Haryana the prevalent contradictions in marital practices are far more complex and it's important to understand the cause for the situation before moving to finding solutions. Also as has been pointed out in this work no single factor can be blamed for the given state of affairs thus a much broader perspective is required to understand and address the phenomenon in all its complexities. What could be the possible solution to the existing state of affairs is difficult to say, as no single solution can make a difference. The issue is multidimensional, problem exists on both ends at the destination as well as the source societies, however what is common in both these cases is the devalued status of women, while one society considers it alright to sacrifice or give away their daughters in long distance alliances to an unknown man, and sees it as a way out of poverty and shame that an unmarried daughter may bring upon the family. The destination society has figured this a convenient arrangement to deal with the shortage of girls in their state. The point is that no one is thinking of addressing the root of the issue, poverty and low sex ratio of the state, here they fail to realise that this arrangement cannot be a permanent solution and soon we will have to face the consequences of a distorted sex ratio. It is absurd to believe that shortage of girls would lead to an upliftment of their status, as it will only result in increase in crime against women such as rapes, abduction, forced polyandry etc,. I have pointed earlier that till the very patriarchal mindset of the society based on subordination of women is changed, much difference cannot be made. However this cannot be a day's task and needs consistent efforts on part of government and individual's level.

Much of women's subordination and devaluation originates from the fact that her role in the social and economic process is hardly acknowledged. Household work has never been recognised into the category of what constitutes work, thus even though women remains to be an equal partner at work and contributes significantly to the economic and social process her contribution remains invisible. It's this invisibilisation of women's labour in the economic processes that leads to her further devaluation not just by men but even she herself becomes victim of her self-imposed subalternism. She continues to see herself as totally dependent on men for all her needs which hinders her capacity to develop as an agent of her will. Therefore the point is that till women are not given space to assert and express themselves where they



realise their participation and contribution in the economic and social process a permanent solution to the problem is not possible.

The need therefore is to acknowledge the contribution these women make in the economic process, concrete efforts need to be made by governmental and non-governmental organisation to have these women who have migrated to the state as wives to be registered as marriage led migrants or migrant labours in the state, their movement should be recorded in order to avoid instances of these girls going missing and resold. At the roots the very factors that have led to this situation, skewed sex ratio and poverty needs to addressed.

Lastly, the plight of these women is enormous and this work is only a small step towards putting it forward, consistent efforts are required to get hold of the situation and get these women out of the life which is akin to that of a 'bonded labour' or 'sexual slave'.

## **Bibliography:**

- Kumari, Ranjana. "GENDER, WORK AND POWER RELATIONS. A CASE STUDY OF HARYANA", HarAnand Publications PVT LTD. 1998 p. 332 ISBN 8124104190
- Patel, Tulsi, ed. (2007) Sex Selective Abortions in India
- Karlekar, Malavika (1995) Gender Dimensions of Labour Migration: An Overview
- Pryer Jane (1992) Purdah Patriarchy and population movement: Perspectives from Bangladesh.
- Chowdhry, Prem (2007) Contentious Marriages and Eloping Couples: Gender, Caste and Patriarchy in Northern India, Oxford University Press, 2007
- JS Mill The Subjection of Women
- Chowdhry, Prem (1994) The Veiled Women. New Delhi: Oxford University Press
- Gane, Ann and Rosemary Pringle (1983) Gender at work
- Glazer Nona (1987) Where are the women? The Absence of Women as Social Agents in Theories of Occupational Segregation.
- Benson Paul, Feminist Second Thoughts about Free Agency, Hypatia, Vol. 5 no. 3 (autumn, 1990) Indiana University Press.
- Drèze Jean, Sen, Amartya Kumar India: development and participation
- Lawes, R. Marriage: An analysis of discourse British journal of social psychology, 1999
- Sotelo, Pierrette Hondagneu Feminism and Migration; The ANNALS of the American Academy of Political and Social Science <http://ann.sagepub.com/cgi/content/abstract/571/1/107>
- Stark, Oded On Marriage and Migration; European Journal of Population 4 (1988) 23-37, Elsevier Science Publishers B.V. (North-Holland)
- Rabeja, Gloria Goodwin Centrality, Mutuality and Hierarchy: Shifting aspects of inter caste relationships in North India
- Chan Martha Alter Sexuality, Unchastity and Fertility: Economy of production and reproduction in colonial Haryana.
- Patricia Oberoi When Marriage is not a Marriage? Sex Sacrament and Contract in Hindu Marriage.
- Kaur Ravinder (2007) "Declining Juvenile Sex Ratios: Economy, Society and Technology. Explanations from Field Evidence".

- Palriwala, Rajni and Oberoi, Patricia Marriage and Migration in Asia: Gender Issues, Indian Journal of Gender Studies, 2005
- Sen, Amartya More than 100 million women are missing, *The New York Review of Books* Vol. 37, No. 20, Dec 20, 1990
- Emirbayer, Mustafa and Mische Ann What is Agency? American journal of sociology, Vol. 103, No. 4 (Jan 1998)
- Silva, Neluka 'The Gendered Nation' writings from South Asia.
- Agnihotri Indu (2007) Women, Migration, and Public Policy, Women's Equality, Journal of AIDWA
- Ana Elena Obando (2003) Migrant Women, Overview Human Rights Mechanisms Facts and Figures. *WHRnet*
- Bhupendra Yadav 'Haryanas' "Setting" Daughters' Economic and Political Weekly, Vol. 36, No. 45 (Nov. 10-16, 2001) pp. 4257-4259
- Davin, Delia Marriage Migration in China: The Enlargement of Marriage Markets in the Era of Market Reforms
- Mandelbaum, DG Sex Roles and Gender Relations in north India Economic and Political Weekly, 1986 jstor.org
- Rajaram Indira 'Economics of Bride Price and Dowry' Economic and Political Weekly Vol. 18, No. 8 (Feb, 19, 1983), pp 275-279
- Pandey, Kamal Kumar and Kant, Rishi, Female Foeticide, Coerced Marriage & Bonded Labour in Haryana and Punjab; A Situational Report Shakti Vahini 2003
- Kaur, Ravinder ( 2004) "Across-Region Marriages: Poverty, Female Migration and The Sex Ratio" *Economic and Political Weekly*, Vol. 39, No.25 June 19-25, 2595-2603
- L Edlund Son preference, sex ratios, and marriage patterns Journal of Political Economy, 1999 Chicago Press
- Rosenzweig, Mark R. and Stark, Oded Consumption Smoothing, Migration, and Marriage: Evidence from Rural India *The Journal of Political Economy* , Vol. 97, No. 4 (Aug., 1989), pp. 905-926
- Libbee, MJ and Sopher, DE Marriage migration in rural India, People on the move: Studies on internal migration
- Mōhan Ram Haryana's Male-Order Brides, The Tribune Saturday, December

7, 2002

- Monica Das Gupta 'Selective Discrimination against Female Children in Rural Punjab, India' *Population and Development Review*, Vol. 13 No. 1 (March 1987)
- Chowdhry, Prem Caste Panchayat and Policing of Marriage in Haryana: Enforcing Kinship and Territorial Exogamy, *Contribution to Indian Sociology* Jan-Aug 2004
- Chowdhry, Prem Socioeconomic Dimensions of Certain Customs and Attitudes: Women of Haryana in the Colonial Period Prem Chowdhry *Economic and Political Weekly*, Vol. 22, No. 48 (Nov. 28, 1987)
- Crawford, Patricia Women and Property, Women as Property, University of Western Australia May 25, 2005
- Rajni Palriwala and Patricia Oberoi Marriage and Migration in Asia: Gender Issues, *Indian Journal of Gender Studies*, 2005 <http://ijg.sagepub.com>
- Kaur, Ravinder Missing Women and Brides from Faraway: Social Consequences of the Skewed Sex Ratio in India, *AAS Working Papers in Social Anthropology* ISSN:1998-507X
- Sangri, Kumkum Consent Agency and Rhetorics of Incitement *Economic Political Weekly*, Vol. 28, No. 18 (May 1, 1993) pp 867-883
- Sangwan Jagmati Migration for Marriage in Haryana, *Women's Equality* 2007
- Sethi Aman Gender Ratio affects marriage Norms in UP (2007)
- Sharma Kalpana World Without Women, *The Hindu* Sunday, November 18, 2007
- Martin, Susan Forbes Women and Migration United Nations Division for Advancement of Women (DAW), Consultative Meeting on "Migration and Mobility and how this movement affects women" Malmo, Sweden; 2 to 4 December 2003.
- Dyson, T and Moore, M On kinship structure, female autonomy, and demographic behaviour in India *Population and Development Review*, 1983 [jstor.org](http://jstor.org)
- Madan, TN Structural implications of marriage in North India: wife-givers and wife-takers among the Jats and Thakurs of North India *Contributions to Indian sociology*, 1975 [cis.sagepub.com](http://cis.sagepub.com)

- Mukherjee, Neela Migrant Women from West Bengal: Ill-Being and Well-Being *Economic and Political Weekly*, Vol. 36, No. 26 (Jun. 30-Jul. 6 2001), pp. 2337-2339
- Singh, DP Women Workers in the Brick Kiln Industry in Haryana, India *Indian Journal of Gender Studies* 2005; 12; 83  
<http://ijg.sagepub.com/cgi/content/abstract/12/83>
- Bhalla, Sheila Technological Change and Women Workers: Evidence from the Expansionary Phase in Haryana Agriculture *Economic and Political Weekly*, Vol. 24, No. 43 (Oct. 28, 1989), pp. WS67-WS73+WS75-WS78
- Neetha, N Making of Female Breadwinners: Migration and Social Networking of Women Domestic in Delhi *Economic and Political Weekly*, Vol. 39, No. 17 (Apr. 24-30, 2004), pp. 1681-1688
- Bardhan, Kalpana Women's Work, Welfare and Status: Forces of Tradition and Change in India *Economic and Political Weekly*, Vol. 20, No. 50 (Dec. 14, 1985), pp. 2207-2220
- Premi, Mahendra K. Aspects of Female Migration in India *Economic and Political Weekly*, Vol. 15, No. 15 (Apr. 12, 1980), pp. 714-720
- Nayyar, Rohini Female Participation Rates in Rural India *Economic and Political Weekly*, Vol. 22, No. 51 (Dec. 19, 1987), pp. 2207-2209+2211-2216
- Sangari, Kumkum The 'Amenities of Domestic Life': Questions on Labour *Social Scientist*, Vol. 21, No. 9/11 (Sep. - Oct., 1993), pp. 3-46
- Shanthi, K. Female Labour Migration in India: Insights from NSSO Data Document de travail, 2006 – [saber.eaber.org](http://saber.eaber.org)
- Gupta, Jayoti Informal Labour in Brick Kilns: Need for Regulation *Economic and Political Weekly*, Vol. 38, No. 31 (Aug. 2-8, 2003), pp. 3282-3292
- Ghosh Jayati Informalisation and Women's Workforce Participation: A Consideration of Recent Trends in Asia UNRISD report, *Gender Equality: Striving for Justice in an Unequal World*
- Bhalla, Sheila Development, Poverty and Policy: The Haryana Experience

*Economic and Political Weekly*, Vol. 30, No. 41/42 (Oct 14-21, 1995), pp. 2619-2634

- Migrant labour- Problem of the Invisible, Punjab Human Development Report
- Ghosh Jayati Women on the Move, *Women's Equality, journal of AIDWA* issue nos. 3&4 2007
- Agnihotri, Indu Women, Migration and Public Policy, *Women's Equality, journal of AIDWA* issue nos. 3&4 2007
- Blanchet, Therese Bangladeshi Girls Sold as Wives in North India, Drishti Research Centre Dhaka
- Chowdhry, Prem High Participation and Low Evaluation: Women and Work in Rural Haryana, *Economic and Political Weekly*, Vol. 28, No. 52 (Dec. 25, 1993) pp. A135-A137+A140-A148
- Sekher, T.V. and Hatti, Neelambar Vulnerable Daughters in a Modernizing Society: From 'son Preference' to 'daughter discrimination' in modern India
- Visaria, Leela Sex Selective Abortion in India: Some Empirical Evidence from Gujarat and Haryana States, Gujarat Institute of Development Research, Ahmedabad
- Bardia, A., Paul, E., Kapoor S.K., Anand A., Declining sex ratio: Role of society, technology and government regulation in Faridabad district, Haryana
- Women as Victim T.K. Rajlakshmi The Frontline
- Ranjana Kumari Female Infanticide and Feticide: The Declining Sex Ratio, *National Seminar on Violence Against Girl Child* 10-11 February, 2006 Jaipur, Centre for Social Research, New Delhi
- Risman, Barbara J. Gender as a Social Structure: Theory Wrestling with Activism *Gender and Society*, Vol. 18, No. 4 (Aug., 2004), pp. 429-450
- Bare branches and drifting Kites: Tackling female infanticide and Feticide in India Arjun Singh Bedi Institute of Social Studies Public Lecture Series 2008, No. 5, The Hague-The Netherlands
- Pande Rohini, Nanda Priya, Kapoor Sonvi, Mukherjee Aparajita, Lee-Rife Susan, Lin Tan, Fan Wu Counting Girls: Addressing Son Preference and Daughter Discrimination in India and China, Draft paper prepared for presentation at the Population Association of American Meetings, Detroit, April 30<sup>th</sup>-May 2<sup>nd</sup>, 2009
- Santhya K.G. and Verma Shalini Induced Abortion: The Current Scenario in India
- Menon, Parvathi An expanding movement Volume 18 - Issue 25, Dec. 08 -21, 2001

## Frontline

- Garg S, Nath A, Female feticide in India: Issues and concerns
- Female Foeticide – Haryana’s Experience Manjeet Rathee Peoples Democracy
- Rajalakshmi, T.K. Small gain for the girl child Volume 23 - Issue 08 :: Apr. 22 - May 05, 2006, *Frontline*
- Vackayil , Joseph Pre-natal scanning techniques have a role to play in falling sex ratio *The Financial Express* Tuesday, August 07, 2001
- Unisa, Sayeed Pujari, Sucharita and Usha, R. Measuring Sex Selective Abortions in India: Evidences from Haryana.
- Hirve, Siddhivinayak Abortion in India: Lacunae and Future Challenges, *Abortion Assessment Project, India* 2004
- Jesani, Amar and Iyer, Aditi “Women and Abortion”, *Economic and Political Weekly*, November 27, 1993
- Oomman, Nandini Ganatra, Bela R. Sex Selection: The Systematic Elimination of Girls, *Reproductive Health Matters*, Vol. 10, No. 19, Abortion: Women Decide (May, 2002)
- Situation Analysis of MTP Facilities in Haryana, Executive Summary; Centre for Research in Development and Change (A Division of Society for Operations Research and Training Baroda) 2004
- Patel, Vibhuti Sex Selection & Pre-Birth Elimination of Girl Child; Presented at A UN Convention to Review Status of Women at UN Headquarters, New York from 28 February to March 11, 2005
- Srinivasan, Sandhya India: Challenges in implementing the ban on sex selection. Infochange  
<http://infochangeindia.org/2006031077/Women/Analysis/Challenges-in-implementing-the-ban-on-sex-selection.html> 2008
- Arora, Dolly the Victimized Discourse, Sex determination technologies and policies. *Economic Political Weekly* Vol. 31, No. 7 (Feb 17, 1996)
- Miller, Barbara D. “Female-Selective Abortion in Asia: Patterns, Policies, and Debates”, *American Anthropologist* 103(4): 1083-1095. Copyright 2001, American Anthropological Association
- Sandel, Michael Moral Argument and Liberal Toleration, abortion and

homosexuality

- Patel, Rita The Practice of Sex Selective Abortion in India: May you be the mother of hundred sons, *Department of Maternal Health and Child Health, School of Public Health.*
- Gender Dimensions in Rural-Urban Migration in India: Policy Imperatives.
- George, M and Dahiya, Ranbir S. Female Foeticide in Rural Haryana *Economic and Political Weekly*, Vol. 33, No. 32 (Aug, 8-14, 1998), pp. 2191-2198
- Arnold, Fred Kishor, Sunita, Roy, T.K. Sex Selective Abortions in India *Population and Development Review*, Vol. 28, No. 4 (Dec. 2002), pp. 759-785
- Karabin Sherry Infanticide, Abortion Responsible for 60 Million Girls Missing in Asia FOXNEWS.COM June 13, 2007
- Kumari Ved Gender Analysis of the Indian Penal Code
- Mazumdar Vina Aminocentesis and Sex Selection
- Jatrana Santosh Explaining Gender Disparity in Child Health in Haryana State of India Asia Meta Centre Research Paper Series
- Parliwala Rajni Beyond Myths The Social and Political Dynamics of Gender
- Haryana Media Consultation on Female Foeticide, Shakti Vahini National Media Coalition, Karnal, March 28-29, Haryana
- Sever, Aysan Discarded Daughters: The Patriarchal Grip, Dowry Deaths, Sex Ratio Imbalances and Foeticide in India University of Toronto, Social Sciences & Humanities Research Council of Canada
- Visaria Leela Female Deficit in India: Role of Sex Selective Abortion Act CEPED-CICRED-INED Seminar on Female Deficit in Asia:Trends and Perspective, Singapore, 5-7 Dec, 2005
- Gupta Monica Das Explaining Asia's "Missing Women": A New Look at the Data *Population Development Review*, Vol. 31, No. 3 (Sep., 2005), pp 529-535
- Rowe William L. The Marriage Network and Structural Change in a North Indian Community *Southwestern Journal of Anthropology*, Vol. 16, No. 3 (Autumn, 1960) pp. 299-311
- Factors Affecting Sex-Selective Abortion in India *National Family Health Survey Bulletin* No. 17, Jan. 2003 ISSN 1083-8678



- Bose Ashish Fighting Female Foeticide: Growing Greed and Shrinking Child Sex Ratio *Economic and Political Weekly*, Vol. 36, No. 36 (Sep. 8-14, 2001) pp. 3427-3429
- Wallby Sylvia Theorising Patriarchy *Sociology* 1989; 23; 213  
<http://soc.sagepub.com> British Sociological Association
- Kandiyoti Deniz Bargaining with Patriarchy *Gender and Society*, Vol. 2, No. 3, (Sep., 1988), pp. 274-290
- Gidwani Vinay and Sivaramakrishnan Circular Migration and the Spaces of Cultural Assertion *Annals of the Association of American Geographers*, Vol. 93, No. 1 (Mar. 2003), pp 186-213