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MUSLIM WOMEN TACKLING VULNERABILITY AND MARGINALISATION

Shahida Murtuza and Amir Ullah Khan

In collaboration with



مولانا آزاد نیشنل اردو یونیورسٹی
MAULANA AZAD NATIONAL
URDU UNIVERSITY

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This paper is a compilation of extracts from the chapters of a forthcoming special issue.

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MUSLIM WOMEN IN INDIA – FIGHTING A NEW BATTLE EVERY DAY

Shahida Murtuza and Amir Ullah Khan

The ultimate irony today is that our government is targeting Muslim women and categorising them as deprived and discriminated against. In the Supreme Court, the Government of India had filed a response stating that the absence of reforms in the community during the last 65 years have left Muslim women “extremely vulnerable, both socially as well as financially”. As if on cue, on the 24th October 2016 the Prime Minister of India condemned the practice of the so-called ‘triple talaq system’, saying that “no injustice should be meted out to our mothers and sisters in the name of religion or community.”

This stereotyping of the Muslim community, particularly by vilifying the treatment of its women, is somewhat ironic. The census figures tell a simple tale of where women get discriminated against more. The percentage of women staying in the marriage is highest amongst Muslims (87.8%) compared to Hindus (86.2%), Christians (83.7%) and other religious minorities (85.8%). The percentage of widowed women is least among Muslims (11.1%) compared to Hindus (12.9%), Christians (14.6%) and other religious Minorities (13.3%). The culture of widow remarriages likely provides a higher level of family protection to Muslim women compared to women from other religious communities. The percentage of separated and abandoned women is also least among the Muslims (0.67%) compared to Hindus (0.69%), Christians (1.19%) and other religious Minorities (0.68%).

Society is agonisingly patriarchal. Sex ratios are horrifying. The girl child goes to school, but drops out in large numbers by the time she turns 12. An average Indian mother weighs less at the end of her pregnancy than the average Sub-Saharan African woman despite the former being richer and better educated. The Indian child is shorter and smaller than counterparts anywhere in Africa.

Maternal mortality in India is higher than in most developing nations. While the UN Millennium Development Goals target for India in 2015 was 103, India still sees 178 of 1 lakh mothers dying during child birth. A Princeton study shows that 42 per cent of Indian mothers are underweight compared to 16.5% in the poorest parts of the world in sub-Saharan Africa. In the workforce, female participation in India is at 33%, well below the world

average of 50%. Somalia, Malaysia and Nigeria do much better. What is worse is that this participation has been decreasing since 2005. Inexplicably, it is Gujarat and Maharashtra that have among the lowest female participation rates.

49 per cent of Indian voters are women. Why, then does the political economy today ignore women in India? We keep lamenting how India is low down in the Ease of Doing Business and that we will ensure that the rank goes up from 130 to below 50 in the next two years. But everyone in government seems to ignore the fact that India stands at 114 out of 142 countries in the World Economic Forum's gender index. On the UNDP's gender inequality index, India is second from the bottom, just above Afghanistan. The ILO has ranked India 121 of 130 on female work participation rates.

The BBC has written that nearly 20 million Indian women quit work in the last ten years. While 42% of women worked a decade ago, now the figure is down to 31%. - it happened among women aged 15-24 and living in villages. And while joblessness and unemployment have become a huge problem in India, the gender proportion is even worse. While more than 24 million men joined the work force, the number of women in the work force has dropped by 21.7 million. It is a tragedy that is unfolding every day as India continues to treat its women badly.

In a major study done recently, where some of us worked with top academics in the country under the CRDDP, the situation that emerges is rather revealing. This survey, has accumulated data from 331 divorces or talaqs (qula) from both women and men respondents. Of these just about one quarter of divorces have occurred through the intervention of religious institutions such as the qazi and darul kaza. Only one or 0.3% reported 'Oral Instant Triple Talaq' in One Go. A large 36.2 percent occurred in front of Elders and Family members when the Man pronounced talaq Once a Month over 3 months; followed by 21.1% through Courts & Notice and lastly 17 per cent occurred in the presence of NGO/Police Station/Panchayats.

There is ample evidence to suggest that securing talaq amongst Muslims must follow a process from out of multiple options; and 'triple talaq in one go' is not one of them. Further, out of 331 instances the husband has initiated talaq in 134 cases and the woman herself has sought qula in case of 126 instances. In the case of 54 other talaqs the parents of the women initiated and

accomplished woman's qula or talaq. Note, out of 331 talaqs only one instance has been reported as a clear case of Triple Talaq in one Go reported by a female respondent.

The point to be made is that while India continues to struggle with its economic growth, public policy continues to work overtime to divide the country into social and religious grounds. The entire ruling party spokespersons, from the Prime Minister's office downwards, seem to be working full time on making one-sided statements that are surprisingly far removed from facts. It is important for a growing economy to take care of its women, from all communities. If it continues to neglect half its potential work force and marginalises its largest minorities, it cannot hope to reach the heights it is aspiring for.

1. THE JUDICIARY DOES NOT NEED TO SAVE MUSLIM WOMEN; IT NEEDS TO INVOLVE THEM

Significance of Representation

In September 2021, in an event hosted to felicitate him and nine other newly appointed apex judges of the Supreme Court, the present Chief Justice of India, N. V. Ramana, addressed the women judges and advocates of the Supreme Court to State his support for increasing the representation of women in the Indian judiciary. He said,

"In High Courts, women judges constitute 11.5%. Here in the Supreme Court, we currently have four women Justices out of the sitting 33. That makes it just 12%. Of the 1.7 million advocates, only 15% are women. Only 2% of the elected representatives in the State Bar Councils are women...There is no woman member of the Bar Council of India. This needs urgent correction" ("CJI voices support", 2021).

He said the representation of women in the judiciary is their right, and increasing it would be a step towards undoing the centuries of marginalisation that women have faced. What is interesting to note about his address is that there was not enough explicit description of why or how increasing women's representation would benefit the judiciary. There was a consistent overlying assumption that it is a necessary step towards improving the Justice system. The major direct reason provided in the address was that occupying 50% of the judiciary was the right of women, and this increase

should be implemented because women would benefit from the assumption of this right. He said,

“My sisters (women Supreme Court judges) here have carved out a name for themselves already. My dear sisters, your actions in upholding the Constitution will inspire women, not only in this profession but in all walks of life”. (“CJI voices support”, 2021) Regarding the benefits for the judiciary itself, he only briefly added that “Ultimately, the inclusion of women judges and lawyers will substantially improve the quality of Justice delivery” (“CJI voices support”, 2021).

The aforementioned statements suggest that increasing the representation of women in the judiciary is deemed to be important primarily because it will encourage women to pursue legal professions and, through that, in general, will inspire them to pursue and achieve their professional goals. Such an implication begs the following questions — by encouraging more women to practise law, is increasing the representation of women simply a way to help women achieve their professional aspirations? How would increasing their representation specifically in the judiciary also impact the quality of justice meted out by the courts? Would such an increase impact only female beneficiaries of the courts or improve the Justice system at large? Finally, it inspires the questions that this chapter is concerned with — in a nation-State with an exceptionally plural social landscape, can an increase in women’s representation alone ensure diversity in the judiciary?

Further, does diversity translate directly into representation? Do women generally represent the interests of women from marginalised communities, such as Muslim women? Finally, does representation necessarily improve the quality of justice served?

Muslim women in India — do they need saving?

In February 2022, Government Colleges in the State of Karnataka arbitrarily passed a rule to ban the wearing of Hijab by Muslim women on campus premises (Sharma, 2022). The reason they provided for this ban was that educational spaces are supposed to be secular in nature, and therefore, a neutral uniform devoid of any religious or ideological symbols should be worn by students. It was further added that students who sport religious symbols could cause an unnecessary distraction for other students without clarifying what this distraction entails. This rule was not extended to any

non-Muslim religious attires/accessories — such as mangalsutras, sindoor, bindis, or Sikh turbans — proving that banning the Hijab was an act meant to specifically target Muslim women, a case of what many refer to as “Gendered Islamophobia”. Gendered Islamophobia is a phenomenon where Muslim women in society are discriminated against, and this discrimination finds its roots in historically contextualised orientalist stereotypes about Muslim women — that they are oppressed and that Islam is an inherently patriarchal religion within which gender equality is impossible to achieve.

In her book titled “Do Muslim women need saving?”, Lila Abu-Lughod points out that the issue of “Muslim women’s rights” is not an issue that concerns only Muslims, and it is important to question who is making use of this issue (Abu-Lughod 221). The concept of “liberation” of Muslim women is scarcely concerned with benefiting them. Rather, it reduces their struggles and caricatures them instead of understanding the complexity of their problems in modern, post-modern and post-colonial societies (Abu-Lughod 223). Often, it simply attributes the struggles to Islam and absolves the role of factors external to both the religious community as well as the socio-political boundaries of Muslim nations. It absolves the role of colonialism and keeping alive the narrative of “saving” Muslim women politically benefits different international actors in different ways.

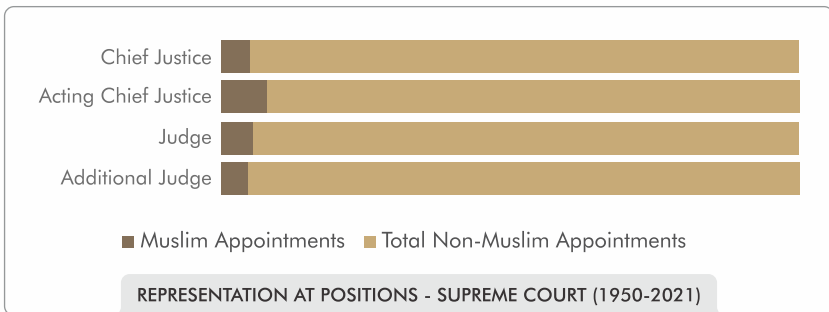
In India, with the sharp rise in Hindutva ideology and right-wing political power in the 21st century, the oppressed Muslim woman narrative is particularly useful in producing an image of a regressive, barbaric and patriarchal Muslim society that needs external State intervention to prevent it from being violent within itself and violent towards others. It is true that patriarchy exists in Muslim civilisations and that women and other non-male genders in many Muslim societies across time and space have been oppressed or are continued to be oppressed. It is also true that often, this oppression receives religious sanction and is carried out in the name of Islam. However, what is important to acknowledge is that rampant patriarchy has been plaguing all societies across time and space. Constructing Muslim communities as more intensely patriarchal than other communities is not just a fallacy but a deliberate attempt to construct the religious group as inherently flawed. In India, the construction of this image helps the state justify its discriminatory practices against Muslims, and it helps justify Hindutva violence against Muslims. Moreover, it helps ordinary citizens believe that the

socio-economic marginalisation and ghettoisation of Muslims in India is a consequence of the community's inherent drawbacks and regressive nature and that State designed policies have no contribution towards the same.

Data

At the Trivedi Centre for Political Data (TCPD), there is an ongoing effort to produce data that can help arrive at the aforementioned unconditional statistics. The forthcoming "Indian Judiciary Dataset" produced by the TCPD comprises data on Judges and Chief Justices from 25 Indian High Courts and The Supreme Court of India. The dataset includes data on current Chief Justices, sitting High Court Judges, former Judges and Chief Justices of High Courts from the year 1951 onwards. In addition to information capturing their name, service period, appointments, reasons for retirement and the courts they have served in, the dataset also contains biographical notices on judges, which contain information on their education backgrounds (legal education and prior education), history of nominations, gender, religion and whether or not they belong to judicial families. Following are some preliminary statistics from the aforementioned dataset of Muslim representation at the Judge level since 1951 in the Supreme Court.

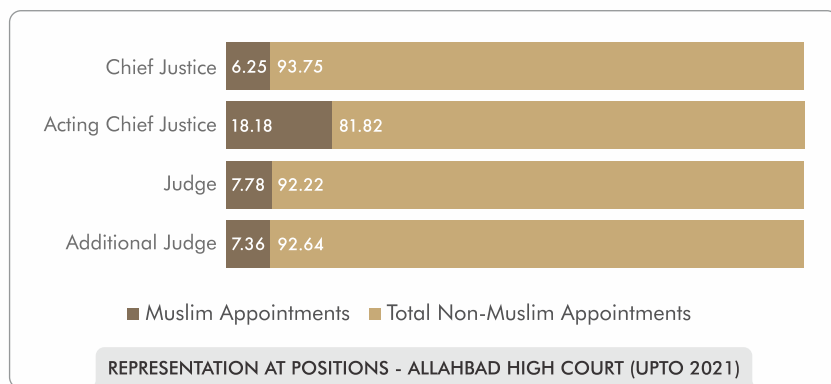
Muslim Representation



In the Supreme Court, 1951 onwards, there were only 30 Muslim Judge appointments, 12 Chief Justice appointments, 6 Acting Chief Justice appointments and 5 Additional Judge appointments. These appointments also include repeat appointments with the same Judge. When one looks at the number of Muslims holding a Judge position in the Supreme Court, the number is only 15. Of this, only one Muslim woman has held the Judge position. Women who have been appointed as Supreme Court judges have

had a total of only 27 appointments across Supreme Court and High Courts in all their careers combined. Of this, only 3 Muslim woman Judge appointments of Justice Fatime Beevi, the only Muslim woman to be a Supreme Court Judge, took place. However, the number of appointments of the Muslim woman judge is the same as the average number of judge appointments a woman judge of the Supreme Court has in her career, which is 3.

A similar dismal representation of Muslims, particularly Muslim women, can be seen across High Courts. For example, in Allahabad High Court, the largest High Court in India, the representation of Muslim Judges in different positions is as follows:



Interestingly, there has not been a single Muslim woman lawyer who has been appointed as a Judge in the Allahabad High Court ever since its inception. In this court, historic judgements with regard to the rights of Muslim women have been passed. In total, 48 Muslims have been appointed as Judges in Allahabad High Court, and zero women have been elevated to the same position.

Conclusion

The aforementioned inequitable justice meted out by the Indian judiciary definitely has an impact on the entire populace and the quality of democracy of the state. However, if the state has oppressed minorities, that group likely feels this impact most. In the case of India, the Muslim minority has been facing discrimination from the state, and therefore, their requirement for an effective and equitable justice system is presently the highest. The Justice

system in the nation claims to protect the rights of Muslim women but, through that protection, actively constructs a regressive image of Muslims, which enables violence and discrimination against Muslims at both a political and a sociological level. The dismal representation of Muslim women in the legal system, particularly in the position of Judges in the Higher Judiciary, ensures that the judgements to “save Muslim women” have very little representation of them. The causes of the lack of representation of the judiciary are not well understood and need further analysis. However, even if the causes are mainly internal to the community, it is the state’s responsibility to ensure the upliftment of the marginalised and provide an equitable justice system through a diverse judiciary. Both of these can be carried out through policy measures in increasing representation, but the choice of the state to not analyse that and work towards it speaks a lot about the complicity of the justice system in further marginalising an already oppressed community.

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2. THE STATUS OF MUSLIM WOMEN OF AFGHANISTAN – A SWOT ANALYSIS

This is an extraordinary moment in Afghanistan’s recent history to discuss Muslim women and gender. The Islamic Emirate of the Taliban is again at the helm of the country, hoping to convince the world they are wiser and better equipped to lead Afghanistan to peace as an Islamic entity. Their brief and chaotic attempt at ruling Afghanistan in the last six years of the 1990s left the world’s eye imprinted with the unforgettable image of the blue ‘chaadori’-clad Afghan woman – the ultimate indelible symbol of the country’s silenced, oppressed womanhood, rendered invisible. Post 9/11, 2001, with the ousting

of the Taliban regime and the reinstatement of a western-backed democracy in the country, women reemerged into visibility and relevance, backed by pledges of support from the country's Western partners.

At the end of two decades of struggle, soul-searching, and exploration, when Afghan women had only just begun to understand their potential as agents of change, the advent of the second round of the Taliban regime upstaged and overturned all their nascent dreams and aspirations. Their often irksome (to the male population) presence in most public spheres was slowly but surely winning grounds against traditionally sanctioned patriarchal norms of society, and they dared to hope that these initial first steps would lead to more lasting societal changes and a friendlier environment for women and girls. How these hopes will be sustained and reinforced in the coming months and years is yet to be seen. For the moment, the prospects appear bleak.

Afghan society is essentially tribal, with clan and family identities and affiliations taking precedence over political or ideological affinities. While 99% of the population identifies as Muslim, the understanding and practice of Islam are inextricably tempered with traditional cultural practices, often mistakenly believed to be edicts of Islam. Some of these are manifested in ugly traditional practices sanctioning the use of women and girls as a commodity, still in currency, particularly in some remote, impoverished rural communities. Despite laws banning them, unfair customs still exist, such as 'badd', where a girl may be offered as a peace offering by one family or clan to another to settle disputes, often involving killing one person by another from a different clan. Another custom still prevalent in remote villages is 'badal' or exchange, where a man offers a girl from his family to his prospective bride's family in lieu of a dowry that is obligated to him. Forced and early marriages are also common, driven by poverty and ignorance, particularly in remote rural areas. None of these is permitted or condoned in Islam but is not uncommon in some communities.

Despite all the cultural barriers, all women of Afghanistan cannot be summed up as helpless, hapless victims of male dominance. There are countless examples of strong, determined women from all segments of society who have braved the odds and experienced self-determination. Afghanistan has had its share of women heroes hailed for their courage and leadership in the face of massive odds. Princess Malalay of Kandahar is one example, still

proudly commemorated in the name of a renowned girls' school in Kabul, for rallying Afghan troops in their hour of despair and fighting alongside King Ayub of Kandhar in the Anglo-Afghan battle of Maiwand in 1880, leading to their victory. Another recent example is high school student leader Nahid, who led a student uprising against the Russian invasion of Afghanistan in 1980; she was martyred in the ensuing firing by government soldiers. Well-known girls' schools were named after these women and many others.

Over the past half-century, the country experienced a series of political and social experiments, including the Russian brand of communism, the 'Mujahiddin's version of a fractured homegrown Islamic system, followed by the extreme hardline version of Taliban rule. The Muslim women of Afghanistan changed, adapted to changing socio-political climates, and survived. How deeply entrenched were these changes, and what proportion of women did they affect? Are Afghan women a homogenous group, or are their perceptions and reactions diverse? To speak for Afghan women, it is important to recognise their diverse and distinct lifestyles, cultures, and belief systems, even as most of them identify as Muslim women.

I begin with the inherent strengths of the Afghan women, which give me a reason to hope that despite all odds, the free spirit of the Muslim women of Afghanistan will survive. Afghan women, in general, are far from the meek, subservient, lying-down victims summed up in the image of the blue 'chadori' repressed figure that captured international attention. Despite being relegated to the position of the less favoured of the sexes, they have loved and protected their families with fierce passion and have suffered, no doubt. Still, they have always risen and fought back against the biggest challenges.

When regional and global geopolitics engaged the men in war, the women took charge of preserving the continuity of day-to-day living. With thousands of men getting killed or fleeing to other countries, the women quickly assumed responsibility as providers and protectors, with or without experience or appropriate education or qualification. In times of severe deprivation and displacement, when the familiar was replaced by alien circumstances and challenges, when many able men lost their morale and ability to function, the women exhibited extraordinary resilience and determination. I had worked with women who successfully took on the challenge of heading their families as refugees when the man of the house had all but given up.

As custodians of diverse local customs and cultures, women have kept alive local crafts and skills; many linked to their lifestyles and local resources, which are still much valued. Women have a significant contribution to the production of a variety of hand-woven carpets from different parts of Afghanistan, the intricate hand embroidery specific to different regions, sheep wool 'namads' and other artefacts and useful commodities made from local wool in Bamiyan, local food preserves, the woodwork from Nuristan, semi-precious jewellery and other food and non-food items. Their household activities and contributions in the non-formal sector have contributed directly to the family and national economy.

In the first two decades of the twenty-first century, when the world was invested in the fledgling democracy established in Afghanistan, abundant opportunities were suddenly available, and women reached out and owned them, quickly claiming increasing space for education, commerce and participation in all walks of public and political life.

The most significant underlying weakness impacting the lives of Afghan women is the acutely low literacy rate among both rural and urban women. While in the past two decades, school enrollments reached over 9 million according to official statistics of the Ministry of Education; according to UNICEF estimates, in 2019, 3.7 million children remain out of school, 60% being girls. This affects their overall viability and their quality of life on all fronts.

Women remain financially dependent on the men and can thus be vulnerable to violence and physical, social, emotional or economic abuse, having no safety net to fall back on. They lack awareness of their basic rights as human beings and as women in the light of Islam and therefore depend on the ill-informed or manipulated interpretations propagated to suit the patriarchal mindsets that disproportionately favour men.

If we analyse the weaknesses in the movement of Muslim women in Afghanistan, I believe the main area where there is a need for improvement is their lack of the right 'tools'. By tools, I imply the appropriate know-how to seek and assume their rightful place in a just Muslim society.

With efforts to correct the injustice gathering momentum, many opportunities to 'right the wrongs against Muslim women in Afghanistan (embodied in the

image of the blue 'chadori' clad figure) emerged as a result of political and economic pressures from Western partners, and thousands of women were absorbed into the workforce, both in the government and the non-government sectors, and scores were appointed in senior government positions, and in the national assemblies.

A Ministry of Women Affairs (MoWA) was established, ostensibly to ensure government pledges for protection and inclusion of women were met, but with no clear authority or action-focused funding, it ended up being a toothless tiger – a mere spectator with no clear protocols of action to fix any problems.

A 30% quota of women was elected into parliament, which resulted in some important legislations being adopted that protected women's rights as citizens and human beings and created more spaces for women in all sectors. The number of national women NGOs and civil society groups multiplied and attracted donors that aimed to support women's rights and empowerment. Funding availability in specific areas encouraged these local groups to adjust their agenda to match donor priorities rather than the priorities and needs on the ground in the race to win projects. More often than not, it was dictated by the donor's own understanding of what was needed. The zeal of the international partners to be able to show quick results. As a result, funds were poured into many short-term projects whose impacts were neither relevant nor sustainable. During my work as a consultant, I had the opportunity to evaluate several women empowerment and self-reliance projects implemented by credible international NGOs, which were poorly designed without considering the context and the status of the women they were trying to help. Some had reached hundreds of women, many of whom confessed that the main incentive for their participation was the small monetary incentive they received each month. Their skills had limited practical relevance or viability in their circumstances.

We can see from the above that real, sustainable progress in the status of women needed more investment in time than the quick fixes that were mostly mere 'band-aid' solutions to their problems. Also, sustainable change, even for the better, cannot be imposed from outside; it must develop organically among the community of women. Another area in which Muslim women in Afghanistan remain weak is their learning and understanding of Islam and

‘Sharia’, which is the appropriate and necessary tool to use in the fight for their human and citizen rights. The gains in women’s rights in the past two decades were, for the most part, a response to pressure from Western partners, who conditioned support to the democratic government on a minimum of 30% participation of women.

The political upheaval of the past six months has posed the most serious threat to the status of Muslim women in Afghanistan. While rural women’s lives have changed very little, urban-educated and enlightened women fear repression, curtailment of liberties and rights, and persecution if they ask questions. The de facto leadership of the country projects a narrow and limited understanding of women’s rights in Islam and is trying to walk a shaky tightrope between their belief system and the need to fit into the new world order.

But all may not be lost yet for the Muslim women of Afghanistan. The threats listed above may be possible to translate into opportunities if there is a will. The fact that women’s rights seem to have been all but erased also offers a clean slate to begin over, bigger and better.

With international attention averted to more pressing events nearer home in Europe, this could be an opportunity to take stock of their homeland without interference from outside influencers, to review past gains and losses, and make a fresh start rationally and inclusively, respecting the rights and needs of all ethnic groups and both sexes, to rebuild a peaceful and self-reliant Afghanistan based on the progressive and liberating principles of Islam and ‘Sharia’.

A new climate of tolerance of questions, and research for seeking answers, should be encouraged to study and truly understand women’s rights in Islam in the context of our times and their relevance in our world order. Another opportunity is the possibility of progressive Islamic states and Muslim majority countries becoming advisory partners to the governing setup in Afghanistan and practically demonstrating how women’s active contribution and participation can speed up the recovery and rehabilitation of the country. Afghan women’s civil society groups can reorganise and actively engage with women from all sectors and groups and hear from a diverse cross-section of women what life, liberty, and rights they aspire to.

Women's rights are built into the Islamic jurisprudence. Muslim countries like Afghanistan need to understand this and realise that by projecting a violent regressive image of their belief system, they are not only doing a disservice to women's rights but to the stability and future advancement of their own country, and to Islam itself, which was so ahead of its times over 1400 years ago, when it accorded women the rights to get an education, own property and wealth, make decisions about their lives, and engage in trade and professions and many more. It calls to reason that Islam expects its followers to be progressive and fair-minded and to create enabling environments for women and men.

3. ON MUSLIM WOMEN & THE ADJUDICATION OF MUSLIM MARITAL DISPUTES IN INDIA

Currently, the adjudication of Muslim marital disputes in India is dominated by men, whether through the government-recognised Qazi system or non-state fora such as Darul Qaza's, popularly known as Shariah Courts. Calls for gender equality and greater representation for Muslim women have led predictably not to inclusion in existing institutions but the setting up of exclusively female-run institutions such as those run by the Bharatiya Muslim Mahila Andolan and the All India Muslim Women's Personal Law Bard, courtesy patriarchy. Looking at the existing situation and issues on the ground with regard to marital dispute resolution, this paper highlights further possibilities available for the inclusion of Muslim women therein. It also argues for a more robust legal framework using alternative dispute resolution methods and setting up a government-recognised Arbitration Centre through which the full scope of a female Qazi's powers may be realised.

Keywords: Arbitration, Faskh, Female Qazi, Khula, Shariah Court

Introduction

Every few years or so, the Indian media breathlessly covers a nikah involving a female qazi, and on cue, all shades and stipes of folk do not hesitate to pontificate on the status of women in Islam, the problem with Muslims in India and the old favourite, those backward, oppressive mullahs. So entrenched is the stereotype that it seems to have vanished from public memory that the hoary and venerable Indian seminary Darul Uloom Deoband stated that Muslim women could become qazis. To quote its spokesperson,

“Becoming a Qazi is a matter of expertise, knowledge and training. Any man or woman who fulfils the criteria of knowledge and training can become a Qazi...Women in Islam have all the right to become religious scholars. They can become a Qazi and a Muftiⁱⁱ....”.

While the mullah stereotype is hardly surprising, it is strange that no commentator goes beyond framing a female qazi solemnising/officiating a nikah as revolutionary, rare, or progressive. No one pauses to ask what exactly the role of a qazi is, who appoints one and what governs the operation of a qazi in India. Quite a pity because, as this paper argues, the real power of a qazi lies not so much in solemnising a nikah as in dissolving one. However, this power to dissolve a nikah via faskh has long been contested. The source of much of the confusion can be traced to a law enacted a hundred and forty-two years ago in colonial India, with grim consequences for generations of Muslim women.

Setting up a Muslim Mediation, Arbitration and Reconciliation Centre (MARC)

Predominantly woven around narratives highlighting the ‘horrors’ inflicted upon Muslim women by religion, debates on reforming Muslim personal law in India and enacting a uniform civil code across the political and ideological spectrum are deeply Islamophobic. The provision within the Hanafi madhab, permitting the appointment of a female qazi strike at the heart of popular propaganda that insists that gender inequality is ingrained in and the cardinal sin of the Muslim community in India.

Establishing a formal institution to deal with Muslim marital disputes, such as a Muslim Mediation, Arbitration and Reconciliation Centre (MARC) with a specified gender ratio linked to the Family Court system, would be a game-changing move. The MARC could function as an autonomous institution set up by the respective state governments. It would offer an acceptable midway solution to the thorny issue of a uniform civil code. In all likelihood, such a centre would be backed by the ulema and supported by the community, embodying the Law Commission of India’s preference for progressive internal reformsⁱⁱⁱ.

A MARC should ideally be brought into existence via legislation and also formally linked to various government departments to make it as efficient and effective as possible. Item no 5. under List III in the Seventh Schedule

Constitution of India includes “marriage and divorce”; therefore, state governments have the power to legislate on this concurrent subject. In addition to the Family Courts^{iv}, court and District Legal Services Authority-run mediation centres, the Muslim arbitration centre should be linked with existing one-stop crisis centres in collaboration with the Department of Police and the Department of Women and Child Welfare and NRI Cells. Also, the centre must be linked with the state Waqf Board given that waqf boards in India are legally responsible for financially maintaining destitute divorcees^v not supported by male family members.

The MARC panel handling cases ought to consist of government-appointed qazis (who are also trained muftis), lawyers, doctors, counsellors and social workers. While realistically, it might take us a decade or more to train Muslim women to become muftiah’s and attain the requisite qualifications in order to be eligible for appointment as a qazi competent to dissolve a Muslim marriage via faskh Muslim women trained in secular vocations will always be eligible to be appointed to other positions on the panel.

This is already happening at several bodies across India where Muslim women are working alongside mufti’s. While the mufti, of course, by virtue of his religious knowledge and expertise, is recognised as the authority and expected to make the final decision (particularly in cases of faskh) women are actively involved at all stages of the entire process. Mufti gives their opinions serious weight, and they have significant influence over the final decision.

Telangana already has a unique hybrid institution in the Marriage Counselling Centre for Minorities^{vi} functioning at the Haj House in Hyderabad. Set up by executive order^{vii} in 2015 with the express mandate of resolving marital disputes “ in light of the legal provisions and respective personal law, if any”, the panel, along with a senior mufti and a government qazi at the time of inception, included two women members as well, a lawyer and a representative of a Muslim women’s religious organisation. The centre though successful to a degree, is merely a counselling body and has been severely hampered by the inability to summon husbands in particular, being vested with no powers by law to do so and is unable to come to the aid of Muslim women abandoned by their husbands. Despite the presence of both a mufti and government qazi, the panel is in no position to dissolve a nikah via faskh.

Telangana is also home to the International Arbitration and Mediation Centre (IAMC), a project backed fully by the Indian judiciary and the state government. In his inaugural address the Chief Justice of India N.V. Ramana stated

“A world class infrastructure and outstanding professionals are available to you at this centre. It is for you to take it forward and turn it into the most sought-after destination for resolution of all types of disputes, including family and commercial disputes^{viii}.”

Should political will and public opinion crystallise on the matter, the state is certainly uniquely situated to be a pioneer in securing the welfare and rights of its female Muslim residents via innovative institutional solutions.

Country and state-wide statistics are hard to come by. Still, even a modest estimate would suggest that within the city of Hyderabad alone, hundreds if not thousands of women are left hanging by their husbands with no recourse to justice. Alleviating their suffering would require formulating practical solutions that would enable them to secure a speedy and affordable divorce that is both religiously valid and officially recognised. The real value of a government-recognised MARC would lie in facilitating faskh via arbitration. Arbitrators could step in and release women from a bad marriage where the husband is unwilling or absent. The inclusion of women in the arbitration panel would enable them to fulfil this urgent need to assist ‘hanging’ Muslim women seeking to exit abusive marriages.

Conclusion

While one cannot deny the symbolic as well as the transformative significance of a self-styled female qazi officiating a nikah ceremony (especially in terms of keeping the issue alive and facilitating difficult yet vital conversations on socio-cultural practices and norms) and even as one fully recognises the vital work being done by Muslim women ‘qazis’ in various women-run organisations across India with regard to marital counselling and dispute resolution we all need to understand that the revolutionary potential of a female qazi is realised when she either heads or is part of a government recognised arbitration centre that is endowed with actual powers to effect an extra-judicial faskh and to issue an official document that the courts recognise. The empowerment of Muslim women in India cannot be divorced

from this reality. Any solution that falls short of this will keep them running from pillar to post to secure not just a valid divorce but any semblance of justice.

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- ii Mohammad, A. (2016, February 11). Darul-Uloom Deoband backs appointment of women Qazis. *The Hindu*. <https://www.thehindu.com/news/national/other-states/Darul-Uloom-Deoband-backs-appointment-of-women-Qazis/article60253042.ece>
- iii India Code. Government of India. The Kazi's Act, 1880. <https://www.indiacode.nic.in/bitstream/123456789/2290/1/A1880-12.pdf>
- iv Vishwa Lochan Madan v. Union of India, A.I.R. 2014 S.C. 2957 <https://indiankanoon.org/doc/22464727/> v Redding, J. (2018, February 13). Commentary: Vishwa Lochan Madan
- v. Union of India (2014) and the Uncertain Boundaries of Muslim Personal Law in India. *Islamic law*. <https://islamiclaw.blog/2018/02/13/commentary-vishwa-lochan-madan-v-union-of-india-2014-and-the-uncertain-boundaries-of-muslim-personal-law-in-india/>
- vi One wonders if they realise how something they imagine to be innocuous could end up radically altering the relationship between Muslim husbands and wives. Ideally, based on my research and fieldwork, the pre-marital counselling course ought to cover (i) The Fiqh of Marriage and Divorce (ii) The Fiqh of Intimacy and (iii) The Fiqh of Family Planning. Owing to the intricacies of Islamic Law and the variance between the shariah, popular understanding of the shariah and Indian law, this is essential.
- vii A minister in the state of Goa had proposed mandatory pre-marital counselling. *Press Trust of India*. (2021, June 1) Goa govt to make pre-marital counselling mandatory after rise in divorce cases. *indiatoday.in*. <https://www.indiatoday.in/india/goa/story/goa-govt-to-make-premarital-counselling-mandatory-after-rise-in-divorce-cases-1809540-2021-06-01>

4. FAMILY LAW REFORMS IN RELATION TO MUSLIM WOMEN IN INDIA: A COMPREHENSIVE DEBATE ON ENTRY POINTS AND THEMATIC AREAS

Religious and socio-cultural policies can be rightly categorised as “wicked” problems with no optimal solution in sight. Some even claim that in a pluralistic society, it is almost impossible to earmark a definite public good because it would have different meanings for different people. Even the most optimal solution would have qualifications riding on it (Rittel & Webber, 1973).

The “wicked problem” tag holds true for policy debates on Muslim Personal Law (MPL) in relation to Muslim women in India. The paper has been subdivided into three entry points and six conceptual thematic areas for the debate. The three entry points are: “Multiculturalists versus Feminists”; “Law, Religion and Patriarchy”; and “Secularism and its Concerns”. The six thematic conceptual areas are: “Consolidation of Identity through Colonial Rule”; “Overriding of Customs and Consolidation of Identity”; “Secularism and National Unity Discourse”; “Test on the Anvil of the Constitution”; “Political Expediency”; and “Administrative Convenience and Codification”. It has been done to get comprehensive coverage of the policy areas that can affect (positively or negatively) the issue at hand.

The paper would initially attempt to throw light on the debate’s normative-theoretical political elements (global and national). The abstract part would be covered by the entry points “Multiculturalists versus Feminists” and “Law, Religion and Patriarchy”. Since both these entry points are abstract, a link to the context would also be established to bring out its relation to the policy in question. The entry point “Secularism and its Concerns” would address India’s public policy concerns with secularism. The entry points take a bird’s eye view. They are more concerned with a broader debate, of which MPL is just one of the sub-areas.

The thematic areas take a more contextual approach to policy debates regarding MPL. The thematic areas of “Consolidation of Identity through Colonial Rule” and “Overriding of Customs and Consolidation of Identity” are more concerned with developments influencing the MPL in the pre-independence era. “Secularism and National Unity Discourse” is focused on

the discourse affecting MPL during the time of independence. “Test on the Anvil of the Constitution” touches upon the Constitutional position of personal laws and, more specifically, MPL. To round up the discussion, the paper ends with the thematic area of “Administrative Convenience and Codification”.

The reason for selecting these entry points and thematic areas is to signify the various intersecting ideas that have come to affect the debate on Muslim family law reforms in India. The paper wants to direct attention to whether these debates have contributed to ameliorating the condition of Muslim women. Or have they only allowed to deflect the attention to multiple peripheral issues that the cause of Muslim women has been lost in the process? The paper will also try to direct attention to some normative and theoretical ideas that should be brought to the mainstream (in turn, pushing the digressing ones to the backburner), if the debate has to be steered in the right direction.

Conclusion

The different entry points and themes show that the way the debate on Muslim women’s rights was framed hampered the interest of Muslim women. It was mainly because Muslim women’s rights were an instrumental cause to some other power-seeking goal. Overall, it worked to the dilution of the rights of Muslim women. The manipulation of how the debate has continued from political debates to Supreme Court judgments.

The paper, by highlighting the deviating focus of the debate on MPL, wants to guide attention to the citizenship rights of Muslim women in India. Personal laws have always come between the women of any community from gaining the rights of a citizen of India, away from their ascriptive identity (Newbigun 2011). The paper wants to redirect the attention of all the stakeholders in the process to focus on Muslim women’s rights. In order to prevent the capture of the discourse on the rights of Muslim women, a framework of citizenship rights of Muslim women needs to be postulated. It must be placed above any group or community rights that usually blinds the policymaker’s judgment.

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5. MISSING CONTESTATIONS IN SHRUNKEN SPACES: GENDERED STRUGGLE FOR MUSLIM GIRLS TO ACCESS HIGHER EDUCATION

The present paper is based on a qualitative study conducted to understand the construction and reconstruction of aspirations of Muslim adolescent girls on the verge of completing their education. This paper explores the transitional phase from school to life after school for twelve Muslim girls living in a Muslim-dominated habitation of North East Delhi. The capital city, with three central universities and one state university, offers high aspirations to enter into college life, but the spatial trajectories originating from segregated neighbourhood offers no college-going culture in the community for these girls. The paper is based on in-depth interviews with 12 Muslim girls who completed their schooling from neighbouring two government-funded

schools, one government school (all girls), and one government-aided co-educational school. The unstructured interviews were carried out by keeping the interaction around the change or no change in their aspirations related to education and work, after finishing school education and what is their future course of action. The responses reflect girls' gendered struggle within family and neighbourhood to reconstruct their aspirations in confirming the familial ethos of preserving social prestige in the community. The study observed that class followed gender as the two most influential factors affecting girls' aspirations and the decisions made for the girls. It is because the contestations over-exercising 'choice' remain a class as well as a gendered struggle within household and neighbourhood spaces for Muslim girls in the study.

Key Words: Muslim girls, Higher Education, Class, Gender, Aspirations, Choice, School

Context

In the urban setting of Delhi, where physical and social spaces are expected to offer an amalgamation of social groups, they also carry structural boundaries formed broadly on a class basis and specifically on caste and religion (here with special connotation to Hindu-Muslim). Focusing on the Muslim adolescent girls living in this urban pocket, this paper tries to understand how aspirations related to higher education and work are constructed and reconstructed during the transition from school to life after school. Since the transition from childhood to adolescence involves lived experiences of daily life that shape an individual's understanding of the social world, higher secondary level schooling is a crucial stage of understanding how Muslim girls view their education and what their aspirations are related to education and career.

Researched Issue

The paper focuses on senior secondary girl students' higher education and work aspirations. One of the expected aims of a state-run school is to offer physical and social space to prepare girls for higher education. Similarly, the role of the family is expected to help in defining and realising the girls' aspirations related to education and employment. It was interesting to look at how the community's cultural dynamics get infused and sometimes conflict with the working-class concern of educating their children. The paper also reflects on the larger discussion on the spatial and socio-economic factors

contributing to the poor representation of Muslim girls in higher education. This paper shows how these macro factors and micro-level nuances at school and home are intertwined, giving little or no space to contest or bargain to enter university. It is further followed by a discussion on the contemporary state's thrust on offering vocational courses to 'empower' Muslim women, whose families have already been engaged in small-scale skilled businesses for ages.

Methodology

The data used for this paper is based on participant observations and informal interaction with the senior secondary girl students of government schools and government-aided schools in schools and in Muslim-dominated habitation. These two schools- a government school and a government-aided school, were claimed to be 'good schools' as they both ensure 'discipline' and 'good result'- reported by the community members in the habitation. The girl respondents were grade XII students from two sections (Arts stream and Vocational Stream- Beauty Culture and Health) in GGS and one Art section and commerce section from GAS. Unstructured interviews were carried out with 12 girls by keeping the interaction around the change or no change in their aspirations related to education and work after finishing school education and their future course of action. Thematic and narrative analysis of the in-depth interviews was done to study the influence of school and family on the girls' aspirations.

Discussion and Concluding Remarks

The study reveals that school as a state institution offers a socialising space beyond the home to Muslim girls, where they learn and share with peers and form aspirations largely in affirmation with the family ideals of class and gender. Some girls use the space to make their voices heard not only in school but also at home, but many girls comply with the expectations of school and family. The girls undergo the struggle of pursuing aspirations or reconstructing from the parent's perspective, which they expressed in their expectations from parents. Everyday interactions in school with teachers and peers differ greatly from everyday interaction with family at home, so the disconnect between these two core stakeholders persists.

The study showed how the poverty-driven vicious cycle for the community girls keeps them entrapped as a barrier in exploring life beyond home through

education. Few girls who were resisting in school kept their aspirations high even after completing school education and bargained with family for the same. At the same time, other girls were left to reconstruct their aspirations related to education and work. Especially, girls from the vocational stream, who learned and got training in a skill, that is, beauty, culture and health, had to withdraw from the regular mode of the education system. This showed that the state's efforts in exploring the possibilities of developing skills among Muslim girl students ultimately lead them to opt for home-based work, if required (according to parents) in the habitation. The state's agenda of empowering Muslim girls has been half-heartedly addressed; the girls in this study are similar to Paul Willis' (1977) subject participants who are finally learning to labour within homes.

The vicious cycle of macro and micro socio-economic factors contributes to maintaining the status quo for Muslim girls who receive school education under constrained circumstances. The study finds a complex overlapping of 'class' factor when girls who can't afford expensive coaching of Science and Commerce are compelled to take up Arts and girls with a score less than 60 per cent at secondary level are given vocational stream. Allocation of a gendered area of vocation like Beauty, Culture and Health and Textile Designing in the name of imparting skills for Muslim girls' empowerment in a way contributes to reproducing gender and class for the community girls. So, the sustaining socio-economic backwardness has nothing to do with the community's religious association. The girls under the study are socialised to strengthen their gendered role in contemporary times and so fail to realise their aspirations to reach university, which could have been the case for girls belonging to other faiths as well. School and homework go hand in hand in reproducing class and gender for the community girls. Thus, in two schools, for girls enrolled in the vocational stream, there is limited awareness about the career prospects for vocational streams at the senior secondary level in terms of the possibility of pursuing vocational education at the higher education level. Interestingly, for all the girls (Arts and Vocational streams) college means pursuing Bachelor in Arts (B.A. programme), which they aspire to but fail to do. This is how entry into a university for a regular graduate programme remained an elusive goal, and university remains an exclusionary space for many girls belonging to the largest religious minority in terms of access to higher education.

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6. ILLITERACY IS ONLY ONE AMONG THE BARRIERS MUSLIM WOMEN FACE ON THE ROAD TO FINANCIAL INCLUSION: A CASE STUDY FROM INDIA

Abstract: Despite the government's financial inclusion drive, women in India remain diffident participants in banking. Particularly so, illiterate women find the study of an adult literacy programme for women in rural north India. The study also discovers that among its women research subjects, Muslims are the weakest at accessing and availing of banking services. This is plausible given that Muslim women have the lowest literacy rates in India as per the last count in the census of 2011.

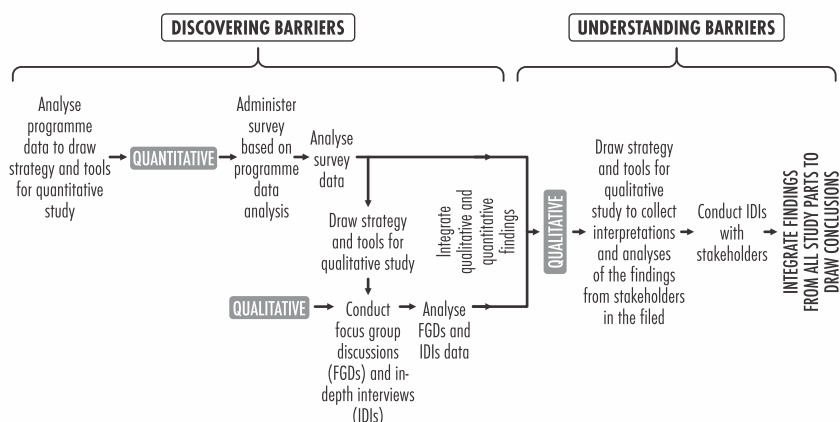
Study intervention and site: An initiative by Development Alternatives (DA), the study-programme TARA Akshar+ (TA+) is an ICT-based programme to make women functionally literate.¹ The programme consists of two components:

1 ICT is the short form for Information and Communication Technology. Use of ICT in education supports, enhances and optimises the delivery of information. It can lead to improved student learning and better teaching methods.

computer-enabled lessons in Hindi and basic mathematics over 56 days, topped by literacy retention sessions over six months. TA+ has benefited 23000 women across 90 villages in the Aurai block in eastern Uttar Pradesh's (UP) Bhadohi district, the Lalitpur block in UP's Lalitpur district and the Bhagwanpur block in Uttarakhand's Hardwar district in its third phase since 2017.²

Research design: The study comprises two parts, each of which derives a descriptive label from the findings that emerge from it: i) Discovering barriers; ii) Understanding barriers.

Figure 1: Research design



- The first phase of TARA Akshar+ (TA+), also known as the pilot phase started in 2013 across three locations in Uttar Pradesh. The second phase that started in 2014 extended the programme to nine locations. The programme has benefited two lakh women overall in all the three phases combined.

Sampling:

Table 2: Study sites, tools, subjects and sample sizes

RESEARCH TYPE	STUDY (Discovering barriers)		INTERPRETING STUDY (Understanding barriers)
	QUANTITATIVE	QUALITATIVE	QUALITATIVE
Sites	<ul style="list-style-type: none"> • Aurai: 14 villages (9T*+5C*) • Lalitpur: 14 villages (9T+5C) • Bhagwanpur: 14 villages (9T+5C) 	<ul style="list-style-type: none"> • Aurai: 1 village • Lalitpur: 1 village • Bhagwanpur: 1 village 	<ul style="list-style-type: none"> • Bhagwanpur: 1 village
Tools	<ul style="list-style-type: none"> • Literacy-numeracy tests • Survey 	<ul style="list-style-type: none"> • Focus group discussions (FGDs) • In-depth interviews (IDs) 	<ul style="list-style-type: none"> • In-depth interviews
Subjects	<ul style="list-style-type: none"> • Neo-literate programme participants (T) • Illiterate women in matched villages (C) 	<ul style="list-style-type: none"> • Neo-literate programme participants • Key informants: TARA Sahelis (local women recruits for the programme's literacy retention component); literacy instructor; programme field staff; sarpanchs; school teachers; graduate women village residents; family members of neo-literate programme participants; members from local NGOs (TA+ partners, non-partners) 	<ul style="list-style-type: none"> • Neo-literate Muslim programme participants • Key informants: Literacy instructor (local Muslim woman); Deputy Sarpanch; principal of the local private middle school (graduate Muslim woman); member from local NGO (financial literacy trainer associated with the programme in Uttar Pradesh)
Sample size	<ul style="list-style-type: none"> • Treatment: 623 • Control: 308 	<ul style="list-style-type: none"> • Neo-literate programme participants: 30 • Key informants: 33 	<ul style="list-style-type: none"> • Neo-literate Muslim programme participants: 1 • Key informants: 4

*T: Treatment C: Control

Findings

A. Discovering barriers

1. Women's illiteracy is an obstruction to financial inclusion³

Table 3: Survey results on banking awareness, activity and financial literacy

QUESTIONS	RESPONSE	RESULT (Lalitpur, Aurai, Bhagwanpur)	
		Treatment	Control
Do you have a bank account?	Yes	88.91	85.81
If yes, whose name is the account in?	Own name	97.5	92.23
Do you know the name of your bank?	Could answer	82.41	38.71
Have you transacted your account on your own in the last 6 months?	Yes	61.01	33.23
Imagine that five brothers have INR 1000 in total. If they have to share the money equally how much does each one get?	INR 200	90.33	41.61
You lent INR 100 to a friend and she gives you INR 102 back next month. How much interest has she paid on the loan?	2 per cent	65.45	6.45

Note: All figures are in percentages

3 The findings sub-headed 'Women's illiteracy is an obstruction to financial inclusion', draws from this article's companion publication: Wadhwa, S. 2020. Women's financial inclusion is critical in Covid-19 times, but illiteracy is a barrier. *Gender & Inclusion*. Centre for Development Policy and Practice. <https://www.cdpp.co.in/gender-and-inclusion>

2. Muslim women face barriers to financial inclusion, other than illiteracy.

Table 4: Block-wise survey results on banking awareness, activity and financial literacy.

QUESTIONS	Options	Combined		Lalitpur		Aurai		Bhagwanpur	
		T*	C*	T	C	T	C	T	C
Do you have a bank account?	Yes	88.91	85.81	95.17	94.59	89.05	88.8	81.77	73
If yes, whose name is the account in?	In your name	97.5	92.23	96.95	94.29	97.86	98.9	98.8	85
Do you know the name of your bank?	Yes	82.41	38.71	89.37	20.72	84.76	65.3	72.41	32
Have you transacted your account on your own in the last 6 months?	Yes	61.01	33.23	72.95	34.23	69.05	49	39.41	17
Imagine that five INR brothers have INR 1000 in total. If they have to share the money equally, how much does each one get?	90.33 200	41.61	95.65	26.13	83.81	59.29	292.12	41	
You lent INR 100 to a friend and she gives you INR 102 back next month. How much interest has she paid on the loan?	2 per cent	65.45	6.45	68.12	0.9	50	17.4	78.82	2

*T: Treatment C: Control | Note: All figures are in percentages

The characteristics of the focus group discussants with regard to banking.

Table 5: Religious demographics and banking status of focus group discussants in qualitative study sites in three blocks

		Number of discussants		
		Lalitpur	Aurai	Bhagwanpur
Religious demographics	Hindu	10	8	1
	Muslim	None	2	9
Banking status	Have bank accounts (personal)	10	9	3
	Visited bank in last six months	7	9	1
	Visited alone	7	7	None

The way forward

The study this article draws from provides robust evidence that the Muslim community realises that a multitude of hurdles confronts its women on their way to financial inclusion. Also, it understands that these barriers stem from restrictions on women imposed by socio-religious practices, including curbing their access to basic literacy and education. This, in turn, deprives women of independent incomes and economic lives as girls and adults. These in-community realisations are, in fact, in consonance with external findings from surveys conducted on the national scale; which have Muslim women scoring lower than other Indian women on possessing and deciding how to use money, owning and using bank accounts, as also on awareness and use of microcredit programmes.⁴

Most relevantly, the study solicits indigenous recommendations on how the barriers that keep Muslim women away from banks might best be overcome. The suggestions so procured and enlisted in this article indicate that the community is actively thinking of the solutions that must make for milestones on Muslim women's road to financial inclusion. It is encouraging that literacy and livelihood are seen as the most prominent signposts that Muslim women need to get past on their way to the bank.

7. THE MISSING MUSLIM WOMEN OF ZARDOZI: ART AND AGENCY AMONG ARTISANS

Abstract: India reports millions of investments and revenue in the import and export of textiles, but Muslim artisans occupy the lowest segment due to their strata and social milieu. They are often left behind and forgotten in the artisanship in a heavily decentralised and unorganised industry. Muslim men and women have contributed towards sustaining the art of *Zardozi* yet are majorly marginalised from inclusively participating in nation-building activities or entitlements as artisans.

Zardozi - an art with such courtly culture and aesthetics, is currently on the verge of extinction. The hypothesis is that *Zardozi* is a male-dominated art, but there are women working in silos that have been neglected and deprived of their due wages and acknowledgement. These Muslim women work

4 Refer footnote number 6

equally hard, if not more, to sustain households and support their husbands and yet are largely unaccounted for in the ecosystem of *Zardozi*. Work requires long hours of intricate labour with the thread and needle, causing pain and numbness, especially for women with double domestic burdens. While men work in Karkhanas (workshops), women are restricted to operating within homes and are paid disparately lower wages than their counterparts. Patriarchal customs deter them from engaging with the market directly, depriving them of financial independence and equal participation. Young girls, who are activated early to contribute to income generation and lead domestic duties, often drop out of formal schooling post-puberty; are married and confined to four walls fostering dependency on their husbands and families. These are the missing Muslim women of *Zardozi*.

The paper assesses the socio-economic conditions of Muslim women artisans from the lens of *Zardozi*. It relies on empirical findings, case studies, and primary and secondary data to decode perceptions, challenges and opportunities within the ambit of Muslim women engaged as *Zardozi* artisans in UP and Delhi's rural and semi-urban slums.

Keywords: *Zardozi*, *Zarodozi* workers, artisans, female *Zardozi* artisans, Muslim women

Veiled and Valiant – The Muslim Women of Unorganized Sector in India

42.7% of Muslims in India are illiterate. This is the highest illiteracy rate for any single religious community in the country (The Wire, 2016). Under the ambit of employment and education, Muslim women fare far behind their counterparts and other female communities.

While historically, there has always been a gap between the boys and girls in India, the case of Muslim Women has been yawning (Bano, 2017). India's Female Labour Force Participation Rate (LFPR)—the share of working-age women who report either being employed or being available for work—fell to a historic low of 23 per cent in 2017-18, meaning that over three out of four women over the age of 15 in India are neither working nor seeking work. This would imply that they are most likely running the house and taking care of children (S, 2019).

Unfortunately, Indian Muslim women face the double disadvantage of being female and Muslim (Lahiri & Shadab, 2021). Many challenges continue to

deter Muslim women from accessing equal opportunities. External ecosystems and patriarchal setups within households have left Muslim women far behind. Poverty, illiteracy, prejudices, stereotypes, and domestic duties have further led to deprivation, discrimination, and marginalisation of Muslim women in India.

Post-independence feminist scholars have made persuasive arguments that women’s agency is not only wielded in resistance to relations of domination but also in the capacity to act according to the exigencies of a specific socio-cultural context (Legg, 2003). Post-partition, Muslim women exercised agency and claimed space and belonging in everyday negotiations and strategies for survival by contributing to family income and small capitalism (Datta, 2021).

Women adopted traditional nurturing roles and transformed previous duties into new protest techniques such as spinning, stitching or sewing, thereby constructing political home spaces. It is noteworthy to analyse this shift through the lens of present-day Zardozi production within low-income Muslim households.

The afterlives of colonial-era patriarchal work culture, including the assumption that women’s work is less skilled or less valuable than men’s and that labouring in public lacks respectability, continue to haunt the lives of women artisans and industrial workers. (Lanzillo & Kumar, 2021)

The hypothesis is that Zardozi is a male-dominated art but are women working in silos that have been neglected and deprived of their due wages and acknowledgement. This can marginally be attributed to the fact that Muslim women, mainly from low-income groups, having largely been uneducated and married, are forced to occupy a ‘behind-the-scenes role to support the craft. These are the missing Muslim women of Zardozi.

Findings and Analysis

Table 1 : Demographic Distribution and Variation of Respondents

Variable Factors	Variability	Count	Percentage
Gender	Female	41	80%
	Male	10	20%
Religion	Muslim	50	98%
	Hindu	1	2%

Table 1 Continued

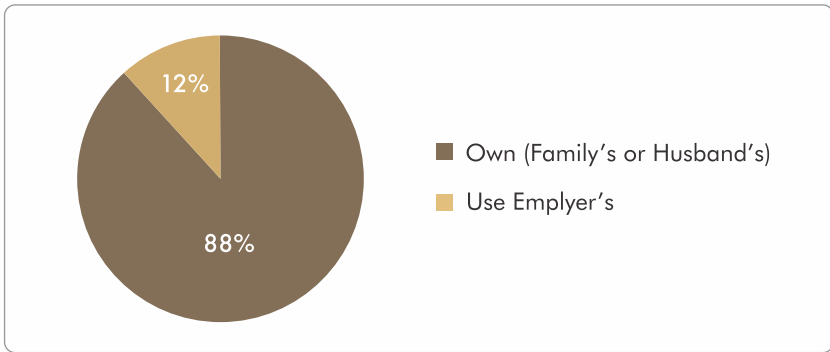
Variable Factors	Variability	Count	Percentage
Marital Status	Single	8	16%
	Married	38	75%
	Widowed	5	10%
Age (in years)	18-24	5	10%
	25-34	19	37%
	35 & Above	27	53%
Educational Background	Never been to School	24	47%
	Briefly Enrolled	2	4%
	Till Standard 5	14	27%
	Till Standard 8	4	8%
	Till Standard 10	4	8%
	Till Standard 12	1	2%
	Inter / Graduate	2	4%
Operation out of	Home / Household	46	90%
	Workshop / Karkhana	5	10%
Location	Rural	43	84%
	Semi-Urban / Urban	8	16%

1. Lower than low-wages.

Table 2: Economic Status of Respondents

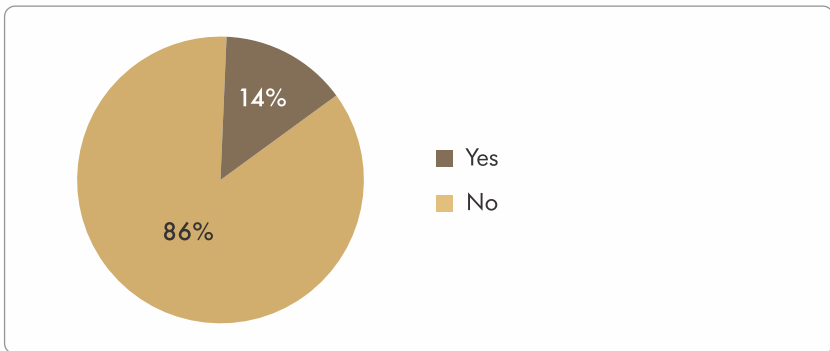
Variable Economic Factors	Variability	Count	Percentage
Employment Status	Part-Time	46	90%
	Full-Time	5	10%
Mode of Payment	Cash	50	98%
	Bank Account	1	2%
Average Monthly Income	Under 5,000	44	86%
	5,000 to 8,000	4	8%
	8,000 to 12,000	1	2%
	Over 12,000	2	4%

Figure 1: Do you own the *Atta* (Wooded Frame) or use someone else's'



2 Lack of other opportunities or means of livelihood generation

Figure 2: Do you work any other job apart from Zardozi



3 Starting young - All hands on the cloth

Figure 3: Is any child employed as Zari work or assisting with Zardozi?

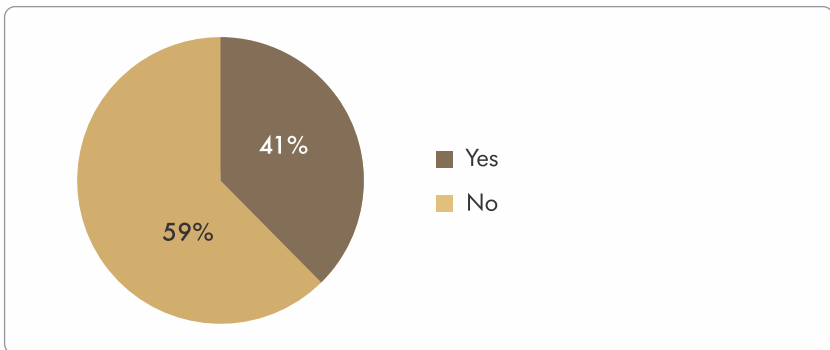
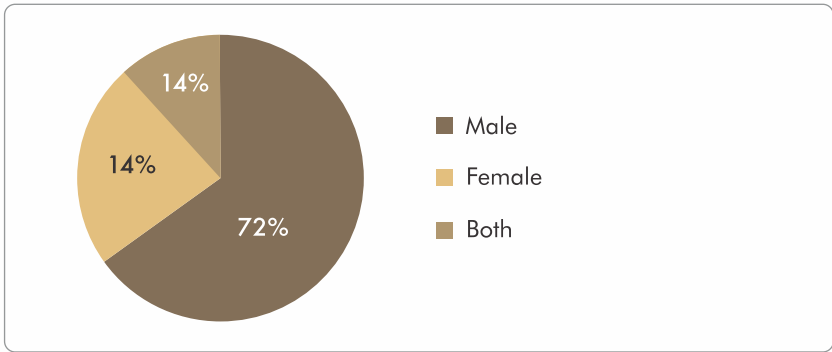


Figure 4: Gender of the child employed or assisting with Zardozi work



4 Positions, Perceptions and Predispositions of Female Zardozi Artisans

Figure 5: Do you think women get paid at par with their husbands / other male members in the community doing Zardozi?

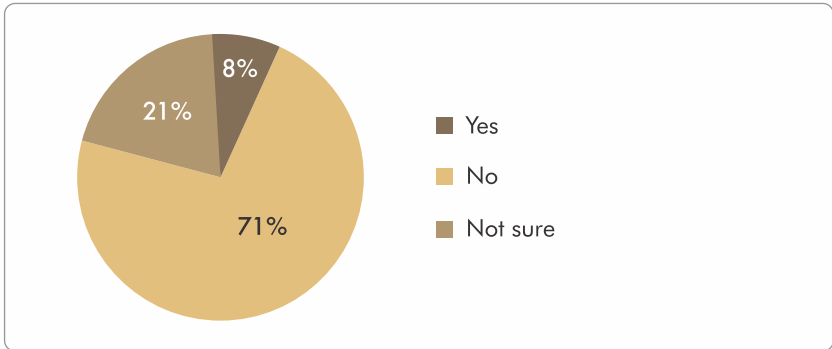
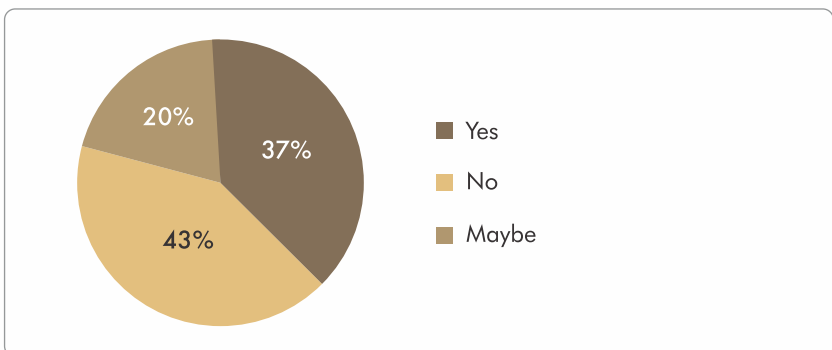


Figure 6: Would you like to go to a women-led Karkhanas to operate out of in your locality?



5 Migration patterns and behaviours

Figure 7: If ever migrated for work, or better opportunities?

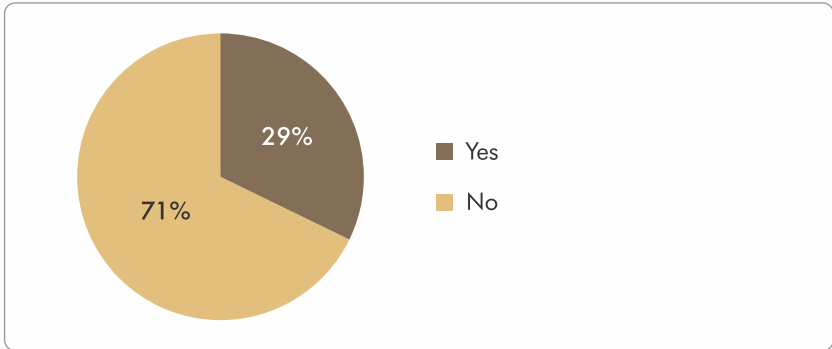
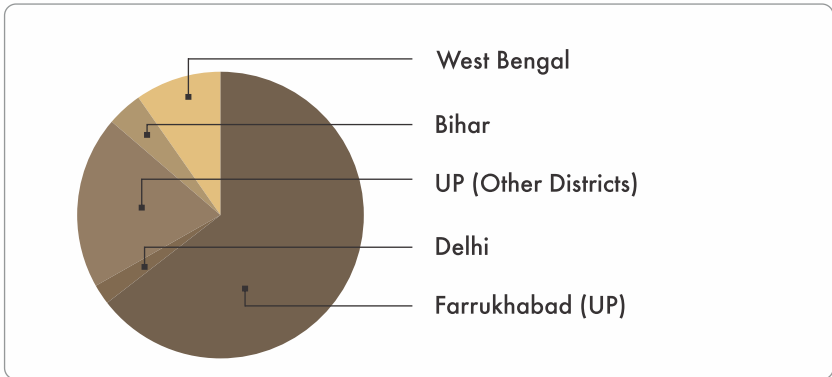


Figure 8: Hometown



6 COVID and its impact on Zardozi

Figure 9: Did you have a paying job in COVID?

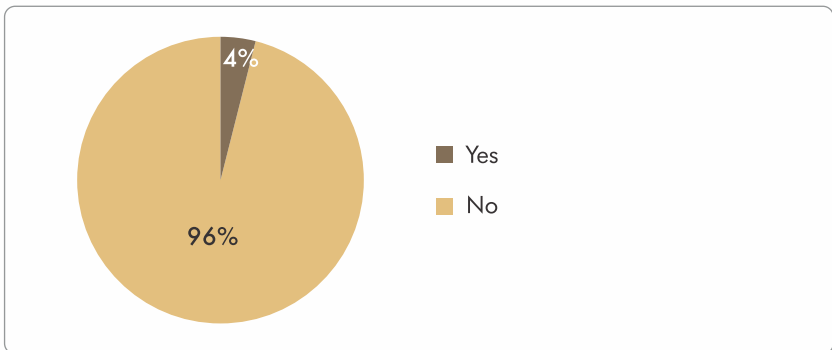
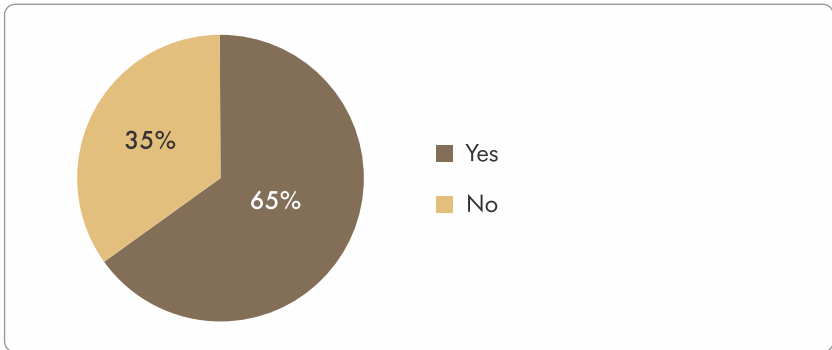
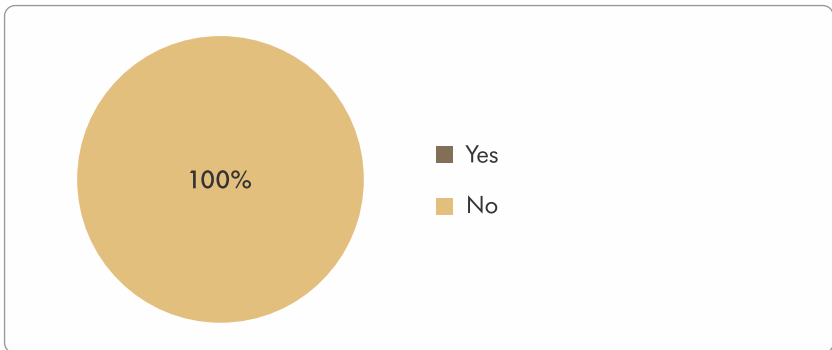
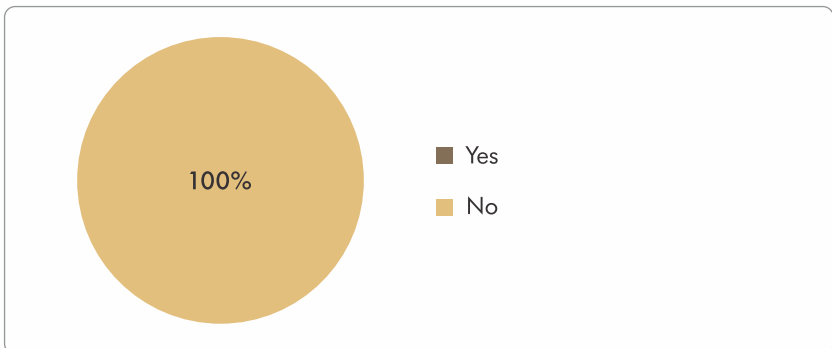


Figure 10: Did you get lower wages during / post COVID?

7. Need for social protection of Zardozi artisans

Figure 11: Did you know of any schemes of provisions for Zardozi workers?**Figure 12: Any handicraft specific government schemes enrolled in?**

Conclusion

Zardozi has predominantly been a Muslim-led artform with a rich history, yet the present-day conditions of artisans and the market have deteriorated the craft and turned it into a diminishing artform. Furthermore, the socio-economic conditions of Muslims have forced the community into ghettos where these arts thrive and vanish at the margins.

Conditions of women artisans are troubling since they cannot participate directly in the opportunities that otherwise accompany the trade of Zardozi. Education, household duties, lack of awareness, traditional setups, perceptions and beliefs of their work being sub-standard to men continue to deter Muslim women from breaking the wall ceiling and demanding their due wages or benefits. Most women involved in Zardozi consider it a means to an end. They believe themselves to be talentless, skillless, and deeply deprived of any other opportunities.

Sadly, Zardozi - a proud historical art form, has become a burden and a last resort for livelihood for these women. Efforts must be undertaken to sustain, support and scale Zardozi and link female artisans to various social protection schemes and provide them with the required training and mentoring support to advance their participation in the market and contribute toward income generation and nation-building.

The Lucknow Zardozi is accorded the Geographical Indication (GI) status. However, Farrukhabad does not have any such authenticity marking despite both regions belonging to the Ganga-Jamuni Tehzeeb.

Muslim women continue to be concentrated in the low-quality employment of Zardozi, where they function as invisible enablers and are paid much less with no support from the community or state. They are excluded from the craft's developmental and economic processes, being restricted to their homes with lower-than-low wages and orthodox perceptions. Over the years, Muslim women have been the backbone of Zardozi, often shadowing their husbands and brothers instead of directly engaging with the economic opportunities that have the potential to liberate them and promote their equal participation.

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8. THE UNEQUAL BURDEN OF INFERTILITY: WOMEN AND THEIR NEGOTIATION WITH FERTILITY TREATMENT IN HYDERABAD

Abstract: Infertility and the struggle to achieve one’s own reproductive desire with the help of Assisted Reproductive Technologies (ART) have relatively been unexplored in the Indian context. This paper highlights how the burden of reproduction has been unfairly inclined towards women, and consequently, the burden of infertility is also disproportionate. This extensive ethnographic research in Hyderabad takes one through the everyday experiences of the women struggling to have a biological child and how their life world has drastically changed with the diagnosis of infertility. In-depth interviews pointed out how one deals with the extreme psychological stress related to infertility, its treatment, and its associated stigma and shame. This has led to the marginalisation, exclusion, deteriorating mental health and emergence of ‘spoiled identities’ among fertility treatment-seeking women. The secrecy around male infertility and the strategies adopted to make women voluntarily or forcefully take the blame for their partner brings out how patriarchy works in Indian society. This paper also brings out how the high cost of fertility treatment is met with the remodelling of dowry practices in the city of Hyderabad.

Keywords: Gender discrimination, Infertility, Fertility treatment, spoiled identities, indirect dowry, patriarchy.

I. Introduction

South Asia, seen as a region that is 'overpopulated', 'teeming with millions', where fertility rates need to be controlled, the burden of reducing fertility rates falls on women who are confronted with the societal demands of proving their fertility and producing sons. Women, particularly in India, are caught in this conflict of demands between the state and society. Both for fertility control and fertility enhancement, the woman's body is the site for correction. In India, all the government's reproductive health programmes and policies are aimed at pregnant women and their newborn babies. There is an erasure of infertile men and women who struggle to become pregnant or have had a reproductive loss. Involuntary childlessness is not recognised as seriously as pregnancy and contraception. Government policies and surveys dealing with reproductive health majorly focus on family planning procedures and contraception. Government policies completely unacknowledged infertility treatment, pushing it into the private domain. With the expansion of the private fertility market and its growing presence, there is a sudden acknowledgement of infertility and reproductive loss in the public imagination. In recent times there have been reports of declining fertility rates (Down To Earth, 2018), population rate reaching replacement levels (Rukmini, 2014), and rising infertility among the Indian population (Anupama, 2019; Times News Network, 2018; Times News Network, 2015; Tyagi, 2019).

The first national-level data dealing with infertility that appeared with the District Level Household Survey (DLHS) Report 3 (2007-2008) shows the current status of childlessness and infertility of currently married women with at least five years of marital duration by selected background characteristics (District Level Household and Facility Survey (DLHS-3), 2007-2008: India, 2010, p. 171). This report highlights infertility levels and treatment-seeking behaviour across states and districts in the country. Although the erstwhile state of Andhra Pradesh showed a medium level of infertility (10.4%), it recorded one of the highest percentages of women seeking treatment for infertility (90%). The medical infrastructure, availability of treatment and medical tourism in Hyderabad played an important role.

This paper focuses on Hyderabad and highlights the experience of reproductive loss, infertility and its treatment among women through the

different tropes of stigma, the gendering of infertility, and the financial burden of ART. The exclusion and marginalisation of women from different aspects of everyday life across religion, caste and class categories is the core of this paper.

II. Reproductive Loss and Infertility: A Brief Overview

It is very common and natural to consider one-self-fertile until proven otherwise, and one normally does not consider the probability of being infertile until their fertility has been tested. Therefore, the realisation of being unable to conceive makes them ill-prepared to cope and desperate to prove their fertility. Their life world, where having a child is considered so important for their happiness, and their progression of life undergoes a sudden traumatic change. This affects not only their personality – their idea of self but their social relationships and social outlook. Having a biological child becomes their only goal and purpose in life, whereas any other life goals lose importance. Many nations have found that depressive and anxiety disorders are highly prevalent among women who visit an assisted reproduction clinic for a new course of treatment (Chen, Chang, Tsai, & Juang, 2004).

For individuals, reproductive loss and/or infertility becomes a crisis, which invariably causes psychological stress. The condition of infertility/reproductive loss and the attempts to overcome it, i.e. seeking medical interventions, is stressful and has multiple consequences. Many studies have dealt with the emotional consequences of infertility (Bhatti, Fikree, & Khan, 1999; Fledderjohann, 2012) and the gender difference in distress levels (Greil, 1997; Greil, Leitko, & Porter, 1988; Greil, McQuillan, Lowry, & Shreffler, 2011; Greil, Slauson-Blevins, & McQuillan, 2010; Greil, Shreffler, Schmidt, & McQuillan, 2011; Johnson & Fledderjohann, 2012; Malin, Hemminki, Raikonen, Sihvo, & Perala, 2001). A few themes which emerged very strongly in this study are - stigma, feminisation and the financial burden of fertility treatment or ART.

III. Infertility and Stigma

India, a pro-natalist nation, puts a huge value on babies for the continuation of kinship lines. Therefore, any deviations from the expected social role are not accepted easily and are subjected to criticism and judgment. This makes the experience of infertility very distressing for individuals and couples, where stigma plays a very important role in the overall infertility experience. They are

subjected to stigma at multiple levels - from their immediate family members to extended family, neighbours, colleagues and even random strangers.

During the fieldwork in Hyderabad, women were more vocal about their distress as they were subjected to harsher stigmatisation, name calling and discriminatory behaviour compared to men. Women recalled being called *baanjh* (local Hindi word for barren), *godralu* (local Telugu word for infertile women) and many other names across Hyderabad. Although men and women have both responded in the affirmative when asked about being called out or stigmatised in their daily lives, the manner in which women are subjected to it differs from men. Unlike men, women were questioned not only in their private spaces but also at their workplaces. From parents, in-laws, extended family members, neighbours, colleagues, and distant relatives – women are traumatised by being constantly questioned about their childlessness. At the same time, men, in most cases, are not subjected to such persistent personal questioning experiences.

Some men did encounter uncomfortable questioning from their immediate family members but were not subject to such probing by friends, colleagues, neighbours and distant relatives. Interestingly, men were often not directly asked about their own fertility intentions but about their partner's fertility, with questions like – “when is your wife giving us the good news?” In some cases, they were even advised to take their wife for medical consultation without any pressure to undergo a test themselves. Women were discriminated against because of infertility and/or reproductive loss in public spaces. They were either subjected to ridicule, and nasty comments or were denied participation in auspicious functions like marriage, baby showers or other such events. This speaks volumes about the gendering of infertility and its related stigmatisation.

In this respect, Erving Goffman's theory of stigma has been most widely used and also critiqued to understand the stigma associated with infertility (See Whiteford & Gonzalez, 1995; Bharadwaj, 2016; Riessman, 2000). For Goffman, there are three conditions from which stigma might germinate – physical deformity, individual character deformity, or deviation from group identity (Goffman, 1963). Among scholars, infertility has been categorised into all three classifications of stigma, as proposed by Goffman. The stigma of infertility extends to the entire social identity of an individual, where their

inability to conceive becomes an identity marker. Women mostly suffered from the idea of their bodies failing them or incapable of reproducing a child. Discrimination and humiliation affect their psychological well-being and their idea of one's self. To overcome such situations, respondents have devised a few coping strategies, including strategic avoidance (Riessman, 2000), living in a separate household, and providing vague or incomplete information about the treatment. Refusing to attend some events to avoid stigmatisation and public judgment or to voluntarily distance themselves from participating in such events by making some excuse are some other ways these women (and sometimes men) navigate their everyday lives. Ayesha complains:

'I have faced a lot of nasty remarks and unwanted questions by relatives, neighbours and strangers. That is why I refuse to participate in any social occasion. It is better to sit at home and watch TV.' Ayesha, Hyderabad.

IV. Discussion

These stories of women who are excluded and marginalised due to infertility, either as an individual or a couple, pushes one to dwell on the issues of body, reproduction, patriarchy, and gender discrimination. The interviews with respondents in Hyderabad clearly show that there is hardly any difference in the stories/experiences of women when they are personally diagnosed as infertile or fertile with an infertile partner - their distress remains the same.

Therefore the question critical in the Indian context is - why women are still blamed for a couple's infertility, especially in a male infertility situation. While in some cases, they volunteer to take the blame, in others, they do not have any choice as they are made scapegoats by the husband or his family to take the blame upon themselves to save their husband's reputation and from being questioned about his masculinity and virility.

This lived experience of infertility is more complicated than it appears. The burden of infertility rests unequally heavy on women, who are constantly struggling to prove their sexuality and gendered expectations to themselves and the larger society. A child's absence in their marital union becomes visible, as it is seen as the only rationale for their marriage. Their other social identities, roles and expectations become insignificant in relation to their quest for conception and parenthood.

This feminisation of infertility explains the experience of greater psychological distress among women and their stigmatisation. India is a pro-natalist, patriarchal society – the absence of a (biological) child in a heterosexual marital union is not easily understood or accepted. The social pressure to produce children reflects the continuity of bloodline and kinship and is also a way to prove one's own sexuality. This has eventually led to glorifying parenthood (both motherhood and fatherhood) to the extent that individuals grappling with infertility and/or reproductive loss become helpless victims of those tropes.

Voices from the field reflect the cultural practices of society. Women are still the focus of biological and clinical diagnosis and treatment. Most assisted reproductive procedures are carried out on the women's body, but the clinical file is usually in her name and has her health details. She is the first point of contact at the clinic, irrespective of the type of infertility and the procedures prescribed to overcome it. Fieldwork in Hyderabad showed that the clinical file is always in the woman's name - even in cases of male infertility. This suggests how women continue to carry the burden of reproductive loss/failure not only by their family and society but also by the medical establishment. This erasure of the male role in infertility is rooted in the deep internalisation of patriarchy, where women are viewed as primary agents of reproduction and, therefore, blamed if they do not/ cannot have a child. Therefore more conversations around pregnancy loss, reproductive pathology, abortion and childlessness are needed, pushing it from the periphery to the centre - impacting the policy or the ground level. There has been a universal 'taken-for-grantedness' in fertility, pregnancy, and reproduction. The possibility of reproduction going wrong and affecting individuals, communities and the larger society must be acknowledged and dealt with as any other serious health problem.

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9. FAMILY, DIGITAL RESOURCES AND EDUCATION OF GIRLS AMONGST THE MINORITIES IN MEWAT, HARYANA

Abstract: This chapter is based on an empirical study of the schooling of Muslim girls in the state of Haryana. It attempts to understand the complex interaction between family, access to digital resources, and online education and its impact on the education of Meo Muslim girls. This study uses the ‘Time Use Survey’ framework to understand how school-going girls utilise their time during the day and their ability to access smartphones and internet data packs to attend online classes or receive ‘homework’ via WhatsApp. Taking Covid-19 as an immediate frame of reference, the study seeks to understand the prevailing socio-economic causes and systemic bottlenecks that put the educational journey of girls at stake. We found that the digital deprivation, skewed allocation of familial resources, lack of leisure time, and system’s apathy intertwining with pandemic-induced closure of schools have adversely influenced the education of minority girls and pushed the prospective futures of many to the brink of collapse.

Keywords: Gender inequalities, family, digital deprivation, online education, schooling

Introduction

The educational scenario has changed substantially since 2020 due to the Covid-19 pandemic-induced closure of schools, the subsequent shift towards the use of online mode to continue the teaching-learning processes, and the drastic reduction in the syllabus and curriculum. Studies (Reddy et al. 2020, Rahman 2020, Sylwyn 2010, Meo and Chanchal 2021, UNICEF 2021) showed that this shift, temporarily exposed the prevailing digital divide and has exacerbated the socio-economic disparities across the country. Amid these inequalities, the move towards an online mode of educational dissemination has put the family at the centre as a dominant agency where choices, preferences, and power play out to define the future of education for children in general and girls in particular. Progress is made in women's education, yet the disparities amongst the girls from minorities, Scheduled Castes, and Scheduled Tribes remain large. The actors construct social arrangements within the family to achieve the desired outcome. Research on gender, family relations and strategies around schooling of boys and girls in India have revealed that the parental decisions about the schooling of their sons and daughters differ in terms of choice of school, duration of schooling, and the socio-cultural location such as urban, rural (agrarian landowning and landless) (Chopra 2005, Harma 2012). The number of children in the family and their sex, age, and birth order also influence and shape parental decision-making and resource allocation. For instance, boys are often sent to private schools.

In contrast, the elder siblings or girls are asked to compromise or allow their (younger) siblings to get education-related extra support in the form of resources to be spent, leisure time, and the availing of private tuition. Apart from the family's economic status, socio-demographic factors constitute differential treatment's basis. Chopra (2005) has emphasised that it is essential to consider gender, age, and status to understand the social aspects of schooling choices. Family being the primary institution, it influences the education of the boys and girls, proceeding with the available resources and capital at its disposal. In a rapidly privatised and marketised educational arena, parents prefer to send their girls to government schools while boys are enrolled in private schools (Hill, Samson and Dasgupta 2011, Harma 2011, Srivastava 2007). Also, especially for girls, the time spent on educational activities is crucially an essential and decisive factor. The present chapter,

based on an empirical study in the state of Haryana, has used the feminist lens via Time Use Survey (TUS) to understand the complex interaction between family, access to digital resources, and online education and its impact on the education of girls amongst the Muslim minorities in Nuh district of Mewat region in Haryana.

Muslim Minorities and Women's Education

In India, many scholars have researched the education of minorities, specifically Muslims, using different theoretical perspectives. Access to educational intuitions and the quality of instruction remain contested for all social groups in general and for Muslims in particular. Studies show that many Muslim minorities and Dalit masses compellingly cater to government schools or low-fee private schools, given their poor socio-economic conditions (Dhungana 2020, Rampal 2004, Hill et al. 2011). Alam (2021) in his ethnographic study of a government-aided school in Old Delhi, notes that the Muslim communities, grappling with miserable socio-economic conditions, systemic discrimination and a sense of insecurity, often consider the government school located within their vicinity as a 'last resort' which reflects their 'ghettoised aspirations' (p. 75-78). Over a decade back, in 2006, the Sachar Committee report underscored the miserable state of education amongst Muslims in India with the support of amply elaborate statistical pieces of evidence. Poor attainment levels, higher dropout rates, and inaccessibility to quality education intuitions are of serious concern. Further, demystifying the prevalence of Muslim parent's aversion to girl's education and the higher dropout rate due to early marriage in the community as chief causes of Muslim women's educational backwardness, the report especially emphasised that 'the problem lies in the non-availability of schools within easy reach of girls at lower levels of education, absence of girls hostels, absence of female teachers and availability of scholarships as they move up the education ladder (p. 85). Jeffery et al. (2007), in their study on the education of Muslims in the Bijnor district of Uttar Pradesh, reported that though there is a general increase in the number of government primary schools in the district but the geographical location of these schools makes these relatively less accessible to the Muslim Children. This relative exclusion of Muslim children from primary schools is also responsible for their lesser number at the Secondary level of education in rural areas. It is widely presumed that Muslims mainly attend Madrasas, traditional educational

intuitions. Jeffery et al. (2007) argued that Muslims viewed Madrasa as a viable option for their children's education because the state of Uttar Pradesh has failed to provide better quality schools with secular curricula. These are seen as places that, besides giving general education, also impart religious education and cultural ethos among the community's children. Many scholars argue that socialisation in the Madrasas plays an important role in the identity formation of the Muslim youth.

Nonetheless, the Sachar Committee report (2006) forthrightly demystified the prevailing assumptions of Madrasas being the only favourite choice for Muslim parents. Rather, the report revealed that only a minuscule percentage of Muslims (3 %) cater to these institutions. Nevertheless, in a nutshell, the education of boys and girls is influenced by the religious ethos of the family, community, and educational institution.

Family, Resources and Girl's Education: Understanding the Linkages

Family as a primary unit of socialisation provides the ideological ground for discrimination and inequality between males and females, which is further reflected in material inequality (Chanana, 2001) and access to education where women belonging to marginalised sections are segregated at the lower-end educational institutions be it government or private. The notion of resources is not limited to economic resources but includes a wide array of social, cultural, and emotional resources that families have access to. As far as access to property/land is concerned, the women in the family are hardly given any legitimate ownership rights. Kabir (1999) highlights the complex inheritance rules prevalent amongst the Muslims and Hindus in North India. Among the Hindus, the patrilineal principles of descent and inheritance govern the access to land. Women can also legally claim equal inheritance rights at par with their male counterparts.

In contrast to this, Muslim women have the right to inherit property. She further elaborates that this doesn't mean Muslim women have better access to resources. Women are encouraged to waive their rights to patrilineal property, favouring their brothers. Most women effectively do not have any right over family resources and income, which renders them dependent on the males for their sustenance (ibid). The critical interplay of religion, gender, and socio-economic conditions construe women's lopsided identity and

status. Gupta (2020: 153) aptly remarked that Muslim females have 'limited intellectual and professional resources at their disposal.

Though girls are sent to schools, the prevailing gendered socialisation reinforces them towards 'feminine activities such as household chores. In this context, 'Time' is also an important resource for girls as they are expected to shoulder domestic chores with their mother, which controls the amount of time they would likely spend on studies at home. Women often spend most of their time doing unpaid domestic work and caring for others; thus, they hardly have any leisure time. In the words of Veblen (1899: 33), leisure is the "non-productive consumption of time." It is thus inferred as a moment of personal relaxation, enjoyment, and quality enrichment of oneself. Women's leisure experiences relate to household duties, chores, and family responsibilities (Srivastava 2021). Her personal needs and the quality time needed for learning and enrichment become secondary to enforced familial responsibilities. This prevailing scenario adversely impacts girls and their studies at home. The situation is further complicated due to online modes for educational dissemination during the COVID-19 pandemic. The online mode of education has blurred the boundaries of space and time and has constrained the time available for girls to spend on educational activities at home. Children attend classes from home or access learning material through online mode and have the liberty to do it at their ease. However, this ease appears to be difficult for the female child as she is often asked to help with the household work instead of investing time in her studies. Besides, there is competition among the siblings to access compatible digital devices, internet data packs, and the time devoted to catching up with the online instructions in synchronous and asynchronous mode. Scholars have reported that within the household, the mother or father also ensures control over the assertion of girls, and there is tension between her ability to enforce her right to acquire knowledge and deny help to domestic chores at home (Kumar 2010, Chanana, 2001, Lahiri-Dutt and Sil 2014, Srivastava 2021). Girls found themselves 'torn between their personal needs of enrichment and relaxation on the one hand and the 'care ethic' on the other (Srivastava 2021:34), consequently pushing their educational futures to the brink of collapse.

Conclusion

The chapter highlights that the restriction on physical mobility and school closure and the lack of access to online modes of education had severe implications for the education of girls from Muslim minorities in rural Haryana. The study attempts to capture how Covid-19 induced school closure and reopening of schools after one year had curtailed the leisure time and the time for girls to study at home. Girls' access to technology to continue schooling was sternly restricted under the constant male gaze. Girls' leisure time and learning were secondary to their familial responsibilities, and consequently, their 'gendered' identity is necessarily shaped in the framework of religious values and prevailing cultural strictures. The combined impact of poverty, religion and gender in collusion with covid-19 induced restrictions and school closure pushed girls to the brink. The onus of failure to perform well at secondary level examination(s) is put on the girls alone without any heed to the lack of resources and the system's apathy. It may thus be concluded that the long prevailing notions of izzat (honour) and kismat (luck) are invoked to justify the poor status of girls' education. Male dependency has consequently intertwined with covid-induced restrictions and the system's inability to provide equitable learning opportunities to females of marginalised communities. The study underscores the central role of the family in allocating resources to the education of girls and controlling their 'time use' towards studies at home that reinforce gendered societal norms as well as parental dismay over their ability to support the education of girls only to a limited level which is affordable and socially acceptable.

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