

Indian Association for Women's Studies XX National Conference (IAWS)
2020

Violence and the Political Economy of Work

Feminist Policy Collective Panel Discussion

Venue: Moot Court Hall, National Law University, Delhi
January 30th 2020
Panel Discussion – 3:00 pm to 4:30 pm

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Context

An online repository of knowledge and a collective with mixed group of individuals and organizations from different disciplines and areas of work, Feminist Policy Collective (FPC) stands strong with 25 members at present. It is run by an independent network of academic researchers, policy experts and campaigners who are committed to strengthening gender transformative policies, plans, data and budgets in India.

The Indian Association for Women's Studies organized the XX National Conference from January 27th-30th 2020, at the National Law University, New Delhi. Feminist Policy Collective submitted a concept note for having a panel on political economy of violence and impact on women's work.

The concept note was developed jointly by Ritu Dewan, Subhalakshmi Nandi and Amita Pitre on behalf of the Feminist Policy Collective and proposed a panel focusing on the inter-linkages between women's work and violence. In this discussion, women's work will cover private and public domain, unpaid, underpaid and paid work in perilous conditions, within home and outside, and in the context of what constitutes work and workplace for women. Violence would constitute legitimizing unpaid work, dowry and delegitimizing property rights of women. The panel put forward the issue of invisibility of certain sections among women that of transwomen, single women, women who are sex workers and others who are not recognized within the patriarchal confines.

The four speakers at this panel delivered their talk on various strands of work and violence based on the ground realities and linkages to economic policies. The rich experience of the panelists helped develop a critique of the political economy of work and provide directions towards a future strategy.

Introduction to the panelists

Subhalakshmi Nandi, Moderator of the panel, welcomed the participants and introduced the four speakers to the audience. They included: Dr. Ritu Dewan, Former Director & Professor, Department of Economics (Autonomous), University of Mumbai, and President, IAWS (2014-17), FPC, etc.; Dr. Kalpana Viswanath, Co-Founder & CEO of Safetipin and Chairperson Jagori, who has pioneered the work on gender inclusive cities in the country and region and is a well known expert and writer. Rakhi Sehgal, Labour Researcher and Trade Union activist who has worked with Labour unions and with Gurgaon Shramik Kendra; Dr. Sona Mitra, Principal Economist of IWWAGE (Initiative for What Works to Advance Women and Girls in the Economy), who has worked on women, labour and public policy. Lastly, she introduced the Discussant Prof. Chirashree Dasgupta, from the Centre for Law and Governance at Jawaharlal Nehru University.

Purpose of the panel

Subhalakshmi shared about the Feminist Policy Collective to all. She said that the Feminist Policy Network is a group of individuals, organizations and networks that fundamentally believes that there is a need to have a feminist roadmap for policy, budgets and data. The moderator defined FPC to be a collective of mixed group of people from academia, activism and practitioners from different disciplinary training and understanding. She highlighted the fact that the network shares a common thing which is to understand in the context of political economy and within this context, the inter-linkage between labor and violence. The panel, she continues, is a conversation starter on political economy analysis-how work and violence intersect and what can the researchers and activists do who are interested in Feminist Policy. She shared that there would be no formal presentations, but each speaker would address to specific questions related to work and violence and would have 10-12 minutes.

Proceedings

Subhalakshmi Nandi introduced Ritu Dewan to be the first speaker whose work is about analysis of macro-economic policy and its implications on women's rights. She requested her

to explain how her work intersects with violence and who are the target audience of these policies.

Speaker: Ritu Dewan

Ritu Dewan started the discussion on violence, linking it with her perspective of being an economist, feminist and peace activist, and not within the usual patriarchal or discrimination framework. There were several issues she raised: one is that of infrastructure - how does it lead to increased gender inequalities and the second is the Goods and Services Tax (GST), on which not much work has been done, despite it being a huge issue concerning citizens. The main focus of her talk was, “***Where does violence come from and how does it manifest itself?***”

She answered this question through three perspectives:

1. Sexual violence against women and children: It has increased hugely over the last ten years and what is worrisome is the response of the women’s movements, activists, researchers who have given much insight into the issue, but did not look into it from a non-municipality approach. For example, installing street lights, CCTV cameras, advocating for more vigilance and surveillance to reduce violence, can resolve the problem only partly, and is certainly not the solution.
2. The issue of demonetization and how it led to massive increase in violence in public and private spaces needs to be noted.
3. Ujjwala, the scheme of gas cylinders for women by the government: The public hoardings show benefactors smiling away and being happy in receiving the cylinder. This reinforces the gender division of labour, implying that women’s work is within the household - cooking, cleaning and other chores. *‘The issue of redistribution of unpaid work goes for a toss’.*

She touched briefly upon the inherent form of violence in the revoking of Article 370. She pointed out that many rapes and violent acts were being committed on women, and it is not that men have gone mad all of a sudden, it is about the **internalization and normalization of violence** that is more worrying. She cited the Hyderabad rape incident where the rapists were killed and people were celebrating their murder.

Violence based on increasing inequalities, at the broadest level, is something that has increased massively in the past few years, and there is a great increase in unemployment of women and men in the last 40 years. A huge fall in women's participation in work and a lack of growth is evident. It is the total collapse of the economy and what it does to the psyche and economic well-being of the human being that is a point of concern. Also, for the first time, there has been an actual decline in wages, including nominal wages in some areas. There is desperation among men of not being able to provide for the household members, as heads of their families. One needs to taking into account both the patriarchal aspects along with the non-patriarchal aspects and understand gender relations more deeply.

Looking at the February 1, 2020 budget from a feminist perspective, one finds that for the first time in the history of planning, 74-78% of budget allocated under social sector is the unspent allocation (not spent the previous year) and is then carried forward in the next budget. This is worrying from the economist's perspective, but the **most unspent funds are under the women and gender schemes**, indicating a huge gap for social welfare of women.

Going back to the issue of demonetization, she pointed out the increase in domestic violence during that phase. She shared how women, although perceived as secondary earners or lower level earners, were saving their left over money quietly, and faced violence when their 'savings' were discovered; or when women, themselves, voluntarily disclosed those savings during demonetization. This was very problematic, because they were called '*chor*' (thiefs) and were abused for their savings.

The worst manifestation she found in her work on demonetisation, was that amongst the poorest of the poor, in the first few weeks, casual wage earners who had no money to stand in lines, were not paid for weeks or paid in old notes, and had to sell their assets or give up on their rental housing, and were unable to pay their electricity, rent and other bills. The daily wage earners were hard hit, and some of them had to sell a tiny pressure cooker, or a 50 rupee nose ring, and other household accessories during this phase.

The slum dwellers in Mumbai and adjacent areas even sold their daughters/sisters for cash exchange. Brothers were taking their sisters (in anonymity) to various industrial estates/small scale industrial areas, that employed them as sex workers at a rate of Rs.400 for two hours. They could not ask for Rs.500 as these notes were banned. There were two cases, wherein the women were paid with Rs.500 notes, leading to a loss of their sexual labour. Besides this, there are other types of violence emerging in the form of sexual favours.

There is a new language emerging, "*Saath mein piyegi kya? Deti hai kya? Aadha ghanta lagaegi kya?*" (*Will you drink with me? Will you give me? Will you give half an hour?*) As an economist, Ritu finds it difficult to categorise the monetary transaction in this particular case. One needs to ponder whether a sexual act of half an hour should fall under paid/unpaid work, bribe, service for getting a job, or a process of getting black/white money.

She then highlighted the agrarian distress in Maharashtra. She spoke about the new form of recruitment by contractors of labour, *koita* (sickle), wherein a man cannot get work unless he gets a female partner. Thus, only couples are recruited by contractors. Now, this gets linked to the issue of access to health care and privatization of health care, especially for the elderly. During demonetization and GST roll out, for weeks and months, AWCs were closed. The woman in the house could not work outside as she had to look after her children and the elderly. As a result, total earnings of the house got reduced.

As men were unable to take their wives with them, they had to find another *jodidaar* (partner) to get job. The situation prompted them to find younger girls in the village leading to

unwelcome pregnancies during this process. To avoid the burden of illegitimate children, the girls were forced to remove their uterus. Such incidents not only affected their health, but also their prospects for marriage.

She talked about reports on MGNREGA (Mahatma Gandhi National Rural Employment Guarantee Act). As per the act, if a female worker is absent for a single day due to her menstruation, the contractor refuses to pay her five days wages (Rs. 100/per day). It, too prompts them to remove their uterus at the age of 35-40. Hence, there are so many forms of violence against women in our society.

She highlighted the violence in terms of New Labour Codes that was enacted without any debate or discussion.

- The first code is on wages that define work, worker and work place. But this definition excludes domestic workers and home based workers. The new code fails to define women as workers, ignoring their decades-old struggle to get such recognition.
- Secondly, the working hours have increased formally from eight to nine hours. This goes against international standards and decent work hours. A worker can be asked by an employer to work for 16 hours a day in an emergency situation. However, this work could not be considered as overtime.
- Another code on occupational safety, health and working conditions deals with issues related to inter-state migration, construction workers, etc. Under this code, sexual harassment at the workplace has been dropped. So, the objective and subjective conditions do not match. There is a lived reality of a huge increase in sexual harassment cases in the workplace. Unfortunately, the victim cannot file a complaint against her employer.

Violence, inequality, patriarchy, discrimination exists in India. Violence becomes a part and parcel of our society, today. Indians are witnessing political violence in the North East, and in

Kashmir. One is the abrogation and the other is the taking away the status of a State. The State, as well as the Judiciary, have taken few steps in stopping this violence.

She concluded saying that it is important for activists, researchers, policy advocates and feminists to understand the various dimensions of the concept of violence in order to achieve gender equality.

Subhalakshmi Nandi thanked Ritu for her vibrant speech and appreciated her attempt to build a relation between labour and violence in India, as well as issues of inactiveness of the State and Judiciary. She invited Kalpana Viswanath to speak about urban planning and how her work intersects with violence.

Speaker: Kalpana Viswanath

Kalpana Viswanath concentrated on **three broad questions** - sexual violence, sexual harassment and safer cities.

The first one is a narrative discourse around women's safety. She shared that women's safety was discussed in the context of domestic violence, dowry and sexual harassment at workplace 15 years ago. In the 1990's, women's safety was related to safety issues in public spaces, urban spaces, and its linkages to women's access to opportunities and rights. The 90's also looked into ways of addressing women's safety issues through policing, urban planning and also through the legal system. However, the discourse on women's safety took a different route after 2012 when it was riddled with restrictions on women's movement/mobility affecting her access to opportunities and services. For example, parents don't want their daughters to go to Delhi for studies.

She claimed that it would be a mistake to demonize a city, as sexual violence in public spaces has become a global phenomenon. There is an increase in incidents related to sexual

harassment / sexual violence even in developed countries like the UK, Singapore and Japan. The Japanese government has arranged special trains for women in Tokyo for ensuring women's safety. There are families where daughters are sole breadwinners of their families and have to navigate their way to work. Often, social norms limit women's mobility, thus, making it difficult for them to access educational and employment opportunities, and move out of the house for entertainment/recreational purposes.

Kalpana Viswanath mentioned about a study on safe public spaces conducted by JAGORI in Badarpur, Delhi. One of the research questions of the study was what made women feel unsafe in certain public spaces. She highlighted the fears that women face with regard to sexual and physical violence that prevents them from accessing public spaces freely. The ramifications of that fear are well beyond the violence. She continued that having separate space for women, e.g. separate buses, separate autos, separate office space, separate school, is not a solution. Society needs to change male behaviours in order to allow women to move out safely and freely.

The second question she mentioned was that the State response to women's safety has become very simplistic – it is all about installing lights and CCTV cameras and surveillance. She questioned the utilization of Nirbhaya Funds for installing CCTV cameras, saying that it was not only related to women's safety, but also to address criminality. Meanwhile, she expressed serious doubts over the usage of CCTV cameras in preventing crime. Instead, it has been seen that these cameras alert the offenders who commit the crime in a different place where there is no CCTV cameras installed. This proves that the State lacks innovation while dealing with a serious issue like crime against women.

Kalpana raised the issue of the panic button installed in public transport vehicles by companies, like Ashok Leyland, Tatas, etc., saying that this move has become useless. She argued that it is not clear whether a woman would receive help upon pressing the panic button. The government has spent a huge amount of money for installation of panic buttons. Similarly,

the introduction of different mobile applications for women's safety has also failed to protect women. It shows that mere technology is unable to save women in distress.

The third question she posed was the Way - Moving Forward when one looks at women's safety. Kalpana was of the opinion that the public transport system in India is designed mainly for men. As per 1991 census, 30% of women walk, while 25% avail public transport system. The rest 45% are immobile. Apart from women, elderly persons, children, migrants also avail public transport. So, it is important for the government to redesign and plan the system in order to cater to all segments of the population. However, the State response has so far been mechanical and simplistic. There has also been misuse of CCTV cameras and other electronic gadgets meant for women's safety.

Kalpana concluded that cities are growing fast, with more cars creating health problems. She added that increasing number of private cars in Delhi has started creating trouble for pedestrians. She referred to free public transport for women, a scheme initiated by the Delhi government, suggesting that it should be free for everyone to wean people off the private transport. She said that out of the box thinking and innovation is vital when defining and responding to women's safety.

The Moderator thanked Kalpana and stated that there was some analyses on whether the bus in which Nirbhaya was travelling was regulated by a public or private bus service, as there was no accountability by the transport regulators. She connected key points of the two speakers where there is a blurring of the home, workplace, public space and tpublic transport violence being embedded in every one's life. She invited Sona Mitra to talk about shifts in the kinds of work being promoted, the forms of exploitation faced by women, and how the public and private are being addressed, how the paid and unpaid work are being addressed, as one of the challenges is conceptualizing the violence of invisibility.

Speaker: Sona Mitra

Sona Mitra spoke about the **daily violence of invisibilizing women's work** i.e. in everyday life the kind of work women do becomes obscured. She mentioned about the declining female labour force participation rate, because women are retreating from the labour force. She referred to the theoretical frameworks and into the **writings of** Federici and Maria Mies who have talked about the hidden relationship between capitalism, violence and the patriarchal oppression. **She stated Federici's** work on witch hunting which spoke on the fear of women to come out in the public and ask for work.

In the context of declining female labour force participation rate, she talked about the merger of employment crises (economic policies and economic growth trajectories failing to create enough employment opportunities for the population), affecting all and the violent public spaces and workplaces for women. **She added that women are pushed out of the labour force because of the continuous normalization of violence in public spaces and workspaces where women feel unsafe** and, therefore, it hinders them from seeking work. She continued explaining the fact that the definition of safe work is a complex issue, as there are emerging forms of work for women, but the notion of safety is very pervasive.

She highlighted that the declining female labour force participation is basically one of the markers of greater employment crises and it is also about women's retreat from visible and recognized forms of work, and formal and regular forms of work. She focused on economic violence based on the visible and recognized forms of work. She said that apart from being denied access to work and access to safe spaces of work, there is a way of obscuring some of the work of women, when one talks about women's paid, underpaid and unpaid continuum of work. She gave examples of women doing paid and unpaid household works which are both a site of production and a site of reproduction where the lines of paid and unpaid become blurred.

Sona further mentioned that the **time spent by women doing productive activities are not recognized as paid work, as women during that time are engaged in child care**

or doing household chores. Hence, obscuring the work women are doing and the under valuing the work women are performing. She flagged the statistical systems that are in place especially the definitions of production that de-recognize any work performed within the household for own consumption and the household work is essentially performed by women. Excluding household work from the production boundary would mean not recognizing women as workers, thus, obscuring and statistically de-recognizing a gamut of activities done by women.

She defined this non-recognition and invisibility of work that women perform to be a form of economic violence that women face. She mentioned that the current definition of production excludes most forms of services and goods produced by women inside the household for final consumption by members of the family and women. She added that not recognizing household work as work, and recognizing those who perform domestic work, mostly by women, as non-workers is a discourse that is omnipresent for the past thirty years.

She informed the audience that in 2013, the 19th International Conference on Labour Statisticians (ICLS) passed a resolution which was much better in terms of capturing and expanding the definition of work. They made it substantially forward by distinguishing between the definition of employment which derives directly from the definition of the production boundary, and the definition of work where an important element in defining work was recognizing the value of work or labour that was used to produce and consume for own use within the household. Therefore, work as per the resolution of ICLS only excluded activities, like begging, stealing, self-care, sleeping, learning, basically activities which cannot be performed by any other individual apart from one's own. Significantly, employment became a sub-set of the broader definition of work. She further mentioned that ICLS have insisted that countries take up labour force services and design it in such a manner so that a broader understanding of work and a broader definition of work could capture the amount of work that women are doing and, therefore, recognize and give visibility to those forms of work. In connection to this, she mentioned that the Indian system of Statistical Survey for employment

and unemployment do have sophisticated systems like many other countries in the sense that the Indian system do have specific codes in the statistical surveys - codes 92 and 93 - which include women's work in terms of collecting fuel, water and also in terms of attending to domestic chores.

However, it is important to highlight that these codes 92 & 93 are codes, which though provide a sense of the amount of work women do in terms of domestic work, it does not really get recognized, because these women who are identified by codes 92 & 93 do not get recorded within the workforce. She shared that looking at the trends over the years, we find that the number or the share of women within codes 92 & 93 has increased phenomenally, specifically for urban women, to an extent that in the 15-59 age group by the 2017-18 data, more than 60% of women were actually fell in the codes 92 & 93. This is something where we find that women are pushed into the domestic realms where their work is still not recognized as productive work.

Sona linked this with the political economy of violence and work because it is a form of economic violence that women face on a regular basis in terms of non-recognition of unpaid contribution to the social reproduction processes, as well as their own value of labour. She also pointed out that in terms of economic violence, the transition from formal and regular work forms to informal and hazardous occupations and this is a grey area because of the kind of emerging forms of work that one finds. Following this, she referred to the session on women and labour the previous day at the conference, where there was a talk about suppression of wages, the expropriations and the social sanctions for women, the wage gap between women and men and this wage gap is increasing in India. It was also mentioned that this gap has become a global phenomenon. She stressed that suppression of wages is another form of economic violence that women are facing and in the context of India, it is high due to overall employment crises. The other economic violence she pointed out is poor and deteriorating working conditions in domestic works, construction sites and home based works. Here, women have to work under terrible condition, without electricity. Also they don't have other basic facilities, such as lack of fire safety. She said that **taken together the suppression of**

wages and the terrible working conditions that women experience is the violence in terms of economic work.

She continued that apart from the employment crises, there is a stagnation of economic growth which is though not recognized by the official statistics. It implies that there is an irregularity of casual work done by women. **The irregularity of work which is creating insecurity of earnings for women is also one form of mental violence that working women face constantly and all of these lead to economic violence.**

The last point she made is about women working and negotiating spaces using technology in terms of getting work. She said that the characteristic feature of economic violence is mostly about the precarious, hazardous nature of work and the irregularity of work for women engaged in need-based professions, e.g. beauty and wellness, fitness and care activities. According to Sona, women prefer flexible timing in order to balance their time for care work at home. Often, they have to compromise with their wages because of this. It also extends the scope of unpaid work. She concluded that economic violence remains embedded within the work which is emerging in newer form. It is closely linked to the rights of women and it should be taken care of.

Subhalakshmi thanked Sona and reiterated the key points of her presentation about women being moved out of the labour force because of the fear of violence. She also pointed about the invisibility of work, saying that one would have to start talking about economic violence and to relate it with the reality. She also found that women, who are at the receiving end [marginalized women who earn a living as they have no option - single or from a certain class] will agree to such adverse terms and conditions, even at the cost of removing their uterus, conforming to sexual favours and other such.

She invited Rakhi to talk about her struggle with the trade union's work on violence and gender – bringing labour and violence together. Subhalakshmi shared that Rakhi had worked on ILO

(International Labor Organization) convention on violence and harassment in the world of work from both the union's side and feminist movement side in 2019.

Speaker: Rakhi Sehgal

Rakhi wove a thread between the previous three sessions and appreciated Sona's session for covering economic violence embedded in work, invisibility of work by women and suppression of wages, e.g. in brick kiln work. Rakhi shared that the panel discussed about neo-liberal and surveillance capitalism, and its implications in the realm of work and violence. Before discussing the ILO Convention 190 and its recommendations 206 which are about addressing violence in the world of work, she mentioned about a cross-country research on safe spaces in working environment in the State-run sector, especially in India, Bangladesh and Cambodia. In this study, it was found that **women, before entering the paid labour market, seek permission from their male family members.** Second, the study raised the issue related to domestic and household labour women are involved in. It also considers the conditions in which they can be expelled from the paid labour force, apart from the types of work accessed by women.

She gave the example of fish processing industry in India where Dalit women do hard labour with very low pay. In this context, North India is different from that of South India. Government work in North India is dominated by men from Uttar Pradesh and Bihar, carrying with them the cultural and patriarchal systems. The State-run sector has both organized and unorganized labour practices. As the system lacks formal recruitment process, people get employment through the kinship network. Hence, current employees introduce their kins to the contractors and they all possess the same cultural and patriarchal beliefs. As a result, the male employees' with their female counterparts continue to remain the same. It creates a hazard for the female workforce. In other words, the system of informal control is infused with the formal system of discipline at the work space. A lot of attention is needed to understand the informal systems of control as it is difficult to disentangle the formal and informal systems of control. Also, it is vital to understand that **gender and sexuality are used to discipline**

the women workforce. She summarized that it is about how a woman is allowed to get out of home, then having access to public spaces and how her behaviour is controlled at her work place.

Next, she mentioned about the **segmentation and gender discrimination in the workforce**, e.g. in the government factory in Gurgaon, Sector 65, tasks were counted where women were employed in. It was found that the lowest paid - thread cutting job was dominated by 99% of women with Female Supervisors. Women have been employed as machine operators (15 to 25% involved in stitching work) in Gurgaon and adjacent areas in the last five to ten years. **Women are forced to work extra hours. They are not allowed to keep mobile phones with them in their workplace, thus, resulting in violence mainly because of lack of communication with their family members. If she has to work longer hours in the factory to meet targets, she gets tired and is unable to perform domestic chores. Therefore, the continuum of violence continues across the different spaces that working women traverse, including the household.**

Sons of working women (studying in Class VI), are given control of the phones so that his sister and mother do not have access to the outer world. She further mentioned that the **trade unions have not worked hard enough to consider sexual violence, sexual assault and sexual harassment cases at the workplace.** It is not recognized as a labour related issue even by the Labour Department. An example shared by her - where a young woman's complaint was not taken by the Assistant Labour Commissioner and she did not know where to go next for assistance. Followed by this, she mentioned about the study done on the functioning of local committees and evolution of the PoSH (Prevention of Sexual Harassment) Act in six districts of National Capital Region. As per ILO Convention 190, detailed definition of the aggrieved women covers not just the employed women, but also includes their visiting spaces. It further includes apprentices, students, commute to the workplace, and training, social event for providing a safer workplace for women workers.

She stated that **the PoSH Act needs re-drafting in order to find spaces to align with the International Convention.** There was a recommendation for including victimization of women in Section 2A of definition of aggrieved woman. Some words should also be included in the definition of sexual harassment, *such as verbal, textual, sexual, graphical, electronic actions*. The Parliamentary Standing Committee also asked employers to include sexual harassment in the definition of misconduct (Madhu Lele Kotwal judgment in 2012-petitioned for effective implementation of Vishakha guidelines). As a result of this, some of the states have included it in the service rules of the government employees. The Verma Committee had recommended the term 'unwelcome' should include subjective perceptions in interest of the complainant and it is there in ILO Convention 190. Definition of hostile workplace environment asked to be included, but was not included as there is no mechanism to hold the companies accountable. In the composition of ICC (Internal Complaints Committee) recommendations of representation of the trade unions was not done. District Magistrate / District Collector was not made as the nodal officer for the implementation of this act, as there were other priorities for the DM in the NCR.

Subhalakshmi thanked Rakhi Sehgal for her deliberations and knitted through the four sessions, connecting the key pointers from the panelists' discussions before handing over to the discussant.

Discussant: Chirashree Dasgupta

Chirashree stated that the inter-linkages between work and violence are being established. However, what needs to be asked is the reason for this inter-linkage, which would require some theoretical framing. It cannot simply be a descriptive, analytical account of political economy without a theoretical framing. One of the suggestions that she had in terms of thinking through this discussion was the purpose of production. Under capitalism, production is aimed at making profit and social reproduction has to adjust itself to help in the maximization of profit. The value of production can be divided into two parts – one goes to wages and the other goes to the surplus and accrues as profits eventually.

She said that when one speaks about paid work, they are talking about work that falls within the broad category of wages. One of the ways in which capitalism maintains this is through very effective use of patriarchy which is mutable, meaning it is not frozen in time, instead it adjusts very quickly to the changing condition of the world of work, profits, and hence capitalism itself. She added that some of the questions that have been asked even three months before were different, in the context of the new labour code; and the feminist movement has to step up with this fast pace in which patriarchy mutates and works in the interest of capitalism. This is even truer for neo-liberalism because one of the things is that the entire withdrawal of the state from services means that people are subjected to the vagaries of the market. And the one institution that it affects the most is the least studied, that of the family and the power relations within the household, the conditions within which the structures of the household operates, the institutional structures within which the continuum of women's work is structured within this family. The State and the market are heavily reliant on households for making and maximizing profits.

The discussant continued mentioning the fact that much of the studies relating to work and violence have been carried out in the post neo-liberal phase and there is a need to go back to the previous period because there is a sense that we are losing what was gained. Treating the 1980's as the benchmark of marginalization of women's work. The benchmark was already very high and men, now, in the post liberalization period have been in the same position. She mentioned that there is a certain leveling of conditions for both men and women in the post neo-liberal decades and these two aspects tie up to the point that certain questions have been raised so far. One of the questions posed was about the role of violence to discipline women, the way it is used to control their sexuality and bodies in order to control women's labour. Another question is about the role of patriarchy in creating a dominant culture. The culture of hetero-normativity defines the kind of workers that is imagined. People of other genders, other sexualities and those who are not within the binaries become invisible on account of labour and the violence that people of different identities face has an impact on the kind of workers they might become.

The last point she made was to ask what does all of these achieve - and the one thing that it does is the continued cheapening of labour. That essentially is the basis of capitalism in countries, like India, which has no other way of integrating into the global capitalism, except through exploiting its cheap labour (for producing materials worth Rs. 10/- a worker receives just 18 paise). The survival of this process of cheap labour depends on work conditions, which trigger fear and trauma among the women workers. This process is also shaping the gender division of labour which is another important aspect of this discussion. Without the fear of violence, it is not possible for the system to discipline the womenfolk. This comes with another important dimension which has hardly been discussed. It creates a sense of insecurity among workers who do not conform to the dominant majority, like women, Dalits, Muslims and those of other gender identities. She referred to another form of violence, called 'document terrorism'. It is very important for the women's movement. They are bringing back the clause where ancestral property becomes the basis of citizenship. Those who are lowest in the hierarchy of labour will be the most impacted, and because of this document terrorism, more people will be in the lowest rung in that hierarchy, making labour further cheaper.

Question & Answer Session

After completion of the sessions and the discussant consolidating the sessions, the floor was open for comments and questions from the audience. The comments which came forward were:

The issue of sterilization being made normal among the disabled which leads to further normalization of violence and it is important to pay heed to this.

It is important to understand the situation of the migrant population in Kashmir, few questions that emerge and which need attention are – a) the amount of daily wages of the migrant population, b) can they go back to their natal households or are they bound to stay back in Kashmir.

The other point raised was about the Welfare Boards. It was pointed out that in Odisha, there is the Construction Social Welfare Board which is very good, but need to understand what would happen to the Welfare Boards in the new Labour Codes.

For the 'Make in India' programme, women entrepreneurs are being called industrialists with very little resources to base themselves on. The idea of entrepreneurship is being reduced and subverted in the case of women's work. Therefore, this particular aspect needs attention from feminists, researchers, the activists and the academia.

With regard to the issue of sexual harassment at the workplace, the way it has been dealt with by the Judiciary has been segregated in the new Labour Code. One participant felt that there is a lack of coordination between the women's movement and the labour movement. Sexual harassment has been dealt with by Women and Child Development Department, without thinking much about the labour implications, particularly as a workplace issue. Though the trade unions had taken it up, but it was done in a simplistic fashion. The new Labour Code does not ensure protection from sexual harassment at workplace. It only considers sexual harassment as a misconduct. It is vital to set the coordination between these two departments and to ensure that the new labour code lists down protection from sexual harassment.

Another participant shared that in the organized movement of workers, efforts were made to take up the issue of prevention of sexual harassment, but there is also a need to factor in the middle class working population of women. The Internal Complaints Committees (ICCs) are most functional only in university spaces or middle class workspaces. The participant commented that the law might have been a short cut even though many changes were brought about. There is a need to introspect with regard to the labour movement.

One participant commented that a lot has been written about women's unpaid work in the households, but there is a need to look at exploitation of capitalism where male migrants have to work in areas without the support of their families. This is also an issue that needs to be looked into, which is a complex area in terms of household work.

Yet another participant mentioned that with the economic slowdown, marriage has become the primary economic institution for female university students. As a result, they are becoming more dependent on male members of the society especially after the Nirbhaya case. Now, the female students are more concerned about sexual harassment at workplaces. The participant reminded all that it still comes as a shock to feminists that the workforce participation rate is low among women in India. The participant believed that the economists should consider the violent aspect of the working conditions in a more sophisticated manner.

Ritu Dewan responded by stating that it would be good to do more research in order to understand the implications, for example, the Ujjwala scheme and its impact on the male migrant workers and their household responsibilities in the absence of the family support system. As far as the poverty estimates are concerned, there is a need to work out a plan for determining the BPL (Below Poverty Line) figures. The lowest BPL figures have been recorded in Kashmir, Kerala and Goa. As a migrant what is more terrifying is that when there is low income, low wages and few employment opportunities, one is more dependent on the informal credit system – the *kirana* (groceries), the *paanwala* (those selling betel leaf) or the *medicalwala* (those selling medicines). And the new collateral that has emerged is the Aadhar card (Unique Identification Number). Ritu asked all to think about - where does one focus as far as gender rights, labor and violence are concerned. There is a need to do something at the provincial level and one needs to ask the state of federalism these days, in terms of budget allocation, revenue, and taxes. During Republic Day, non BJP (Bharatiya Janata Party) states are not allowed to bring their tableaux to New Delhi. Despite being the best performing state in terms of gender and human development indicators, Kerala was asked by the Centre to provide rice to the flood victims. There has been a lot of talk about public-private partnership, but the concept of profit cannot determine the real character of public sector units. With the ‘de-nationalization’ of banks, the dependency on the informal sector would be much higher. Two other issues are - sexual exploitation or violence at the workplace - is a form of absolute surplus value or relative surplus value in gender terms. Should it be considered as a form of appropriation of extra marginalized labour? The second issue is that sometimes the fear of

violence is greater than the actual violence. It is important to view this in terms of falling wages and for the past 10 years, there is no macro-data. Therefore, it seems that the economists are sometimes working only on the basis of non-macro data available.

Kalpana Viswanath made the point that it is vital to question who is doing the narrative building on sexual violence and how do we, as feminists, respond to this. Even in resettlement colonies where women have to work and girls need to study, we have to understand how to reclaim the discourse on violence and not let it be taken away from women's rights.

Rakhi Sehgal said that in the transition from Vishakha guidelines to Sexual Harassment Prevention Act, we lost sight of both the responsibilities of the institutions and Article 21. The Vishakha Guidelines were based on this issue, but PoSH Act does not include it. The irony of the hostile work environment and the responsibility of providing a safe space is that the Parliamentary Standing Committee did away with the suggestion of penalties for owners of businesses and institutions. However, ironically, they agreed with the penalty for false and malicious complaints by the complainant, keeping in mind the distinction between the two.

Sona Mitra responded that while there have been a certain level of conditions between men and women in the lower income groups. If one looks at the higher income groups, the gap has increased in all aspects and this distinction needs to be addressed. One needs to contextualize the crisis of capitalism. India being a late entrant to Capitalism, there is perpetuation of all kinds of inequalities. Capitalism has always survived the crisis by dispossession of the marginalized. Right now, India does not have enough space for excess population. India is also in no position to deport the poor, marginalized minorities into empty spaces. It is a deathly bite of capitalism, which encourages the government to implement the new citizenship policy on the basis of Aadhar documents. This particular issue needs to be contextualized through larger macro-economic framework.

Ritu Dewan made the final point that if one were to look at the repressiveness of policies, it is often shocking to see how blatantly it is done. An example is GST on commodities - on *langars*

(community meals by charitable organizations) is 28% whereas GST on gold is 3%, on diamonds is 0.25%, *rudraksha* (prayer bead), *sindur* (vermillion) and bangles is 0%.

Subhalakshmi Nandi brought the session to a close by thanking IAWS organizers, the panelists, the audience and the members of the FPC for extending their support in putting together this rich discussion on Violence and the Political Economy of Work.

Annexure I

Concept Note

VIOLENCE AND THE POLITICAL ECONOMY OF WORK FPC Panel at IAWS 2020

The panel proposed focuses on identifying and unravelling of the political economy of production-patriarchy interdependency, focusing on the inter-linkages between the continuum of work and the continuum of violence. The continuum of both violence and women's work can be discerned from the private to the public domain, encompassing unpaid, underpaid and paid work in precarious contexts, within the home and outside, and where the very concept of what constitutes work and workplace is challenged persistently for women. Underlying the continued perpetuation of this violence linked to women's work is the patriarchal institution of hetero-normative marriage which creates the dichotomy of the public and private domain, legitimizes unpaid care and dowry and delegitimizes property rights for women.

Within this marginalisation transwomen, single women, women who are sex workers and 'others' in the patriarchal context are further invisibilised. The macro and micro-economic policies institutionalise this hierarchy of labour and capital through policies of taxation, property ownership and social security, among others.

In order to unpack these strands we ask some questions:

- What counts as work and who is defined as a worker?
- Forms of violence in the context of a continuum
- What kind of work gets incentivized and/or dis-incentivized?
- Where are the single women and transgender persons?

- What kind of roles and labour relations get reinforced in the worlds of work?
- What is marginalization of work and what makes work unacceptable?
- What are the linkages of violence with privatisation and formalization/informalization?
- State structures and violence.

Panellists will be invited to talk on these multiple strands of work and violence woven together based on ground realities and linkages to economic policies. The interconnectedness of these domains will be explored to develop a nuanced critique of the political economy of work and to give directions for future strategy.

Annexure II

Panel Invitation

Feminist Policy Collective

invites you to a panel discussion on

Violence and the Political Economy of Work

The continuum of violence and women's work can be discerned from the private to the public domain, encompassing unpaid, underpaid and paid work in precarious contexts; within the home and outside; where the very concept of what constitutes work and workplace is challenged persistently for women. The panel will be exploring the interconnectedness of these domains to develop a nuanced critique of the political economy of work and violence. Panellists will speak on the multiple strands of work and violence woven together based on ground realities and linkages to economic policies.

Moderator:

Subhalakshmi Nandi, Feminist Policy Collective (FPC)

Speakers:

Ritu Dewan, IAWS, ISLE, IHD and FPC

Kalpana Viswanath, Jagori/Safetipin

Sona Mitra, IWWAGE – Krea University and FPC

Rakhi Sehgal, Gurgaon Shramik Kendra

Discussant:

Chirashree Das Gupta, Jawaharlal Nehru University

30.01.2020

3pm - 4.30pm

IAWS 2020

Venue: Moot Court Hall, National Law University Delhi