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Universal Periodic Review: Placebo or Effective in Respecting the Rights of Persons of Diverse Sexual Orientation and Gender Identity?

Dr. Saskia Ravesloot

Paris School of International Affairs, France and De Montfort University, United Kingdom

Abstract

The debate about sexual orientation and gender identity (SOGI) creates a divide amongst countries working with the international human rights framework. Several countries (including the Vatican and members of the Organisation of Islamic Cooperation) contest the rights of persons of diverse SOGI, while others like Canada and Sweden, promote these rights. The Universal Periodic Review (UPR) facilitates UN State Parties to assess human rights records and formulate recommendations. While quantitative research has scrutinised these recommendations and focused on polarisation between countries, analysis from a qualitative perspective is scarce. This article examines to what extent recommendations allow persons of diverse SOGI to be considered as rights-holders, able to claim and enjoy their rights. A qualitative study, applying critical discourse analysis, examined 2,343 recommendations issued during the period 2008-2020. The majority reflected a binary interpretation of the rights of persons of diverse SOGI, limiting rights for individuals whose identity does not fit the conventional divide between women and men. In light of these findings, this article argues that while the rights of persons of diverse SOGI are considered in the UPR, recommendations should go further by addressing three particular issues: anti-discrimination, the fight against violence and the decriminalisation of persons of diverse SOGI.

Introduction

This article contributes to the current discussion on the rights of persons of diverse sexual orientation and gender identity (SOGI) and reflects on possible entry points for diminishing the polarisation between countries that maintain a binary perception of gender, and countries that argue individuals are entitled to determine their own gender. Symons and Altman (2017 p. 74) situate the start of the polarisation about sexuality rights in the early 1990s. Since then, debates intensified and currently the UN Human Rights system is pervaded with controversies about sexuality and gender (McGill 2014 p. 9-10). Despite the fact that the Universal Declaration of Human Rights proclaims that all people are equal, transgender and gender diverse people are submitted to human rights violations across the world. Seventy UN Member States still ban same sex behaviour between consenting adults (Mendos 2019 p. 15) and allow discrimination on the basis of SOGI. In Africa, 13 countries explicitly criminalise persons who express themselves as non-conforming (ILGA 2020 p. 14). However, progress has been made; in Botswana transgender persons have the right to define which gender appears on their legal documents (ILGA p. 17). The UPR, a monitoring system of the human rights records of the 193 UN Member States, allows for the promotion of human rights through worldwide dialogue (Milewicz and Goodin 2016 p. 5). This promotion, however, occurs in a heteronormative, binary setting, excluding people who do not conform to the prevailing norms and dualistic approach recognising only women and men (Otto 2015 p. 315). Exemplary of this binary setting is the recommendation 102.95. issued in 2013 by the Holy See encouraging Malta to ‘Sustain its policy that recognizes the family, based on the stable relationship between a man and a woman, as the natural and fundamental unit of society.’ There is a need for a deeper insight in the nature of these recommendations allowing for all persons of diverse SOGI to claim their human rights, in particular if these rights do not fit a binary definition. This article analyses the nature, origin and destination, and content of the UPR SOGI-related recommendations to assess whether these facilitate the protection, respect and realisation of the rights of persons of diverse SOGI.

The first section of this article describes the method and materials used during this research. It uses critical discourse analysis of UPR recommendations addressing the rights of persons of diverse SOGI. The subsequent section explores the preliminary results of the study, which finds that some countries are targeted more than others who, due to their cultural and traditional beliefs and values, are reluctant to accept the rights of persons of diverse SOGI. These results are analysed in more depth to respond the research question of whether the SOGI-related recommendations promote the rights of persons of diverse SOGI. Finally, the article concludes by arguing that while, to some extent, the recommendations promote the protection of the rights of persons of diverse SOGI, there is not only a need to accept recommendations that address discrimination and violence but more specific recommendations that tackle the criminalisation of persons of diverse SOGI.

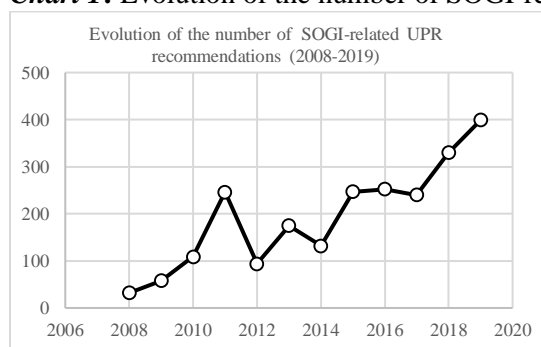
Method and Materials

The Human Rights Council, composed of 47 country representatives, organises the UPR¹ and invites the 193 UN Members States to present every 4.5 years their efforts to advance human rights in their country. The States under Review (SuR) can note (reject) or support (accept)² the recommendations issued by their peers. Recent data³ shows that 73.33% of recommendations overall are accepted. This is significantly lower though (37.00%) for recommendations related to the rights of members of the LGBTI (Lesbian, Gay, Bisexual, Transgender and Intersex persons) community. One of the main reasons for not accepting recommendations regarding SOGI relates to cultural relativism (Koendjibiharie 2018 p. 29). Cultural, religious and ideological values play an important role during the interactive dialogue (Carraro 2017 p. 962). Reasons for accepting recommendations are related to their nature; Terman and Voeten (2018 p. 16) find that SuR are generally more likely to accept nebulous recommendations, formulated in congratulatory language, rather than more specific ones.

The research question addressed in this article is ‘To what extent do SOGI-related UPR recommendations effectively promote the rights of persons of diverse SOGI?’. This question builds on the finding that the culture of the SuR plays a salient role in the acceptance of UPR recommendations. It examines the nature of the recommendations themselves, based on the expectation that SOGI-related recommendations using more general terminology are more likely to be accepted. On the other hand, it expects that the cultural perspectives behind the recommendations would hinder their approval in countries with less interest in SOGI-related rights.

The findings presented in this article into the characteristics of the 2,343 recommendations selected from the United Nations Human Rights Index database (UNHRI)⁴ are preliminary in nature. In total, 958 are issued during Cycle 1 (2008 - 2012), 654 during Cycle 2 (2012 - 2016), and 502 during the ongoing Cycle 3 (2017 - 2021). This selection represents 3.11% of all 75,200 recommendations. Caroll (2013 p. 55), focusing on the first cycle, found 0.81% less recommendations related to SOGI⁵. Chart 1 below illustrates the positive trend of the number of SOGI-related UPR-recommendations since 2008⁶, in particular since 2016, with the adoption of the mandate of the first Independent Expert on SOGI, Vitit Muntarbhorn.

Chart 1: Evolution of the number of SOGI-related UPR recommendations (2008-2019).



Source: Retrieved from UNHRI, 1 August 2020

To answer the research question, all 2,343 UPR recommendations have been coded in ATLAS.ti (version 9). After a first phase of basic quantitative content coding and initial phases of auto-coding, more elaborative coding has focused on a set of 285 recommendations explicitly referring to ‘Lesbian, Gay, Bisexual, Transgender and Intersex persons’, which is 12.16% of the total number of SOGI-related UPR recommendations issued during the period of 2008-2020. Applying critical discourse analysis, I focused on the language in each of these recommendations. As illustrated in table 1 below, the total number of quotations (recommendations) receiving the code LGBTIp is 284.

Table 1: Case-ordered descriptive matrix of LGBTIp UPR recommendations.

Group of State under Review	AFRICA Gr=506; GS=581	ASIA Gr=485; GS=528	EEG Gr=431; GS=443	GRULAC Gr=507; GS=530	WEOG Gr=247; GS=245	Total
Code: LGBTIp Gr=285	60	59	51	89	25	284

Africa : African Group ; GRULAC : Group of Latin American and Caribbean States ; Asia : Asian Group; EEG : Eastern European Group ; WEOG : Western European and Other States Group ; Gr : Groundedness of codes (number of quotations coded by a code) or documents (quotations created in a document); GS : Number of documents in a document group or number of codes in a code group.

Results and Discussion

The initial results are discussed in three sections. The first section gives an overview of the categories to which the SOGI-related recommendations belong, according to the ranking from 1 (minimal action) to 5 (specific action), as developed by McMahon.⁷ The second section examines the provenance and destination of the recommendations, according to the five regional groups (African Group, Asian Group, EEG, GRULAC and WEOG). The third section examines their content according to the five main steps to fight discrimination against persons of diverse SOGI, as developed in the second edition of the OHCHR publication ‘Born Free and Equal’ (2019 p. 7). Before discussing these results, a reminder of the main concepts of this study are given below. SO and GI are defined in the non-binding Yogyakarta Principles on the application of international human rights law in relation to sexual orientation and gender identity (YP)⁸:

‘sexual orientation is understood to refer to each person’s capacity for profound emotional, affectional and sexual attraction to, and intimate and sexual relations with, individuals of a different gender or the same gender or more than one gender’

‘gender identity is understood to refer to each person’s deeply felt internal and individual experience of gender, which may or may not correspond with the sex assigned at birth, including the personal sense of the body (which may involve, if freely chosen, modification of bodily appearance or function by medical, surgical or other means) and other expressions of gender, including dress, speech and mannerisms’

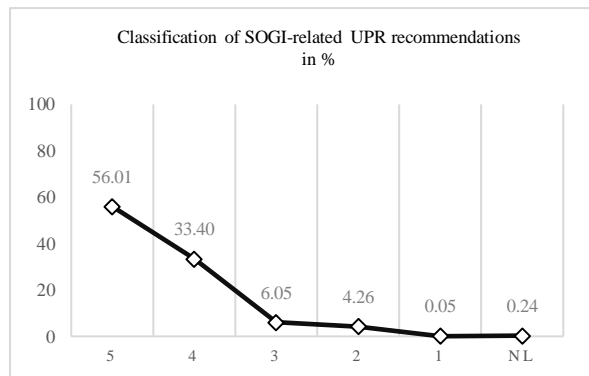
While the YP embrace universality claiming that ‘Everyone is entitled to enjoy all human rights without discrimination on the basis of sexual orientation or gender identity’⁹, Otto questions the universality of SOGI. For the phenomenon of GI, she stresses the risk of limiting the category of GI to transgender persons, excluding others who identify as agender, or persons who identify their gender as more fluid or multiple (Otto 2015 p. 314). Waites (2009 p. 148) argues that GI leaves little room for diversity due to its focus on identity. Regarding SO, he stresses a similar concern and points at the lack of inclusiveness of the definition, that disregards, for example, asexual persons (Waites 2009, p. 144). These exclusions further multiply the exclusions already suffered by marginalised group of persons of diverse SOGI and strengthens the argument that they share an underlying human rights violation; more

precisely a punishment for them violating the prevailing ‘appropriate’ sexual and gender norms that society requires them to comply with (Bamforth 2002 p. 4). For some UN State Parties, the human rights framework is expected to protect the rights of those persons who sit outside binary heteronormative sex and gender norms, while others maintain the belief that persons of diverse SOGI should not enjoy the same rights as the mainstream genders (women and men). This will become clear in the following sections addressing these positions in terms of their nature, their origin and destination, and their content, as expressed through the UPR recommendations under examination.

Ranking, accepting and noting recommendations

SOGI-related recommendations with specific actions occur more often than recommendations with general actions. The data in chart 2 reveal that 56.01% of the SOGI-related recommendations classify as a specific action (category 5), for example in the recommendation 132.43 which requires that Mexico ‘Undertake an awareness-raising campaign in all Mexican states to promote a culture of respect for the human rights of lesbian, gay, bisexual, transgender and intersex persons’ issued by Iceland and addressed to Mexico during the third cycle in 2018. Only 33.40% is classified as category 4 (general action), as illustrated by the recommendation 137.93.1 ‘Decriminalize homosexuality’ received by Burundi from Timor-Leste in 2018. While the majority of the SOGI-related UPR recommendations are issued in specific language, a significant percentage of recommendations is formulated in general terms (rank 4), and only few recommendations are formulated in a less demanding manner.

Chart 2: Classification of SOGI-related UPR recommendations in %.



Source: Retrieved from UPR Info (01/08/2020)

Legend: NL: No label

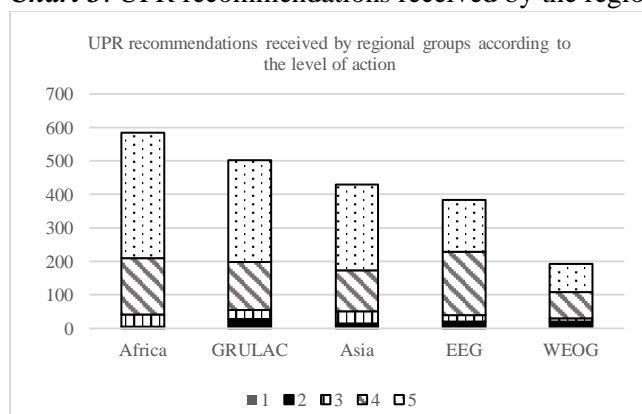
Specific actions are less likely to be accepted than general recommendations. According to our expectation, the recommendations ranked 5 are less likely to be accepted, while those formulated in more general terms (rank 4) have a higher potential of being agreed upon. When examining the acceptance rate of the SOGI-related recommendations, findings of the present study reinforce the expectation that SuR are inclined to accept vague recommendations (Terman and Voeten 2018 p. 16). Of all *supported* (accepted) recommendations (814) on SOGI-related rights, the majority (47.97%) is formulated in general terms (category 4). Put another way, Rathgeber (2013 p. 9) also finds (for the first cycle, and for all recommendations in general) that specific recommendations are less likely to be accepted. This is confirmed by isolating the *noted* (rejected) recommendations, of which 67.60% is categorised as ‘specific action’ (category 5), signifying that indeed there is less appetite for accepting very specific recommendations. For sensitive issues, the effective application of these recommendations depends on countries’ positions on traditional and cultural values despite the international human rights framework, with its obligations to respect, protect and fulfil human rights for all (Carroll 2013 p. 55-56). Further study will need to deepen the analysis to draw specific conclusions for subsets of SOGI-

related recommendations, for example those referring to sexual minorities, same sex actors or bisexual persons, to verify the findings for more specific identity categories.

Issuing and receiving recommendations

African countries receive most of the SOGI-related recommendations, of which the majority contains specific actions. Chart 3 distinguishes recommendations received by countries according to the geographical group of the SuR. The data indicate that the ‘Africa’ group receives most recommendations (585), of which 64.00% is classified as a ‘specific action’. Second is the GRULAC group (Latin American & Caribbean States) with 506 recommendations related to SOGI, of which the majority (60.00%) is likewise categorised as ‘specific action’. These findings, however, do not mean that countries from the WEOG or other groups do not have specific actions to take. Spain, for example, addresses Norway in 2019 with recommendation 140.153 ‘Guarantee the right and access to health care for transgender people’. The finding that African countries receive most of the SOGI-related recommendations demands specific attention, but this should not conceal the multiple recommendations addressed to the other groups.

Chart 3: UPR recommendations received by the regional groups according to the level of action.

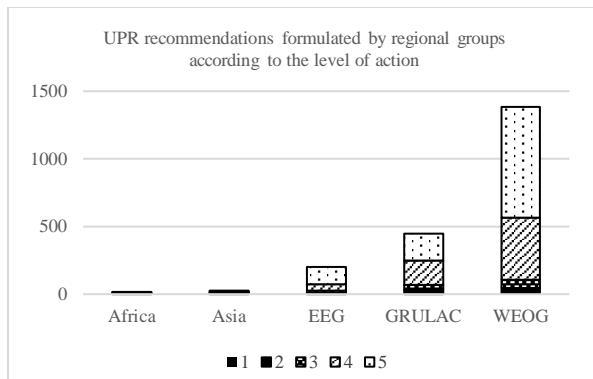


Source: Retrieved from UPR Info (01/08/2020)

Legend: Africa: African Group; GRULAC: Group of Latin American and Caribbean States; Asia: Asian Group; EEG: Eastern European Group; WEOG: Western European and Other States Group; 5- Specific action, 4 - General action, 3 - Considering action, 2 - Continuing action, 1 - Minimal action, NL: No label.

Interestingly, the majority (1,388) of the SOGI-related recommendations are also formulated by countries from the WEOG group. Recommendations frequently address ‘specific actions’ (59.00%), for example Belgium recommended Mauritius in 2018 to ‘Repeal section 250 of the Criminal Code criminalizing homosexual relations between consenting adults.’ The GRULAC countries, ranked second (447 recommendations), account for 44.00% ‘specific actions’. In contrast, African and Asian countries formulate few recommendations, respectively 15 and 28 during the last 12 years (2008-2020). African countries draft most of the recommendations in general terms (rank 4), while Asian countries recommend mainly specific actions (rank 5). Chart 4 provides information about the categorisation of the recommendations according to the group the issuing country belongs to. The finding that SOGI-related recommendations are principally issued by countries from the WEOG group, while only a handful of recommendations come from African and Asian countries, suggests a deeper concern for the rights of persons of diverse SOGI among the former. This finding could, however, also support the argument that SOGI is a Western phenomenon (Chase 2016 p. 706) and therefore feed polarisation and impact power relations among regional groups.

Chart 4: UPR recommendations formulated by regional groups according to the level of action.



Source: Retrieved from UPR Info (01/08/2020)

The preliminary findings of the study suggest a partial involvement of different countries to the process of formulating SOGI-related recommendations. Carraro (2019 p. 953) finds the UPR is a biased process because some countries with comparable human rights records receive more negative attention than others: negative recommendations come from non-allied countries. Rathgeber (2013 p. 10) also found that among the few UPR recommendations issued by African and Asian countries, the majority are addressed to other group members. Koendjibiharie's (2018 p. 61) work reflects this finding for SOGI-related rights; he examined factors influencing the effectiveness of the UPR process regarding LGBTI rights and found that countries are more likely to accept SOGI-related recommendations if these are issued by a country of their own regional group. Koendjibiharie's findings confirm the results of Carroll's study on Cycle 1; he states that 'African countries account for around half of the world's criminalising States, and as described here, account for almost half (42.00%) of the world's total UPR rejections of recommendations regarding SOGI' (Carroll 2013 p. 55). Further analysis will be needed to corroborate these findings in the present ongoing study which also captures Cycles 2 and 3.

The content of the SOGI- related recommendations: discrimination, violence and decriminalisation

The present study details the categorisation of the SOGI-related recommendations according to the five main steps to fight homophobia and transphobia, as developed in the second edition of the OHCHR publication 'Born Free and Equal' (2019 p. 7). The recommendations mainly concern discrimination, decriminalisation and the fight against violence. The category 'Prohibit and address discrimination on the basis of sexual orientation, gender identity and sex characteristics' receive most of the attention (41.05%). A significant percentage of the recommendations refer to 'Protect LGBTI people from violence' (25.26%). Third in rank are recommendations related to the category 'Repeal laws that criminalise LGBT persons' (17.89%), while the category 'Safeguard freedom of expression, peaceful assembly and association for LGBTI people' receives less recommendations (12.63%). Reduced attention goes to the category 'Prevent the torture and ill treatment of LGBTI persons' (3.15%). The preliminary findings show that structural efforts, like decriminalisation and the provision of the freedom of expression are less likely to be issued, while recommendations targeting violence and discrimination are more frequently formulated to protect, respect and fulfil the rights of persons of diverse SOGI.

The preliminary results of the study indicate that decriminalisation of SOGI is still a controversy, as illustrated by Iraq in its response to the recommendation 147.109 received from Malta in 2019 'Take steps to investigate and end violence against, and killings of, lesbian, gay, bisexual, transgender and intersex persons'. Iraq partially supports this recommendation and replies that 'Indeed, they are human beings and have the right to life, and there can be no punishment outside the law and the courts. However, this does not amount to legal recognition of homosexuality not does it mean that, as such, they have rights.'¹⁰ The recognition of human rights for persons of diverse SOGI transcends tolerance and is a key signal State Parties can give to address discrimination against the LGBTI community. By decriminalising SOGI, countries express their obligation to respect, protect and realise rights for all people.

However, findings show that UPR recommendations addressing decriminalisation of non-conforming SOGI are less likely to be accepted. Of all the recommendations concerning decriminalisation, 88.40% are rejected, while the recommendations related to discrimination (58.12%) and violence (66.67%) are more likely to be accepted. These findings resonate partly with the results from Carroll's (2013 p. 57) study, who found that the most *rejected* recommendations are related to decriminalisation (47.00%), while 62.00% of the *accepted* recommendations touched upon discrimination. Carroll (2013 p. 57) concludes that the UPR impacts national legislation when the country agrees to decriminalise sexual orientation (and gender identity). Notwithstanding the finding that there is still a strong reluctance to decriminalise SOGI, the UPR allows for a constructive dialogue on a political sensitive issue (Cowell and Milon 2012 p. 345-346), and the rights of persons of diverse SOGI are - to some extent - considered, given the results that recommendations related to discrimination are more likely to be accepted. The aforementioned findings translated into rejections of salient recommendations targeting structural changes in a countries' acceptance of homophobic and transphobic behaviour, suggest the pathway for promoting the rights of persons of diverse SOGI. Expanding the human rights coverage to people of diverse SOGI requires not only the acceptance of recommendations addressing SOGI-related discrimination and violence but also, and more importantly, the acceptance of recommendations that tackle the criminalisation of SOGI.

Conclusions

This article started with a brief reference to three main features figuring in the debate around the rights of persons of diverse SOGI; the polarisation of the opponents and proponents of the acceptance of the rights of persons of diverse SOGI; the human rights abuses experienced by persons of diverse SOGI; and the existence of an interactive dialogue - through the UPR mechanism - allowing promotion of the rights of persons of diverse SOGI. The question raised in this article is whether the recommendations issued during the UPR actually promote the rights of persons of diverse SOGI in an effective way. The findings discussed the nature, origin and destination, and the content of the recommendations. Firstly, results highlight that the number of recommendations with concrete actions transcend recommendations with general actions, which are more likely to be accepted by the SuR, and suggests that countries feel more comfortable accepting less demanding recommendations. Secondly, results indicate that countries from the WEOG group issue the majority of the recommendations, while few are formulated by African countries. The latter however receive most of them which is primarily explained by their reluctance to accept the SOGI-related rights based on their cultural and traditional beliefs and values. Finally, results show that accepted SOGI-related recommendations address mainly discrimination and violence, while most of the recommendations related to decriminalisation are rejected. While the rights of persons of diverse SOGI are still contested, the UPR is effective in the sense that it allows for intense debates and opens pathways to make progress in an incremental way, from accepting recommendations in more general terms, to recommendations addressing concrete actions. Paramount for the recognition of the rights of persons of diverse SOGI is, however, an extension from accepting recommendations targeting discrimination and violence, to recommendations dealing with decriminalisation and the legal recognition of the rights of persons of diverse SOGI.

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¹<https://www.ohchr.org/en/hrbodies/upr/pages/uprmain.aspx>

²UPR Info's Database, Methodology Responses to recommendations < https://www.upr-info.org/sites/default/files/general-document/pdf/database_methodology_responses_to_recommendations_v3.pdf> accessed 11 September 2020.

³This is another database than the above mentioned UNHRI, which is also used for analysis

⁴<https://uhri.ohchr.org/en/>

⁵2.30% of the total of 21,353 SOGI-related recommendations

⁶The number of recommendations issued in 2020, are incomplete (only 29 published to date 01/08/2020) and therefore not integrated in the chart 1

⁷According to the classification as explained in UPR Info's Database https://www.upr-info.org/sites/default/files/general-document/pdf/database_action_category.pdf accessed 27 October 2020

⁸Yogyakarta Principles, footnote p. 6

⁹Yogyakarta Principles. principle 2

¹⁰A/HRC/43/14/Add.1, Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review, 26 December 2019, 10

"Is She a Bad Mother?": Motherhood, Class and Sexuality in Thailand

Atitaya Asa

Thammasat University, Bangkok, Thailand

Abstract

This article discusses the intersectionality of being mothers and motherhood, and class and sexuality. This topic extends and develops from the fieldwork where I have known a lesbian family living together as poor working class. The family lives in a slum community in Samut Prakan. The article is written in response to the question asking if the norm of being a good mother is biased toward a middle to high income and heterosexual family unit than the norm of a low-income lesbian mother living with drinking and gambling habits. What would be the most crucial value that a labour-classed mother? what is her reaction, self-presentation, and negotiation with the social norms?

The study shows that the low-income lesbian mother has different motherhood attributes comparing to the social norms. I found that she relates to her motherhood in terms of the money she has earned to support her children. Even money gained through non-normatively ways, such as through gambling, but for her would be seen as taking care of the family. And when she cannot do her role as a mother, whether it is because of her worktime, her gambling time, or her drinking time, she would let her lesbian partner take care of her three boys. It is much like establishing a representative mother to substitute for the mother role. Even her way out is not acceptable in the eyes of other locals, but it is how she, under her lived conditions, negotiates with the social norms of motherhood and being a good mother.

Keywords: Motherhood, Being a Good Mother, Sexuality

Introduction: Between Good and Bad Motherhood

Even the definition of motherhood changes through time, the model of mothers and motherhood, that is always perceived as models of good mothers and good women, firmly attaches to class and sexuality. Middle-classed white woman with heterosexuality is the ideal type of mothers that always ideologised through and stereotyped in media. Even though, Thai society allows woman to be mother in any kind they want to, such as single mothers, disable mothers, elderly mothers, low-income mothers, or even lesbian mothers, but actually all these kinds of mothers do not independently exist. They are all under the pattern of motherhood appropriation which attaching to norm and ideology of "good mother," especially in consider of child rearing function.

Mother and motherhood are both identity and role of women. Majority of the people believes that women are naturally bound to motherhood. Once a woman becomes a mother, mother's identity attaches to herself and is in higher value than other identities of hers. Therefore, motherhood is not only the identity of women who was pregnant and gave birth to child, but also of those who dedicate their whole life time for responsibilities and taking care and promoting their children to live a better life. All of these deeds are to ensure that they are being good mothers. In consequences, women who are mothers have to face with stress and frustration when they cannot act along with social norm of motherhood.

A study of Susan Goodwin and Kate Huppatz (2010) titled "The good mother in theory and research: an overview" mentioned to Sara Ruddick who said that good mother ideology "casts a long shadow over other women's lives." (Sara Ruddick, cited in Goodwin and Huppatz, 2010: 1) Therefore, motherhood is not an independent life but actually involves social restrictions and norms which forging the women's identity and controlling their lives. Once a woman becomes a mother. the most significant question does not start from "What kind of mother do you want to be?" but the first step is how could she become a socially acceptable mother, such as unconditionally giving love, warmth, patience, and

dedication for her children. Therefore, ideology of mother and motherhood are endlessly burdensome for the women who are mothers.

The social structure of hegemonic motherhood centres on heterosexual and middle-classed mothers who have sufficient time and resources for child rearing. This turns to the only ideology and norm for good motherhood and forces all women to live up along this life model. Mother and motherhood are social constitution which functions as to transfer a woman's life decision into other's hands because the society is the one to judge their value. When a woman lives accordingly to the frame of mother ideology, she is praised as a good mother and valuable as a good example for other mothers as well. But when a woman does not conform with motherhood ideology, she then would be condemned, stigmatised, and feeling guilty. If we come to see things in reality, mother identity does not contain only one type of mother but depends on each woman's position and status in society, whether it is her class, sexuality, age, nationality, disability, and many others more.

There are many women in Thai society who cannot live conformingly to the norm of motherhood. When the economic inequality between high income mothers and low-income mothers are rapidly larger, those mothers who have low income cannot effort their time and life crucial resources, which are money, shelter, food, medicine, for their children. Moreover, this deficiency not only affects the life quality of children who grew up in low-income families, but also unstable the woman's motherhood status. Many times, these low-income mothers have different characteristics to the social norms of mothers and takes a middle standpoint between being good mother and bad mother. Therefore, low-income mothers have tried to survive or looked for a way out from her economic struggle with the highest aim as to uphold her family and her motherhood.

Low-income mothers who cannot live along with social expectations, therefore, have their own ways to survive their economic deficiency and challenging society. I found that there are many times when their fights lead them to directly challenge Thai definition and ideology of motherhood which results as they are stigmatised as bad mothers, only because their way of life is different from the norm and they were told by other people that they are not-good-enough mothers. As in real situation, their way outs as low-income mothers who negotiating the motherhood ideology are not unreasonable, but actually they have negotiated the meaning of motherhood as the mothers who are different and depending on their life's condition.

This article started from my own interest and I have spent a quality year observing participating in a slum community in Samut Prakan. I am also an insider who live there for almost ten years. So, I started to write an article on motherhood issue with this case study, Nong's life. The life story of Nong, a low-income mother living in a slum community about 30 years, she is an example of a struggling mother who fights against every odd to uphold her children and herself from economic difficulty in her own way which could not be easy for moral judging.

In the fieldwork, I found that Nong is a low-income mother and a female breadwinner family. She lives in a rotten two-storied wooden house. Nong has three children of her own. Her eldest one is now 28 years old but he has chronic brain damage, so he cannot take care of himself. Therefore, Nong could not go out to work, so her husband is the one who go to work for income, but he is rarely sharing money to her because he worries Nong would take his money to gambling. Nong, as a mother, needs to try anyway to gain more money and access to resources that are needed for her children. Under the condition of her class and low-income circumstances, Nong's way of life is variously different from other mothers.

This article aims to study and understand the life of Nong, a fifty-two years old low-income mother living in a slum community in Samut Prakan province of Thailand, who is stigmatised as "bad mother" by the locals. Nong lives in a different lifestyle from others and this is a challenge to social norm and ideology of good mother. Nong's life challenges many aspects of motherhood norm particularly class and sexuality. She is a drinking mother, a gambling mother, and a lesbian mother. The article aims to answer how Nong negotiates with social norm of motherhood, which the only ideology of being a good mother is to be a middle-class heterosexual mother. And what is the definition of motherhood of Nong, amongst intersection of class and sexuality?

From Class and Sexuality Difference to A Challenge against Good Motherhood Norm in Thailand

When Nong's class and sexuality is different from other mothers, it is seen as a challenge to the norm of good mother. Therefore, Nong has been seen by the neighbours as "bad mother." Her poverty and homosexuality make her a bad person for whoever knows her. Moreover, I found that her different ways of life do not conform with moral norms and leads to the biased result as she is stigmatised by neighborhood as "bad woman" and "bad person," the person whom neighborhood do not get involve with.

The stigma of Nong as bad mother, bad woman, and bad person in the community makes she face mental stress and pains. However, I found in the field that Nong does not surrender to those stigmata but fights for herself and tries to negotiate to the norm of motherhood by establishing her own motherhood: 1) drinking mother, 2) gambling mother, and 3) lesbian mother. Even her definition challenges the moral of being a mother, but she does those things to gain money to support her family and to relieve herself from economically and socially caused stress. This reflects the intersectionality of class and sexuality issues in the local community.

Drinking Mother

In Thai society, drinking mother is a type of mother that is seen as problematic and against the moral of mother ideology. Especially, the fifth precepts in Buddhism prohibits the Buddhists from drinking alcohol. In addition, in Thai society the five precept in Buddhism has controlled women more than men especially woman who being mother. Because majority of people believes that drinking habit of a mother does not only affect to her health but affects her conscience as well, this might result as she could have unacceptable behaviours towards her children. This type of mother, therefore, is seen as under-qualified for rearing children and could not be a good mother.

As mentioned above, drinking habit and motherhood contradict to each other and would lead to a stigma from other people. As in Nong's story, I found that Nong normally drinks every day. Many times, her drinking habit affects her health as vomiting, unable to eat, and weakness. In the other hand, drinking helps her console with all the stress that caused by economic suffering. There are usually three times per week when I see her drinks while singing karaoke at her house with her male husband and Bunmee her lesbian partner. Nong said in an interview with me that:

"I actually don't like to hang out. If I'd go anywhere, it is just to visit my friends. And if I don't have to visit anyone, I'd just stay home. Sitting here, like this, all alone, I drink and play my music. I'd play the music all day long. When I drink, I just, just let it soothe me. It helps me endure stressful time." (Interview with Nong (assumed name) 20 February 2017)

Norm of good mother is to not involve with liquor. This is opposite to Nong's life which drinking white rum and herbal liquor is the usual of her daily life. I have heard some neighbor telling me that Nong is unfriendly, not trustworthy, and "interests in only liquor and gambles". Moreover, there are many people warning me to not talk to Nong in private space, because Nong might ask for my money to buy liquor. Nong has not only been seen as a bad mother; she also is seen as a bad person.

By the choice that Nong has made to maintain her different mother identity, she is challenging the good mother ideology. I found in the fieldwork, Nong is not only a heavy drinker, but also a heavier gambler, she plays poker and Hi-Low and other games. For Nong, her gambling habit is much likely to be "an activity for relieving stress by hanging out with friends."

Gambling Mother

Gambling is socially prohibited from women because it is against the ideology of a good mother. A good mother must not get involve with gamble and liquor. Therefore, gambling mother is seen to be a bad example for her children and the woman should not be responsible for child rearing. In Thai society where the social and economic gap between high income mother and low-income mothers is larger, there are many poor mothers who living in a lack of money in living. They need to do anything

for gaining money to support the family for a good living, even though gambling. For Nong, a mother of three children, has got many condemnations from the locals because of her gambling habit. One of neighbors has said to me: “She is so mercenary. She does not do anything all day long but gambling.” Tong as a neighbour said (interview with Tong (assumed name) 3 January 2017)

For me, I see her habit as a way to get closer to the ideology of good mother, a way of being a mother who is capable to rear and raise children. Nong uses the money she gains from gambling with her three children. As a mother living in low income, money is crucial for her children to have a better live condition. The money from gambling supports her family to have some food in a day, even though this money is not a stable income. As Nong had said, “If that day I got money from gambling, I’d just tell my kids to eat all up. If they want to eat anything, I’d go right away buying those things for them.” (Interview with Nong (assumed name) 1 January 2017)

Nong’s talent on gambling really helps her family and herself to live a little easier. I found that Nong is called “The Gambler of the Community,” because she wins more than loses. Bunmee, Nong’s lesbian partner had said: “Let’s say she has 200-300 bahts, she’d say she has no money but she’d be there gambling. She plays Hi-Low. And she wins, yeah. 1,200 baht for a round. She does not lose her money there.” (Interview with Bunmee (assumed name) 18 February 2017)

When I consider about the life story of Nong, the Nong’s gambling habit as mother such as poker and Hi-Low does not happen just for gaining money to spend in the family of three children, but it is also an activity to be close friends with some neighbors. This relationship benefits Nong’s life because when she is intimate with the neighbours, her gambling friends would come to help her. Nong had said,

“For many times Karn would call on and ask if there is anything to eat and she would give me some food she has. Or Nid, she would bring her food to give me sometimes. Or other one else. They would just call on and hand me some of their things without me asking or telling them that I have no money left.” (Interview with Nong (assumed name) 20 February 2017)

Local social connection of working-classed women therefore is important to promote women’s life condition in many ways, such as by providing food for daily basis.

A study of O’Reilly and Gordon (C O’Reily and A Gordon, 1995) focused on African women’s strategy for surviving. The study shows that the support and hands that giving within the low-income women connection is the prominent factor that helps the women to live in the society with less difficulty even they have to face economic suffering which resulted from urbanization. The poor women help each other by giving suggestions and advices to get through problems, consulting talks, taking care of each other’s children while the parents are not available, lending money when someone is inneed, all these acts help strengthening the feeling of being as a part of the community.

The finding that women social connection functions to help the member in the local also found in a study of Maraike (C. G. Maraike, 1999) which focused on the strategies of rural women in Zimbabwe. The later found that social connection amongst women is close to intangible assets because what really happens amongst the women is not obviously tangible but is a crucial factor to support the women’s needs for survive. This also reflects in relationship amongst Nong and her local friends, Kan and Nid, who always watching each other’s backs and always there to give their hands.

Therefore, for Nong, her drinking and gambling habits are not bad behaviours that reflecting the failure of motherhood. But her drinking and gambling habits are activities that provide her social connection with friends in the community. This connection is her strategy to survive in social and economic suffering. This also leads to the deconstruction of the motherhood moral borderline which standardised to control the good and bad behaviours since Nong uses her drinking and gambling habits in a new definition as her activities for gaining money and relieving stress. This reflects how Nong choses her own way to use her talent and fondness to gain money for her family.

Lesbian Mother

Not only her identity as a drinking mother and a gambling mother challenges the social norm, but Nong also has another identity as lesbian mother who has a lesbian partner, Bunmee who is fifty-eight

years old. This identity is also called abnormality and sexuality deviation. In this aspect, Nong's decision to be in a homosexual relationship challenges the definition and breaks the boundary of motherhood for Thai people perceiving that a mother must only be heterosexual. I found that Nong has been in relationship with her homosexual partner openly for 4-5 years (and secretly in the relationship for 3 years). The two spent time with each other from dawn to evening every day. The love of them two not only fulfills emotional or sexual desire, but also supports money, food, and medicine to each other, which mostly is from Bunmee. I interviewed Bunmee, she said: "I cook for Nong's children every day. Sometimes I share my food in the household with Nong and her husband I love Nong therefore, I also love her children" (Interview with Bunmee (assumed name) 18 February 2017)

From the fieldwork, I found that the relationship of Nong and Bunmee as lesbian partners settles them as shared mothering to look over the health and food of Nong's three children. Bunmee takes the part as substitute mother, from cooking, school dropping and picking, doctor visiting, to money subsidising. Bunmee takes this role when Nong cannot function as the mother taking care of the children, such as when she is busy gambling or drinking. The existence of substitute mother apparently makes the variety of motherhood.

The role of Nong and Bunmee as lesbian co-mothering challenges Thai ideologies of motherhood, such as biological ideology of motherhood, or ideology of having one mother. This shows that women who are mothers are not necessarily biological relating to the children, but the mothers that are gained through social relationship, as a lover or partner of the mother, are also mothers and function not differently from the bearing mother.

Therefore, the way Nong and her lesbian partner Bunmee sharing the mother role leads Nong to a new type of mother. The mother's love and care as seen in Nong and Bunmee is called polymaternity. Polymaternity reduces the importance and sacredness of biological ideology of motherhood which believes that a mother is the biological mother who conceiving, being pregnant, giving birth, and breast feeding. The challenge to the ideology of having one mother through Nong's way of life contributes a new perspective to motherhood, which is no more depending on traditional ideology: a queer mother.

Conclusion

As shown above, mother's identity that intersects to low economic income and lesbian sexuality gradually leads to Nong's expression of motherhood in various ways. Nong is a drinking mother, gambling mother, and lesbian mother. Even the way she lives her life takes her to be condemned from her husband and neighbors, as a bad mother, a bad woman and a bad person. But at the same time, Nong as being a non-normative mother who tries to provide subsidies and helps her upholding her family and support the lives of her three children against the economic challenge, therefore Nong could uphold her motherhood through having those identities.

Through this study, I found that, in Nong's perspective, being a good mother does not relate to moral ideology of motherhood or social norm of being a middle-class mother. The ideology and norm indicate that a good mother must consist of being a conscient, good-moral, and distant-from-bad-habit mother, but in reality, mother takes role as a father and also as a mother. This article reveals the real identity of Thai low-income mother.

The ideology of bring good mother follows the heterosexual norm. This is opposite to how Nong lives. Nong's motherhood does not apparently oppose to a good mother ideology, yet does not appear to be a bad mother. Actually, Nong's life shows a tough mother who trying to survive in her own way under her condition, and the way she lives is called as queer mother.

From the Book by Shelly M. Park (2013) titled *Mothering Queerly, Queering Motherhood: Resisting Monomaterialism in Adoptive, Lesbian, Blended, and Polygamous Families*, Park is a philosopher who interests in queer and motherhood theory, amplifies queer mother concept and also criticises orthodox motherhood and mother concept in three topics: mothering queer, queering motherhood, and queer breeding. Park points out that mother and motherhood have variety. The women do not have to follow norms, rules, or expectation from others. Parks prioritises the opposition against

the romanticising of being mother, because it does not only make burden for those women to bear and to follow the norm of motherhood but it also makes a static bounding between the mothers to her children. It does not allow women to make her own decision to refuse or neglect the bounding to her children. When a mother negotiates to motherhood's ideology by represent herself as a fellow of queer motherhood, she might get condemnations from others.

To conclude, this article not only shows the variety of classes and sexualities of mothers which are factor of her being labelled as a bad mother, but also points out to the struggling through economic and social suffering of the poor mother who trying to survive and uphold her family by showing that she does not surrender for those sufferings. The woman designs her own way of life and the life of her family members by being a drinking mother, a gambling mother, and a lesbian mother. Her identities as shown here reflects her method to fulfill her physical and mental needs and also to uphold her motherhood. Nong's definition of a good mother therefore does not depend on the moral norm but depends on her ability and resources to gain money to subsidising her family as much as a poor mother could do.

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Gender Perspectives for the Climate Change under the Multilateral Environmental Agreements

Chhatradhar Das

Lalbaba College, Howrah, India

Abstract

Women living in the Least Developed Countries are often affected by climate change disproportionately because of their social role. In order to mainstreaming a gender perspective, there is global consensus that women are integral to the climate change dialogue. Gender perspectives have increased considerably since the Cancun Agreement at COP16 in 2010. The UNFCCC facilitate gender responsive action plan which was set out in the Lima Work Programme on Gender and the Doha Miracle on gender decision. This paper is based on the review of the literature on how women played their roles in Environmental Management and Protection activities? It also tries to map how UNFCCC has been playing its role towards gender perspective? A brief overview of COP decisions on gender and the Lima Work Programme on gender has been explored in implementing gender-responsive climate policy. Gender balance in decision-making is the internationally agreed target set in the Beijing Declaration and Platform for Action. Ratification of the Doha Amendment to the Kyoto Protocol is an essential tool to create the momentum on the goal of women empowerment on environmental issues at the local, regional, national and international levels. The information leads to the conclusion that the balanced and equal participation of men and women into national climate change policies would increase the effectiveness of actions towards mainstreaming women in the decision-making process of climate change.

Keywords: Gender Perspective, Environmental Management, Women Empowerment

Introduction

The modern environmental concerns have been slowly mounting ever since the second half of the twentieth century. Since then, the society experienced impacts of adverse effect of Climate change. The fact is substantiated from the establishment of International Union for the Protection of Nature (IUPN) in 1948. Thomas (1956) edited a book entitled 'Man's role in changing the face of the Earth' which is the outcome of the International symposium held at Chicago that spotlights the various aspects of environmental deterioration. The on-going global alertness about environment also gave birth to International Union for the Conservation of Nature and Natural Resources (IUCN) in 1957 which demanded preservation of natural resources, in addition to Nature.

Man's concern and thereby rise of different organizations devoted to build up environmental consciousness in national and international level, prompted to lead environmental movements around the globe to ensure sustainable harmony among the components of the earth i.e., land, sea, air, animals, plants and human beings. Subsequently, Rachel Carson (1962) sparked the light to consciousness as the contemporary ignition to the people about the risks of pesticides in her history making best seller 'Silent Spring'. The observation of *Earth Day* in 1970 on 22nd April in USA is also a milestone in the saga of global environmentalism.

Women are often affected by climate change differently (UNDP, 2012) and more severely (Kovats & Hajat, 2008; Aguilar, 2004; WEDO, 2008) because of their social role as well as dependence on natural resources (Easterling, 2000; Wisner et al., 2004). In developing countries, they are, usually, the primary collectors, users and managers of all-natural resources for their family use and undergo their disproportionate vulnerability towards climate change threats (UNDP, 2012).

The UNFCCC was gender blind for a long period of time. The first reference to introduce the gender related issues in a COP session appeared at COP7, in 2001 which contributed to advancing

gender equality and women's empowerment. Decisions reflecting gender perspectives have increased significantly since the Cancun Agreements at COP16 in 2010. Finally, at Doha decision of COP18 in 2012, the parties added 'gender and climate' as a standing agenda item for COP sessions. Actually, the Doha decision institutionalized gender and climate as a standing item for all subsequent COP sessions agreeing that gender-related issues should no longer be considered on an ad-hoc basis under 'any other businesses.

This paper has discussed the various ways women have participated actively in environmental protection and management activities in order to ensure sustainable use of environmental resources. The objective of the present paper is to focus on facts of women's involvement in the decision-making process. Conversely, it also tries to map the role of UNFCCC towards gender perspectives under the multilateral environmental agreements.

Material and Methods

The paper is based on the review of the literature on role of women in Environmental Management and protection as well as on the role of UNFCCC towards gender perspectives for the differential impacts of climate change under the multilateral environmental agreements. A thorough study has been made through the academic publications and reports on modern day women's contribution in the decision-making process and appropriate responses to climate change. There is growing recognition that the International Environmental Agreements (IEAs) play the vital response for global environmental governance. These include several treaties, protocols and amendments that address numerous agreements on environment often depends as much on characteristics of member countries and the underlying environmental problems significantly. These agreements are considered as legally binding intergovernmental efforts which directed at reducing human impacts on the environment where women are considered the primary users of natural resources.

It examines the growing appreciation that global environmental governance requires a broad understanding and approach in developing areas of the world for adaptation to climate change and investigates the prospect and advancement made towards mainstreaming gender perspectives into policy matters more significantly. It also consulted various materials obtained from publications and reports published by the United Nations (UN), international and national non-governmental organizations (NGOs), civil society organizations (CSOs) as well as evidence collected from different articles available from the internet and a brief overview of UNFCCC COP decisions on gender and the Lima Work Programme on gender. It scrutinizes various decisions in implementing gender-responsive climate policy.

The outcome of this study is relevant to policymakers and other stakeholders concerned with devising and implementing gender sensitive policies and programmes in solving the problems for adaptation to climate change issues.

Results and Discussion

Effective management on international environmental resources is increasingly important for climate change issues and requires cooperation that is generally reflected in International Environmental Agreements (IEAs). After the United Nations Conference on Human Environment held at Stockholm in June 1972, several efforts were made to protect the environment collectively by different countries. As a result, a considerable progress has been made in certain areas of the environmental protection including the control of pollution and international cooperation to conserve biodiversity. Although these efforts are not sufficient, therefore, efforts towards a constructive solution are highly solicited through worldwide cooperation. Experiences show that environmental imbalance is caused due to unplanned activities in the name of socio-economic development. Hence, a wide recognition for inter-relationship between environmental degradation and the socio-economic development is needed by developed and developing countries.

The essential feature of IEAs is, they must be self-enforcing and cannot be enforced by a third party. Collective well-being can be increased if all the countries cooperate in managing shared environmental resources like the climate and ozone layer. In fact, countries can do better if cooperation can be sustained. The Montreal Protocol on Substances in respect of Depletion of the Ozone Layer and the Framework Convention on Climate Change are the two most important International Environmental Agreements which deals in the context of coalition formation theory, beyond their specific interest. No country can be enforced to sign an IEA and signatories can always be allowed to withdraw from the agreement to an IEA. Barrett (1994) commented that if IEAs can get better the management of common environmental resources, they must make it attractive for countries to follow the provisions of the agreements.

A. Women's Participation in Environmental Protection and Natural Resource Management

In various ways women have actively participated in the programme of environmental protection and management with a view to integrate them into environmental management. A lot of studies on women and environment have shown that women in different parts of the world are actively involved in saving the environment and natural resources. In fact, women have direct contact with nature especially in rural areas where 70% of population reside and directly dependent on natural resources. Traditionally, women play a major role in addressing some key environmental problems. They are also accountable for using these resources to satisfy the basic needs of their families particularly in developing countries. Actually, women have been responsible for subsistence and survival of human life, though they rarely get the credit for nurturing these life support systems (Sharma, Dr. Baljit Kaushik, 2011). They are the major contributors to environmental rehabilitation and conservation but still there is limited recognition of their contribution. Their roles as farmers and as collectors of water and firewood have produced their deep-knowledge about the environment. They have a close connection with their local environment and often suffer directly from environmental problems. They are always protective and caring (Shettima, 1996). Consequently, women usually spend more time at home and their immediate vicinity (Etta, 1999). They are more likely to experience from a degraded home, neighborhood and city environment and also to shoulder more burdens for living in their poor housing as well as areas with insufficient residential and health infrastructure.

Women's involvement in the decision-making processes of forest related activities leads to construct more equitable rules for women's particular needs, and thus, reduce gender-based conflicts towards forest access and use (Agarwal, 2001). Men are often engaged themselves in planting and harvesting trees, while women mainly take care of products for subsistence use. Women usually have adequate knowledge about the recognition of nutritious forest-products to improve the nutrition and health of their households (FAO, 2012).

Moser (1991) mentioned three roles of women in respect of environment, e.g., managers or maintainers, rehabilitators and as innovators in the use of appropriate technology in the creation of new environments. Maye (1994) pointed out that women participated in providing seedlings in nursery and flowers for beautification of the environment and they, worldwide, are part of a growing movement for the protection of the living world, environmental health and security, justice and the alleviation of poverty.

Women's roles as primary collectors of forest products and their consequent concern for the health of village forests has resulted in taking a proactive role in the protection of the local forests (Ham 1995; Davidson-Hunt 1995). They are not only Knowledgeable but also protective and caring about the environment (shettima, 1996). Conversely, Dankelman and Davidson (1989) proclaim that women usually adopt several mechanisms in managing their natural environment and play a vital role to deal with the environmental crises they face.

According to Jewitt (2000) women use the forest to a greater degree than men and the role of the mahila mandals in forest decision-making and management are often provide a mechanism for women's contributions to forest management system. Bingeman (2001) commented that the mahila mandal

appears to be favorable to attain meaningful contribution in forest management in such a forum where women generally feel comfortable in expressing their views. He also argues that a tradition of women's involvement in forest management have been established by the mahila mandals in the region of Manali and have been actively involved in the management, protection and monitoring of village forest areas.

More gender balanced groups have been found to handle forest regeneration and such groups can play the significant roles for protection of biodiversity and watersheds better than male-dominated groups (Pandolfelli, 2009; Coleman and Mwangi, 2012).

B. Women in the Decision-making Process

Women are mostly disproportionately vulnerable to the impacts of climate change that could intensify the prevailing gender disparities. But women have a strong understanding and expertise for climate change mitigation, disaster reduction and adaptation strategies. There is a direct relationship between gender perspectives, women's empowerment and climate change. According to IUCN (2015) women and men are experiencing climate changes differently, as gender inequalities persist around the world, affecting the ability of individuals and communities to adapt.

In developing countries, women are generally not involved in political and household decision-making processes that affect their lives as they are very often poorer, receive less education and vulnerable to climate change. Cultural norms of their families related to gender sometimes limit them to make quick decisions. UNEP (2011) provides ample information to show that women play a much stronger role than men in the management of ecosystem services and food security.

Women have unique knowledge and skills that can help to make the response of climate change in more effective and sustainable. They are vulnerable to climate change as well as successful actors or agents in mitigation and adaptation policies. Furthermore, the unique contribution of women in households and communities could help in changing environmental realities. Their responsibilities, as stewards of natural and household resources, positions them well while fighting climate change (UNDP, 2012). Gender-based vulnerability has taken account to contribute climate change policies that can make with advance gender equality to livelihood approach adapted towards women's empowerment.

Climate change may cause weather patterns to be unpredictable to some extent. Even small variation in Earth's temperature caused by climate change can have severe impacts. United Nations Framework Convention on Climate Change (UNFCCC) indicates that human activity is responsible for altering the composition of the global atmosphere in addition to natural climate variability (IPCC, 2001).

Studies demonstrate that gender equality and women's empowerment are central to development and environmental sustainability as well. There is evidence that in the different phases of risk-management cycle women play significant role in dealing with disasters by effectively mobilizing communities. Thus, their greater involvement would enhance disaster risk management more efficiently. Eventually, effectiveness and sustainability of climate change projects and programmes would therefore depend upon the proper participation of women in the programmes (UNDP, 2012). Likewise, Decision makers and development partners need to bring women in enhanced participation in addressing the impacts of climate change at all levels for planning, financing and implementation of climate responses, including adaptation and mitigation (UNDP, 2012).

Women's participation in formal politics is still lesser than men throughout the world but there are evidences that their representation in local governments can make a difference. For instance, to stop the actions of transnational oil companies, Nigerian women mobilized themselves to protest against these companies at the community level into a social movement as part of a world movement that led to ecological destruction (Angular, L. et al 2009). An increase of women's participation in public life results in lower levels of inequality and increased confidence in national governments as well. Gender equality is, thus, a fundamental human right as per UNDP (2012).

The proportion of women in national parliaments around the world is growing day-by-day. Conversely, women's involvement in government may have been more successful because they are

seen as an extension of their participation in the community. As per the report published in “Women in Parliaments: World and Regional Averages” (2019), the global average of women in national Assemblies is 24.3 percent as on April 1, 2019. By July 2019, only 3 countries have 50 per cent or more women in parliament in single or lower houses: Rwanda with 61.3 per cent, Cuba with 53.2 per cent and Bolivia with 53.1 per cent; and only 23% of sovereign nations had more than 30% women in parliament while 86% of countries have reached only 10% women in their national legislature and far fewer have crossed the 20% barriers.

Increased presence of women in the decision-making bodies may create the rules that influence people’s rights. Gender balance in decision-making is the internationally agreed target as set in the Beijing Declaration and Platform for Action in 1995. It aims at accelerating the execution of the Nairobi Forward-looking Strategies for women’s empowerment removing all the barriers. The Platform for Action is accountable for women’s active participation in all the spheres of public and private life through a full and equal share in economic, social, cultural and political decision-making bodies.

C. Gender Mainstreaming and Convention on Climate Change

The issue of climate change has been emerging as one of the most fundamental priorities on the global agenda. The Human Development Report of UNDP (2007) warns that gender inequalities intersect with climate risks and vulnerabilities. They anxiously conclude that climate change is likely to amplify and exacerbate existing patterns of gender disadvantage.

The UN Environment Assembly adopted a resolution on women’s participation in the environmental decision-making process and building the leadership from local to international levels at its 4th session in Nairobi in March 2019. At the 22nd Annual Conference of the parties of United Nations Framework Convention on Climate Change (UNFCCC), a gender action plan was requested to assist the implementation of gender-related decisions and mandates and offers hope for greater engagement of women in climate action planning and monitoring of their impact.

In order to mainstreaming a gender perspective in the development process, there is global consensus that women are integral to climate change dialogue. However, the implementation of policies for mainstreaming the gender perspectives across the globe has not necessarily resulted in advances for women as a whole but it is usually associated with the policies and programs focusing women in decision making activities. The UNFCCC facilitate more gender responsive action plan which was set out in the Lima Work Programme on Gender (decision 18/CP 20), and the ‘Doha Miracle’ on gender decision (decision 23/CP18). The 18th Conference of the Parties agreed an amendment that establishes a second commitment period (2013–20) to the Kyoto Protocol in Doha in 2012. This specifically includes promoting gender equality and improving the participation of women in the decision-making process towards implementation of the Sustainable Development Goals. Women’s leadership roles on the ground were ratified by all Parties to the UNFCCC at COP 18. It aims to Strengthening legal systems for eliminating all forms of discrimination against women.

Women and girls living in Least Developed Countries (LDCs) are disproportionately dependent on climate-sensitive resources for their livelihoods. In recent past they have led to considerable progress in addressing the inter-linkages between gender and climate change under the UNFCCC. Efforts to advance gender equality and gender considerations have been set out concrete steps for the differential impacts of climate change under the multilateral environmental agreements emerging from the 1992 Rio Summit. Extending and strengthening the Lima Work Programme on Gender (LWPG) might be the significant steps under the UNFCCC and considering a Gender Plan of Action towards systematically addressing the gender gap as one of the most effective measures for building climate resilience and reducing emissions.

The Lima Work Programme on Gender launched at COP 20 aims to advance the balanced participation of women and men in the Convention process, promote gender-responsive climate policy and mainstreaming gender through all relevant targets and goals in the activities of UNFCCC process.

The Conference of the Parties under COP 23 invites Parties and related organizations to participate and engage in the implementation of gender-related activities within the Gender Action Plan (GAP, 2012) in supporting the gender-related mandates under the UNFCCC process. Initially, gender considerations in the UNFCCC focused on increasing the women's participation. The Lima Work Programme also taking into consideration to promote the greater participation of women in UNFCCC bodies. In fact, Doha decision was criticized for focusing primarily on promoting gender balance rather than on issuing a stronger call for gender equality. At COP20 in Lima, parties adopted much stronger standalone gender decision called The Lima Work Programme on Gender (18/CP.20). A two-year work programme for promoting gender balance as well as attaining gender-responsive climate policy was the final outcome of this programme which would guide the active participation of women in the bodies set up under the UNFCCC convention. The adoption of the Paris Agreement at COP21 in 2015 reached a landmark agreement to combat climate change and made new normative gains for advancing gender equality.

Conclusion

The analysis of the available information leads to the conclusion that the integration of gender into national climate change policies would increase the effectiveness of actions by using women's knowledge and expertise on climate-sensitive resources for their livelihoods. The Nairobi Conference highlights special concerns regarding priorities for action. The strategic objectives relating to the critical areas of concern for the Advancement of Women have not been achieved for a long time. Despite the efforts of Governments, as well as non-governmental organizations and women and men everywhere, there is a need to develop definite mechanisms for removing all the barriers relating to women's empowerment in all spheres of decision-making. Equality between women and men is the primary condition for people-centric sustainable development program. The Lima Work Programme on Gender provides significant opportunities to enhance women's participation in decision making at all levels. A Gender Plan of Action under the UNFCCC is the most effective mechanism for addressing gender gap systematically. It is also imperative to set gender-sensitive indicators into national climate change policies for implementing UNFCCC programme regarding climate change adaptation and mitigation. Ratification of the Doha Amendment to the Kyoto Protocol is an essential tool to make the momentum on the goal of women empowerment on environmental issues at the local, regional, national and international levels. In order to ensure sustainable use of environmental resources, balanced and equal participation of men and women in formulating and implementing policies and programmes are essential (Wuyep. et al, 2014) to make a significant impact on decision making. The critical role of women for global climate action as resource manager, as community activists as well as environmental advocates must be acknowledged when strategies towards adaptation and mitigation for the protection of environment are being developed.

Recommendations

To improve women's participation in environmental management at the local, regional, national and international levels, following recommendations are proffered. Women should be encouraged to participate in the decision-making committees for people-centric sustainable development program. Environmental education is required as a policy priority for changes in attitude towards women's empowerment in Gender-sensitive environmental issues. Institutional arrangements to ensure gender equity for access and control of resources should be permitted for removing all the barriers vis-à-vis mainstreaming the gender perspectives.

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India's Missing Working Women: Tracing the Journey of Women's Economic Contribution Over the Last Five Decades, and During COVID-19

Mitali Nikore

Nikore Associates

Abstract

India today is an economic powerhouse on the global stage; however, it faces a queer conundrum—despite considerable gains in female education, decreases in fertility rates and increasing economic growth, only a quarter of its women are in the labour force, amongst the lowest in the world. Based on analysis of time series data over the last five decades (1970-2018), this paper finds that women's labour force and workforce participation rates have secularly declined to their lowest levels since Independence. Women's average wages have consistently remained below that of men, with sticky wage gaps across rural and urban areas. The fall in labour force participation has been led by women in rural areas, while female unemployment rates have remained higher than men in urban areas. The paper finds that occupational segregation and concentration of women in low growth sectors, income effect of rising household-incomes, increased mechanisation and lack of tertiary education and skill training are leading factors giving rise to these trends. Recent high frequency data demonstrates that COVID-19 induced lockdowns and economic disruptions have further dampened female labour force participation. Thus, in the absence of targeted policy interventions designed to support retention and promote women's workforce participation, women are likely to continue being excluded from India's spectacular growth story.

Introduction

The workforce is not a 'gender neutral' sphere where only one's qualifications, skills, and performance determine entry into or progress in a profession. Gender is a principle factor influencing available opportunities, professional decisions, wages earned and career growth in India. Starting from the very decision to gain an education, to entering the labour force, to the kind of work they can take on, to the hours they can spend at work, and even the location of their workplace, Indian women face restrictions owing to deeply entrenched patriarchal norms. The burden of domestic work and unpaid care further inhibits women's ability to acquire skills for better jobs, leading to a vicious cycle, such that women continue being kept out of the labour force. Consequently, women's work has remained largely informal, invisible, and labour-intensive. (Sudharshan and Bhattacharya, 2008). In this context, the imposition of the COVID-19-induced national lockdown in March 2020, followed by intermittent localised lockdowns even up to the writing of this paper in September 2020, put women's already poor levels of job security at even greater risk.

This paper aims to shed light on women's contribution to the growth of India's economy over the past five decades. It examines the key institutional and socio-cultural factors responsible for the country's missing female workers, exploring why women's workforce participation has remained consistently muted. It also examines recent trends and the impact of COVID-19 on women's work. We hope to contribute to the research on women's economic empowerment, documenting the conditions that have affected women's labour force and workforce participation through data analysis, secondary research and literature reviews.

Methodology

This paper follows a mixed methods approach. Secondary data analysis helped in capturing historical trends in labour market outcomes. An analysis of time series data (at the all-India level) over the last five decades (1970-2018) was conducted to examine the trends in labour market outcomes. This

data was sourced from Periodic Labour Force Surveys conducted by the National Sample Survey Organisation, published by the Ministry of Statistics, Programming and Implementation, Government of India. Monthly data on key labour market indicators, published by the Centre for Monitoring Indian Economy's (CMIE) Economic Outlook Database, was used to study the impact of COVID-19 on women's economic participation. This was followed by a thorough review of literature, complemented by consultations with academics and field practitioners to help in contextualising the findings, appreciating the underlying causes of observed trends and developing forward-looking recommendations.

Key Trends in Women's Work Participation Through the Decades

Female Labour Force and Workforce Participation

The female labour force participation rate (FLFPR) is the proportion of women in the population who are working or are looking for work. Rising from about 24% in 1955-56, the FLFPR (for all ages) peaked at 33% in 1972-73. It then showed a decline till 1999-00, when it touched 26%. It increased mildly to 29% in 2004-05 only to reduce to a dismal 17.5% in 2017-18—its lowest ever in the history of Independent India, improving slightly to 18.6% in 2018-19. The FLFPR for 15 years and above declined steadily from 47% in 1987-88 to 24% in 2018-19. The difference between the proportion of men and women in the labour force has remained at about 40 percentage points over the last five decades.

The rural FLFPR (15 years and above) nearly halved, falling from 53.7% in 1987-88 to 26.4% in 2018-19, with a marginal uptick to 26.4% in 2018-19. On the hand, the urban FLFPR fell from 26.1% in 1987-88 to 19.4% in 2009-10 and has remained flat at about 20.5% since 2011-12. Thus, the exodus of rural women from the labour force was as a key driver of falling FLFPR, especially since 2004.

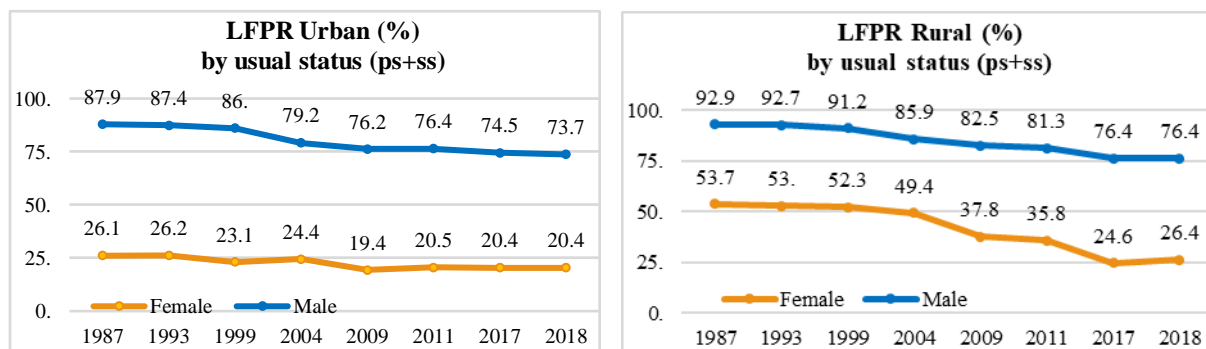


Figure 1: Labour participation rate for men and women (15 years and above), in rural and urban areas (1987-2018). (Source: Data from National Sample Survey Organisation).

Throughout the four decades starting from the 1980s, the proportion of working women (15 years and above) witnessed a secular decline. Between 1987-88 to 2018-19, the rural female workforce participation rate (FWPR) fell from 52.8% to 25.5% and the urban FWPR fell from 25.1% to 18.4%. On the other hand, rural male WPR declined from 91.1% to 72.2%, and urban male WPR declined from 84.5% to 68.6%. Unemployment rates for women remained consistently higher than men between 1972-73 to 2018-19. URs for both men and women showed sudden spikes over the 2011-12 to 2018-19 period. Notably, the UR for urban women increased from 5.2% to 10.8% (the highest since 1977-78) and saw a mild decrease to 9.9% in 2018-19, while for rural women it increased from 1.7% to 3.5%.

Notably, there was an increase in the proportion of employed women working as salaried or regular workers, in urban areas. In rural areas, 2.8% of working women were regular workers in 1983-84, vs. 10.3% of working men. These proportions changed to 11% and 14.2% in 2018-19. This trend was even more pronounced in urban areas, where the proportion of women in salaried work almost

doubled from 25.8% to 54.7% between 1983-84 and 2018-19, vs. a just a 4-percentage point increase for men, from 43.7% in 1983-84 to 47.2% in 2018-19.

About 35% of rural female workers were engaged as casual labour in 1983-84; this reduced only slightly to about 29.3% in 2018-19 (Any person who was casually engaged in others’ farm/non-farm enterprises—both household and non-household—and, in return, received wages as per the terms of the daily/periodic work contract, is considered as casual labour). Rural males engaged in casual labour fell marginally from 29% in 1983-84 to 28% in 2018-19. On the other hand, with increasing participation in salaried employment, women’s engagement in casual labour in urban areas more than halved from 28% in 1983-84 to 10% in 2018-19. For urban males however, there was no such decline, as their participation in casual labour remained stagnant, 15.4% in 1983-84 to 14.2% in 2018-19. *Thus, casual labour has continued to be the norm for rural women over the last five decades.*

Wage Differentials

Wages for women have remained fundamentally low and the *gender wage gap has remained sticky over the last three decades, i.e. between 1993-2018*. Average female wages for casual work in rural areas have stood at ~66% of the male wage. For casual work in urban settings, this increased in 2018 to only 63% of the male wage. Regular rural workers saw the gender wage ratio improve (59% to 64%). Gender wage gaps were lowest for urban salaried workers; the gender wage ratio remained at ~79%.

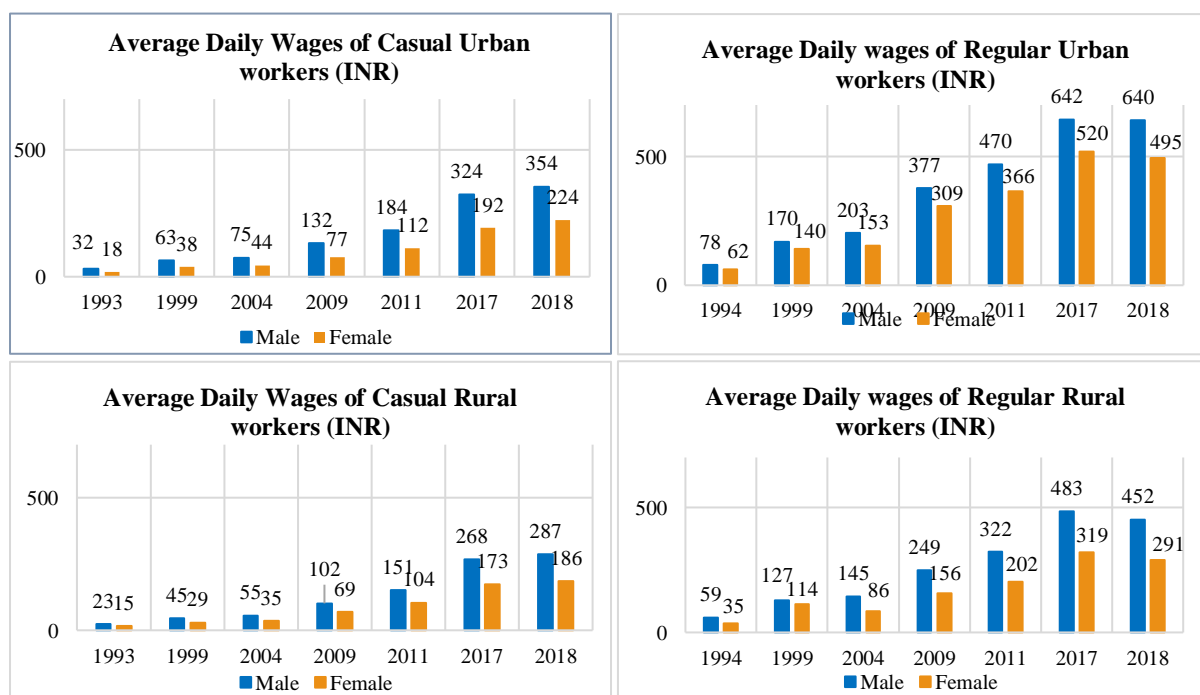


Figure 2: Comparison of average daily wages of casual/regular workers by gender in rural/urban areas (1993-2018) (Source: Data from National Sample Survey Organisation)

A survey of the literature provides several explanations for these trends. Men tend to migrate to urban areas as rural wages are about 1/3rd the urban wage, leaving women in low-paying rural jobs (ILO, 2018). Sticky stereotypes of “women’s work” being labour intensive, coupled with low levels of skilling, leads to women performing unskilled/helper roles in the organised manufacturing sector, resulting in lower wages (Galbraith et al 2004; Dutta 2005; Das 2007). Career breaks and the ensuing loss of experience due to childbirth lead to “motherhood penalties” to the extent of 3% -10% per child globally (Bhalla and Kaur, 2011; Agüero et. al., 2020). In India, almost 69% of women in the formal workforce expect a pay cut when restarting their careers post motherhood (Rajesh et.al., 2019), and mothers are likely to receive fewer call-backs to their applications (Bedi et. al). Ultimately, the

perception and positioning of women as supplementary wage earners can explain the existence of a gender pay gap even when a man and women are at similar education and experience levels, working in the same industry. (Duflo, 2012; Das, 2012; Varkkey et. al., 2017).

Early COVID-19 Trends

A nation-wide lockdown was imposed on 23 March 2020 to prevent the spread of COVID-19. Drawing on data from the Centre for Monitoring Indian Economy (CMIE), it can be observed that the deepest impact on labour market outcomes was felt in the months of April/May 2020, with some improvement in June/July, and then a second dip in August/September owing to rising COVID-19 caseloads.

About 113.6 million workers lost jobs between March 2020 to April 2020, of which 15.4 million were women. While the absolute fall in male employment was greater, the proportionate fall for women was higher, as 37% women lost their jobs, versus 28% men. Between March 2020 to April 2020, 13.4 million women, (26.6%), moved out of the labour force, vs. 51.4 million men (13.4%).

The overall size of the labour force contracted from 431 million (381 million men, 50 million women) in April 2019 to 369 million (332 million men, 37 million women) in April 2020. In November 2020, eight months into the lockdown, there were still 13.5 million fewer persons in the labour force vs. November 2019, 6.8 million men and 6.6 million women. Of these, 2.3 million rural women were out of the labour force, vs. 4.3 million urban women. On the other hand, 3.4 million rural, and 3.4 million urban men were out of the labour force. Thus, *even as the size of the total labour force shrunk by 3.1% between November 2019 to November 2020, the size of the female labour force shrunk by 12.8%, vs. 1.8% for men.*

The female unemployment rate (UR) has been higher than the male UR throughout the period of study, and the lockdown has only amplified the issue of female unemployment. The female UR jumped from 17.4% in March 2020 to 29.2% in April, fell to 10.6% in September and increased again to 15.9% in November 2020. The male UR was at 7.6% in March, rose to 22.9% in April, fell to 6.2% in September and decreased further to 5.3% in November 2020. In November 2020, of the 30 million unemployed men, 20 million (~67%) were actively looking for employment. Yet, of the 19.6 million unemployed women, only 7.2 million (~37%) were actively looking for employment, suggesting the fall in UR was likely a sign of being discouraged by the economic conditions, especially for women.

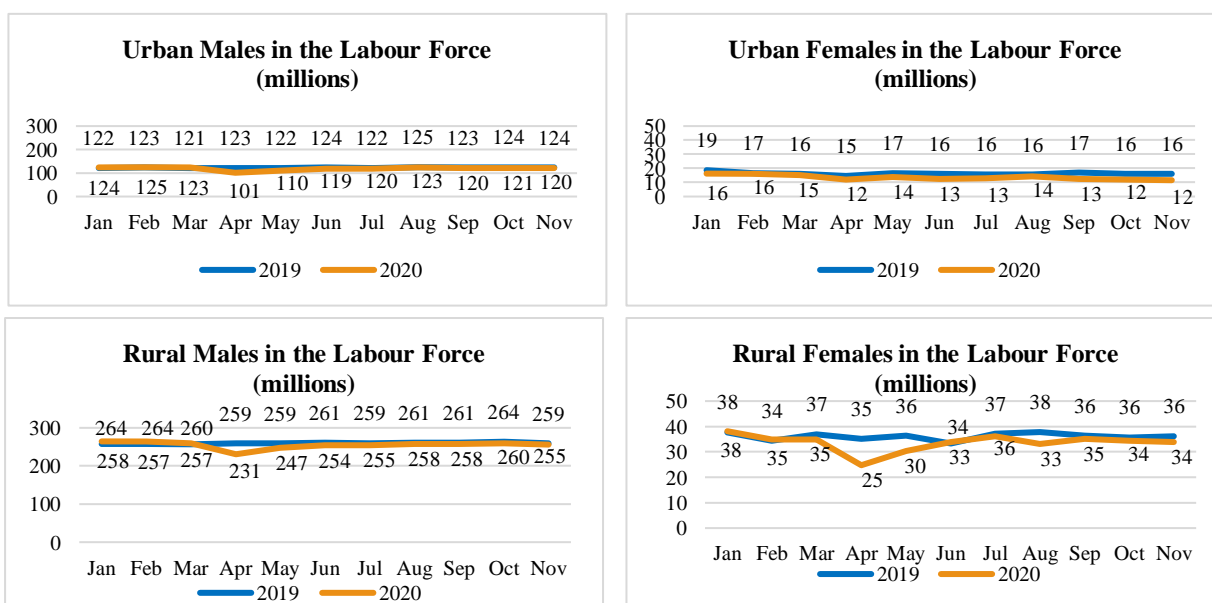


Figure 3: Absolute size of the labour force: rural and urban by gender (2019, 2020) (Source: CMIE).

Limited consultations conducted with women in self-help groups, microenterprises and the organised sector point to three emerging qualitative trends: (i) COVID-19 had a more severe impact on women-friendly industries involving higher interpersonal contact, namely hospitality, retail, aviation, textiles, beauty/grooming and education; (ii) employers are laying off women in favour of retaining men in light of job scarcity particularly in manufacturing, and men are being preferred in sectors starting rehiring, such as construction, owing to the historically held notion that women are secondary income earners; and (iii) the stereotypical role of women as homemakers is being amplified due to a considerable increase in burden of unpaid care work and additional mobility restrictions as a result of the pandemic.

Long-term Factors Affecting Female Labour Market Outcomes and Post-COVID-19 Recovery

Over the last seven decades, women's labour force and workforce participation has reduced and consistently remained below that of men. There has been an exodus of women from the labour force, particularly in rural areas. A high proportion of working women are in casual employment, especially in rural areas, vis-à-vis men. We explore the five key factors affecting these trends and examine their likely role in post-COVID-19 economy.

Occupational Segregation

The Indian economy witnessed a significant increase over the past 70 years in the contribution of services and industry to output. In 1977, agriculture contributed 39% to the overall GDP, while industry added 22% and the service sector added 39%. In 2017, there was a shift; agriculture at the time contributed only 20%, industry 27% and the service sector contribution increased to 53%. However, this has not translated into a structural transformation in women's employment. *The proportion of rural women working in agriculture fell from 88.1% in 1977-78 to only 71.7% in 2018-19*, while the proportion of rural men in agriculture reduced much further, from 80.6% to 55% over the same period. The manufacturing and services sectors absorbed a large proportion of rural males, but not rural women. For urban females, the services sector saw the highest increase in employment contribution, increasing from 35.7% in 1977-78 to 63% in 2018-19. However, within services, only specific jobs like teaching, nursing, hospitality, beauty and retail saw a preponderance of women. Chaudhary and Verick (2014) estimate that the absolute increase in female employment between 1994 and 2010 largely took place in elementary sectors (e.g., agriculture) that were not growing overall, and women received less than 19% of the new employment opportunities generated in India's 10 fastest growing occupations (Kapsos et al., 2014). *If women had access to the same work opportunities as men, the absolute increase in female employment would have been up to 3 times higher over this period* (Verick, 2014).

Post COVID-19, *this occupational segregation only makes women workers more vulnerable to unemployment and even lower wages*, as:

i. 10 million migrant workers returned to their villages from cities (Government of India), only 66% of them have returned to cities. *Women employed as agricultural wage labourers may be displaced by returning migrant men until they find suitable reemployment.*

ii. With consumers limiting purchases to essentials, the retail sector saw de-growth of 67% and 63% in June and July 2020, respectively, year-on-year (Retail Association of India, 2020). Widespread school closures resulted in nearly 87% of India's private schools facing a revenue shortfall (Indian School Finance Company, 2020). The civil aviation sector reported an 82% decline in domestic traffic in July 2020 vs. July 2019 (DGCA, 2020). Indian women are also more likely to be employed in sectors categorised as high-risk by the International Labour Organisation (ILO), i.e. accommodation, food services, retail, arts, entertainment and administration. *Service occupations in the organised sector with higher proportion of women are seeing the lowest demand revival and are likely to recover the slowest.*

iii. All construction workers, 97% of street vendors, 91% of home-based workers and 86% of waste pickers in Delhi reported a major fall in their earnings in a recent survey (Chakraborty, 2020). India's

~3.3 million female domestic workers face uncertain job prospects owing to social distancing (ILO, 2020). *Informal female workers are, thus, likely to remain deeply distressed.*

iv. Owing to a lack of income support, transferable skills and networks, and the stereotypes attached to certain occupations, *women across socio-economic strata will find it hard to break into new sectors and job roles, especially those regarded to be “inappropriate” for women.*

Increased Mechanisation and Automation:

The mechanization of traditionally labor-intensive tasks across sectors has affected women disproportionately over the decades. Increasing mechanisation in agriculture has resulted in the displacement of women, with men taking over activities where the use of machinery was involved, be it when chemical spraying replaced weeding, husking equipment was introduced at rice mills, or as the use of seed drillers, harvesters and threshers became more widespread. (Mehrotra and Sinha, 2017). In the textiles sector, the advent of power looms, button stitching machines and increasingly sophisticated textile machinery has resulted in women's hard labour being phased out (Jhabvala and Sinha, 2002; Chakravorty, 2005). McKinsey Global Institute (2019) has estimated that up to 12 million Indian women could lose their jobs by 2030 owing to automation.

In a bid to reduce human-to-human contact, COVID-19 has hastened automation and the deployment of artificial intelligence and Internet of Things-based operations solutions at factor floors, showrooms, e-commerce sites and in the hospitality sector, even in India. Accessing emerging job roles necessitates advanced digital skills. However, women are systematically denied access to technology - only 33% of urban and 28% of rural women have internet access and just 21% of women use mobile internet (Harvard Kennedy School, 2018; GSMA 2020). Thus, the enduring digital divide is likely to further exacerbate the struggle for women to transition to jobs requiring advanced education and technical skills.

Income Effect:

Over the past few decades, as average household incomes increased thanks to India's rapid economic development, there has been a withdrawal of women from the workforce. Kapsos et al. (2014) find this "income effect" can explain ~9% of the total decline in female participation in the labour force from 2005-10. Social anthropologists such as M.N. Srinivas have noted that as a family's income improves, it tends to withdraw its women from labour as a signal of prosperity (Srinivas, 1956). *For rural women, there have been declines in the worker population ratio (WPR) by at least 10 to 15 percentage points across expenditure categories between 2007-08 to 2018-19.* Meanwhile rural male WPRs showed a decline of only 0-2 percentage points, suggesting that the overall increase in rural per capita incomes over the last decade has coincided with reduced female labour force participation. For urban females, WPR fell in the low-income deciles and rose in higher income categories, suggesting that the participation of urban women increased for white collar opportunities. Women whose husbands hold regular employment, or have post-secondary education are less likely to be working, as they create a household income safety net (Das and Zumbyte, 2017). These trends combined provide evidence of the income effect for secondary income earners, i.e. women. In a post-COVID-19 economy, as households face wealth shocks, it is likely that women (and possibly children) will be expected to supplement household incomes. This is likely to nudge women towards precarious, unsafe work in the informal sector.

Social Norms:

A woman's decision to work is deeply influenced by her family, caste, religion and marital and social status (Pande et al, 2017; Sudarshan and Bhattacharya, 2008). Social norms dictate that women are primarily caregivers and thus belong in the home. Unpaid household activities take up a valuable chunk of their day, rendering inadequate time for paid economic work. Examining age-specific FLFPRs

for rural and urban women shows that amongst rural women, the largest declines in FLFPR between 1970 to 2018 are in the below 34-year age categories. While the largest declines are expectedly in the '10-14' and '15-19' age-groups, as girls move into education, the declines in the '20-24' and '25-29' are the next highest, showing that women in child-bearing years are withdrawing from the labour force in rural areas.

Even before the pandemic, women spent up to ten times more time on domestic work, putting on average 5 hours per day vs. 30 minutes for men (NSSO Time use survey, 2019). COVID-19 lockdowns have only increased this burden of care work. Though men spent one more hour on domestic chores in the first two months of the lockdown (Deshpande, 2020), it is unclear if this trend continued. The number of homemakers looking for employment almost halved from 6.4 million in March 2020 to 3.8 million in April 2020 (CMIE), also indicative of the increased burden. The lack of familial and institutional support, such as flexible work arrangements, lack of maternity leave and creches and safe public transport, eventually leads women to be confined within their homes and erodes their financial independence and agency over personal or household decisions (Mehrotra and Sinha, 2017).

Education and Training:

Between 1999-00 to 2018-19, the highest proportion of women engaged in the workforce were either illiterate or had completed higher levels of education, i.e. a diploma or postgraduate degree. In rural areas, the highest declines in female workforce participation rate (FWPR) were for the "not literate" (51% to 31%) and "up to primary" (40% to 30%) education levels, coinciding with an increased push for primary girl education. In urban areas, FWPR actually increased for the "up to primary" (18% to 22%) and "higher secondary/diploma/certificate" groups (12% to 22%), showing that girls with moderate levels of schooling were taking up informal, low-paying employment in urban areas. Notably, FWPR for graduates and post-graduates decreased slightly for rural areas (27% to 25%) increased slightly for urban areas (27% to 30%).

India has shown tremendous progress in gender parity in primary and secondary school enrolment. Between 1970 to 2015, the primary-level female gross enrolment ratio (GER) rose from 61% to 115%. At the secondary level, this rose from 10% to 68%. However, the tertiary level female GER rose from 2.2% in 1971 to only 29.1% in 2018. As of 2015-16, only 3.4% of working-age women received vocational training, and of these, 38.5% did not join the labour force post training (Labour Bureau, 2015-16). ADB's (2019) data analysis between 1968 to 2015 shows that men have traditionally had access to a greater proportion of emerging occupations in India, and it has mainly been women with tertiary education who were actually able to access emerging occupations. Thus, *the persistent gaps in tertiary education and skill training have prevented women from joining the workforce over the past five decades.*

Widespread school closures have disrupted about 64 million secondary school girls' education (UNESCO, 2020). Additional domestic responsibilities, the loss of mid-day meals and the digital gender divide put female students at a higher drop-out risk in the immediate term. Persistent wage gaps, falling household incomes and an impending recession diminish returns to schooling, particularly for secondary income earners, i.e. girls, thereby putting long-term gains in gender parity in school enrollment at risk.

Conclusions and Way Forward

India's women have a lot to lose due to the health and economic crisis induced by COVID-19. The concentration of women in high-risk sectors (like hospitality and tourism) and the informal economy, and subsequent job losses increase the risk of women permanently exiting the labour force. The responsibility of childcare, elder care and domestic work further constrains women's ability to work, despite the flexibility offered by working from home to some in the urban/formal sector.

In the post COVID economy, *four broad areas* can be prioritised for tailored policy and programmatic interventions to help Indian women find their footing in the post-COVID-19 economy.

First, *ASHA and Anganwadi workers (AWWs)*, the frontline warriors leading the fight against COVID-19 despite shortages in personal protective equipment and delays in wage payments, should be given a COVID emergency allowance through direct cash transfers. Second, government should support *informal female workers* through (i) preferential hiring in government funded civil works, with a target to reach at least 50% gender parity, as has been achieved with MNREGA, and (ii) by expending maternity related cash support under Pradhan Mantri Matru Vandana Yojana for at least two years. Third, private sector employers should prevent disproportionate lay-offs of *formal sector female workers*, by introducing disaggregated gender metrics across departments, job roles, and seniority levels, and monitoring gender parity efforts at company level. Finally, rewards mechanisms should be devised to incentivise private sector skill trainers to progressively *increase women's participation across skilling programmes*, with a special focus on courses with lower than 30% female participation, to tackle occupation segregation.

Over the last 70 years, women have remained on the margins of the formal economy, dutifully supporting doctors as nurses, master weavers as assistants and farmers as casual agricultural labourers. Their economic contribution is underreported, not only because their domestic work is not valued in monetary terms, but also because a lot of their productive economic work occurs within the household. It is a conundrum that despite increases in education, household incomes, liberalization and increased linkages with global value systems, the exodus of India's women from the labour force continues. If nothing else, this data analysis points to the dire need for formal institutional support from the government and private sector, so that the women who remain out of the labour force but want to work are no longer denied this opportunity.

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A Tale of Two Chinese Cities: Restrictive Emotionality and Depression in High School Students from Shenzhen and Yuxi

Yuan Zhang, Xin Fu and Yixin Tan

Vanke Meisha Academy, Guangdong, China

Abstract

Restrictive Emotionality has a strong connection with the noticeably growing mental health crisis of high school students. This study elucidates the relationship between Restrictive Emotionality and reports of subjective well-being of teenagers through mixed-methods empirical research based on surveys conducted in two Chinese cities, Shenzhen and Yuxi, which with distinct economic background. We believe a comparison between the two cities reveals the unequally distributed social conditions in China. We found that teenagers who possess higher degree of Restrictive Emotionality tend to exhibit more depression, and that this relationship is not conditioned upon other factors including school types and regional difference between Shenzhen and Yuxi.

Background

In contemporary academic research, scholars have studied extensively about gender roles and the debates around such roles.

As the most discussed topic under gender roles, gender role conflict (GRC) is a psychological state in which an individual feels negatively about themselves and others as a result of not conforming to their socialized gender roles (O'Neil, Good, and Holmes, 1995). It is also manifested in six aspects, and our research focus on one of those aspects: restrictive emotionality (O'Neil et al. 1995). In contrast to the norms of femininity, which expects traits such as sensitive and caring, norms of masculinity suppresses the expression of emotions. Failure to conform to such expectations can result in individuals being considered as coward. However, as masculinity is placed above femininity in many societies, women also need to conform to masculinity norms in order to be taken seriously.

Our research specifically looks at the relationship between restrictive emotionality and depression. This is because depression is an under-researched but essential problem among the possible psychological emotions caused by restrictive emotions. Frago's study indicated that espousing a form of masculine ideology are likely to report higher levels of both stress and depression (Frago, 2000). His research shows that men whose self-expression is inconsistent with social expected masculinity are highly prone to depression when they conform to their masculinity.

More importantly, our research focuses on how the degree of depression changes. We believe that our research can provide more updated information to help the public gain a deeper understanding of the situation.

Literature Review

Restricted emotionality is worth noticing and studying in the worldwide for its adverse effects of psychological status and mentality. For now, there is limited evidence in how restrictive emotionality affects individual mentality in different contexts. Research on restrictive emotionality is very important for today's society by providing and updating more information to the public and thus expands external perception of it.

In previous studies, negative emotions include many sub topics like anxiety, anger, and depression. In this study, we focus on the relation between restrictive emotionality and depression.

Among the existing studies, adults are the majority of the research object. Many scholars believe that males' restrictive emotionality resulted from traditional masculinity in society (Levant, 2014; Gleen & Mintz, 1990).

Similarly, there are very few researches focusing on the impacts of restrictive emotionality on adolescents who have high rates in depression. Adolescents are experiencing a time of exploration and development of individual characteristics. They are more prone to be suffering in strict gender role conflict, especially in restrictive emotionality, compared to adults (Pinhas, Beyden & Weaver, 2002). Watts and Border's research (2005) also suggests that conflict with socialized gender roles is a developmental process that begins to emerge in adolescence.

According to Jackson's research (2011), depression is common and cause a high rate of suicide in the adolescent. To alleviate the adolescent's depression, the first step is to know where depression comes from. Previous research points out that adolescents with a high level of gender role conflict tend to accumulate negative emotions. We pick the most common factor that causes gender role conflict—restrictive emotionality. For negative emotions, we pick up the most common negative emotion expression in adolescent—depression. We randomly survey high school students in two cities with high regional differences: Shenzhen and Yuxi. For their different level of high school student's restrictive emotionality degree, we try to find out how the regional factors play a role in the differences. At the same time, we compare how the relationship between restrictive emotionality and depression level changes in different types of school to find out the school-level factors. Our result will provide a method for releasing adolescent's restrictive emotionality level and then alleviate depression.

Hypotheses

Hypothesis 1: Individuals with higher levels of restrictive emotionality tend to show higher levels of depression.

Hypothesis 2: The relationship between restrictive emotionality and depression among high school students changes with school environments.

Hypothesis 3: The relationship between restrictive emotionality and depression among high school students changes with geographic location.

Method

We choose quantitative method as our basic methodological approach. In this study, quantitative method can summarize and explain the general laws of restrictive emotions and depression of specific people, and provide visual results to clarify the relationship that cannot be directly displayed and explained in words.

In this study, we designed a survey with three types of questions based on Demographic Questionnaire, Gender Role Conflict Scale and Depression Anxiety Stress Scales. Firstly, the survey collects demographic information of the candidate, including gender, whether the candidate is the only child of the household, parents' annual income, parents' educational background, environment in which the candidate grew up (rural or urban), and type of school. Secondly, the survey measures the level of gender role conflict of candidates following the *Gender Role Conflict Scale* (GRCS; O'Neil et al., 1986). There are four subscales in the GRCS: 1) success, power and competition, 2) restrictive emotionality, 3) restrictive affectionate behavior between men, 4) and conflicts between work and family relationship. In this study we addressed the question "What is the relationship between restrictive emotionality and depression?". This question mainly explores the relationship between restrictive emotionality and depression. Therefore, among the four subscales of GRCS, we only use restrictive emotionality subscales. All items are scored on a six-point Likert scale, ranging from 1 (strongly disagree) to 6 (strongly agree). A higher score indicates greater degree of gender role conflict. Thirdly, the survey measures the depression level of candidates following the *Depression Anxiety Stress Scales* (Lovibond, 1983). Depression, anxiety and stress, may be distinguished from self-report data by the DASS scales (Lovibond & Lovibond, 1995). There are three subscales: 1) depression, 2) anxiety and

3) stress. Each subscale has 7 items, items are scored ranging from 0 (not at all for me) to 3 (very suitable for me). After the completion of the score multiplied by two as the final total score of DASS. The total score of the total scale ranges from 0 to 120, and the total score of each subscale ranges from 0 to 42. Scores of 60 points (total DASS score) and 21 points (depression scale) were marked as high or severe.

We then distribute the questionnaire among high school students from Shenzhen and Yuxi via WeChat, the most popular social media platform in China. The response rate of our online survey form is over 85%. To make sure we reach out to and receive responses from the ideal number and group of candidates, we request high school students who have filled out this survey to send this survey to their classmates, thereby increasing the sample size of this group. After we limit participants to 1) in Shenzhen or Yuxi; 2) high school students. The sample size is 295: 215 high school students from Shenzhen and 80 from Yuxi.

Variable

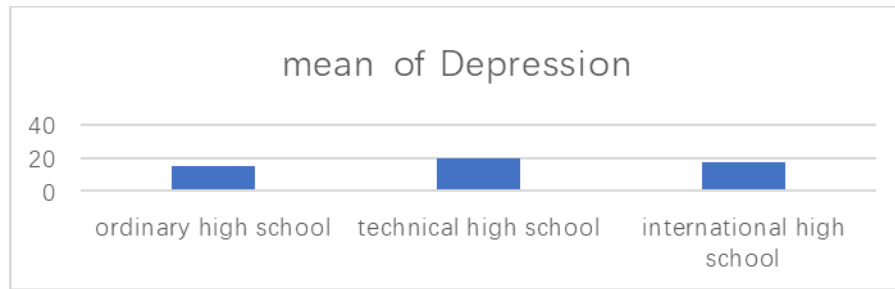
Our dependent variable is level of depression. It is measured with DASS. In the measurement of DASS, items are scored ranging from 0 (not at all for me) to 3 (very suitable for me). After the completion of the score multiplied by two as the final total score of DASS. 21 of depression scale is high or severe (the total score of this subscale is 42 points).

Our independent variable is restrictive emotionality (RE). It is measured with GRCS's subscale (RE). All items are scored on a six-point Likert scale, ranging from 1 (strongly disagree) to 6 (strongly agree). A higher score indicates greater degree of gender role conflict on this dimension (RE).

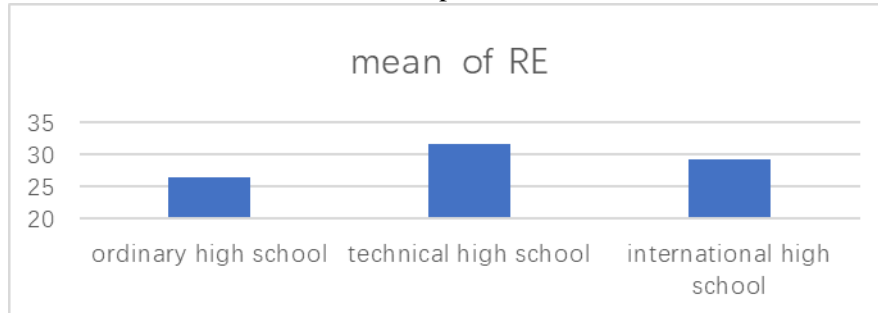
In addition, we controlled for sex, type of high school, city, parents' education, and growth environment. First, we divide this variable based on common types of school: 1) ordinary high school, 2) technical high school, and 3) international high school. In China, the academic pressure and the focus of education of students of different high school types are almost different, and the degree of openness in the school environment also varies greatly. This leads to a variety of sources of depression for high school students, which may become an important factor in the relationship between RE and Depression. Therefore, the type of school is worth studying. Second, we controlled for the geographic region of the candidates. Third, we divided the variable "Parental education level" into three categories: 1) high school and below, 2) college, And 3) post-graduate. Higher education is defined by college and above because around 95% of parents in the survey were born before 1980 when educational resources at the time were not as abundant as now. Fourth, we controlled for the environment in which the candidates grew up to capture the urban-rural divide in China.

Our interactive term is type of school*RE, city*RE and sex*RE. The environment of different high school types varies greatly, and the tolerance of individual behavior is also different. Therefore, RE may bring different degrees of depression to high school students from different high school types. We chose Shenzhen and Yuxi, two cities with completely different development levels. Shenzhen is more internationalized than Yuxi, and will be more tolerant of individual behavior. Therefore, at the same RE level, cultural differences between cities may cause different degrees of depression. In terms of gender, social expectations of men do not support men to express their emotions or seek help from others, thereby increasing the degree of men in RE. Therefore, the degree of depression will be different between men and women with the same level of RE.

Result



Graph 01



Graph 02

OLS results of the correlation between RE and depression

Variables	Model 1	Model 2	Model 3	Model 4	Model 5
Index of Restricted Emotional Expression	0.296*** (0.044)	0.287*** (0.045)	0.254*** (0.063)	0.247** (0.065)	0.293*** (0.051)
Sex (Reference: Male)					
Female		0.978 (0.841)	1.063 (0.846)	-1.163 (2.643)	0.971 (0.843)
Type of high school (Reference: Ordinary high school)					
Technical high school		2.779 (1.900)	-5.078 (5.257)	2.984 (1.916)	2.758 (1.904)
International high school		2.054* (1.029)	1.504 (2.834)	1.974 (1.033)	2.036* (1.033)
City (Reference: Shenzhen)					
Yuxi		-0.084 (1.119)	-0.067 (1.118)	-0.092 (1.119)	0.680 (3.066)
Father's education (Reference: High school and below)					
College		0.152 (1.207)	0.011 (1.211)	0.125 (1.200)	0.177 (1.213)
Post-graduate		0.114 (1.688)	0.005 (1.688)	0.112 (1.689)	0.132 (1.692)
Mother's education (Reference: High school and below)					
College		-1.133 (1.157)	-1.178 (1.162)	-1.084 (1.159)	-1.154 (1.162)
Post-graduate		0.314 (1.868)	0.263 (1.867)	0.363 (1.870)	0.317 (1.871)
Growth environment (Reference: Non-City)					
City		-1.007 (1.200)	-0.875 (1.202)	-1.037 (1.201)	-1.012 (1.202)
Type of high school x Index of Restricted Emotional Expression (Reference: Ordinary high school x Index of Restricted Emotional Expression)					
Technical high school x Index of Restricted Emotional Expression			0.253 (0.158)		
International high school x Index of Restricted Emotional Expression			0.023 (0.095)		
Sex x Index of Restricted Emotional Expression (Reference: Male x Index of Restricted Emotional Expression)					
Female x Index of Restricted Emotional Expression				0.077 (0.090)	
City x Index of Restricted Emotional Expression (Reference: Shenzhen x Index of Restricted Emotional Expression)					
Yuxi x Index of Restricted Emotional Expression					-0.029 (0.108)
Constant	7.786*** (1.270)	7.830*** (1.886)	8.619*** (2.241)	9.019*** (2.344)	7.669*** (1.983)

Standard errors in parentheses
 * P<0.05, ** P<0.01, *** P<0.001

Table 01

In order to see the mean of depress and restrictive emotionality among ordinary high school, technical high school, and international high school and to perceive the patterns of the two graphs, we firstly constructed bar chart (Graph 1 and 2). In Graph 1, among all school types, we found that the depression of ordinary high school students with the highest academic pressure is the one with the smallest average value. Graph 2 shows the similar pattern as Graph 1. We found that the RE of ordinary high school students whose school environment should be least open also has the smallest average value. It may be worthwhile to study why the relatively less inclusive environment is smaller in RE. Because the patterns of Graph 1 and 2 are similar, this also shows a certain relationship between RE and depression.

In Model 1, we found that RE has the significant positive relationship with depression ($p < 0.001$, $\beta = 0.023$). But there might be other factors that will affect this relationship. Therefore, we will continue to study the relationship between RE and depression after controlling for demographic and socio-economic factors (Model 2 in Table) and how this relationship varies with the type of school (Model 3 in Table), sex (Model 5 in Table) and city (Model 4 in Table). In Model 2, We found that even if the control variable is added to the model, compared with the β of RE in Model 1, the correlation between RE and depression in Model 2 does not change significantly. Therefore, we can find that these REs are directly related to depression, rather than other factors leading us to think that this relationship exists. This further confirms our hypothesis 1. In the variable of Type of high school, we also found that students of International high school have significantly higher depression than students of Ordinary high school ($p < 0.05$, $\beta = 2.054$). This may be due to the high depression caused by the pressure sources of International high school students. For the variable of Sex, Model 2 does not show that it has a significant relationship with depression ($p > 0.05$), but perhaps there is a positive correlation ($\beta = 0.978$). Because compared to men, women are more willing to reveal their true thoughts and emotions in the survey, which may cause women to show a higher depression. Therefore, if the sample size is further expanded, the variable Sex is likely to show a significant correlation with depression. There are not significant correlations between depression and City/Parents' education/Growth environment.

Model 3 includes the interaction terms between index of restricted emotional expression and type of high school. Compared with Model 2, we found that whether the explanatory power of is an international high school student in depression becomes meaningless and the β of technical high school becomes negative from positive. The β values of Sex, City, Parents' education and Growth environment have not changed much. There are two interactive items: 1) technical high school and index of restricted emotional expression ($\beta = 0.253$), and 2) international high school and index of restricted emotional expression ($\beta = 0.023$). The regression coefficients of the two interaction terms are positive, so compared with the students of ordinary high school, the students of technical high school and international high school magnified the relationship between restricted emotional expression and depression by 0.253 times and 0.023 times respectively. However, these data are not statistically significant. This may be because the number of participants from technical high school and ordinary high school is too small compared to the number of participants in international high school. If the sample size expands, perhaps this item will show a significant correlation with depression.

In the Model 4, we add the product of sex and index of restricted emotional expression to the regression equation. Compared with Model 1 and 2, we found that the β of female becomes negative from positive. There is an interactive item: female and index of restricted emotional expression ($\beta = 0.077$). The regression coefficient of this interaction term is positive, which can be obtained. But the data is also not statistically significant. It indicates that compared with male, female amplifies the relationship between restricted emotional expression and depression by 0.077 times. This may be because the sample size of the survey is too small. If there is a sufficient sample size, this item is likely to show significance.

In the Model 5, we add the product of city and index of restricted emotional expression to the regression equation. One of the interactive items is Yuxi x index of restricted emotional expression ($\beta = -0.029$). The regression coefficient of this interaction term is negative. However, the data is not statistically significant. But it can indicate that compared to Shenzhen high school students, Yuxi high

school students reduced the relationship between restricted emotional expression and depression by 0.029 times. In the variable of Type of high school, International high school shows a significant positive correlation with depression ($p < 0.05$, $\beta = 2.036$), which means that the students in international high school have more depression than students in ordinary high school.

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Transnational Advocacy Network (GAATW) on Resolving Issues of Women Worker Migration and Human Trafficking in Southeast Asia

Monica Vira Ajeng Kristanti

University of Indonesia, Depok, Indonesia

Abstract

Southeast Asia is one of the regions with highest number of contributing and receiving migrate workers. Unfortunately, this is not accompanied by strict legal regulations. Worker's right violation still could be found in some Southeast Asian countries, and ASEAN as a regional organization still can't make targeted advocacies. This mostly affect women migrant workers since women are more likely to be victims of trafficking and exploitation. This is where Transnational Advocacy Networks (TAN) comes to give recommendation and advocacy for women migrant workers on a cross-country basis. In this article, the network that will be discussed more is Global Alliance Against Trafficking in Women (GAATW) that have been actively giving advocacy and policy recommendations to 5 Southeast Asia countries, which are Indonesia, Singapore, Cambodia, Philippines, and Thailand. In this study, we will see how GAATW works to help women migrant in ASEAN to find their basic needs and rights. The first method that will be used is the qualitative method and feminist inquiry. In this research, we can see how GAATW working together with several migrate worker unions in those countries by doing researches, victim advocacy, or by publishing the publication result that is addressed to the public and the government.

Keywords: Transnational Advocacy Networks, Migrate Workers, Women

Background

Migrant workers have a significant influence on the economic growth of their home countries. Although migrant workers have a positive influence on the country's economic growth, workers often do not get the appropriate protection both bureaucratically, as well as discrimination that often afflicts women workers. In addition, migrant workers also have the risk of becoming victims of human trafficking. The International Labor Organization or ILO sees that these things are often neglected by the government. Migrant workers who work for the domestic sector or low-skilled labor, which are usually carried out by women, are at risk of being exploited and becoming victims of violence.¹ Although the jobs that can be done by migrant workers are quite wide, these jobs tend to be dominated by men. Women workers tend to work in the service sector. Another problem that is also an issue for migrant workers is the large number of undocumented migrant workers, that leads to the risk of the migrants' safety, they also might not get the guarantees they should get from the government.²

Based on an article written by the United Nations regarding female migrant workers in ASEAN, entitled "Women Migrant Workers, in the ASEAN Economic Community" there are several important points regarding why women are one of the parties prone to experiencing injustice in economic cooperation between ASEAN countries, namely first, starting from 2015, female migrant workers accounted for approximately 48.5% of the total intra-ASEAN migrant workers. Second, the presence of female migrant workers is an important part of the workforce in ASEAN destination countries even though the data shows that female migrant workers earn lower from 2-4% of men. Third, household, agriculture, and manufacturing are the main sectors that are dominated by women. Fourth, female

¹"Woman and Men Migrant Workers: Moving Towards Equal Rights and Opportunities", *International Labour Organization*, accessed on April 21st 2020, https://www.ilo.org/wcmsp5/groups/public/---dgreports/---gender/documents/publication/wcms_101118.pdf

²Ibid.

migrant workers are on average still young and are included in the low-skilled labor. Fifth, payment received by female migrant workers is lower than men / gender pay gap is still significant. Finally, women migrant workers contribute significantly to the economy of the destination country but gets lower attention from the government.³

The Global Alliance Against Trafficking in Women or GAATW is a form of transnational network that seeks to resolve issues on migration and trafficking of women in Asia. GAATW itself sees some urgency regarding the migration of women workers in Asia, namely the existence of female migrant workers who are "trapped" in the same work sector. Most of the work sectors open to women are low-skilled sectors. Women workers are also underpaid and are prone to exploitation and violence. This has led several community organizations in various countries to join GAATW to solve these problems.⁴ GAATW has five ASEAN members, namely the Philippines, Indonesia, Thailand, Cambodia and Singapore. GAATW has become a good representation in ASEAN, especially because GAATW has participated in several ASEAN forums. GAATW itself has participated in the ASEAN People's Forum or APF as a representative of CSO groups and individuals.

Seeing the factors previously described, a research question arises as a guideline in this study, namely "*What is the Role of the Transnational Advocacy Network GAATW in Resolving the Issue of Migration of Women Workers in Southeast Asia?*". The method used in this research is a qualitative method by collecting secondary data. This journal article was created to provide facts and recommendations related to matters that need to be considered by ASEAN in order to improve the economy and policies related to migrant workers in Southeast Asia.

Framework

Transnational Advocacy Network

Globalization made communication and intra-region relations easier. This has led transnational advocacy network grew bigger each time. The framework that will be used in examining this issue is the Transnational Advocacy Network. One of the literatures of TAN was made by Keck and Sikkink. In the era of globalization, the role of non-state actors or NGOs is very important in the decision-making process. These actors are available in the local to global sphere. In the local sphere, NGOs can usually form networks with other NGOs that have a concentration on the same issue in the global realm. Meanwhile, the actors in TAN include research and advocacy institutions, social movements, religious leaders and unions, regional and international organizations, and parliaments. The issues raised by TAN also vary, such as human rights, women's issues, order, the environment, and development.⁵ In the TAN described by Keck and Sikkink, both of them provide an explanation of the Boomerang Pattern. The Boomerang Pattern is an effort made by NGOs to get international attention, which in turn can help fulfill its main objectives. This is done to strengthen the NGO network when there is a deadlock. The strengthening of networks carried out by local NGOs together with international NGOs is expected to be able to put pressure on the government to do what is expected by these local NGOs. Meanwhile, the general description of the Boomerang Pattern explained by Keck and Sikkink is that if an NGO can no longer do something to solve domestic issues in its country, that NGO can form a network with NGOs abroad. The network is used for information exchange, advocacy assistance, and financial assistance.⁶

³ASEAN Secretariat Jakarta, *Women Migrant Workers In The ASEAN Economic Community* (Bangkok: UN Women, 2017), accessed on April 21st 2020, <https://asean.org/storage/2012/05/AEC-Women-migration-study.pdf>

⁴GATTW, "Reclaiming Migrant Women's Narratives: A Feminist Participatory Action Research project on 'Safe and Fair' Migration in Asia", Accessed on April 21st 2020, <https://gaatw.org/publications/Reclaiming%20Migrant%20Women's%20Narratives.pdf>

⁵Margaret E Keck dan Kathryn Sikkink, *Activists beyond Borders: Advocacy Networks in International Politics* (New York: Cornell University Press, 1998), 1-38

⁶Ibid.

Methodology

The methodology that will be used in this article is feminist methodological reflection. This method allows us to put those who are marginalized as the main subject of the research topic. Feminist inquiry also allows us to question the differences and inequalities that happens to women in particular on facing difficulties in their social, economic, and political status. Even though the framework that will be used in this study aren't related to feminism study, feminist inquiry allows us to put women as the main subject of the topic. In order to answer the research question of this study, I will use descriptive qualitative research. This study aims to explore and analyze the way transnational network (in this case, GAATW) works to solve the inequality that happens to women in the working and migration environment.

GAATW in the Philippines

The Philippines is one of the countries that has several labor and anti-trafficking groups became the members of the GAATW network. The institution that is part of GAATW is the Buhay Foundation for Women and Girl Child. GAATW itself carries out various advocacy activities in the Philippines, one of which is conducting advocacy related to the protection of Au Pair program participants from the Philippines in Europe. This issue was raised because of many cases regarding the exploitation of Au Pair workers and migration patterns that made it difficult for prospective workers. In 2012, the Philippine government halted the emigration program for Filipino citizens through the Au Pair program. This is done to reduce the departure of undocumented workers, on the one hand, many non-governmental organizations in Europe are currently conducting advocacy and government protests to revise the scheme of the program.⁷ This advocacy is carried out in view of the increasing 'trend' of need for migrant workers in Europe in several sectors of work, but it is not accompanied by various facilities that guarantee safety and comfort for migrants, especially female migrant workers. This program is often interpreted as "cultural exchange" even though the practice is very different in the field. This condition is exacerbated because often, Au Pair migrants from the Philippines are the backbone of each family.

Transnational networking effort was carried out by non-governmental organizations in the Philippines and non-governmental organizations in Denmark. Philippine institutions provide data in the form of interview documents and provide data that can help produce a working paper entitled "Au Pair Challenges to Safe Migration and Decent Work" published by GAATW in 2013. Meanwhile, the publication is formed as a means of advocacy for workers Au Pair with the Philippine government and several European countries which are the destination for Filipino workers.⁸ The non-governmental organizations that participated in providing further data and analysis after the working paper were published were the Center for Migrant Advocacy Philippines or CMA.⁹

The cooperation between CMA and GAATW is limited to indirect advocacy assistance. Publications published by GAATW aim to urge the Philippine government to improve policies related to the Au Pair program. Both CMA and GAATW issued publications related to the Au Pair program aimed at the government. The data also looks similar, what distinguish both of the publications is how GAATW also involves non-governmental organizations in Europe such as the FOA Union, and targets two governments, both the Philippine government and the governments of destination countries in Europe itself. Some points of concern for both parties are the minimum and maximum age of Au Pair program recipients, families left by Au Pair visa holders, the presence of undocumented participants, and the lack of government guidance regarding this program before participants leave for the destination

⁷GAATW, "Au Pair Challenges to Safe Migration and Decent Work", Accessed on May 17th 2020 https://www.gaatw.org/publications/AuPair_ChallengestoSafeMigrationandDecentWork.GAATW2013.pdf

⁸Ibid.

⁹CMA, Philippine Migration And Au Pair Programs in Europe, Februari 2014, Accessed on May 17th 2020 <https://centerformigrantadvocacy.files.wordpress.com/2014/04/cma-philippine-migration-and-au-pair-programs-in-europe-2014.pdf>

country. In addition, many female workers are vulnerable to becoming victims of violence and human trafficking.¹⁰

GAATW in Indonesia

Indonesia is one of the countries that has several labor and anti-trafficking organizations that are members of the GAATW network. Meanwhile, non-governmental organizations that are members of GAATW in Indonesia are ATKI Indonesia, PKPA, *Solidaritas Perempuan* or SP, *Yayasan Annisa Swasti* or YASANTI, Legal Resource Center for Gender Justice and Human Rights or LRC-KJHAM, and the Women's Institute or IP. The cooperation that occurs between these institutions and GAATW is not much different from the cooperation carried out by GAATW in the Philippines. One example of an institution that is part of GAATW, namely *Solidaritas Perempuan* or SP, has coordinated such as providing information and data, forming policy strategies, conducting campaigns, and conducting advocacy.¹¹ The participation of Indonesian institutions in GAATW is limited to advocacy and campaign support. One of the times where GAATW is directly involved in solving the core of the problem is an education project for female migrant workers in Curut, Central Java in collaboration with FPAR through the Safe and Fair program in 2018-2019.

This project was carried out due to an increase in the number of migrant workers, especially women. Women themselves are prone to experiencing injustice in this issue. In addition, many women work in low-skilled sectors. It is hoped that the education provided in this project will improve the skills of women migrant workers. To facilitate this project, especially in terms of language and understanding difficulties, this project is assisted by LRC-KJHAM which has become a partner of GAATW.¹² This project was carried out by gathering 29 participants who live in Curut, Central Java, each of whom has an educational background of elementary, junior high and high school graduates. 9 of the participants had migrated abroad when they were minors. Saudi Arabia is one of the most popular destinations for migration. Apart from Saudi Arabia, there are Taiwan, Singapore, Hong Kong and Malaysia as destination countries.

This project is carried out in various steps, one of which is through a Focus Group Discussion or FGD. The FGD was conducted by discussing several important topics such as sex and gender, the recruitment process and the conditions of the shelter, the departure process, the conditions of the work environment in the destination country, the safe migration process for women, the working environment conditions for women in the destination country, and making recommendations by the end of the discussions, and provided the participants with knowledge related to projects and research from FPAR. Other activities carried out in this project are interviews and writing. Another factor is the existence of domestic violence which causes some participants who choose to leave their homes. Climate change is also another reason for participants to leave their homes because they can no longer cultivate crops.

There were many violations of rights at work that were conveyed by participants such as sexual violence and coercion, prohibiting the use of religious attributes, deducting wages, and not being given time off or day off. Even when they returned to Indonesia, some of the participants had difficulty getting back important documents such as IDs and diplomas which were usually held by the agency. Based on these issues, GAATW, LRC-KJHAM, and FPAR provide several recommendations that can be used as an advocacy to the government, such as strengthening existing laws related to migrant issues, especially against women, and taking firm action against agencies that are rampant to commit fraud for profit. The

¹⁰Ibid.

¹¹Sylvia Yazid, *Activism of Indonesian NGOs On The Issue of Women Migrant Workers: Engaging in National and International Co-operation*, Monash University, Accessed on May 20th 2020 http://repository.unpar.ac.id/bitstream/handle/123456789/1863/MAKLH_Sylvia_Activism_of_Indonesian-p.pdf?sequence=3&isAllowed=y

¹²LRCKJHAM Semarang, "Strengthening Sisterhood in Fighting For Women Migrant Workers' Safe and Fair Migration in Curut Village of Central Java, Indonesia", Accessed on May 20th 2020, https://gaatw.org/publications/Safe_and_Fair_FPAR/FPAR_Report_LRC-KJHAM.pdf

government also needs to provide legal protection for victims of violence and victims of fraud. Finally, the government needs to provide an official institution that can provide training for prospective migrant workers, so that migrant workers can understand their rights and obligations, as well as the working conditions in the destination area.¹³

GAATW in Thailand

Thailand is the place where GAATW was first established in 1994, as well as the center for GAATW to operate. Meanwhile, several humanitarian organizations that are members of GAATW in Thailand are the Gabfai Community, Foundation For Women, the Association of Human Rights and Women's Rights in Development or AWARD.¹⁴ One of the issues of mutual concern in Thailand is human trafficking and forced prostitution in several sex industries in Thailand. Apart from being one of the contributors to migrant workers abroad, Thailand also accepts quite a lot of migrant workers who enter the country, especially in the tourism sector. Most of the migrant workers who come to Thailand, originated from countries such as Myanmar, Cambodia and Laos. In this case, one of the things that GAATW has done is by making publications related to the handling and resolution carried out by related institutions in Thailand, and making efforts to provide recommendations. GAATW also provides several projects with countries that are among the largest contributors of migrant workers to Thailand.¹⁵

The issue of human trafficking, especially women in Thailand, is a serious problem. This is because most of the victims were forced to work in the realm of prostitution. This illegal activity also increases the potential for the spread of various sexually transmitted diseases. In the data found and submitted by the Thai Labor Committee, advocacy is often difficult, therefore, the working community is strongly encouraged to unite in resolving this issue, so that later similar incidents do not happen again. Commercial sex workers are also united and have their own institutions to prevent embezzlement and human trafficking.

The Thai government is aware of the large influx of migrant workers entering and leaving the country and has provided agency under the government to take care of matters relating to documents and departure, as well as admissions. However, this is considered ineffective. One of the reasons why this issue is so difficult to address is the complexity of policies and regulations regarding migrant workers in Thailand. The Thai government requires migrant workers to pay inexpensive amounts of money, as well as a complicated and lengthy bureaucracy. So that many of the migrant workers choose to use private agencies. Many prospective migrant workers are also victims of fraud and victims of trafficking. This has also been conveyed by several migrant worker organizations since 2007, but has not yet received the expected results. Some of the rules and laws related to human trafficking and forced prostitution have actually been owned, however, these laws do not seem to work properly as they should.

GAATW is also working again with FPAR in the Safe and Fair project in Thailand, to carry out advocacy with migrant workers from Myanmar. Meanwhile, this program is carried out because Myanmar is one of the largest contributors to migrant workers, which is around 82% in Thailand, especially in the garment industry sector. This project is carried out to explore more directly the conditions of the work environment and living place of migrant workers. The results of this project are recommendations conveyed to both the Thai and Myanmar governments. As a result, many violations of workers' rights were found. This is based on workers' ignorance of the rights they should get. Migrant workers are denied health insurance, document retention and have to pay a certain amount of money to get them back, and are unable to protest on Labor Day because of threats of dismissal. The

¹³Ibid.

¹⁴“GAATW Members in Asia”, GAATW, Accessed on May 20th 2020, <https://gaatw.org/members/asia>

¹⁵GAATW, *Collateral Damage: The Impact of Anti-Trafficking Measures on Human Rights Around The World*, (Bangkok: Thailand, 2007), http://www.gaatw.org/Collateral%20Damage_Final/CollateralDamage_THAILAND.pdf

recommendations written by GAATW include changes related to several regulations in the recruitment process, providing wages that are equivalent to working hours, and providing worker training.¹⁶

GAATW in Singapore

GAATW in collaboration with Transient Workers Count Too or TWC2. TWC2 is quite progressive in terms of advocacy and publication. Just like Thailand, Singapore is one of the countries that accepts many migrant workers from abroad, one of which is Indonesia. Therefore, TWC2 is here to provide advocacy for migrant workers in need. TWC2 sees the injustice felt by migrant workers in Singapore, especially those who work in low-skill sectors, due to the lack of regulations that provide protection for them.¹⁷

One of the publications conducted by GAATW and TWC2 is to review the implementation of CEDAW in Singapore. The two institutions see injustice that occurs against migrant workers such as racism, the lack of wages paid, and so on. In addition, another issue that was raised was how some workers found it difficult to get health facilities even though they had work permits. In fact, obtaining a work permit requires complicated terms and conditions.¹⁸ Several points in CEDAW seems have not been implemented in sequence with the policies adopted by the Singapore government. This collaboration between GAATW and TWC2 is carried out to provide recommendations to the government regarding appropriate policies for migrant workers.

In some cases, it was found that some migrant workers in the domestic sector lost some of their documentation because their employers held their passports and ID cards in custody so that domestic workers did not 'run away'. One of the cases I found at the Indonesian Embassy in Singapore in 2018, many domestic workers had to live in shelter provided by the Indonesian Embassy as a place to live, due to several documents and unfinished business with their previous employer. They are also required to routinely report to the Ministry of Manpower or MoM to keep obtaining a residence permit in Singapore until the issue is resolved.

Meanwhile, several recommendations were given, namely eliminating all forms of discrimination against migrant workers, including providing easy access to health and other public facilities for work permit holders, removing prohibitions for women workers to have children in Singapore, prohibiting marriage for workers migrant workers, access for migrant workers who are experiencing problems with their employers to work, legal protection for migrant workers, and eliminating racist attitudes by employers towards workers. Recommendations are also given to the government to make appropriate policies together with other ASEAN countries to protect migrant workers in all countries in Southeast Asia and strengthen bilateral relations with related countries, to provide easy access and prevent illegal migrant workers.¹⁹

GAATW in Cambodia

Cambodia is a country with a high number of migrant workers. Meanwhile, several institutions that are officially incorporated in GAATW in Cambodia are the Cambodia Women's Crisis Center (CWCC), the Cambodian Women's Development Agency (CWDA), and Legal Support for Children and Women (LSCW). Just like any other collaborations, GAATW and Cambodia are focused on advocacy and publication.²⁰

¹⁶MAP Foundation, "Safe and Fair Migration: A Feminist Perspective of Myanmar Women Migrant Workers in Mae Sot Garment Factories on Women's Rights to Mobility and Decent Work", GAATW, Accessed on May 20th 2020 https://gaatw.org/publications/Safe_and_Fair_FPAR/FPAR_Report_MAP.pdf

¹⁷"Advocacy", TWC2, Accessed on June 19th 2020, <http://twc2.org.sg/what-we-do/advocacy/>

¹⁸TWC2, CEDAW Shadow Report: Singapore 4th Periodic Review, Discrimination Against Women Migrant Workers and Human Trafficking in Singapore. Accessed on June 19th 2020, <http://twc2.org.sg/wp-content/uploads/2013/09/CEDAW-Shadow-Report-2011final1.pdf>

¹⁹Ibid.

²⁰"GAATW Members in Asia", GAATW, Accessed on June 19th 2020, <https://gaatw.org/members/asia>

One of the projects carried out by GAATW is the Safe and Fair project together with FPAR and the Cambodian Alliance of Trade Union or CATU. The publication focuses on the garment industry and trade unions in Cambodia. In the field research found, there are more than 53% of Cambodian migrant workers who use illegal channels to be able to work abroad. This certainly endangers the safety of each worker, especially women. The development of trade unions in Cambodia is arguably quite progressive. In 2019, there were more than one hundred trade union organizations helping to advocate for migrant workers entering Cambodia and vice versa. The existence of these unions succeeded in putting pressure on some textile or garment companies that did injustice to their workers by staging massive protests.²¹

Conclusion

GAATW provides opportunities for individual trade unions to conduct research and accommodate the interests of migrant workers. However, GAATW itself is limited to providing recommendations and advocacy. In providing advocacy and publication assistance to countries that are contributing to labor migrants, GAATW often conducts research and direct projects in collaboration with local institutions. This is done to see the perspectives of migrant workers, so that the formulating of recommendations related to this issue can target people who are directly victims of injustice. One of the advantages of GAATW is how they also accommodates countries that receive migrant workers such as Thailand and Singapore. This can accelerate the process of accommodation advocacy and publication and put direct pressure on countries that violate workers' rights.

In exerting pressure on the government, transnational networks exert less pressure. As was the case in Cambodia, the government seemed to be more afraid of the hundreds of networks of local labor groups holding large-scale demonstrations. However, publications by GAATW are very helpful for the international community to be able to provide support and pressure on countries that violate workers' rights.

As a recommendation, I suggest that all the government should consider to work with the NGOs that are more capable of finding datas and advocate the victims. The government also needs to provide a better policy on migrant women worker. ASEAN as a regional cooperation need to realize that ASEAN is not only for the elite. ASEAN need to start adding individuals and communities as a part of their summits to make it easier for them to solve these kinds of issues.

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²¹CATU Cambodia, "Feminised Migration and Deteriorating Conditions of Employment in The Garment Industry in Cambodia: Perspectives of Workers Organised by CATU", GAATW, Accessed on June 19th 2020, https://gaatw.org/publications/Safe_and_Fair_FPAR/FPAR_Report_CATU.pdf

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Women, their Bodies and the Space of Violence

Ishita Sehgal

Introduction

The later months of 2019 and the beginning of 2020, even before the Pandemic hit India, saw the country burning, both literally and metaphorically. The fires were engulfing whatever religion or politics could offer. NRC+ CAA (National Register of Citizens, 2003 + Citizen Amendment Act 2019), the two most talked about terms led to something quite unprecedented. The student protests that erupted all over the country were also accompanied and supported by that sector of the Indian society which is generally indoors, mute and non-participating. In the southernmost district of the National Capital, the world saw the rising of Shaheen Bagh; a Muslim working-class neighborhood where women sat under make-shift tents to protest against the new amendment acts. Shaheen Bagh became the epicenter of the anti- CAA protests across India. The political opinion might have been divided and it was rumored that it was supported by the oppositions or the vested groups but one cannot deny that these women were the ones who wouldn't have raised their voices against personal suppressions inside their homes but they came out united to raise their voices and bodies in full support of the protests, that eventually became violent with the involvement of the police.

This is how the women of 2020, talked back to the patriarchy by crossing the three most prominent damnations of caste, religion and most importantly gender. The Shaheen Bagh in Delhi paved the way for the emergence of other Shaheen Baghs across the nation, bringing women in unison against the violence they witnessed during the protests. This violence was inflicted on gendered bodies, bodies which were discriminated on the basis of caste and on the basis of religion. In September, the annual list of Time's 100 most influential people also had Bilkis, Shaheen Bagh's 'dadi' or grandmother. She is an 85-year-old woman who was a part of the protest which went on for 101 days before it had to be called off because of the pandemic. Armed assailants fired at least 2 shots barely 50 metres away from the stage at Shaheen Bagh and Bilkis was on stage at the time. In an interview later she said that the bullets don't scare the women of Shaheen Bagh. This was not new!

On a global level the world has witnessed violence through the ages. If one was to map it politically and historically, the two most remembered violent epochs have been the Holocaust and the Partition of India into two separate countries in the last century. Both these events saw hundreds and thousands of lives being taken on the basis of religion, social standing and birth. Remarkably the victims were predominantly women but their resilience would not allow them to subjugate where the humungous violence inflicted on them, kept them fighting it. This is the immenseness tolerance for sexual violence that surpasses. This is manifest not only in the social but also the cultural worlds which might not be explicitly evident but there is a dramatic horror that the discussions of it come with.

With a superficial reading about these historic moments one can see that both these societies and mostly all societies in the world are deeply patriarchal. Violence itself can be very scary and gruesome to read about even when it isn't focused on gender but the extent of the setting in of the patriarchy can be noted by the violence that was, is and still continues to be inflicted on women.

Study purpose

The purpose of this study was to understand the phenomenon of violence that was thrust upon women and their bodies, in a way stating that patriarchy has always talked down to the women. This paper also attempts to politically map the women talking back to the patriarchy through the same bodies that were victimised by violence underlining the fact that if violence may have the strength to destroy but there is always a way to address the truth of this violence and weaken it.

Methodology

The political events in India from 1947 till 2020 that had major repercussions in form of violence and its impact on women were explored in its ramifications related to gender issues. The focus has been not so much on narrative of violence during these periods but the reaction of women to the inflicted injury, physically and mentally. The narratives and the political commentaries on these events were studied from various non-fictional sources and reinterpreted with specific focus on the dialectics of gender.

Discussion

As Madhu Mehra says “Issues of violence against women and the law have been of continuing concern over decades for the contemporary women’s movement in India.” (89) Focusing on India, the Partition of India and Pakistan brought with it the world’s largest mass migration and the human exodus across borders, trying to create new identities and protect the old ones. Thousands of men were killed, some of them had to convert into a different religion and for some killing themselves was the only ray of hope. Women on the other hand, damned by the struggle of finding identities, were faced with a new challenge. Thousands of women were raped, killed, abducted, forced into marriages and conversions, some were even murdered by their own families. The question that then arises is why did women’s bodies face such gruesome amounts of violence. The simplest reason would be the attitude of the society that attached respect (*izzat*) to women’s bodies essentially to camouflage ownership and the status of being a property. So, demeaning one man’s ownership meant satiating the other man’s power.

This tying in of the concept of women’s bodies being pure with demeaning violence leads us to the point when these women tried to talk back. “The perception of sexual violence -- that it is almost always the fault of the victim/survivor, or that it is not a ‘ serious’ crime-- resulted in victims / survivors holding back from speaking out , for how do you get the harm that has been done to you taken seriously , when that harm itself is barely recognized as such ?”(Butalia , Murthy xxxvii) The patriarchy talks down to the bodies of women and the men usually escape scratch proof because of their gender and the attached sense of power that comes with it. This violence isn’t just limited to rape, it is as Kanchan Mathur says “rape, domestic violence, dowry murders, incest, labelling of women as witches, compulsion to wear a chastity belt and forced incarceration-- apart from the denial of rights to food, education, economic resources and healthcare.” (62) Things started to become clearer after Independence that the “constitutionally guaranteed equality” (Mehra 89) and the actions that were happening there were not in tandem with helping shape the law. The development programmes were also not beneficial in curbing systemic forms of violence against women and instead gave ways to more crimes without any legal consequences.

Going back to the idea of the political mapping of the violence on women it is pertinent to look at the violence by the army and the particular incident that occurred in Manipur. It is important to note that, in the year 2004, 12 women stripped themselves naked in an attempt to protest against the rapes and violence that the army personnel brought on them and the other women of Manipur. Manipur comes under the AFSPA (Armed Forces Special Powers Act 1958) under this special act the government grants special powers to the Indian Armed forces to maintain order and peace in areas that have disruptions. This event makes it important to see this protest like Shaheen Bagh, where women were talking back to the patriarchy by using their bodies that were victimized by the different kinds of violence. As Uma Chakravarti says “Using naked bodies to challenge acts of brutality by the security forces in general and the rape and killing of Manorama in particular.” (1)

While studying violence and gender one cannot separate patriarchy and the denied justice that comes with the deep roots of violence in patriarchal societies. Mathur mentions “The training in Women’s Development Project primarily conducted by feminist trainers, sought to demystify the process of women’s subjugation by unpacking the multiple power relations that have a bearing on women’s lives.” (61) The project paved the way for women to link their experiences of being subordinated on the basis of gender in a larger systemic force which is commonly called gender

inequality in the society. While mapping milestones for women it is imperative to look at August 1984 when the first Sathin training took place in Rajasthan where for the first-time domestic violence was recognized as an act of violence and how 20 out of 22 women were victims of it. Two years later in 1986, Sathin Bhanwari learnt about the evils of child marriage and began talking about it. In September 1992, while she was working on the fields with her husband, and while she had been talking about anti-child marriage for 6 years, her husband and she were attacked by 5 men and she was raped after her husband was beaten unconscious. She filed a FIR but her being a member of the backward class, her hierarchy delayed her justice, which isn't uncommon.

This story of Bhanwari was a stepping stone to establish that in cases like these or like the Manipur rape case of Manorama or the 2012 Gang Rape case of Delhi "Women's right to safety and bodily autonomy was the responsibility of the state." (9) and the state seemed to fail making the citizens of India speak up against the injustice and violence in large numbers. These incidents and many such other incidents of violence on the basis of gender led to quite a remarkable phenomenon that people missed out on; the presence of women from the strata that is generally suppressed or women who live their lives as second grade citizens. India since 1947 has seen multiple cases of gruesome rapes, which include the 2012 Nirbhaya Gang Rape case, the Mathura rape case of 1972, Kathua rape case 2018 or the Hathras case of 2020. There is something common and yet uncommon between these cases. The Kathua case had religion added to it and the Hathras case had the barriers of caste. These cases saw massive outrage from the common public which included women but still a large part stayed nonchalant. Very recently when in September / October Dalit girls were raped, murdered and burnt the country decided to speak up. But prior to this nobody spoke about these and the question then is "Was it because the mockery of their bodies, and their violations was so routine and naturalized that it did not merit anger or outrage?" (Butalia Murthy xxxiii) Statistics show that 10 Dalit women are raped every day in India. These women sometimes get crushed under the three damnations of caste, religion and gender. The Nirbhaya Gang Rape had two strong women standing up for the victim. Nirbhaya's mother and her lawyer, Seema Samridhi who was the legal counsel for the case.

Any discourse on women and the patriarchal intervention in their lives brings in a revelation, the collusion of power with caste/class /religion women centric movements thus exist in many dimensions. Women have spoken against domestic violence as well. This talking back to the patriarchy is not restricted to the urban or the sub urban societies, it has its roots deep in the rurals of India. 10 years ago, in a small village called Banda in Uttar Pradesh there was the beginning of a vigilante group called the Gulabi Gang which spoke as a response to widespread domestic abuse and other violence against women. Banda as a village has the problems of caste-based violence but these women in Gulabi Gang stand for other women regardless of caste. Looking at domestic violence through the lenses of religion as well, the most prominent female name one can think of is Flavia Agnes. She is a 65-year-old women's rights lawyer who provides legal aid to women at the Majlis legal centre. This legal centre was established in 1991 and has a team of all women lawyers. Agnes has her own experience with domestic violence which inspired and motivated her to talk about it. It took her 14 years to seek a divorce and the custody of her own children. Majlis runs with the motto of "To help women across class and community access justice by creating a culture of rights."

Violence on women has risen over time in India. The violence is not limited within the walls of a house, violence happens in the open. Acid attacks on women have become a common thing, but women haven't kept shut about it. In 2005, Lakshmi Agarwal at the age of 16 was attacked with acid in New Delhi because she rejected the romantic advances of a man. Since her attack and recovery, she has established multiple campaigns and one of her petitions which were fought by Lawyer Aparna Bhatt led to the Supreme Court to order the central and state governments to regulate the sale of acid and the government should also enable simpler and easier prosecutions of acid attack perpetrators. Women decided they had to talk back to the patriarchy and speak against the acid attacks. In 2014 Ria Sharma founded a NGO which helped in rehabilitation of acid attack survivors and she called the NGO "Make Love, Not Scars."

Conclusion

These multiple instances of standing up against crimes in a way makes it clear that the public awareness has paved the way to elevate demands for actions and decision making in India. It can be said that the vigilant and aware society of India demands accountability and at the same times expects answers. The bottling up of tolerance finds a way to talk back to the patriarchy through their bodies, the bodies that have been victimized by systemic social violence or more individualistic private violence. What is even more interesting to note is that as Himanshi Nagpal says “Incidences of such cruelty suggest how the women were reduced to their bodies, carrying the burden of the honor of the community to be conquered, claimed or marked to attack that honor. “These instances of crime and the talking back against this crime in a way helps in highlighting how a patriarchal state and as well as the misogynistic notion of a helpless woman, a woman who makes policies and the woman who had no agency over their own families and citizenships. The woman both as a person and a part of a larger community should move the focus from the physical body to a mindful consciousness. Only when the violence mars the superficial body and fails to shatter the self-will the aggressor refrain. In conclusion as Uzma Falak writes in her poem *Song of a festering wound*:

“In all seasons survivors march
Fearlessly, singing about that long winter
Night, they sow seeds of resilience, and wait
Patiently for the Hour of justice.”.

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Solo Female Thai Backpackers Crossing Borders and Transgressing Boundaries: Myths, Stereotypes and their Fluid and Multiple Identities

Pol. Maj. Phrueksa Boondamnoen

Thammasat University, Bangkok, Thailand

Abstract

“Solo-backpacking” has gained its momentum and popularity among (urban) Thai women nowadays. A gendered nature of this solo-travel has attracted a sizable number of young middle-class Thai women. These young urban women are traditionally shaped and restricted by strict Thai social norms. This study provides an investigation of the current movement/phenomenon of solo female backpackers in Thai society. The research reveals that Thai women who choose to travel independently face very real constraints and challenges in regard to their gender, ethnic and class backgrounds. The solo female backpackers are initially faced with pre-travel constraints and challenges rooted in their socio-cultural backgrounds. Then, as they cross borders, they often find themselves under new constraints and challenges stemmed from the socio-cultural contexts of their destinations. Despite series of obstacles, the result of the study shows that these solo female backpackers choose to go ahead with their travel plans and find ways and means to negotiate their constraints, challenges and limitations. They employ several tactics of gender negotiations in order to continue their journey. The women interviewed for the study find this form of leisure help build their sense of ‘independent’ and ‘autonomous’ self which results in their ‘new’ found identities and independency and leadership.

Keywords: Multiple Identities, Stereotypes and Discriminations, Gender Negotiations

Introduction

Solo-backpacking is a new phenomenon in the Thai society and gaining popularity among Thai women nowadays. Quite a number of Thai women make their own travel itineraries and travel alone all over the world. These women make their solo-traveling and experience known to public through various social media such as travel memoirs, travel guide books, travel television series, globe-trotter magazines, travel seminar series, travel websites, and etc. Popular solo female Thai backpackers are known throughout the country. For example, Monthon Kasantikul (Mint) whose solo travel experiences over 70 countries around the world have been narrating through her personal travel memoirs, *I ROAM ALONE: Thai-Siberia Issue* (2557) and *I ROAM ALONE: Trekking Through South America* (2558), becomes Thailand’s most popular solo-backpacker. Kanokkorn Pramwichien (Por) whose travel memoir, *Journey of My Life* (2558), becomes a household’s name. Others well-known solo female backpackers are Anyawan Thongboonrod, Kasinee Thaisondhi, and Palida Pimpakorn, etc. This study highlights the presence of Thai women in the field of solo-backpacking and tourism. Solo-backpacking abroad for these women is an act of gender transgression. Solo female Thai backpackers negotiate gender boundaries in public presence and world traveling. Ten solo female Thai backpackers in this regard are observed and studied re-defining, re-creating and re-constituting their gender identities in their solo-backpacking trip abroad. This form of leisure activity, where women conduct their trip and sightseeing abroad in hope of gaining rest and recreation, is where gender transgression takes place. The study reveals that solo female Thai backpackers employed their essentialized femininity/ies to regulate their boundaries by maintaining and essentializing their ideal Thai womanhood to cover their gender transgression. While being ‘a good Thai girl/woman’ is salient for their public persona and private organizations/life, these solo female Thai backpackers are keenly aware of their sense of self and agency. They strategically negotiate their ways to become an autonomous solo backpacker in a male dominated Thai society.

Solo traveling and backpacking, even though a very personal and independent experience, constitutes some commonalities. Solo female Thai backpackers obviously carry their belongings in the backpacks; organize their flexible itineraries independently on the limited budget; and choose to participate in activities of their choices. Either submersing oneself in new cultures or observing the locals from a far, these solo female Thai backpackers challenge their norms since traditional Thai culture normally assigns women to a private sphere or a domestic area. Thai women have long been almost uniformly excluded from participating in the public sphere and literally chained to their home. In this regard, they expected to stay put in their domestic realm and be scared of the ‘wild’ world outside of their window. Thus, Thai women, according to social norms and traditions, should not step out and enter the world independently.

There is no doubt that there has been a huge shift in the world of Thai female traveling over recent times. In the last decade, many travel writings written by female Thai backpackers were published and distributed widespread the internet and social media. These works show that they travel to more developed destinations than Thailand with the main purposes of adventures, sightseeing and submerging into new cultures. It is clear that Thai women choose to travel abroad independently and prefer to have flexibility in their itinerary and freedom to organize their traveling experiences. This study, thus, is gendered backpacking and traveling of Thai women in this globalizing age. The study explores how middle- class of Thai women makes their trip abroad to developed countries independently.

In the academic field of tourism, women specifically become the subject of tourism research. Much of Thai literature on gender, women, and tourism has focused on gender stereotypes and myths. Previous studies of women’s participation in outdoor recreation have focused on the constraints and challenges that women faced the social obstacles. Women who traveled independently challenged to break the boundaries of conventional norms and transgressed ideal of Thai femininity. Several authors who spoke of gender argued that movements of traveling are gendered. Walaiporn Saisaema said that outdoor participation for women has been described as a silly act, aggressive behavior, and poor thing to do (2546, p.60-61). From a gender perspective, studies have shown that women who traveled solo were often labeled as “rebellious” and “shameful”. Mainstream has ignored their movements and behaviors in the field of dominant tourism. It seems obvious that backpacking beyond boundaries for Thai women has led to gender inequality. Therefore, this study uses techniques and strategies of ethnographic research which takes a cultural lens to understand solo female Thai backpacker’s lives.

All of the mentioned above, this study notices that backpacking for Thai women emphasized them to learn to cope with the dark myths, unfair situations, racial discriminations, and unusual conditions. Thai women were discriminated unfairly from the views of natives. They were constrained by crossing borders, social constructions, cultural norms, and authorities. For instance, the local authorities always spoke emotionally to Thai women. They also quarantined Thai women to ensure the problems of illegal migrant workers or sex workers. Thai women were in trouble with local officers after they failed to take return flights despite their short visit within legal time spare. As a result, backpacking for Thai women leads to the dark myths, stereotypes, and discriminations.

Similarly, I am 29-year-old Thai woman who work as an officer in the governmental organization. I have been traveled alone for more than twenty counties. As a third world solo female backpacker, I was restricted from the local authorities or the natives. For example, I was quarantined at the airports, especially in the developed countries, such as Hong Kong, South Korea, Netherlands, and Germany. Many native men asked me for casual sex, one-night stands. In addition, the western woman also expelled me from mixed dormitory room in the hostel. From these trouble situations, I was inspired to do this research.

As this study said before, crossing borders is unworthy for Thai women who travel solo. Participating in adventure is unwanted behaviors as outdoor activities lead them to dangerous situations or poor conditions. Historically, Thai women allowed to get involve in the field of tourism when they accompanied with their families, responded religious burdens, or had many servants follows. On the contrary, Thai women involve in overseas traveling in various ways. For instance, they accompany with

their families or companions, attend to Work and Travel programs, volunteers with organic farmers to promote cultural experiences, or make a solo journey themselves. Referring to all participants, crossing borders alone shows to the movements of solo female Thai backpackers which are the new social phenomenon in Thai society. Notice, Thai women are confronted with racial discriminations, stereotypes of sex workers or illegal immigrants, and dark myths while crossing from Thailand to the first world areas. These stereotypes imply to devalue or defile them on gender base. Then, solo female Thai backpackers' identities are distorted. This study attempts to understand their behaviors base on social identities, dark myths, and gender negotiations. In summary, this study examines Thai women's leisure, social positions, crossing physical and cultural boundaries, and gender transgressions.

Methodology

A research methodology of this study primarily consists of feminist ethnographic fieldwork and the in-depth interview with 10 solo female Thai backpackers aging between 15-62 years old who have been choosing to travel independently for more than 10 years to dozens of countries around the globe.

Results and Discussions

Background Characteristics

This study covers a vast array of participants' socio-economic backgrounds such as age, class, level of education, language ability, marital status, and also profession. Statistically, most of solo female Thai backpackers are between the ages of 21-38 years old. The average beginning age for backpacking solo is found between the ages of 20-30. The results find that the destinations for their first solo trips are overwhelmingly Asian countries. The majority are young students who are well-educated and also graduated with a bachelor's degree and above. In regard to language capabilities, all of them have a good command in English and almost half of them are expert in other languages such as French, Russian, and Japanese. They come from the middle-class families. Their parents work as a teacher, mechanical engineer, police, nurse, or business owner. Additionally, a greater percentage of these participants also work as a full-time worker, such as a dentist, flight attendant and government officer. More unmarried than married respondents, one of them is pregnant, and one of them is divorcee, are noticed in the study. Most of them live outside Bangkok. The majority of destinations are the categorically developed countries in Asia, such as Japan, Hong Kong, Malaysia, and Singapore. All of them travel independently more than four trips to their Asian destinations while a few of them travel at least 10-20 trips all over the world. They, however, reveal that almost of them backpack for less than a month while the average length of stay is half a month. This study indicates that there are two types of solo female Thai backpackers. First, amateur, who are inexperienced, inexpert, and unskilled. Pim, Jomkwan, and Suki are included in this group. Another type of them is professional who are experienced, expertly skilled, and well adapted. They frequently solo travel to many countries each month and year. The study includes seven seasoned travelers, such as Por, Pun, Nok, Yim, Kluay, Kik, and Belle. Above mentioned, these female backpackers agree that travel independently is their passion while some green backpackers may take a trip from time to time. Though seasoned backpackers explore throughout the world, the green travelers may narrowly travel in just one or two regions. Additionally, as the seasoned backpackers take several trips abroad in a month while the green travelers may not take the same route. Still, all of them agree that they are satisfied with their solo trip abroad and all the activities involved.

Pre-Crossing Borders

Gender restrictions and constraints become major issues discussed among solo female Thai backpackers as their ideal womanhood requires them to take care of household chores and nurture their entire family. As these exemplifies through these testimonies: Pun said, "*I knew what I did first. My mum was getting old. I had to take care of her.*", Yim said, "*My boyfriend allowed my male friend to*

go trekking with me. ... Now, I'm pregnant. I'll wait for my son. Then, we'll travel together. I'll teach him how to travel solo.", Nok said, *"My mum often worried. Making a video call was the better way to contact her all the time."*, Kik said, *"My office allowed me within ten days for each year vacation."*, Por said, *"It's hard to travel in Saudi Arabia. We must accompany with husband, brother, or father"*. Before backpacking, Thai women had different burdens depended on their gender, social status, class, marital status, occupation, education, etc. This study found that their plural identities were appeared.

Crossing Borders and Transgressing Boundaries

Solo female backpackers interviewed unanimously agree that they choose to travel independently for relaxation, unconventional experiences, spiritual growth and personal empowerment. As these testifies: Kluay said, *"I lived like a merchant. I woke up early for learning Chinese daily life. They taught me their philosophy while doing business."* and Nok said, *"Trekking is meant to sideways experience, not the top of the mountains. If it's cloudy at the destination, I won't be disappointed."* Thai women's purposes of leisure reveal to fluidity of social identities. They also performed the leadership and doing masculinity in adventure activities.

In additions, Chu-Yin Chiang and Giri Jogaratnam explained that 'experience' dimension consisted of six statements: 'to experience different cultures and ways of life,' 'to see how other people live,' 'see things that I don't normally see,' 'fulfilling a dream of visiting a place I've always want to visit,' 'to attend cultural events that I don't have access to at home,' and 'I just like to travel, to go somewhere and do something.' 'Social' included sex items: 'talk about the places I've visited,' 'meeting people of similar interest,' 'have some sort of romantic experience,' 'having fun, being entertained,' 'finding thrills or excitement,' and 'to talk about my solo trip when I get back home.'. (Chaing and Jogaratnam, 2005, p.63-64) The common characteristics of Thai women who emphasized on prudent and flexible itineraries independently on the limited budgets were in terms of 'Experience' and 'Social' also. Nok said, *"Trekking provide me to wander, be close to nature, treat myself, and breath. Resting in hammock is the best way for sleeping. Wind sounds help me to recharge my energy."* Pun said, *"I took a picture, slept in the wild and drank a coffee. It's romantic. I watched that all animals were playing. This bird was bathing, dressing, and talking."* Kluay said, *"Traveling is the importance tool for social understanding. It leads me to meet others, talk with them, observe their lives, and taste local's foods. I prefer traveling solo to reading a book."* Thai women preferred social understanding and realizing through basic senses to possessing, conquering, or exploring.

In terms of social learning, Thai women gradually imitate native's behaviors. At first, they rather reject how locals eat or how locals drink, but they adapt themselves to indigenous cultures later. Jomkwan said, *"French cheeses were smelly. Some of them had blue molds. I couldn't try them. But before leaving, my host told me that I ate them more and more. ... Drinking wine with meals is unusual because Thai drink water after meals. My host always taught me how to drink different kinds of them."* Thai women's identities were transformed because their dominant culture was destroyed by indigenous cultures. Cultural homogenization was impacted their national identity and culture.

Western women who traveled in colonial counties always posited themselves different from the natives. Susan Bassnett mentioned Mary French-Sheldon who saw herself as a member of a superior culture. Sheldon described Sultan Mireali's dress 'like a clown' in assorted European clothing. (2016, p.227) Similarly, Thai women were discriminated by natives based on race, class, ethnicity, religion, social status, and social bias. Belle said, *"Americans asked me 'Are you from Thailand?', 'Does your home have a fridge?', 'Do you ride an elephant to school?', or 'Why are your eyes too small?'. Then, they pretended to rub their eyes."* Jomkwan said, *"They always told me like 'Chinese', and laughed at me. They saw me as a Chinese girl. I don't like this stereotype."* Kluay said, *"My friend was sent to Paris. She stayed in old French man's house. In the night, this man asked her for making love. He always touched her hips also."* Social relations were revealed the superior/inferior as developed/undeveloped, Western/Asian, masculinity/femininity, and employer/employee. The Western saw themselves as a superior and posited Thai woman as an inferior who came from an undeveloped

country. While Thai women rejected the social positions that they were forced and declined the stereotypes that lost their values. Notice, cultural polarization was emerged in identity issue and extended to national identity. Traveling was a social activity that generated cultural segregation and social conflicts.

In consequence, crossing borders deconstructed and reshaped the different kinds of identities among Thai women's movements.

Social and Cultural Norms

Social and cultural norms have been widely used to describe the way Thai women travel solo and also contributed to construct social identities. Social and cultural norms were divided into two parts, one was defined as physical norms, the other one was defined as cultural norms.

Physical norms were based on space and time transgression. Somsuk Hinwiman agreed that nighttime is represented to badness as owl is a symbol of death and evilness. Women who go outside their home in the night are meant badness also. (2558, p.85-89) While traveling, Thai women crossed borders between the private to public spheres, daytime to nighttime, national borders, and gendered-spaces. Yim said, *"Using a unisex bathroom isn't private. I usually observe all guys and hide my bras inside the clothes under my towel."* Nok said, *"At night, I walked alone in Rome where was dangerous. I saw the coloured man following me. Then, I walked faster and he was stunned"*.

Cultural norms were based on behavioral transgression. Somsuk supported that nightlife is a usual way for men. Thai women, on the hand, are allowed to leave their home when they accompany with relatives occasionally. Madoc-Jones (1996) noticed that nightlife is an alternative way for women. Attending nightlife activities leads them to entertain themselves. (2558, p.85-89) Nidhi Aeusriwong described the vertical space in Thai culture that men are allowed to tease women while women aren't allowed to tease men. Individuals who live in difference space must be changed one's status before crossing social borders. (2557, p.118-121) Thai women lived with gender stereotypes, masculinity/active and feminine/passive roles while traveling.

Active role was included masculine behaviors, such as joining a club, drinking alcohol, making parties with male friends, and attending heavy work activities. Kluay said, *"I often find the safe bars/clubs and don't hang out so late. I go there for entertainment."* Suki said, *"In hostel, my new friends let me to hang out. Then, I drank alcohol and enjoyed a party with them."* Yim said, *"At Fuji Mt., the weather was cold and strong wind. I still trekked with my group in the late night, but my body was really weak. It's hard to breath. Then, I couldn't keep walking."*

Passive role was associated with the label of sexual violence and victimhood of patriarchal oppressive practices. There are several levels of sexual harassment for Thai women, such as male gazes, sexual words, undesirable actions, fears, and unwanted stereotypes. Notice, all of them agreed that Thailand is the most dangerous area for traveling solo. Yim said, *"He didn't see my face, but he saw my chest and hips. He saw me as a Pattaya bar girl."* Por said, *"Native men often asked me rudely. The simple questions are 'How much?', 'Are you a sex worker?', 'Do you go with me?' or 'Do you need a boyfriend?'"* Jomkwan said, *"At Champs-Élysées in Paris, I went there for New Year countdown. Unexpectedly, the unknown man touched my ass."* Pim said, *"I prefer walking in Japan to walking at Ramkamheang street food, although I was followed the trail by Japanese man who looked like a rapist. Thailand is terrible."* Nok said, *"When crossing the border from Costa Rica to Nigaragua, officers checked my passport. They always asked about drugs, criminal records, and travel itineraries. Then, they also see my pocket money."*

From the above, Thai women who traveled solo were constructed their identities by social norms both of physical and cultural norms.

Post-Crossing Borders

In term of gender negotiations, this study found that different levels of changes consisted of inner changes and social changes.

Inner changes focused on micro movement, individual level, and personal development. Chaim Noy argued that Israeli backpackers' travel narratives are construed as the powerful experience of self-change. They describe deep and profound personal changes as a result of the trip. These changes are always positive, and are described in terms of a significant development and maturation in central personal traits. (2004, p.78-87) Thai women consistently described positive and profound personal changes as a result of the backpacking. Their self-change also included geographic change, mental change, and adulthood. Jomkwan said, *"In this semester, all subjects are too difficult. I've just encouraged myself to practice, but I went to my dorm for crying alone in last semester. I'm growing up. I'm not a loser. I'm really braver."* Por said, *"My attitude is changed. I understand the others with positive reasons. I'm a fairly open-minded person. Then, I can think on my feet very well."* Suki said, *"I overcome my own limitations. I'm on my own, and make a decision, and solve the problems myself. Solo Traveling gives me an opportunity to understand my social abilities."* After backpacking, Thai women's identities were really changed them from innocent girl to self-confidence person. Then, they were self-sufficiency on their works. Social Identities also revealed to dynamic identity. In summary, Thai women had five significant social capitals for traveling solo, such as knowledge, body, mentality, social network, and technology.

Social changes focus on movements, society, and social development. In micro level, women became to subject in order to place their experiences at the center of study and described social construction of gender. There was a need to tell Thai women's stories in their own voices and words. Their experiences also revealed the power relationships which they interacted with other identities. All participants negotiated gender in various circumstances. They posited the others on gender-based. Men were devalued as baddie, enemy, and criminal while women were regularly evaluated as goodie, friendship, and companion. Pun placed the French man as a sex buyer. She said, *"In France, the native man asked me for one-night stand. He thought that I was a sex worker. Then, He let me to the hotel."* While Kluay placed Austrian girl as a sisterhood. She said, *"I allowed her to rest in my own room, use my laptop to contact her family, and bring her to the bank. When she arrived, she sent me an E-mail, and allowed me to visit her home."* For macro level, in other hand, Thai women's identities were constructed by challenging gender inequality under patriarchal systems. Their social movements also revealed inequality in race, class, ethnicity, religion, social status, and social media bias. This article reflected that backpacking was a social activity which provided Thai women with a chance for traveling themselves.

In conclusion, this study contributes to an understanding of movements and behaviors in globalization age. Gender inequality played a significant role in how Thai women experienced, deconstructed and reshaped their identities, coped with social and cultural norms, and negotiated in various circumstances. Thai women faced challenges in the field of crossing borders.

Conclusions

In conclusion, this study contributes to an understanding of Thai women's movements in globalization age. Gender played a significant role in how solo female Thai backpackers experience, deconstruct & reshape their identities, cope with social and cultural norms, and negotiate their constraints and challenges in various circumstances. There are 5 crucial points found in the study of Thai women choosing to travel independently: (1) Developing and negotiating their multiple identities, (2) Manipulating their fluid identity for their own benefits, (3) Making use of their dynamic identity, (4)-(5) Challenging the cultural homogenization of their home background, and embracing cultural polarization. As Thai cultural background demands, these solo backpackers are obliged to fulfil their social roles in 3 fields: (1) Domestic household managing, (2) Professional careering, and (3) Field of leisure organizing or to be exact in solo travel managing. All of them perform their leadership role and doing 'masculinity' while attending adventurous activities like trekking, exploring to dangerous areas, and taking the overnight sleeper train. As a result of this independent trip, they rebuild themselves and become a 'new' woman with new found autonomy and freedom. In a way, they have transformed

themselves from naive innocent and dependent girl like persona to a self-confident and independent woman. Their fluid and multiple identities are reshaped and rebuilt as independent travel takes place. They might reject the cheese culture of the destinations at first, then, they gradually accept this new type of food.

Early backpacking, according to some, generates cultural segregation and social conflicts as Thai women maintain themselves as reserved and quiet while their Western counterparts may be otherwise. Backpacking deconstructs and reshapes this cultural and social stereotypes and myths; and results in different kinds of identities among their movements. Social and cultural norms also dictate physical and cultural spheres. Shifting and changing in physical norms by these women also indicates space and time transgression. Thai women cross borders between private to public spheres, daytime to nighttime, national borders, and gendered-spaces. While traveling abroad, they stay in mixed-gender dorms, use unisex bathrooms, and go out before dawn. Cultural norms are based on behavioral transgression. They live by gender stereotypes, masculinity/active and feminine/passive roles. Active roles of these women mean they embrace masculine behaviors, such as joining a club, drinking alcohol, making parties with male friends, and attending heavy work activities. Passive roles, on the other hand, entail that these women are associated with sexual violence victimhood and patriarchal oppressive practices. They might fall victims to male gaze, eve-teasing, and sexual abuse. Their identities, thus, are constructed around these traditional norms. After backpacking, they describe positive and profound personal changes. Their inner changes are focused on micro personal development of 'self'. Their prominent characteristics are emphasized on prudent and flexible itineraries independently on the limited budgets. These solo backpackers reveal that they now travel on purposes of social understanding, learning from others, and realizing through basic senses, such as sight, hearing, smell, taste, and touch. Notice, their meaning of travel is not to conquer or to do any harm to the local and their destinations. They have several significant social capitals for traveling solo, such as knowledge, body, mentality, social network, and technology. Social changes focused on society and social development. Thai women become to subject in order to place their experiences at the center of study and described social constructions of gender. Their traveling stories are told in their own voices and words. Their experiences also reveal the power relationships which they interacted with other identities. They negotiate gender in various circumstances. They posited the other on gender-based. They devalue men who they met during their trips as baddie, enemy, and criminal. On the other hand, they regularly evaluate women who they met during their trips as goodie, friendship, and sisterhood. Their identities are constructed by challenging gender inequality under patriarchal systems. Their social movements also revealed inequality in race, class, ethnicity, religion, social status, and social media bias. Backpacking is a social activity which provided Thai women with a chance for traveling themselves. All things considered, traveling provided Thai women a negotiating space imposed on them by societal and cultural rules. Backpacking, thus, becomes a form of leisure that allows them to be independent, autonomous and empowered.

Endnotes

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Access to Justice for LGBT People Who were Victims of Sexual and Gender-based Violence in Southeast Asia, Europe and North America. A Comparative Research

Francesca Braga

Middlesex University London, London, England

Abstract

The paper will provide an overview on access to justice (A2J) for LGBT people victims of sexual and gender-based violence (SGBV) in Southeast Asia, Europe and North America. SGBV are those crimes committed against people, whether male or female, because of their sex and/or socially constructed gender roles. They may include sexual violence but also non-sexual attacks on people because of their gender. Reported cases about SGBV against LGBT people are very rare, especially in patriarchal society. The culture of silence is one of the main root causes and it is based on several reasons. Ensuring equality and non-discrimination in the effective A2J are one of the prerequisites to end impunity. Practitioners, such as judges, lawyers, prosecutors and police officer, should adopt a gender-sensitive approach during the daily job. LGBT people also face challenges to have access and equal opportunity in the legal professions and consequently in the justice sector. LGBT people often lack equal access to legal education curricula, both in quality and content, and professional development. Gender-based disparities and intersection of multiple forms of bias are common in the justice system. Moreover, the feminization of legal professions is not yet a global phenomenon and female practitioners often do not receive the same presumption of competence or commitment as their male colleagues. In this way, LGBT people remain out of the circle of career justice development. The paper is the combination of comparative quantitative and qualitative techniques design using surveys and interviews. It is also based on comprehensive desk reviews of the current state of published and unpublished literature on LGBT people A2J globally, and UN resolutions on A2J. The paper reflects the fact that SGBV against LGBT people are still under-investigated, under-prosecuted and remain the least condemned crime. Recommendations for effective interventions in addressing A2J for LGBT people will also be discussed. The paper aims at answering the following questions: Whether LGBT people may be able to have access to justice? What are the main reasons? And why are LGBT people more exposed to SGBV in some countries than in others?

Keywords: Impunity, Justice, LGBT, SGBV

Introduction

Over the last decades research on lesbian, gay, bisexual and transgender (LGBT) people who were victims of SVGB has highlighted several vulnerabilities and disparities based on sexual orientation and gender identity. LGBT people face disproportionate levels of violence and they are vulnerable to discrimination and victims of crimes primary caused by stereotypes and prejudice. This situation is widespread and systematic all over the globe. The research selected three different continents Europe, Asia and North America. In particular three different States: Italy, Cambodia and the State of New York. The main reason is because the selection presents different justice systems and a wide range of culture and tradition. In the three continents, for several reasons, and despite legal protections, few LGBT people reported cases to police, judges, lawyers and public prosecutors. The research aims at providing and explaining insight into obstacles people who have been discriminated against face in their attempts to gain access to justice. It also focused on the lack of legal protection and recognition of gender equality.

The meaning of SGBV is related to the term gender, and it is different from the meaning of the term sex. SGBV refers to abuse inflicted upon an individual because of his or her gender. This behavior for a long time was considered a private matter, but now it is a social and public problem. In the

international criminal law area, these crimes were recognized by the international justice system. Before in the Statutes of the International Tribunals such as International Criminal Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda and then by the Statute of the International Criminal Court, the Rome Statute. In particular, in the Article 7(1)(h) of the Rome Statute, for the first time there was the identification of gender-based persecution as crime. A2J is the basic principle of the rule of law. It is the key means to defend the other rights and an enabling right that allows individuals to enforce their substantive rights and obtain a remedy when these rights are violated. This remedy could be obtained through formal or informal institution of justice and in non-conformity with human rights standards.

Methodology

The research explains in detail the three different scenarios. Desk research was carried out of the social, historical and cultural background of LGBT people and perception around them in Cambodia, Italy, and the State of New York. The research also focuses on the expanding global understanding of gender identity and how this has carried over into international and national law. Qualitative research was undertaken between June 2018 and December 2019 in the form of comprehensive survey, which consisted of twenty questions drafted on the basis of desk research. It was carried out in interview style, a combination of multiple choice and open-ended questions. It was carried out in interview style. In total, there were sixty-five respondents. Twenty-five respondents, between 23 and 47 years old, in Phnom Penh and rural areas. Twenty respondents in the State of New York (New York City) and twenty also in Italy (in particular in Milan and provinces), between 24 and 59 years old. One of the most important limitation was the time available when conducting the field missions, also there were limitation about the total number of respondents – reliance on LGBT networks to find survey participants in each location. Some LGBT people who have not accessed support networks (especially in Cambodia).

The Phenomenon of Sexual and Gender-based Violence and its Impact on LGBT People

First of all, it is important to recognize these actions as crimes, serious violations of human rights or discrimination, because the scenario could be different. Another important point is to obtain justice when LGBT people are victims of SGBV. In particular, A2J could related to the justice system *per se*, to the tools to report the crime. In these three continents, even if they seem quite different, the overall results are very similar. The meaning of SGBV is related to gender that refers to the roles and behaviors that are expected of men and women in society. The term gender-based violence comprises not only rape and attempt rape, but also sexual abuse, sexual exploitation, forced early marriage, domestic violence, marital rape, trafficking and female genital mutilation. There are different forms of SGBV, it could be also physical, mental and economic harm inflicted in public or in private.

These different forms are not mutually exclusive and multiple incidences of violence can be happening at once and reinforcing each other. Inequalities experienced by a person related to their race, (dis)ability, age, social class, religion, sexuality can also drive acts of violence. This means that while LGBT people face violence and discrimination based on gender, some LGBT people experience multiple and interlocking forms of violence.

Summary Key Findings

Despite the fact that LGBT community in Cambodia is becoming more visible, they continue to be discriminated against and excluded in several areas of social life. Homosexuality in Cambodia is not expressly prohibited under Cambodian law. While Cambodia is classified as a “neutral” country with respect to its laws and policies on sexual orientation and gender identity, leading Cambodian NGOs suggest that LGBT Cambodians continue to suffer a significant degree of stigma, abuse, harassment and discrimination. These behaviors are mostly justified by the patriarchal society.

LGBT people continue to face discrimination and exclusion in all spheres of life in Cambodia (family, home, education, employment, community, society). Cambodia's media portrays LGBT people in a negative way, particularly transgender women. However, the recent production of some LGBT movies is a positive development. And young LGBT Cambodians use social media and other communication technology to communicate with each other and share information. Young people belonging to sexual minority groups are particularly vulnerable to discrimination and abuse because they may already be living with social exclusion from family or community, and exclusion from friendship networks. Discrimination against sexual minorities do not only denies their access to key social services and opportunities for employment but it can also marginalize them in society and increase their vulnerabilities to violence.

Article 3 of the Italian Constitution explains the principle of non-discrimination, included the one based on sex. However, there is not mention about discrimination based on gender. About the Criminal Code, there is not a specific crime on gender crimes, so LGBT people cannot find a specific protection.

All of the respondents were victims of discrimination (half of them by the family and the other half in the Office). In some cases, the victims were both offended and discriminated. Especially in the "coming out process" the LGBT people were often punched. Most of the LGBT were victims of aggression and sexual violence by stranger (usually in public space and in the night). The combination of these two factors created the perfect condition to assault LGBT people. Finally, ten people were victims of online hate speech, on social media, by stranger.

The Fourteenth Amendment to the United States Constitution nor deny to any person within its jurisdiction the equal protection of the laws. The Title VII of the Civil Rights Act (1964) prohibits employment discrimination based on race, color, religion, sex and national origin.

So, basically, the United States Government has a moral and legal obligation to protect people from discrimination or violence based on who they are. But there is not specific norm. And here the role of precedent – is fundamental. There is not an explicit mention to the gender-based violence or discrimination and it denies fundamental protections to victims of gender violence such as sexual assault, intimate partner violence and stalking.

LGBT people are twice as likely to be targeted as African Americans, and the rate of SGBV against them has surpassed that of crimes against Jewish. It is important to consider the intersectionality theory, which assert that people are often disadvantaged by multiple sources of oppression: race, class, gender identity, sexual orientation, religion and other identity makers. In fact, black transgender women are more exposed to violence than black gay men, white gay men and Latino transgender women.

Access to Justice

There are common problems in the three countries. Lack of trust in the institution, lack of accountability and the impunity of perpetrators. The obligation of States to exercise "due diligence" to prevent, investigate and prosecute cases of sexual and gender-based violence against LGBT people is well established under international and national law. However, too often, the very infrastructure of justice – the police, the courts and the judiciary – fails to provide LGBT people with adequate protection, redress and justice. In Cambodia, Italy and the State of New York: violence remains largely tolerated and normalized, even if these countries have laws criminalizing sexual violence, but not specifically gender-based violence against LGBT people. In Italy, victims and survivors did not trust the society and did not see the trial as a "safe space".

Twelve percent, eighteen percent and fifteen percent (respectively: Italy, Cambodia and North America), these numbers represent the percentage of victims/survivors that decided to break the circle of violence and report the crimes.

Final Consideration and Recommendation

LGBT people are victims of multiple forms of violence at all ages in developed and developing countries.

The research shows how bisexual women and trans persons are among the most vulnerable groups in the society – they are facing a higher risk of discrimination, stigma and GBV – more than other minorities.

One of the main reasons is because it is difficult to explain their gender to the community. Moreover, the society ignores what “transgender” term really means. Trans people suffered more than gay, lesbian and bisexual. More often, they are victims of discrimination and SGBV.

Every LGBT people who experiences violence has the right to count on a criminal justice system that is free from gender stereotyping and discrimination, treats them with respect, maintains dignity, and delivers impartial justice that is free from outdated norms and misconceptions about the nature and roles of women and men. The way is long but access to justice is a fundamental tool in fighting discrimination and sexual and gender-based violence against LGBT people. International justice is important, but it is necessary to enhance also the national justice system.

The law and judgments made by the national and international tribunals could be considered as a point of leverage and they are crucial in protecting human rights. It could be important using the existing laws, often unused laws and work on it. Advocacy is an important element to encourage parliamentarians and judges in Asia, Europe and North America to use the international human rights law and standards.

Building of capacity and awareness of judges, police, prosecutors and other practitioners on how they may effectively use the law. Another aspect is to try to facilitate dialogues between frontline justice actors and LGBT human rights defenders. How can GBV and other crimes be stopped? It could be stopped with multi-levelled and multi-pronged strategies, through prevention, coordination, collaboration at different levels, international, regional, national.

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Women Law and Human Rights: A Call for Gender Balance

Umejiaku Nneka

Nnamdi Azikiwe University, Awka, Nigeria

Abstract

The work advocates for gender balance by determining the extent Nigeria as a state party and a member of the United Nations and African Union, has implemented international human rights instrument. The study analyses factors that exacerbate violence against women and discovers that the major drawback to women's right stem from gender imbalance which is visible in every sphere. Hence, women are still discriminated in political, economic and social sphere. Further, the study identifies challenges in the realization of women's rights and proffers suggestion on ways they can protect their right as recognized in international instrument. Accordingly, the paper recommends that state parties should eliminate factors that breed violence and discrimination against women in every sphere by domesticating international laws that provide for protection of women's rights. Also, review of national legislation particularly 1999 Constitution of the Federal Republic of Nigeria (as amended) the Child's Right Act, Criminal Code; is crucial for elimination of violence against women. Furthermore, collaboration with other non-governmental organisation is critical for achieving gender balance.

Keywords: Women, Human Rights and Gender Balance

Introduction

Gender as a construct refers to the fact of being a male or female. Their stereotyped roles are affected by such variables as education, class (wealth), ethnicity, environment, marriage, religion and other factors. Gender as a concept influences distribution of power, status, access to economic resources such as land or landed property between the males and the females. Therefore, gender easily exposes the economic, social and cultural qualities, opportunities and inequalities in a given society. (Ikpeze, 2009). Hence, gender gap is prevalent in every sphere, with respect to politics, a careful analysis of data presented by Independent National Electoral Commission shows that only negligible number of women in Nigeria contested offices in previous elections. In fact, since 1960, the year Nigeria gained independence till date, Nigeria has not produced a female president, vice president or state Governor. In the economic sector, women have been relegated to the background due to lack of education, skill acquisition, child marriage and denial of ownership of properties. It is disheartening to note that despite, plethora of laws at the international, regional and domestic realm, women's right is still violated. Further, despite, major conferences like Solemn Declaration on Gender Equality in Africa, 2004, World Conference on Human Rights, UN Conference on Population and Development Cairo, 1994, Beijing Conference (1995) and follow up meetings, gender gap still exist. These anomalies have prompted this research.

Accordingly, the aim of this study is to advocate for gender equality by implementing the law. The paper criticizes the various legal frameworks on women's protection and x-rays factors that exacerbate discrimination against women. The study makes the following proposals to help us arrive at our findings : firstly whether review of relevant laws is necessary to curb gender gaps, secondly, whether the government could use other strategic measures to arrest gender bias, thirdly, whether women's rights are human rights, fourthly, whether the government can collaborate with non-governmental institution to eradicate incessant discrimination against women.

Definition, History and Development of Women's Rights

Right is defined as: "That which is proper under the law...something that is due to a person by just claim...legal guarantee...a legally enforceable claim that another will do, or will not do a given act ,a recognized and protected interest the violations of which is wrong, a breach of duty that infringes, one has in tangible or intangible property" (Opota,1988)

In distinguishing rights from human rights, the court in *Ransome Kuti vs A.G Federation* (1985) 8NWLR (pt6), 211, maintained that the idea and concept of fundamental right both derive from the premise of their inalienable rights of man...life liberty and pursuit of happiness. Emergent nations with written Constitution have enshrined in such Constitution some of these basic human rights or fundamental rights. Each right that is thus considered fundamental is clearly spelt out. Therefore, human rights are demands or claims, which individuals or groups make on society some of which are protected by law and have become part of *ex lata* (positive law) while others remain aspiration to be attained in future. (Eze, 1984). Human rights are therefore rights we enjoy as a result of our humanity. Accordingly, women's right are human rights and they should be treated equally like their male counterparts.

Further, the history and development of women's right can be traced to 14th to early 15th century, as a result of women's agitation to be emancipated from oppression from the state. It was a global movement, that started at different period by feminist. In France, the first feminist philosopher, Christine de Pisan, challenged prevailing attitudes towards women with a bold call for female education. (Elinor Burkette:www Britannica.com/event/women movement accessed 1st October 2020). In 1866 John Stuart Mill, petitioned the English parliament for women's suffrage and argued that: 'Under whatever conditions and within whatever limits, men are admitted to Suffrage, there is not a shadow of justification for not admitting women under the same class'. The London National Society for equal citizenship amongst others continued the struggle until limited suffrage was achieved in 1917 and later in 1928,the Equal Franchise Act, gave women the right to vote on the same term as men .Other legislative development gradually followed to shatter other institutional barriers, for example the removal of Sex Discrimination Act in 1929.This resulted in the admission of women to the legal profession and to earn degrees in legislative development in that era which later, women were to enjoy and take for granted in many of the British colonies of Africa and beyond .Accordingly, in Nigeria a dramatic change came into the empowerment of women in 1982 with the formation of the radical and intellectual organisation known as women in Nigeria(WIN). WIN brought a new urgency to the struggle for women empowerment and has since remained a vocal and active advocate of the expansion of democratic space in Nigeria. Currently, many organisations are springing up globally and are increasing the awareness of women of their rights and are seeking to increase the participation of women in politics.(Ezeilo,2011)Feminist in Nigeria are still pushing for equality of rights in Nigeria, the Gender Equality and Equal Opportunity Bill, has come severally before the Legislature but has been repeatedly turned down. However, feminist is not deterred because once the bill is passed into law, discrimination against women would be curbed to the barest minimum. This is critical because upholding the rights of women is panacea for achieving gender equality and social justice. (E. A, Udu, 2014).

Legal Framework

The International Legal Framework

- i. Universal Declaration of Human Rights (UDHR) 1948.
- ii. International Covenant Economic Social and Cultural Rights (ICESCR) 1965
- iii. International Covenant for Civil and Political Rights (ICCPR) United Nations Convention on Elimination of All Forms of Discrimination Against Women (CEDAW) Optional Protocol to the Convention on the Elimination of Discrimination against Women 1979.
- iv. The Convention on the Rights of the Child (CRC) and its protocols 19
- v. The Rome Statute of International Criminal Court 1998.

Regional Legal Framework

- i. The African Charter on the Rights and Welfare of the Child, 1990.
- ii. Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa, 2003.

Domestic Laws

- i. The 1999 Constitution (as amended)
- ii. The Criminal Code, 2004
- iii. The Penal Code, 2004
- iv. Child's Right Act, 2003.

Studies reveal that despite lucid provisions on the protection of women, discrimination still persist. For instance, the Bill of rights provide for equality of rights and mandates state parties to use legislative and administrative measures to promote equality of rights in political, economic, social, cultural, civil or any other field.

Factors that Exacerbate Gender Inequality.

Legal Factor

The law is a tool of social control, however recent studies revealed that instead of protecting the rights of women, the state have used it to disempower women, by creating gaps that exacerbate violence against women. Mackinnion, had this to say:

The question for feminism is; what is this state, from women's point of view? The state is male in the feminist sense: the law sees and treats women the way men see and treat women. The liberal state coercively and authoritatively constitutes the social order in the interest of men as a gender-through its legitimating norms, forms relation to society, and substantively policies. The states formal norms recapitulate the male point of view on the level of design (MacKinnion, 1989)

Taking this further, Charlotte Bunch advocates that:

"In order to respond to the brutal and systematic violation of women globally, governments and the human right community must move beyond male-defined norms, a move that requires examining gender biases and acknowledging the rights of women as human rights.

"In fact, even the girl child is not exempted from this violence, they suffer neglect and abuse which affect them as adult. (Olusegun & Aderonke, 2017) Government must seek to end these politically and culturally constructed wars on women, rather than continuing to perpetuate them. Every state has the responsibility to intervene in the abuse of women's rights within its borders and to end its collusion with the forces that perpetrate violations on women. This is critical because human rights are based on principles like fairness, dignity, freedom and equality, they are very relevant to existence of man in every sphere, (G. T. Akinola, 2014).

1999 Constitution (as amended)

There are many provisions in the Constitution that specifically guarantee freedom from discrimination based on sex. Yet gender inequalities abound in practice despite constitutional provisions on equality of all persons before the law. Nigerian Constitution is not gender sensitive and is masculine in nature. Most of its provision discriminate against women. Therefore, the Constitution poses a lot of obstacle to the fundamental rights of women.

For instance, *section 42 (1) of the Nigerian Constitution* abolishes all forms of discrimination, while *section 42 (3)* provides that nothing in sub section (1) of this section shall invalidate any law by reason only that the law imposes restrictions with respect to the appointment of any person to any office under the states or as a member of the armed forces of the federation or a member of the Nigeria police force or to an office in the service of a body corporate established directly by any law in force in Nigeria”. This qualification has had the effect of not only reinforcing existing discriminations against women in several statutes but has also thrown up another form of discrimination concerning the actual state of origin of a married woman for the purpose of political appointment. For instance, under the *Police Act Section 118 (g)*, women are prohibited from enlisting into the police force. While *section 127* provides that, an unmarried police officer who become pregnant shall not be re-enlisted except with the approval of the Inspector-General. Also, *section 124* of the Act requires a written permission from the commissioner of police for a woman police officer to marry. These rules do not apply to male police officer. This violates international law especially the provisions of *Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW, 1979)* which provides that, state parties shall take all appropriate measure, to eliminate discrimination against women in the field of employment in order to ensue, on a basis of equality of men and women. It emphasizes that the right to work is an inalienable right of all human beings. Furthermore, the rights to the same employment opportunities including the application of the same criteria for selection in matters of employment. Nigeria, having ratified CEDAW, has an international obligation to ensure full compliance of the convention with its domestic legislations. For instance, *sec 17 (2) (a) of the Constitution* provides that “every citizen shall have equality of rights obligations and opportunities before the law, while *sec 17 (3) (e)* stipulates that “there is equal pay for equal work without discrimination on account of sex, or any other ground whatsoever”. While, *section 6 (6) (c) of the Constitution* excludes the court from entertaining any matter that is contained in Chapter (ii) of the Constitution. These rights are referred as fundamental objectives and directive principles of state policy. While section 12 (1) of the 1999 Constitution provides that no treaty between the federation of Nigerian and any other country shall have the force of law except to the extent to which any such treaty has been enacted into law by the National Assembly (Oraegbunam, 2015). Hence, these provisions are mirage because they are not justiciable living women to suffer in every sphere. (Ogunniran, 2010).

In *Okegie v Lagos State (1981) 2 NCLR, 337* the plaintiff/applicant sought to rely on the provisions of *section 13 of 1979 Constitution* which is the same as *section 13 of 1999 Constitution* to compel the defendant, government to enforce the Fundamental Objective and Directive principles of state policy and the court reiterated that *section 13* has not made chapter (ii) of the Constitution Justiciable. The Directive Principle of State policies can only be converted into justiciable rights if it can be linked to violations of right protected in Chapter (iv) on fundamental right and freedoms. It argued that the African Charter on Human and Peoples Rights which Nigeria has ratified and transformed to a municipal legislation may be relied upon to enforce some of the provisions of the Fundamental Objective and Directives Principles of State Policy in Nigerian. This is because some rights stipulated in the Charter, such as the right to work under equitable and satisfactory conditions and equal pay for equal work, the right to enjoy the best attainable state of physical and mental health and the right to education, *article 16 and 17 of UDHR* respectively has corresponding provision in Chapter (ii) of the Nigerian Constitution, 1999, the directive that the state shall ensure that conditions of work are just and humane and there are adequate facilities for leisure and for social, religious and cultural life, that there are adequate medical and health facilities for all person. That there is equal pay for equal work without discrimination on account of sex or on any other ground whatsoever, and to eradicate illiteracy. Thus, the non-justifiability of the Fundamental Objectives and Directive Principles of state policy may be said to be limited to those aspects of the provision which are not stipulated in the African Charter. (Ezeilo, 2011). Human rights of women are ontological and should be protected at all times. (Mbanugo and Arinze- Umobi, 2019). Therefore, every law that is inimical to them must be jettisoned.

The Criminal Code

The Criminal Code contains provisions aimed at protecting sexual and reproductive rights of women and girls but discriminates against the female gender. For example, *section 357* of the Criminal Code provides that, any person who has unlawful carnal knowledge of a woman or girl without her consent, or with her consent, if the consent is obtained by force or means of threats or intimidation of any kind, or by fear of harm or by means of false and fraudulent representation as to the nature of the act, in the case of a married woman by personating her husband is guilty of an offence which is called rape. *Section 358* of the code, imposes a life imprisonment, with or without caning while *section 359* defines an attempt to commit the offence of rape as felony punishable by imprisonment for fourteen years with or without caning. Unlawful and indecent assault of a woman or of a girl is described under *section 360* as a misdemeanour punishable with two years' imprisonment. The punishment for indecent assault on a girl under *section 360* is discriminatory because it is lighter than the seven years imprisonment which a similar offence attracts under *section 216* in the case of a boy. Defilement is described in *section 218* as unlawful carnal knowledge of a girl under the age of thirteen years. There are however, two limitations to the enforcement of the provisions of *section 218*. First the prosecution of the offences shall be within two months after the offence is committed. Second a person cannot be convicted of either of the offences upon uncorroborated testimony of one witness. These limitations with due respect seem to render the enforcement of the provision of the section impotent. This provision offends Convention on Elimination of all Discrimination against Women (CEDAW). This question, begs for an answer, why should there be disparity in the punishment between, the two sexes. When a male is defiled it is a serious offence(felony) but when a girl is defiled it is simple offence. With due, respect the government should review this law in order to protect sexual and reproductive health right of women in Nigeria.

Customary Law

Under our customary law, gender gap is visible because of stereotype roles that are played by different gender due to patrilineal nature of our system. where a husband dies intestate, a woman is governed by the customary laws which violate the rights of women. For instance, the *nrachi*, and *oliekpe*, customary law of Eastern Nigeria, prohibits wives from inheriting their husband's property. Theresa Hayter, in her book, insisted that poverty in the world economy is related to deprivation, which majority of people now suffer due to unequal and word distribution of earth's resources, introduced by man into the social structure globally, regionally and locally (Hayter, 1981)Traditionally, women are discriminated from cradle due to male preference. Many are subjected to obnoxious customary practices like female genital mutilation and child marriage. It is disturbing that despite the promulgation of the Child's Right Act Major parts of Nigeria Population do not know the negative impact of child's marriage. (Ibijoka, 2014).

It is crucial to note that the welfare of the child is very critical and must be protected so that they can develop their potentials and contribute meaningfully to their nations. (O. Olaitan and Adegbite, 2017). It is disheartening, that states in Nigeria has refused to domesticate the Child's Right Act for protection of the girl child.

This offends provision of CEDAW which stipulate that women should own and administer property as their male counterparts (CEDAW, art 15&16). While article 17 of UDHR recognises the right to own and enjoy property by women. Although, the right to property is not explicitly recognised in the Constitution. International Covenant on, Civil and Political Rights, the Human Rights Committee has interpreted Article 16 to protect the capacity of women to own property as an element of the right to be recognised as a person before the law.

Economic Factor

Studies reveal that women in Nigeria have not ascended the ladder of success like their male counterparts. This anomaly can be traced to so many socio-economically factor inherent in the system, such as inability to access funds, poverty, lack of adequate education and skill acquisition. Discrimination is prevalent in the workplace and women are not given opportunity to climb the ladder of promotion like their male counterpart. Apart from inequality, women are sexually harassed in work places. In fact, currently, the growing dilemma of sexual harassment is becoming more threatening to sustainable high work commitment and performance in the Nigerian organization- environment. (E.T, Okwori and Anthony 2017). This is inconsistent with the Article 13 of CEDAW, which provides that state Party shall take all appropriate measures to eliminate violence against women in economics and social life in order to ensure, on a basis of equality of men and women the same rights to family benefits. Further, it provides that state parties shall take all appropriate measures to eliminate discrimination against women in rural areas in order to ensure on a basis of equality of men and women, that they participate and benefit from rural development and in particular, shall ensure that women participate and access adequate health care facilities including information, counselling and services in family planning to benefit directly from social security, programmes ,to obtain all types of training and education, formal and non-formal, including that relating to functional literacy as well as inter alia, the benefit of all community and extension services in order to increase their technical proficiency.

Political Factor

Nigerian political system, has a gender bias, as a sovereign nation woman have not ascended to positions of state Governor or president in Nigeria. Women are underrepresented due to patriarchal system prevalent in Africa. Sexism, has become a major problem in Nigeria. Women have been politically considered endangered species and their low participated in Nigeria government and politics is often associated with culture, religious, economic constraint and male chauvinism. Africa in general, has placed most of the leadership roles on the men folk, thereby championing the course of gender inequality. Women are not allowed to vote in some sharia practising states as a result of violence. (Eniola,2018)

Conclusion and Recommendation

Conclusion

Gender balance is a global menace that can be changed by implementation of the law. The study reveals that, the state has been using the law as a veritable too to subjugate women in every sphere. Hence, intelligent and resourceful women are relegated to the background and excluded from and making positive impact in their nations. The work reveals that Nigerian government has not complied with relevant laws for adequate protection of women. For instance, Nigeria has not complied with her commitment in the United Nations Beijing Conference in 1995 to give 35 percent quota to women in politics. Further, the Gender Equality and Equal Opportunity Bill, that have been rejected severally by the National House of Assembly is major challenge to prevent gender gaps in Nigeria. Hence, for women to enjoy their rights as their male counterpart, the State should take all appropriate steps to enforce the law and eradicate obsolete and obnoxious laws that hinder women from making impact. The law should be used for their protection and not as a tool of oppression.

Recommendations

1. Implementation of the law: State parties should enforce the law *dejure and defacto*, to enhance the lives of women in every sphere.
2. Synergy: The state and non-government bodies should collaborate to fight gender gaps that is prevalent in every sphere.

3. Review of relevant law: Gender gaps exist in our domestic law, hence review of 1999 Constitution, Labour Law, Criminal and Penal Code is apposite and breaching gender inequality.
4. Awareness should be created from the grass root on the rights of women. Women must be taught about their rights and help them make right decisions.
5. Education, skill acquisition should be encouraged to enhance the lives of women in every sphere.

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Study to Establish the Impact of Holding Driving License on Women's Financial Inclusion: A Case of Different Social Groups from a Suburb in India

Rahul Tiwari, Yogesh Kumar Garg, Vedankur Kedar and Anjali Gupta

Maulana Azad National Institute of Technology (MANIT), Bhopal, India

Abstract

An emerging society is the one which has empowered women. Gender equality and financial inclusion of women has been a matter of concern across boundaries. Through review of literature, it is observed that equity and inclusion of women can be achieved by improving their access to jobs and opportunities, for which mobility plays a crucial role. In light of the same, this study has been done in a suburban region of Bhopal situated in Madhya Pradesh state of India, where household interviews were conducted in three socio-economically varied localities of this region. The female respondents of the household were asked to reveal the status of driving license ownership and their monthly income. The study using statistical data analysis tools and checks the hypothesis whether there is any significant relation between owning of driving license and the average monthly income of the respondent or not. The study then formulates a set of conclusions and recommendation based upon findings of the research, in order to improve the social and financial status of women in society by virtue of improving their mobility and access to opportunities.

Keywords: Gender, Equality; Mobility, Women Empowerment, Driving Licence

Introduction

Women and men often do not experience equal opportunities in their societies. In developing countries like India gender-based discrimination and inequalities are very much apparent. Gender equality is understood to mean that the “right, responsibilities and opportunities of individuals will not depend on whether they are born male or female” (Bayeh 2016). Various literature study shows that significant gender difference also observed in mobility and travel patterns. Women access to mobility is a function to the social norms of the region where the societal expectation of women's role as caregivers and caretakers of the household. Therefore, women are less likely to be licensed to drive, are more likely to make the trip with fewer mile for household purpose. Even if women intend to work, then also there are many obstacles. Patriarchy in the society, unequal rights and wages, the lack of education and many other reasons exist, which make the positive output reasonably feeble. To remove this gender inequality, women should be empowered. Empowerment can be defined as women's ability to make strategic life choices where that ability had been previously denied them.

Access to driving permit and driving capability opens greater avenues for employment and activities of different genre, especially for women. Driving license ownership is a manifestation of humans' ability to drive four-wheeler or a two-wheeler. Also, indirectly it is a measure to safety visible in women's modal choice behaviour. Safety eventually increases the productivity of work and income. Therefore, this study examines the role of driving permits possession in facilitating women with employment and eventually ownership was empowering them financially. For the same purpose, empirical verification of whether women's average monthly income was a function to their driving license analysed. The data analysis compared the means of income strata of both the categories, to find whether the income difference was merely due to chance, fluctuation in observations or dependency on the discussed factor.

Study Area Details

Bhopal is the capital city of Madhya Pradesh with the population of Bhopal is 1.79 million (according to 2011 census) and the administrative division of Bhopal encompasses 684 square kilometres of area. Bhopal is one of the 21 fastest growing cities in India. Moreover, the survey was conducted in Kajlikheda, a village which lies in the suburbs of Bhopal. It is a peri-urban area which now comes under Kalapani village located in the Huzur Tehsil of Bhopal district. The total population of Kalapani was 11,084 in 2019 and consists of 20 wards, out of which 7 wards come under Kajlikheda village. The current population (when the survey was done) of Kajlikheda village is 4685 with an average sex ratio of 874 and total of 3764 population above 18 years of age, out of which 2010 are males and 1754 are females as per data collected from Village Panchayat, Kalapani.

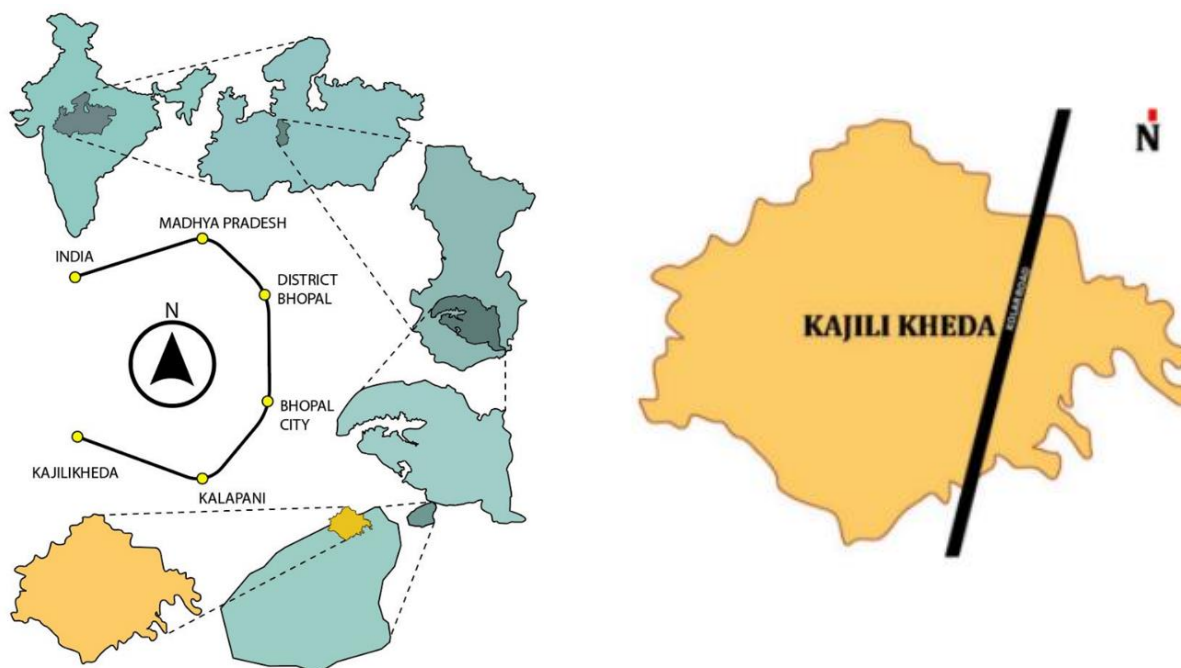


Figure 1: Study area details
(Source: Author)

In the proximity to Kajlikheda, bound to the Kolar-Bhopal road lies Ultimate English Villas and Tulip Greens Residential societies from which our data is procured. A total of 331 household observations were taken out of which the percentage break up is illustrated in the Figure 2.

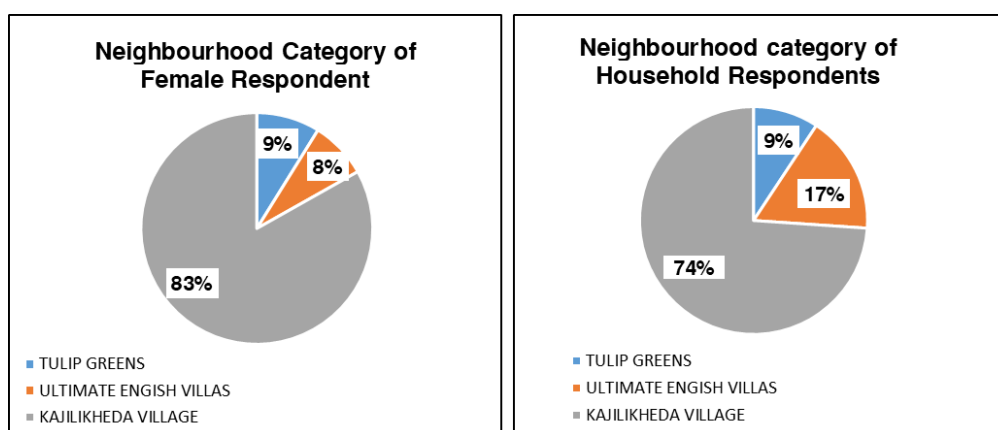


Figure 2: Break-up of responses for different neighbourhood category.
(Source: Author)

Method and Analysis

Impact of Driving License Ownership on Average Monthly Income of Female

To test the hypothesis of relationship between average monthly income of females to their driving license ownership. The data of average monthly income of females for neighbourhood category (Tulip Greens, Ultimate English Villas) grouped by driving license ownership to compare the means of the two strata through the T-test. Initially, data cleaning is done to remove the 3-4 abnormalities from the extremities of data. After the anomalous observations from extremities of data are removed, we obtain the data in the form scatter point as seen in Figure 3. The grouping of data is then done, in the form of female individual income strata having no driving license (0) and having a driving license (1).

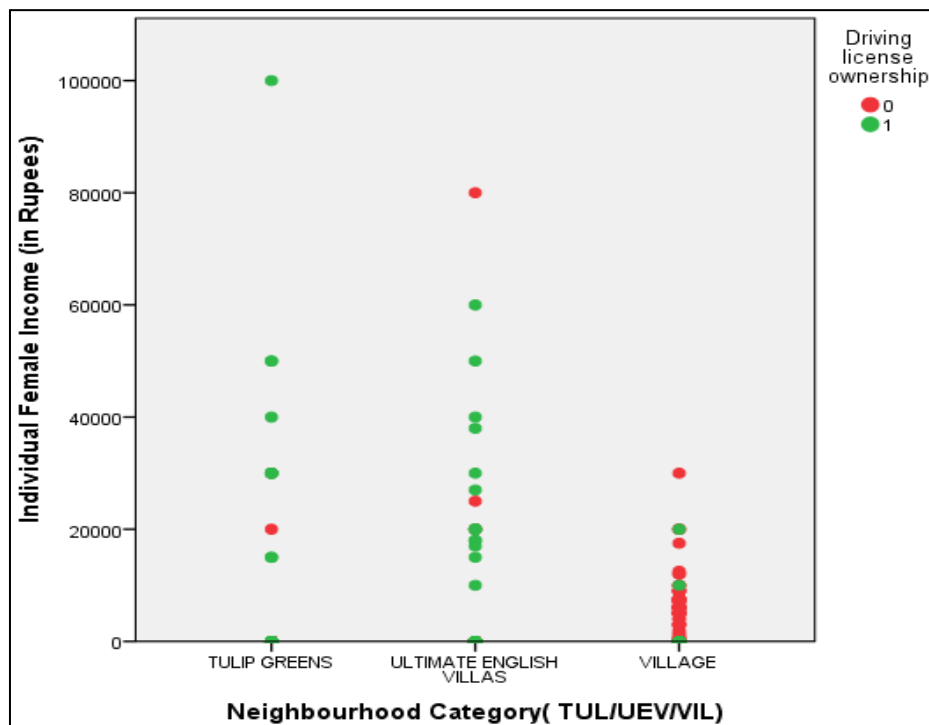


Figure 3: Individual female Income with respect to neighbourhood
(Source: Author)

It is observed that the data dispersion of Ultimate English villas is relatively more than that of Tulip greens but both the dispersions are high with respect to village data. The same calculation is given in Table 1. This table shows the mean income, number of observations and standard deviation of individual female in the household classified by neighbourhood category.

Table 1: Individual female income.

Neighbourhood Category (TUL/UEV/VIL)	Mean Income	The number of obs.	Std. Deviation
Tulip Greens	5769.23	52	17160.848
Ultimate English Villas	7319.15	47	14451.979
Village	718.20	489	2335.174

(Source: Author)

To test the Hypothesis, Let H^0 be the null hypothesis and H_1 is the alternative hypothesis, where H^0 = there is no significant difference in the income levels of women owning a driving license to that of women who don't own driving license and H_1 = "There exist significant differences in the income

levels of women owning a driving license to that of women who do not own driving license”. The truth or fallacy of the null hypothesis is tested by performing T-test on the average monthly income of women owning a driving license with the average monthly income of women without driving license. The statistical software SPSS is utilised to evaluate the calculation part, which rendered us the following data in Table 2, it shows the comparison of mean, standard deviation, T-value and significance.

In Table 2, segregation of the sample as who own a driving license and those who don’t own it is done. On a similar basis, the means of the income of the two groups is calculated, with their respective standard deviations and standard error mean. From Table 2 it can be seen that the mean value of women average monthly income owning the driving license is higher than that of women without driving license. This indicates that possession of driving license has a positive impact on the average monthly income of women.

Table 2: Group statistics

	Number of Female Driving License Holder in household	N	Mean	Std. Deviation	Std. Error Mean
Individual monthly Income of ladies in the household	0	543	766.48	2689.087	115.400
	1	45	12866.67	21373.589	3186.186

(Source: Author)

Result and Discussion

The study evaluated the t-test for equality of means of the income of two neighbourhood groups, which provide t-test value -3.795 for equal variances not assumed (the amount of variation within each group will never theoretically be the same). The absolute value of t-test is always taken into consideration. The significance level of 0.000 is less than 0.05 under the ‘Sig. (2 tailed)’ column implying, the difference in means is statistically significant at the 0.05 level in Table 3.

Table 3: Independent samples test.

		Levene's Test for Equality of Variances		T-test for Equality of Means						
		F	Sig.	t	df	Sig. (2-tailed)	Mean Difference	Std. Error Difference	95% Confidence Interval of the Difference	
									Lower	Upper
Individual monthly Income of ladies in the household	Equal variances assumed	487.12	.000	-12.18	586	.000	-12100.18	993.159	-14050.76	-10149.59
	Equal variances not assumed			-3.795	44.11	.000	-12100.18	3188.276	-18525.25	-5675.11

(Source: Author)

Therefore, the Null hypothesis H⁰ “that there is no significant difference in the income levels of women owning a driving license to that of women who don’t own driving license” is rejected and the observed differences cannot be attributed to chance alone. We accept the alternative hypothesis namely H_i; “there exist significant differences in the income levels of women owning a driving license to that of women who do not own driving license.”

Conclusion

The present study focused on the possession of a driving license, which is a manifestation of an individual's driving ability in the suburban region of Bhopal, Madhya Pradesh and investigated its relationship with the income of females testing the hypothesis using t-test. The coordinate pair of females, with their incomes, were scrutinised from 3 spatial residential regions, namely Tulip Greens, Ultimate English Villas and Village in Kajlikheda. Three regions belonged to different socio-economic strata situated in a low population density region. It was found that the driving license possession for females was positively related to their income, across various socio-economic sections of society. Hence in order to improve the status of women in the society, driving licenses to the women should be encouraged and promoted. A policy at various levels of governance may be drafted where driving schools are incentivised to impart driving skills to women. This can also be related to the fact that, after the bicycles were distributed to girl students going to school, the participation of girls at various levels of education has improved significantly.

Conflict Disclosure

The authors of the manuscript do not have any conflict of interest to disclose.

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Eradicating Gender-based Stereotypical Misconceptions and Encouraging More Women to Pursue Engineering as a Career

Yu Zhang¹ and Bidyut Baruah²

¹Durham University, Durham, United Kingdom

²University of York, York, United Kingdom

Abstract

Engineering as a profession contributes immensely to today's economic environment all over the world. However, "leaky pipeline" and gender imbalance have severely plagued the true potential of this profession. Recent statistics show UK as having the lowest percentage of female engineering professionals in Europe and, despite several measures in this country, the number of women in engineering continues to be low. Such slow growth is highly concerning and it is, therefore, crucial to understand how more women can be encouraged to pursue engineering careers. This paper discusses some of the gender-based stereotypical misconceptions about the engineering profession which potentially contribute to the leaky pipeline. Using semi-structured interviews with a sample of female engineers from UK-based Technology organizations and engineering students and academics from the University of York (UK), this paper explores their views and perspectives on gender imbalance in the engineering profession and its potential impacts. The paper suggests the following four key measures to encourage more women to pursue engineering careers:

- *Promote engineering*
- *Build curiosity in STEM*
- *Encourage STEM discussion*
- *Connect with Role Models*

The paper makes an important contribution towards the discussion of gender inclusivity and equality in the engineering profession and how the underrepresentation of women in engineering can be successfully addressed.

Keywords: Engineering, Diversity, Women in Engineering, Leaky Pipeline, Gender Equality

Introduction

Today engineering is one of the most popular professions in the world contributing immensely to the fields of innovation, design and manufacturing, healthcare, transport and communication to name a few. However, gender imbalance and the debate and discussion around the 'leaky pipeline' concept in this profession have become recurring topics of discussion. 'Leaky pipeline' is often used as a metaphor to highlight the under-representation of women in the STEM (Science, Technology, Engineering and Mathematics) fields leading to crisis in maintaining workforce diversity and gender balance in various organizations. This crisis is particularly evident in the engineering sector in the UK where women represented only 24% of the total STEM workforce (wisecampaign, 2020). The logistics also show that women in technical roles have increased merely from 15.7% in 2009 to 16.4% in 2019. A recent report (The engineer, 2018) looking at female engineers in the UK noted "*UK has the lowest percentage of female engineering professionals in Europe, with countries like Bulgaria and Cyprus leading the way with a 30% female workforce*". This relatively slow growth and low number of women in the UK engineering sector is highly concerning. Moropoulou and Konstanti (2015) noted "*The leaky pipeline is unfortunately a reality even for Europe*". For Scrimgeour (2019), engineering is mainly dominated by men, "*Attracting more female talent to the UK engineering sector and retaining those people is vital*

for economic growth and financial stability". It is therefore crucial to understand how more women can be encouraged to pursue engineering careers.

This paper will discuss some of the gender-based stereotypical misconceptions about the engineering profession which potentially contribute to the leaky pipeline and how the under-representation of women in engineering can be addressed by promoting engineering as a profession full of creative potential.

Gender-based Stereotypical Misconceptions in Engineering

For the profession of engineering to truly flourish, it is particularly important to strive towards gender equality as Moropoulou and Konstanti (2015) explain, "*gender equality leads to economic growth, favours competitiveness and leads to progress in economic growth and innovation....Diversity and gender balance are vital factors for successful implementation of science and innovation, as it relies on talent, collaboration and interdisciplinary research*". These authors highlight the key contributions made by women in innovation calling them the "*champions in new interdisciplinary research and education fields*". The Royal Academy of Engineering (RAE) in the UK has, therefore, set up a new vision of bringing inclusivity across the engineering profession to inspire, attract and retain people from diverse backgrounds that represents a true diverse UK society. However, there seems to be a lack of awareness of the immense career opportunities for women in engineering. There are several gender-based stereotypical misconceptions regarding this profession which include the following:

- Many perceive engineering as a male-oriented industry thereby discouraging women's interest in this sector. There are some heavily flawed presumptions about the culture of engineering; some even labelling it as a 'male culture'. For instance, Robinson and McIlwee (1991, pg 406) noted "*The culture of engineering comprises ofvalues, behaviours and orientation consistent with the male gender role*". For these researchers, to be taken as an engineer, one must "*look like an engineer, talk like an engineer, and act like an engineer....this means looking, talking, and acting male*" (pg 406). A recent study conducted by Engineering UK (2018) noted how girls felt less confident in becoming engineers with many describing this profession as '*too complicated or difficult*', '*dirty, greasy or messy*' and a '*career for men*'.

- Some parents associate STEM-related careers with males and, according to researchers like Dasgupta and Stout (2014) and Boston and Cimpian (2018), this creates biased views among children. From an early age, they start to associate careers in sectors like engineering with the male gender. In this context, Stephen and Makotose (2007) noted how parents are the early social groomers for children, but "*Parents in general seemed to be apparently discouraging female students from venturing into the engineering profession*". The authors highlighted how many parents were discouraging their female children from buying engineering related toys thereby painting engineering as an area not fit for girls.

- The societal representation of gender also seems to suffer from a series of stereotypical misconceptions. Dasgupta and Stout (2014) explained how feminine gender role stereotypes in a society expect girls to focus more on interpersonal relationships and responsibilities such as looking after children and families whereas masculine gender role stereotypes encourage boys to be agentic focusing on problem solving skills, status, and financial gain. Researchers like Boston and Cimpian (2018) and White and Massiha (2016) observed how such negative stereotypes can lead to flawed assumptions about women's intellectual abilities undermining some of the pivotal successes brought in by women in STEM sectors.

- Another factor that could potentially divert women from STEM careers is the lack of role models and their representation in the engineering sector. Today, a lot of the younger generations look up to their role models in social media such as Instagram and YouTube. There seems to be a lot of social influencers on areas such as sports, beauty, health and wellbeing but there are very limited female role models in engineering. This leads to a lack of STEM career knowledge and inspirations among young girls, thus building a limited or flawed understanding of potential pathways to engineering related careers.

Despite these misconceptions and challenges, Scrimgeour (2019) says “*Barriers to entry for women are numerable, but career satisfaction is high, more than 80% of female engineers are either happy or extremely happy with their career choice and 98% find their job rewarding*”. Recent statistics have shown how girls outperform boys academically in most GCSE and A level STEM subjects in the UK (Engineering UK, 2018). There is now a strong need to address gender inclusivity and equality in engineering organizations as Moropoulou and Konstanti (2015) summarize “*Companies with diverse workforces and the presence of a greater number of women in the administration prove to be more profitable.... Science innovations are produced by team collaborations and team collaboration is remarkably improved by women presence who can contribute through a different perspective*”. The main objective of this paper is to therefore discuss how gender imbalance in the engineering profession can be addressed by encouraging more women to pursue engineering as a career.

Research Methodology

Using a qualitative research approach, semi-structured interviews were conducted with a sample of seven female engineers from UK-based Technology organizations, and eight engineering students and three academics from the University of York, UK. The engineers for this study were randomly selected from some of the participating organizations during career recruitment fairs at the University of York. Students and academics were contacted via email. The data was collected in the academic year of 2019. The semi-structured interview approach gave the researcher a level of flexibility to discuss and explore some of the core themes emerging from the interviews. Some of the common interview questions include:

- What motivates students to pursue engineering careers?
- What can universities do to promote engineering degrees?
- What creates gender imbalance in the engineering profession?
- What impact does gender imbalance have on the engineering profession?
- How can the under-representation of women in engineering be addressed?

Each interview lasted approximately 30 minutes. Textual transcripts were created following each interview and NVivo- a qualitative data analysis software - was used for content analysis. Using thematic coding approach, from each transcript, relevant themes were identified and then coded in NVivo leading to a series of key categories which have been used as a basis for discussion in this paper. The interviews were conducted following the ethical guidelines recommended by the University of York which included obtaining consent from each participant.

Analysis and Discussion

In this study, most participants highlighted their views on some of the gender-based stereotypical misconceptions and its impact on the engineering profession. One of the academics noted “*I think we don't encourage females enough to take on engineering, I think it's a societal thing. I think there's an impression among females that engineering is too hard and it's a shame because females are just as clever as males*”. Some highlighted the impact of peer pressure and its influence on career choices. In this context, one of the participants stated “*I think peer pressure is quite strong.... So, if all your other female friends are doing other subjects then that will shape and influence your thinking*”. Despite the low figures, female students who pursue engineering courses tend to enjoy their overall experience. One of the participants who is a female student agreed “*I think it's a shame that there aren't more female engineers, as it's a very fun subject to study and there are plenty of good jobs in engineering*”. Some felt that women might be put off from pursuing engineering courses due to the perception of it being very male dominated. One of the female engineers highlighted some of the gender-based stereotypes “*People are always quite keen to recruit women....However, if you go into a technical meeting and maybe there are 6 people and may be 1 of them is a woman... someone will stereotype that the woman is the least technical. Sometimes people will assume you know less because you don't look like an engineer. Maybe there's also more expectation from a woman to take time off due to children or family*”.

commitments". The present imbalance likely plays a role in the industry culture as well as perception at a young age, both treating technology as a male dominated field thereby discouraging female involvement and interest in the field at various levels. Many felt that these issues should be addressed at the grass root level, with one participant suggesting, "Get more women interested when they are young and encourage them to take a career in engineering. The change needs to come early". So, addressing these stereotypes and making engineering more inviting to women at different levels will help bring some changes.

From the analysis of this study, there are four key measures to encourage more women to pursue engineering careers as shown in Figure 1:

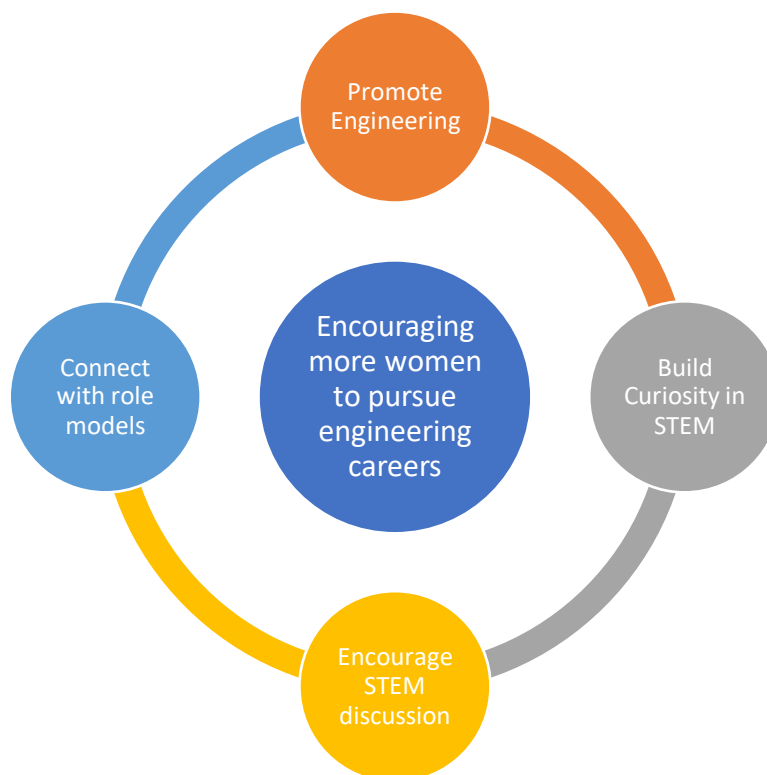


Figure 1: Measures to encourage more women to pursue engineering careers

Promote Engineering

One of the consistent issue evident from the literature as well as highlighted by the participants in this study is the lack of awareness of engineering as a discipline among young children. So, there is a need to promote this field using a combination of media, schools and universities. It is important to expose children to the positive aspects of engineering at an early stage. As one of the engineers suggested "Plant the idea in their heads at a much younger age that engineering is a career that affects all aspects of life in the world around us. Young people want to help the world and environment, so connecting how they could do that with an engineering career can have real appeal to them. Getting them involved with practical engineering projects in school, like the Greenpower Challenge,²² can give them an insight into engineering, give them confidence that they can do practical engineering projects and visualize that they could be an engineer someday". This participant found the engagement of schoolgirls in such engineering projects very promising, she added "I found the interest among girls in the Greenpower challenge phenomenal". In this context, the participation of universities with engineering departments is very crucial. One of the academics noted "It helps to show young people

²²Greenpower Challenge is organized by the Greenpower Education Trust which is a UK based charity promoting STEM subjects.

how university is different from school and inspire them and help them understand just how much they can get involved in ways which are so different from what they do in school". The academic explains how various technology-related facilities and equipment in universities can build excitement among young children about the various possibilities of engineering applications. This helps to raise awareness of what to expect and further facilitate their interest in STEM. Many universities in the UK are now taking measures to promote engineering. For instance, at York, a programme called 'Pathways to STEM' gives opportunities to young students from schools to get a taster session in STEM subjects. One of the academics explained *"We work with 6th form students and run visits on campus where they can do taster sessions in STEM subjects. We also go out and talk to them about the broad range of careers for stem students and try to link up with employers. Through some of our other programmes like the Excellence Hub, we run taster sessions for younger pupils in medicine, chemistry, biology.... for pupils from Year 8 right up to 6th form just to raise their awareness"*. Organizations such as toy manufacturers should not present biased views on engineering in their promotions/marketing and that more science-based toys should be promoted among all genders. Some noted how the media have responsibility to ensure a fair representation of engineering. In this context, one of the participants stated *"I think in our country...there aren't many journalists that are STEM-orientated people, they are much more arts and humanities orientated people...so we don't get much reporting on science in this country"*.

Build Curiosity in STEM

One of the recommendations from the participants in this study is to build more curiosity among schoolchildren in STEM subjects. So, more support is needed from schools in this aspect. There should be more resources invested in schools to facilitate STEM-based projects and more students should be encouraged by their teachers to undertake such projects. Schools should also be more open to different teaching approaches such as problem-based learning and active learning which builds critical thinking and practical skills among students. If such teaching methods are applied in STEM subjects, students will find the areas more engaging and fun and this will help build their curiosity and interest in engineering. One of the engineering students in the interviews explained *"I think technology and engineering subjects should be taught more in schools, as many female students may not realize that they have an interest in these subjects unless they get some first-hand experience"*. One of the academics suggested *"Teachers, career advisors and families need to be encouraging girls to go into STEM right at the starting point"*. The academic explained how students prior to choosing their GCSEs should be given some guidance. For instance, different engineering organizations or school alumni should be invited to schools to talk about the world of engineering and more visits to universities should be organized to help people understand what engineering subjects are about. The academic further added *"When people are making these choices for further studies at the age of 13 or 14, and if something looks hard, they might be more likely to choose the easy choices"*. So, it is important to break such misconceptions about engineering subjects.

Encourage STEM Career Discussion

Today there is a strong need to discuss STEM careers at various levels: schools, families and societies. Most of the participants in this study felt that some of the challenges with gender inclusivity are directly related to the misconceptions of what the subject is about. One of the academics explained *"A lot of people still have the idea that as an engineer for example, you are going to be getting your hands dirty, and covered in oil and it perhaps puts them off"*. Such outdated perspectives need to be challenged. However, not all families will have adequate exposure to the reality of the engineering profession and they might therefore, form a limited understanding of engineering. In such circumstances, it might even be difficult to change those outdated views and ideas of engineering being a 'male-oriented' job. Some students at young age also don't get a good insight into the vast amount of engineering careers available due to limited or lack of discussion among family members and therefore,

they don't even consider it as a potential career. One of the engineers explained *"I certainly had very limited knowledge of Engineering before I went to the University Open Day. However I have seen that the majority of females who have chosen Engineering as a career are 100% certain that it is for them as they have researched it and know what they want, whereas I have come across many male students who have selected it because it is a profession of their father/brother/uncle etc and, therefore, may not be as passionate about it"*. So, encouraging more STEM career discussions among family members by organizing open career events at schools and universities could help instigate the notion that engineering is full of potential regardless of one's gender.

Connect with Role Models

Some of the participants in this study highlighted the lack of women role models in STEM careers or their lack of representation in social media. One of the academics observed *"Female STEM students can find that they are under-represented, so they might not be able to see role models within STEM who might motivate them to see themselves in their shoes. I think that's one of the main issues... it's a very under-represented subject area for women"*. Another participant similarly noted *"Engineering is seen as quite a male dominated career which might put some people off ...If people don't see role models, they might find it harder to aspire to be one"*. Many suggested encouraging female role models who are working in STEM to work more with schools and younger university students. They can share their own experiences which will help raise awareness of the opportunities that are available in engineering. It will also help young girls to build a sense of confidence or familiarity that they too can excel in engineering careers just like the role models. It is also important for young girls to connect with their local STEM networks such as the IET²³ which organizes various STEM-related events and projects. One of the engineers supported this idea by saying *"Become part of your local STEM network. Look for support or get involved with other organizations which help to promote STEM amongst females – e.g. become a STEM Ambassador and get monthly newsletter with requests from schools, find out what bursaries companies are offering, volunteer at events such as the Big Bang and Greenpower challenges... Soroptimist is a female organization that does lots for women, including promoting STEM, local government-funded STEM groups, local education services"*. The problematic representation of women was also highlighted by several participants. For instance, one of the engineers noted *"I think this is a problem with society where women are just put in as women. We are represented in media as 'nurturing' and 'being pretty' and being basically someone who supports other people"*. She narrated a particular instance when her grandmother on finding out that she was pursuing an engineering degree whereas her brother was doing a degree in pharmacy felt that they were doing things the wrong way around. She recalled *"My grandmother said that I should be doing pharmacy and my brother should be doing engineering"*. So, promoting more female role models in the society will help change that notion.

Conclusion

Engineering, despite being one of the most popular professions in the world, suffers significantly from gender imbalance and 'Leaky pipeline'. UK has one of the lowest percentages of female engineering professionals in Europe and, therefore, it is obvious that more measures need to be undertaken in order to address gender inclusivity and equality in this profession. This paper discussed some of the gender-based stereotypical misconceptions about the engineering profession which potentially contribute to the leaky pipeline. Some of these misconceptions generally stem from it being labelled as 'male-oriented' profession. Some parents associate STEM-related careers with male, creating biased views among their children. This leads children from an early age to associate careers in sectors like engineering with the male gender. The societal representation of feminine and masculine gender and their attributes and the lack of women role models and their representation in the engineering sector also contribute towards women diverting away from engineering career choices. This paper

²³The Institute of Engineering and Technology (IET) is the world leading professional engineering organization

mainly explored how the under-representation of women in engineering can be addressed by promoting engineering as a profession. Semi-structured interviews were conducted with a sample of female engineers, engineering students and academics in the UK. Based on the literature review and the views of the participants, four key measures were suggested to encourage more women to pursue engineering careers. This involves promoting engineering and building more awareness of the positive aspects of engineering at an early stage. Building curiosity in STEM subjects through school activities and university visits will also generate interest in engineering discipline. There is a need to eradicate some of the outdated perspectives on engineering among parents. So, encouraging more STEM career discussions among family members by organizing open career events at schools and universities could help instigate the notion that engineering is full of potential regardless of one's gender. The visibility of female role models in social media who are working in STEM careers can help raise awareness of the opportunities that are available in engineering. Inspired by these role models, young girls could potentially build more confidence and a sense of familiarity towards engineering careers. Addressing the gender imbalance in engineering and attracting more female talent to the UK engineering sector will be beneficial to the economic growth and financial stability of the country.

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