

# Gendered Citizenship and Women's Movement

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Gendered citizenship involves an assessment of the binaries of the private-public and questions the way public is associated with material and private with cultural. It is concerned with the gendered access to infrastructure, housing and livelihoods. This paper examines how the citizenship rights of women in India are framed within the social structures of caste, class and ethnicity.

In addition, it discusses to what extent an Indian woman's formal rights give her substantive rights as a citizen. It also shows how the Indian women's movement has theorised the changing nature of citizenship rights in time and context.

Citizenship is a complex concept. At its core citizenship refers to the relationship between the "citizens" and the state within the context of rights and obligations and is based on the principles of "inclusion" and "exclusion" of members. The definition conceptualised by Kymlicka and Norman (1994: 369) incorporates both these positions:

Citizenship is not just a certain status, defined by a set of rights and responsibilities, but also as an identity. It is thus an expression of one's membership in a political community. It has become clear, however, that many groups, such as blacks, women, aboriginal peoples, ethnic and religious minorities, gays and lesbians, all feel excluded from the 'common culture' despite possessing the common rights of citizenship.

Indian political theorists like Jayal (1999) and Bhargava (2005) have engaged critically with theorisation of citizenship rights. Specifically Bhargava differentiates citizenship into active and passive categories. The passive citizen is a recipient of certain benefits from the state, which include the right to protection, access to basic necessities and liberties. A passive citizen hardly plays a role in the public sphere and she has a private space protected by the state and granted to her as a citizen. The active citizen on the other hand engages with the state and the ruling elite to negotiate for her rights. Active citizens not only receive certain rights from the state, but actively participate in deciding how benefits and burdens, rights and obligations are to be distributed, how collective benefits and burdens are to be shared. Active citizens are crucial for a vibrant public sphere. Bhargava says that though in principle citizenship entitlements are available to everyone, they are unequally distributed. One's location within the social structures based on class, caste, gender, ethnicity, region, language limits the possibility of engaging actively in the public sphere and for accessing one's rights. Citizens, thus, experience "differentiated" citizenship rights.

To Jayal, the idea of differentiated citizenship implies disenfranchisement of large sections of citizens. According to her, citizenship rights are undermined in two ways. One, the absence of a proactive state that could ensure the enforcement of constitutionally guaranteed rights of citizenship, and two, the absence of those social conditions that would enable one to exercise citizenship effectively. The presence of sharp economic disparities and inherited social inequalities such as class, caste, gender, ethnicity and language are major factors that restrict the full enjoyment of citizenship rights.

## 1 Contested and Negotiated

Women's oppression is exemplified in the way women experience citizenship rights. Feminist analysis draws an attention to the fact that, on the one hand, the state might grant citizenship rights

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to women and on the other, it is the nature of the society, that would ultimately determine the extent to which citizenship rights can, in fact, be exercised. Poverty, discrimination and social exclusion all can undermine the benefits of citizenship (Faulks 2000).

Gendering of citizenship lies in the creation of public-private divide, wherein male domination and female subordination are structured by the strict separation of hierarchical spheres with male belonging to the public and female to the private (Turbin 2003). Through rearticulating this established public-private divide within society, one can challenge women's exclusion at the level of both theory and praxis. We thereby disrupt the "gendered meaning" given to what is a socially and politically constructed dichotomy. This binary is fluid rather than in practice as each side impacts the other. Within nation states, social divisions such as class, race, disability and sexuality (and caste) intersect with gender either to aggravate or to modify its impact on women's citizenship status and the potential to realise it (Lister 1997b).

The idea of citizenship has its origins in ancient Greece (Roy 2005). The development of the concept can be attributed to four broad historical periods: (1) classical Graceo-Roman (fifth century BC onwards); (2) late medieval and early modern periods including French and American revolutions; (3) developments in the 19th century corresponding to the growing influence of liberalism and capitalism; and (4) the contests over the form and substance of citizenship in the late 20th century with increasing preoccupation with multiculturalism and community rights. The notion of natural rights drew an inspiration from the universalistic tradition of Roman natural law.

Roy (2005) argues that within the citizenship discourse two major traditions are seen to have developed. The first refers to the tradition of civic republicanism characterised by the ideas of common good, public spirit, political participation and civic virtue. Republicanism constructs citizenship as a status and as a means of active involvement and participation in the determination, practice and promotion of the common good (Sandel 1982, cited in Anthias and Yuval-Davis 1992). The emphasis was on *participation* in civic life. According to the critiques of republicanism, what matters is how the "community" is constructed and constituted and who are its active participants. Faulks (2000) drawing on Pettit (1997) agrees that republicanism by itself cannot generate a convincing theory of citizenship because it has a rather abstract approach to politics. Further, republicanism is also more willing to demand duties and obligations from the citizen.

The second refers to the tradition of liberal citizenship, which emphasises individual rights and private interests. Within this liberal perspective, the legal rights granted by the nation state to its citizens are emphasised. In the liberal tradition individual citizens are presumed to have equal status, equal rights and duties, so that the principles of inequality deriving from gender, ethnic, class/caste or the other contexts are not supposed to be of relevance to the status of "citizenship" (Roche 1987). Citizenship refers to the terms and conditions and benefits of the membership of a political community consisting of individual citizens.

Thinkers from the liberal traditions have thus advanced normative theories explaining what the citizen can expect in the way of rights and duties, without considering in depth the

constraints that class, gender and ethnic differences (amongst many other social divisions) place upon individual citizens. Kymlicka and Norman (1994) argue that the predominant view of citizenship implicit in political theory is defined almost entirely in terms of possession of rights.

T H Marshall's *Citizenship and Social Class* (1950) is the most influential exposition of citizenship-as-rights. According to Marshall, citizenship is essentially a matter of ensuring that everyone is treated as a full and equal member of society and the way to ensure this sense of membership is through, according to people, an increasing number of rights.

Adding to the above analysis, Lister (1997b:28-29) states that Marshall in his definition constructs citizenship as a "status bestowed on those who are full members of a community which includes civil, political and social rights and obligations. All who possess the status are equal with respect to the rights and duties with which the status is endowed". In this definition being a member of a "community" is very important. Yuval-Davis (1997b) in her analysis of Marshall raises two pertinent issues. First, linking citizenship rights to membership in a community rather than to the state enables one to analytically discuss citizenship as a multi-tier construct, which applies to people's membership in a variety of collectivities – local, ethnic, national and transnational. Second, such a multi-tier construction of citizenship is particularly important these days, when neoliberal states redefine and reprivatise their tasks and obligations.

Kymlicka and Norman (1994) feel that the underlying liberal notion of citizenship is a passive citizen with emphasis on entitlements rather than the obligation to participate in public life. They demand a revision of the current definition of citizenship to accommodate the increasing social and cultural pluralism of modern societies. Faulks (2000) points out that since all citizenship rights involve the distribution of resources, and because obligations are exercised within a societal context, any discussion of citizenship is also a consideration of power. Thus, in their obsession with defending abstract individual rights, liberals have often overlooked the power structures that can either facilitate or constrain citizens in their exercise of their responsibilities. When the liberals portray citizenship as part of an evolutionary process towards a more rational, just and well-governed society, they ignore changes in meaning and the interests that are served by such shifts in its meaning. Republicanist scholars argue that the liberal notion of citizenship is cast within an amoral community in which the notion of the common good is antecedent to the individual citizenship choice.

Marxists, feminists and cultural pluralists point out that in both liberal and republicans' conceptualisation of citizenship, the notion of community is not problematised adequately to address the issues of power and inequality.

Marxist criticisms of citizenship have focused on the failure to address the capitalist structure. For the Marxists, the civil and political rights sanctioned by the state are superficial trappings of equality. The dominant classes retain their privileges, and the working class remains subjugated (McLellan 1977, cited in Roy 2005). Modern citizenship, according to Marxist critique, does not breed citizens, but rather, "self alienated, natural and spiritual

individuality”, men and women who occasionally imagine themselves as citizens, but whose everyday actions are governed by the imperatives of the market.

Cultural pluralists focus on the issue of “difference”. Citizenship to them is a matter of identity, where members of groups feel excluded not only because of their socio-economic status, but also because of their socio-cultural identity – their difference. The attempt to create a universal conception of citizenship, which transcends group differences, is unjust, because it oppresses historically excluded groups. Therefore, there is a need to develop a theory of “differentiated citizenship”. This analysis is based on two assumptions. The first relates to culturally excluded groups, who are at a disadvantage in the political process. The solution to their exclusion lies in at least providing institutionalised means for recognition and representation of oppressed groups. Second, these excluded groups often have distinctive needs, which can only be met through group-differentiated policies. The policies suggested by Young (1993) include special representation rights for disadvantaged groups, self-government rights for national minorities and multi-cultural rights for immigrant and religious groups. Critics of the differentiated citizenship worry that if groups are encouraged by the terms of citizenship to turn inward, then the hope of building a larger fraternity will not materialise (Kymlicka and Norman 1994).

Feminists have argued that the expansion of citizenship to women and the provision of conditions in which women could act as citizens have come as a result of a long struggle by women. Feminist critique is based on the assumption that the notion of citizenship is increasingly subject to social and legal differentiation, producing new forms of gradational or hierarchical citizenship. While citizenship appears to be an inclusive, universalistic concept, in reality all state citizenships are not equivalent nor are all state citizenships allocated in equivalent ways (Stasiulis and Bakan 2003). Feminist critique of citizenship hinge on two issues; one, the need to challenge the notion of community, and two, the need to break the binaries of private and public which have structured the theorisation of citizenship rights.

On the first point, Ito's (2005) argument is crucial. She suggests that citizenship studies of women, sexual minorities, disabled or ethnic minorities have made it clear that even within a community of “full members”, as defined by Marshall, there are social and legal differentiations that make citizenship gradational or hierarchical. Feminists thus argue that the dominant conception of citizenship is gender blind. By focusing on uniform and equal application, it fails to take cognisance of the fact that modern societies are steeped in patriarchal traditions, which make for differential male domination and privileges. This analysis highlights the fact that citizenship operates on the principles of inclusions and exclusions of citizens. Specifically for women, the membership of a community – even on the basis of the idealised and rarely realised liberal notions of citizenship rooted in individual rights – does not guarantee rights (Mukhopadhyay 2007: 33).

Further, feminists have argued that citizenship operates on the binary principles of public-private, productive-reproductive, economic-cultural, whereby it relegates women to the reproductive-private-cultural sphere. Most of the historical conceptualisations of citizenship have thrived on the division between members and non-members. The discursive practices surrounding the notion

of citizenship have produced dichotomies, where the space of citizenship became increasingly identified with male and public activities. Thus Mahajan (2003) and Roy (2005) argue that, while the public/private distinction was essential for the assertion of the liberal notion of citizen as an autonomous individual, it also has led to the identification of the private with the domestic. Such a conception has played an important role in the exclusion and subordination of women. In particular, Mahajan (2003) argues that identification of women's interests with the private is used as a major mechanism of women's historical subordination. As private and public are governed by patriarchal principles, demystifying and challenging the distinction is the first step towards women's liberation.

The binary of the public-private, argues Yuval-Davis (1997a), citing the theorisations of Pateman (1988) and Grant (1991), are historically created. Pateman (1988) has earlier stated that the classical theories of citizenship divide the sphere of civil society into private and public and that this has laid the foundation for common sense understanding of western social and political order. Women and the family are located in the private domain, which is then not seen as politically relevant. These sets of ideas have, in turn, got reflected in theorisations of citizenship down the line. Grant (1991) adds to this analysis by arguing that the foundation theories of both Hobbes and Rousseau portray the transition from the imagined state of nature into orderly societies exclusively in terms of what they both assume to be natural male characteristics – the aggressive nature of men (in Hobbes) and the capacity for reason in men (in Rousseau). Women are not part of this process, and are therefore, excluded from the social and remain close to “nature”. Later citizenship theories accepted these assumptions.

Roy (2005), continuing this argument, states that as citizenship has been for long exclusively viewed as the domain of men (of property), women's identities and lives have either been excluded from or subsumed within a purview of state citizen relations. Their concerns have been examined instead primarily in relation to cultural institutions in the realms of family and community. Not only does this overlook the impact on women of political institutions of law and citizenship, it also fails to acknowledge how closely these institutions are regulated by state mechanisms. Thus the gendering of citizenship draws an attention to the way the state constructs “women” – primarily in their difference from men by formulating laws and policies specific to them and also by differentiating between them.

Feminists question their membership in the community and their group rights and social difference. Further, the ways the binaries of public/private and active/passive have been constructed has led to the differentiation between different kinds of citizenships (Pateman 1988; Yuval-Davis 1997a, 1997b; Lister 1997a, 1997b; Mahajan 2003, Stasiulis and Bakan 2003; Ito 2005; Roy 2005). We should not restrict our analysis to women's relationship with men, but also to their affiliation to local, regional, dominant or subordinate groups, their ethnicity, their material context, access to infrastructure, and their place within household.

In order to assess the gendered understanding of citizenship,

it is necessary to move beyond an earlier liberal and political science understanding of the formal relation between the individual and the state. Citizenship should be seen to be a more total relationship inflected

by identity, social positioning, cultural assumptions, institutional practices and a sense of belonging (Yuval-Davis and Werbner 1999:4, cited in Sunder Rajan 2003:2).

Such a broad-based understanding of citizenship includes legal status but should not be seen to be reducible to it alone. It exists on a wide "spectrum" involving a pool of rights that are variously offered, denied or challenged as well as a set of obligations that are unequally demanded. Therefore, the terms and conditions of citizenship rights and responsibilities are the products of active and ongoing negotiation (Stasiulis and Bakan 2003). If we accept this reasoning, i.e., gendered citizenship is a product of negotiation and contestation with the state, a question arises is who negotiates for whom and what are the strategies adopted for negotiation.

Gendered citizenship incorporates three aspects of understanding of rights for women. First, it involves an assessment of the binaries of private-public. Is "public" only material? Is "private" only cultural? Gendered citizenship questions the way public is associated with material and private with cultural. It argues that the private, which includes family, involves distribution of resources and is as much a material part defining the public as is cultural. Gendered citizenship is concerned with the gendered access to infrastructure, housing and livelihoods. Second, the citizenship rights of women are framed within the social structures of caste, class and ethnicity. These make women experience rights differently. Third, gendered citizenship involves the conceptualisation of this differentiation through the theorisation of multiple patriarchies. As feminists have argued, there is no one "patriarchy". There are "multiple patriarchies" based on the structures of caste, class and ethnicity. Further, in a country like India, where uneven distribution of poverty and resources is related to regional unevenness, citizenship rights has a spatial dimension and are differentially experienced. Additionally in India, the political citizenship is understood as having a right to vote. Does that make woman a citizen? To what extent does her formal rights give her substantive rights as citizen? Also though women have found space in formal politics, to which class and caste do they belong to? These are some of the questions that have to be addressed within the discussion of gendered citizenship.

An analysis of gendered citizenship allows for a conceptualisation of multiple patriarchies. The Indian women's movement has theorised the changing nature of citizenship rights in time and context. It is also aware of the existence of multiple patriarchies that structure it.

## 2 Women's Demand for Citizenship Rights

The Indian women's movement was a struggle for gendered citizenship rights, over the last hundred years. These rights were first expressed in the early 20th century notions of gendered citizenship evolved in this period through the political campaigns of the Indian women's movement.

Sen (2004:459) states that "it is the recognition of gender as an 'issue' that is the basis of India's women's movement". Feminist scholars and activists have analysed and theorised on the relationship between political participation of women and the growth of feminist movement in India to assess how gendered citizenship has been articulated (Agarwal 1989, 1994, 1999; Basu 1995; Carr et al, 1996; Gandhi and Shah 1992, 1999; Jain 1980, John 2005; Kumar

1993, 1999; Omvedt 1979, 1993; Patel 1985; Ray 2000, Katzenstein and Ray 2005; Sen 1990, 2004; Sen 2002; Akerkar 1995 and Wieringa 1995). All these studies suggest that the period of the 1970s was a "watershed" in the growth of the Indian women's movement.

Sen (2004: 464) argues that the women's question dominated the public discourse on "modernity" for over a century. In the early 20th century two important discourses were articulated which have a significance for the argument of gendered citizenship. These were the discourses of women in the social reform movement and in the nationalist movement.

The preoccupation with women's question began from the 19th century. The social reform movement informed the construction of anti-colonial nationalism. Kumar (1993) and Sen (2004) suggest that in this phase there was an emphasis on women's question rather than on gendered relations. Specifically, Kumar (1993) notes that the early 19th century movements stressed the need for reform and did not challenge the areas of male control and oppression.

Rights were articulated in the social reform phase at two levels. At the first level, it focused on the atrocities practised on women, such as sati (burning alive a widow on the funeral pyre of her husband), female infanticide, child marriage, enforced celibacy and ascetic widowhood. The provocation for intervention came from the criticism of the colonial authorities and missionaries about the low position of Indian women in contemporary society. The reformers saw women's education as a way to ameliorate their status, but this was to adapt women of the rising middle class to a western milieu (Kumar 1993). The exception to this was the initiative taken by Jyotiba Phule in Poona to open up schools for girls and then for dalits.

Though education as a radical right was articulated for women, it lacked a gendered perspective. Education was needed for a woman to fulfil her role as a wife in the household and to help her in her role as a mother in forming child's consciousness. Kumar (1993) states that even a radical reformer like Jyotiba Phule could not go beyond this vision. Despite these limitations women were the major agendas of the reform movement. These campaigns redefined the spheres of the public-private, the world and the home and male and female. However, in this movement only a small group of elite women (under the aegis of male reformers) became crucial beneficiaries of colonial modernity and were able to negotiate patriarchal (and class) spaces to access education, employment and political roles. The recasting of patriarchy was in the model of upper caste norms. Hence, these ideas led to the formation of new forms of patriarchies.

In the pre-1970s, the nationalist movement helped in articulating political rights (Sen 2004; Kumar 1993). Women's involvement in political activity led to the formation of women's political associations. These associations performed a dual role. On the one hand, it helped women access education and provided political training; on the other, it allowed for the launching of three kinds of women's organisations. The first were nationalist organisations such as Bharat Stree-Mahamandal in 1908, Women's Indian Association in 1917 and the National Council of Indian Women in 1925. Secondly, established political parties began to organise women's wings and involve women in politics. Examples of these are All India Women's Conference in 1926, affiliated to Indian National Congress and

National Federation of Indian Women (NFIW), a women's wing of Communist Party of India (CPI) established in 1954. A third form was voluntary associations based on Gandhian ideas of welfare and service such as the Jyoti Sangh formed in 1934. These three kinds of organisations provide three different models of women's involvement in public sphere.

Women's participation in nationalist movement allowed for their extensive visibility as political actors. However, this visibility was limited to women from the middle and upper classes and castes. Mahatma Gandhi played an important role by legitimatising and valorising the "feminine" values within the political campaigns.

Mahatma Gandhi extended the logic of 'feminine' modes of to the whole of nationalist movement. It is argued credibly that he feminised nationalist politics through his emphasis on satyagraha and passive resistance and thus created a special space for women. He drew in numbers of women – in the mass – as never before (Sen 2004: 476).

In this phase the focus was on women rather than on gender relations and thus the movement was feminine rather than feminist. Political participation in the nationalist struggles gave women a separate status, but did not give a perspective on women's question. The approach of the movement was oriented towards charity and social welfare. Despite these criticisms, nationalist movement was crucial for women's visibility as political actors. With the constitution of the new Indian republic, women were assured of fundamental rights for equality and universal adult franchise as citizens. Thus suffrage and other forms of political representation and participation were easily won for women in India in the course of the struggle for freedom.

### 3 Scenario in the Late 1960s and Early 1970s

During the 1960s and 1970s, the women's movement actively negotiated for women's rights. This period saw the articulation of the way in which the structural inequalities operate in the society. The structural inequalities operate in four ways. First, the programmes and policies of the state do not seem to displace the persistence of structural inequalities of caste, class and gender within society. For example, poverty is a manifestation of structural inequality related to access and control of resources. The programmes of poverty alleviation based on ameliorative principles cannot displace these structures of inequality. Second, the social structures of class, caste and gender that lead to structural inequality are themselves unequally structured within each other. For example, poor dalit women would experience citizenship rights differently as compared to dalit middle class women though both share same caste and gender. Third, these inequalities are also reflected within the institutions such as the state that grants rights and in political parties that represent citizens. It raises the question whether state or political parties genuinely represent the interests of women. Lastly, the groups that organise the marginalised to demand for their rights are also structured within patriarchal principles. This makes them insensitive to the questions of the marginalised within the group itself. The sensitivity towards the recognition of these structural inequalities becomes important in negotiating for gendered citizenship.

The period of the 1960s and 1970s was thus witness to radical changes within the Indian women's movement, when it was able to theorise and raise issues of structural inequalities. The change

was the result of two events; the publication of *Towards Equality Report* in 1974 and the growth of a large number of mass movements in the early 1970s.

The government of India appointed a committee to deliberate on the status of women in India. This was a part of the project to celebrate the international decade for women. The committee's report called *Towards Equality* highlighted the poor social, economic and political condition of Indian women. It noted that gender disparities have increased in health, employment, education and political participation. The report exposed a systematic gender gap in how the benefits and burdens of development were being distributed (Sen 2002).

The late 1960s and early 1970s also witnessed people's mass movements where there was a conscious attempt to articulate gender concerns and raise issues such as sexual division of labour, violence against women, equal wages for women and land rights for women. There was a gradual theorisation of gender concerns within various mass movements, where women participated in large numbers. In and through these struggles, women attempted to create a "space" for themselves, even though men were present as participants and as leaders in the movement. Also women pressurised the leadership to create separate women's cells to address distinctive gender concerns in these mass movements thereby pressing for women to control and define the issues concerning their lives. Why did these movements emerge at that time? The context was the political and economic crisis and the failure of the independent India's policies. The turmoil of these times are captured in the following words:

The promises of independent India has by then proved to be largely unfulfilled for large sections of our people. The policy of planned economic development resulted in heavy industrialisation and agricultural capitalisation but led to a host of new contradictions. The tepid implementation of land reforms has failed to solve the problem of rural inequality and the rural masses remained sunk in poverty. Urban poverty and unemployment were also serious problems, while increasing radicalisation provided the students and youth with a way for channelising their frustration and anger; the ruling part responded with increasing draconian laws and measures directed against any form of protest (Sen 1990: 4)

Scholars reflecting on the emergence of these new political actors termed these – "Non-Party Political Formations (NPPFs)" (Kothari 1989 cited in Shaji 2006), "grass roots initiatives" or "new change agents" (Sheth 1984 cited in Shaji 2006). These groups have one common conception, a deep scepticism towards electoral politics and a critique of the state's developmental agenda.

Shaji (2006), citing Kothari (1989), Sheth (1984) and Sethi (1984) have identified some common characteristics that unite NPPFs. NPPFs reflect the resurgence of the people asserting their democratic rights, challenging the established order outside the party political processes. Although these groups and movements were predominantly autonomous, they were also associated with radical and marginal political parties such as the Lal Nishan Party (LNP) and the Socialist Party. Their agitations were directed towards local problems, and though small, their impact on the prevailing discourse on poverty mitigation through public works was critical in reframing and enlarging the notion of public works. The NPPFs perceived poverty not only in terms of economic inequalities, but also as a consequence of the social-structural locations of the poor; such as land relations and land reforms. Simultaneously,

they addressed questions regarding tribal and dalit identity because they recognised that economic exploitation alone did not explain poverty (cited in Shaji 2006).

The mass movements of the late 1960s and early 1970s in Maharashtra, in which women had played a prominent role were crucial in the growth of Indian women's movement (Omvedt 1993; Gandhi and Shah 1992; Kumar 1993). The political and economic crisis of this period provided the context for the emergence of mass movements challenging the authority of the state (Chari 2006). Using Maharashtra, as an example, I analyse here the emergence of feminist consciousness in three movements; the mobilisation by Maharashtra Shet Mazdoor Parishad<sup>1</sup> (henceforth Parishad) and the Shramik Sanghatana in the Shahada movement during the drought years and the growth and spread of anti-price rise movement.

The economy of Maharashtra in the early 1970s was in chaos. The drought in the early 1970s shattered the state's rural economy, affecting about 15 to 30 million people out of a population of 50 million (Ladejinsky 1973, Omvedt 1975, Dreze et al 1999 cited in Chari 2006). Rural areas experienced the shortage of foodgrains, drinking water, fodder and employment opportunities which led to large-scale migration to towns and cities. The persistence of drought for three years in succession forced all sections of the society, including landlords holding more than 10 hectares of land, to demand employment in the relief sites (Subramaniam 1975). The drought conditions, which included shrinking supply of foodgrains and rising costs of living, affected women adversely. Not only did women have to travel longer to find drinking water and fodder for themselves and their cattle, but also with increasing male migration to cities and towns and to other villages (where there were relief sites), they had to find employment to support and sustain their families. This increased women's responsibility and they migrated to relief sites in great numbers demanding work (later on this demand was instituted as Employment Guarantee Scheme). No wonder, scholars analysing the drought years have commented on the extensive number of women workers in these relief sites (Omvedt 1975, Brahme and Upadhaya 1979, 2004, Dreze et al 1999).

The Parishad mobilised workers to demand work in many districts of western Maharashtra region, Marathwada region and north Maharashtra region (Chari 2006). In the course of their struggle, the Parishad raised gender concerns of economic exploitation. Through a struggle for equal wages, access to services at relief work (such as drinking water, sanitation and crèches at the relief sites) and employment, the issues of gendered sexual division of labour were raised. Contemporary commentators such as Dreze et al (1999) and Omvedt (1977a, 1977b) have noticed how the relief-work sites became the focus of a great deal of radical political activity of rural women who attended conferences, meetings, protests and demonstrations organised by the Parishad. It was these interventions that brought the "women's question" to the fore (cited in Chari 2006).

Shramik Sanghatana organised the tribals in Shahada taluka, Dhule district, at the drought relief sites. The movement related the drought to unequal land relations. They, therefore, demanded a comprehensive legislation on land reforms to counter drought. They also mobilised the tribals for access to forestland, wastelands and repossession of lost lands and believed that only a mass movement can liberate the tribals from the clutches of non-tribal

landlords and moneylenders (Brahme and Upadhaya 1979, 2004). Like the Parishad, the Shramik Sanghatana organised protests against the inferior conditions of work and differential wages for women and men (Sathe 1990). Sanghatana women activists organised women's conferences, meetings and informal group sessions to encourage women to speak about their problems and help them understand the underlying material issues affecting their exploitation. Over time, the discussions restricted to the issues regarding sexual division of labour expanded to domestic violence. The struggle moved from protesting against alcoholism to attacks on wife-beaters, thus questioning violence in the "private sphere". In the course of this struggle, new demands were put forth for the prevention of sexual exploitation (Chari 2006).

Whereas the Parishad addressed gender discrimination in the form of sexual division of labour at work sites, Shramik Sanghatana not only did this, but also went a few steps forward. For the first time there was a comprehensive critique of the relationship between land relations, commercialisation and sexual exploitation. It protested against the non-implementation of land reforms and also questioned the nature of capitalist commercialisation of agriculture and linked it with sexual exploitation by exposing how landlords pushed tribals to further indebtedness by encouraging alcoholism, which in turn, led to domestic violence (Chari 2006).

As drought and famine affected rural India, urban areas faced conditions of high inflation. The Anti-Price Rise Movement in Maharashtra (1973) moulded public opinion against inflation, and thereby, raised the livelihood issues. It focused on the issues of rising prices and demanded consumer protection and distribution of essential commodities by the government. This movement was led by a coalition of left and socialist parties to protest against inflation, and in particular, demanded accessibility of foodgrains, sugar, cooking oil and kerosene. The movement mobilised large numbers of women belonging to middle, lower class and working class, who were most severely affected by inflation. Thousands of women came out of households carrying rolling pins (*latnis*), plates and spoons to protest and gheroaed officials and politicians. During Emergency in 1975 many of its leaders were arrested and the movement slowly petered down (Gandhi 1990).

Gujarat witnessed the mobilisation of the self-employed women in the early 1970s. The trade union Self Employed Women's Association (SEWA) demanded that the "self-employed women be considered as workers". Another important issue was raised in the Nav Nirman movement and was influenced by Jay Prakash Narayan's concept of total revolution. This related to the need for political and economic reform and a demand to limit state power and its hegemony. These movements critiqued the state's failure to provide citizens an alternative way of life and thinking.

Feminist consciousness and a critique of patriarchy emerged in these movements wherein both men and women participated. In these struggles women created a "space" for themselves, even though men were present as participants and as leaders in the movement. From the late 1970s onwards, separate women's cells to address distinctive gender concerns have emerged in these mass movements. These mass movements played a critical role in the evolution of feminist consciousness. What was the nature of this feminist consciousness? Agarwal (1989, 1994) understands

feminist consciousness to be linked with material concerns. The issues of gender discrimination and violence in the private sphere cannot be understood without assessing the economic conditions that structure women's status. These movements challenged and broke the binaries of public-private and material-cultural.

The government's response to these struggles was the use of repressive tactics and the declaration of Emergency in 1975. Many radical movements disbanded and some other went underground (Kumar 1993, Sen 1990, Sen 2004). Others broke up and split. In the post-Emergency phase women's movement emerged in a completely new form with a feminist perspective of gendered citizenship.

#### 4 Feminist Analysis of Citizenship Rights

The new women's movement emerged alongside the people's science movement, campaigns for civil liberties and democratic rights (often dedicated to exposing the brutal repression of Naxalbari and other mass-based movements), and like these were in the context of delegitimation of the state in the late 1970s. Indian women's movement is highly diverse in terms of issues raised and the nature of groups and organisations that are a part of it. Kumar (1999:368) sees the new women's movement as "a complex, variously placed and fertile understanding". An analysis of the movement would highlight how over time and space it has raised issues of how to define women's freedom, what choices women can make and the nature of political intervention needed for raising these gendered citizenship rights.

The review of literature on Indian women's movement highlights five characteristics. First, the Indian women's movement raises a diversity of issues. Kumar (1993) argues that it is the only movement that has linked up such issues as work, wages, organisation, environment, ecology, civil rights, sex, violence, representation, caste, class, allocation of basic resources, consumer rights, methods of production, health, religion, community and individual and social relationships. Second, there is diversity in the forms of organisations. Kalpagam (2000) states that there are multitudes of women's groups and organisations covering a broad political spectrum, from groups affiliated with leftist parties, the dominant centrist parties, as well as a vast number claiming to be autonomous that belong to the women's movement. The movement includes formal organisations, informal groups, individuals, and issue-based coalitions of party, non-party, peasant, working class, student, civil liberties, democratic rights and social work groups/organisations (Sangari 2007).

Third, the movement is characterised by a history of frictions, splits over issues, demands and analytic framework. Fourth, there is a close relation between the movement and feminist studies. Purkayastha et al (2003: 513) see the women's movement in India as a dialogue and reflection among activists and activist scholars on movement issues, strategies and the need for articulating alternatives. Fifth, Indian women's movement conceptualised new theorisations of patriarchies. There was a clear "recognition of gender relations as a political issue" and understanding of feminism as an analysis of gender discrimination located in multiple patriarchies (Sen 2004).

Within the new women's movement one could find two distinct groups adhering different perspectives regarding gender discrimination; autonomous women's groups and left-oriented women's

groups. To Omvedt (1977a, 1977b, 1993), Gandhi and Shah (1992) and Kumar (1993), the distinctive characteristics of the women's movement in the late 1970s was that it was led by, for and of women, and that its organisation was autonomous of established party and mass movements. The urban educated middle classes established these organisations. Though they were different from each other in terms of their ideological stance, they were bound together by a common set of ideas – that of feminism. Purkayastha et al (2003) states that autonomy was an attempt by women to organise themselves, outside party and left movement politics, to address women's issues without subordination to other issues and organisations. Desai and Patel (1985) define:

autonomy in terms of independent existence from a political party, government umbrella or outside any form of political ageis, but at the same time, not depoliticising women's question. The members of these organisations are not apolitical. The leadership of present women's movement is in the hands of young, dedicated, courageous, theoretically oriented educated middle class women, some of them have opted out of mass-based organisations because their experience showed that though such organisations were sensitive to the problems of the poor, denounced casteism and communalism, talked of fighting oppression of women were perpetuating patriarchal norms and forms in both the political and the personal sphere.

The left-oriented women's movement reinterpreting Marxist feminism focused on the relations of exploitation rather than relations of production. Purkayastha et al (2003) draws on Omvedt (1993) to state the defining features of left-oriented women's movement. The movement redefines exploitation to include issues of caste, gender, rural livelihoods and the environment. It questions development based on industrial and capitalist modes of expansion and provides community-based alternatives based on equality and justice. In conceptualising these alternatives rural women were at the forefront, where issues of casteism gender, ecology and rural livelihoods through their focus on *stree-shakti*, that is, women's power rather than on women's oppression (Omvedt 1993, cited in Purkayastha et al 2003: 513-14).

New women's movement can be broadly divided into two phases; the first, the period from late 1970s to late 1980s, and second, the period from late 1980s onwards. The first phase is important in defining the course of the new women's movement, and the second phase is important as neoliberal policies have placed new challenges before the movement.

In the first phase, violence against women was the main issue addressed by the women's movement. Most of the feminist literature in India defines violence against women as any form of coercion, power, or control perpetuated against women by her intimate partner or his extended kin and includes physical, sexual, verbal and mental abuse. In its broadest sense, the definition of violence against women in India also includes the topics such as sex-selective feticide, female infanticide and discrimination against women (Bhatt 1995; Jaising 1995; Kelkar 1992 cited in Purkayastha et al 2003).

Within the autonomous women's movement, the issues raised by the feminists centred on the violence against women such as of domestic violence, crime against women, sexual harassment, rape, dowry deaths, wife battering, reproductive health issues such as feticide and invasive technologies and harmful contraceptives. Through campaigns on these issues, the Indian women's movement exposed patriarchal values that legitimised chastity and

sexual "purity", which related women's honour and body to social identity and "stigma" of being dishonoured as a woman. The household was opened up to show it as a unit of exploitation and control of women's freedom and choice. In theorising these issues, the feminist movement was able to conceptualise the manner in which patriarchies operated in Indian society in order to control women (Sangari 2007; Kalpagam 2000; Purkayastha et al 2003).

As mentioned earlier, the new women's movement built campaigns on various dimensions of violence against women. Two important campaigns were the campaign against rape (Mathura and Rameeza Bee Rape Case) and the campaign against dowry deaths. The two campaigns are important to understand how the women's movement raised gendered citizenship rights by theorising on violence at the public and private sphere. They illustrate the strategy of negotiation with the state for gendered rights. The campaigns theorised patriarchy as operating at multiple levels, including caste, class and ethnicity and thus conceptualising "multiple patriarchies".

Feminists theorised on rape by arguing that "rape" is not just a criminal offence, but as one that reflects power relations within society. Women who are raped represent the honour and identity of the family, kin, ethnic, class and caste group. It is the brutal expressions of masculine violence (Kumar 1993). The movement started off with the Mathura Rape Case in 1979. Policemen raped Mathura when she was in custody and the perpetrators were let off by the court on the grounds that she had a boyfriend and thus was of "loose character". Feminists raised questions relating to custodial rape, the notion of consent, the use of past sexual experience as testimony and lengthy court trials. Though the Mathura rape case gave the movement its defining moment, these questions were also earlier raised in the case of Rameeza Bee who was raped by several policemen in Hyderabad in 1978.

The Mathura rape case became the symbol of mobilising against sexual oppression of women particularly from lower/class groups who became victims of custodial rape, gang rape, and sexual harassment during caste and communal conflicts. In India, the categorisation of rape itself reflects a complexity unlike in the west, where rape is mostly related to "date rape". In India there,

is a category of 'landlord rape', the landlord's exercise of the *droit du seigneur* to rape 'his' women wage slaves or the wives of his male wage slaves. There is the category of 'rape by those in authority', comprising the exercise of power within the workplace to rape women employees or juniors; the category of 'caste rape' in which caste hierarchy is exercised to rape lower-caste or outcaste (tribal) women; as well as class rape, police rape and army rape (Kumar 1993:128).

Pressured by the sustained campaign on rape, the Law Commission took note of the demands of the women's organisations and activists and made amendments to the substantive law and also the procedure and evidence part of it. Sharma (1992: 14) states that,

In 1983 the Criminal Law Amendment Act was passed which makes revealing the identity of rape victim an offence (which women's groups feel makes the task of organising campaigns difficult). For the first time the amended Act included 'custodial rape' (rape by superintendents of remand homes, hospitals, prisons and of women in police custody) as a new category of offence where the burden of proof lies with the man accused.

The other issue that became important was the case of dowry deaths. This form of violence is specific to India. Patrilocal residence and patriarchal family structures place the wife at the

bottom in status. The kinship group has control over her behaviour, mobility and resources. In the case of dowry deaths, the mother-in-law and the husband's siblings have been found culpable in many cases. In the campaign against dowry deaths, feminists interrogated the nature of the "private sphere" and challenged the received binary of public-private. The campaign focused on violence in the form of murder and abetment of suicide inflicted on women to obtain dowries. Feminists joined forces with neighbourhood groups, trade unions and teacher's associations to strengthen the campaign against dowry. Feminist groups innovated new approaches to enhance public awareness of the dowry problem, such as street plays and pledge taking ceremonies against practice of dowry. The campaign demanded an amendment in the Dowry (Prohibition) Act 1961:

The 1983 Criminal Law (Amendment) Act made some crucial amendments in the Indian Penal Code of the criminal procedure and the Indian Evidence Act making cruelty (both mental and physical) and abetment to suicide by the husband and his relatives, punishable with imprisonment up to three years with fine. In the case of an unnatural death of a woman within seven years of marriage, the Act provides for an enquiry by a police officer'...but despite amendments there has hardly been any convictions (with few exceptions) in cases of dowry deaths for want of conclusive evidence (Sharma 1992).

The campaign on dowry was an eye-opener at two levels. One, feminists discovered that they could get massive public support for campaigns against certain kind of crimes against women. Two, feminists realised that they cannot limit themselves to changing laws (Kumar 1993: 68). Introspection on the movements' successes and failures led to the establishment of women's centres of two kinds. One kind of centre provided a mixture of legal aid, healthcare and counselling. In these centres individual cases of legal and health problems were dealt with. Women's groups concentrated on providing services to individual women based on a feminist perspective of realisation of women's rights. What made it distinct from earlier women's centres was its feminist approach to issues. These centres used the notion of "gendered rights" to challenge the "welfaristic" approach of earlier women's groups.

The other kind of centres refer to the women's studies research centres where the feminist theorisation on a range of themes like health, which addressed malnutrition and low immunity to diseases, reproductive health, occupational health problems, sexually related diseases, sexuality, violence, livelihood and political rights. The theorisation on "health and sexuality" by these centres were important in the sense that it perceived women's health beyond "maternal health" and linked it up with reproductive health. Specifically, this kind of feminist approach was important in the context of an overemphasis by the state on linking women's health to family planning. There was thus an interface of the Indian women's movement and women's studies. In these centres discourses relating to "know your body", the rights over one's body, the notions of shame and stigma associated with the female body were discussed (Viswanath et al 1997).

It is through such varied interventions that recognised the specificity of caste, class and ethnicity that Indian women's movement theorised on "multiple patriarchies". Gendered citizenship demands a conceptualisation of rights within the context of negotiation and contestation with the state. The campaigns discussed



above highlight how the Indian women's movement has raised different citizenship rights thereby challenging the public-private binary. In this phase of women's movement new theorisation on violence against women was conceptualised.

The left-oriented women's groups were not only part of the campaigns on violence against women, they were also involved in mobilising women in developmental work. Left-oriented women's organisations like Stree Mukti Sangharsh in Maharashtra mobilised women around wage employment programme like Employment Guarantee Scheme (EGS) in early 1980s in drought-prone areas of Sangli district. The campaign focused on widowed, unmarried, deserted and divorced women. It spoke of how being single in a society that placed a premium on marriage disadvantaged women. The campaign highlighted the social and economic distress of these women and worked for their rights to landownership, ration cards, employment, social security, and most important, acceptance for them as single women with a right to live, a life of dignity, free from social stigma and with financial and social security (Datar 1993).

From the mid-1980s onwards, there were discussions regarding the organisational forms that the Indian women's movement adapted. Women's organisational forms reflected the voluntary Gandhian approach or the perspective of the autonomous women's movement or a left-oriented approach.

#### 4.1 Strategies to Articulate Gendered Citizenship

A core element in the concept of gendered citizenship refers to the strategy of negotiation and contestation. As mentioned in the introduction, Kymlicka and Wayne (1994) define citizenship in relation to the relationship between the "citizens" and the state. In the process of negotiation the role of the state is very important. Faulks (2000) argues that the modern notions of citizenship are intimately tied to the development of liberal state. People as "actors" confront, negotiate and contest with the state to demand for their rights as citizens. The nature and extent of citizenship closely reflects the kind of state that one negotiates with. Faulks (2005), citing Giddens (1985) argues that the history of modern citizenship can be in part understood as a series of bargains and trade-offs, whereby elites seek to maintain their power through managing the effects of social change and containing the demands of social movements through concessions in the form of rights.

Faulks (2005) focuses on four factors to explain the nature of citizenship rights. First, the struggles of social movements to extend citizenship rights. These have included women, movements by classes, ethnic minorities, disabled, sexual minorities. Second, the nature of ideology. For example, in states where socialism has been influential such as Germany, Sweden, Britain, social rights in the form of publicly funded services have been more extensive than in countries such as the US, where socialism has been of minimal influence. Third, the economic factors remain crucial to understanding citizenship. The constraints of the market economy have limited the nature of citizenship. Fourth is the nature of the liberal state. This is essential to the understanding of citizenship in contemporary society. The nature of citizenship rights is framed within the structures of the ideology of state, the economy and the intervention by social movements.

For feminists, citizenship provides a valuable framework within which the struggle for women's rights can be located. In order to negotiate and struggle with the state to demand for their rights, it is necessary to theorise on the nature of the state. In the Indian context, the state plays an important role in structuring women's access to material and cultural resources. Therefore, in order to articulate gendered citizenship women's movements have to negotiate and confront with the state.

In this context, theorisations of Agarwal (1994) and Lister (1997a) prove to be very valuable. They argue that feminist analysis necessitates a shift from the construction of the state as an inherently oppressive capitalist patriarchal monolith. It is recognised that feminists have to engage with the capitalist patriarchal state to extend and defend women's citizenship rights. The state can thus be understood, not as a monolith, but as a site of struggle and of the expression of different social interests. Specifically, Agarwal (1994: 77-80, 499) argues that the analysis of the gendered nature of state has often highlighted its dual contradicting nature. Thus while on the one hand, the state has powers to enact laws and formulate policies and programmes to alleviate discrimination, on the other, it can also use its resources and coercive apparatus to reinforce existing gender retrogressive biases within the family and society. Thus gendered relationship with the state is conceptualised in terms of cooperative conflict and contestation. This I argue is reflected in the strategies adopted by the women's movements, while articulating its demands to the state. Regarding the strategies adopted by the feminists, Roy (2005) has an important argument. She argues that there are differences within feminist politics regarding their relationship with the state. These differences are based on diverse views on politics and political community, which makes feminists to adapt different routes to overcome women's exclusion from the political community (Roy 2005: 28-29).

In analysing the various routes, Rai (2002) by using Marshall's (1950) classification of citizenship rights, argues that there are broadly three stages of citizenship rights which are associated with three generations of human rights. It includes rights of individuals, such as those of life and liberty, right to political participation and right to social and economic security. Rai (2002), drawing upon the works of scholars such as Peterson and Parisi, (1998) and Al-Ali (2000) argues that women's movements have reflected this unfolding nature of citizenship: from the early 20th century demands for universal political rights, to the current insistence upon mainstreaming a gendered perspective in political institutions and economic policymaking; from the debates on the importance of entitlements to citizenship, which include socio-economic justice, to a discursive shift from natural citizenship rights to a demand for universal human rights and conception of global citizenship. Feminists have often used citizenship rights in struggles to secure greater standing within the nation (Narayan 1997 cited in Rai 2000).

Thus "citizenship" according to Lister (1997b: 22-24) provides an invaluable strategic theoretical concept for the analysis of women's subordination and a potentially powerful political weapon in the struggles against it. Additionally, it is used as a strategic concept in the process of contestation and negotiation

with the state. Lister (1997b) has conceptualised the process in the following words:

Within the feminist political discourse it is accepted that the citizenship rights, which enable people to act as agents and to express that agency in the arena of citizenship are not fixed. They remain the object of political struggles, to defend, reinterpret and extend them. Who is involved in those struggles, where they are placed in the political hierarchy and the political power and influence they can yield will help to determine the outcomes. A feminist theory of citizenship thus has to be knitted into a feminist praxis (Lister 1997: 23).

Feminist politics thus has to be understood as a discourse that emphasises on "theory" as emerging from political practice and engagement with the "issues at stake", that is building the "theory of practice" rather than the other way round (Sen 1990, Gandhi and Shah 1992, Kumar 1993). This can be seen in the way that the Indian women's movement has theorised multiple patriarchies in operation due to multiple levels of oppression based on structures of class, caste and ethnicity. In the following paragraphs, I am going to discuss the strategies used by the Indian women's movement to negotiate and contest with the state to raise gendered citizenship rights for women.

Analysis of the campaigns of the Indian women's movement reveals that two strategies were very important for it, consciousness raising and engaging with law. As discussed in this chapter, consciousness raising was an important strategy within the autonomous women's movement. These functioned as a "group for women, by women and of women". The idea was to discuss, brainstorm, engage with ideas, build campaigns for awareness raising, share feelings, anger, frustration, joy as a way to theorise on gender issues and build solidarity among themselves. Sangari (2007: 51) argues that over the years consciousness raising has lost its political edge. The assumption, that exposure on the plight of women regarding violence, health indicators, economic rights would in due course lead to social transformation, is now being questioned. She argues that co-option of the language of emancipation such as "empowerment" by the state agencies, international donors, and policymakers has generalised, bureaucratized the language. This could have led to the consciousness raising as a strategy of losing its political affectivity.

With regard to the strategy of using law as a means of redress it functioned not only as "demanding for rights", but also the duty, responsibility and the accountability of the state itself for the Indian women's movement (Sangari 2007). In the campaigns against rape, dowry and sati the primary target of women's movement's demands was the state. There was a recognition that the state had failed in its "duty" and that it was necessary to demand redress from it. In the post-Emergency women's

movement, phase two issues had become clear. The first was that women were victims of violence and the second that the state is accountable for the violence perpetuated on women. This perspective was reflected in all women's groups irrespective of ideological difference. Thus whether they were party-affiliated groups or autonomous groups, for both it is the state that has to be addressed for redressal of demands. This mode was important as it allowed women to be citizens; for "in addressing the state, women's groups were making an important assertion that of women's rights as citizens" (Butalia 2002: 219-24). Law became a significant strategy for negotiating with the state.

Many feminists questioned the efficacy of basing campaigns around demands for changes in the law, and by extension, around demands for action from the state. Sunder Rajan (2003: 32) argues that feminists understood the limitations of progressive laws in the books, when not backed up by implementation or by the judgments of an enlightened judiciary. Additionally, Sunder Rajan (2003: 32) argues that "it is the conspicuous success of the women's movement in the field of legal reform that has led to the doubts about its efficacy as strategy". For as Flavia Agnes states,

If oppression could be tackled by passing laws, then the decade of the 1980s would be adjudged a golden period for Indian women, when protective laws were offered on a platter. Almost every single campaign against violence on women resulted in new legislation. The successive enactments would seem to provide a positive picture of achievement. [But] the crime statistics reveal a different story...The deterrent value of the enactment was apparently nil. Some of the enactments in effect remained only on paper. Why were the laws ineffective in tackling the problem? (Agnes 1997:521, cited in Sunder Rajan 2003: 32).

Along with the strategies as mentioned above, articulation of gendered citizenship rights also depends on the issue "who represents who". Here the issue is structured in terms of gender and caste and gender and class. Which is the defining factor "gender" or the caste and class? In many women's organisations, leadership is drawn from the middle class/upper caste/urban regions. Can they articulate the concerns of poor, working class dalit women that they represent? Can women leadership by itself make the organisations gender sensitive?

The strategy of some women's groups has been to intervene within the discourse of "women as agents of development". The importance of this discourse is more in the contemporary era of economic liberalisation and structural adjustment. Within a neo-liberal state, poverty alleviation programmes generally focus on individual-based solutions. The prime example in this regard is the microcredit programmes.

NOTE

1 The Parishad, a rural trade union organisation was established in 1971 in Ahmednagar district. It was affiliated to the Lal Nishan Party, an independent left party not having links with any established contemporary communist parties. Its constituency was among industrial workers in urban areas. Through the formation of the Parishad, the Lal Nishan Party wished to build up a class alliance between the urban workers and the rural workforce.

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