

2010-11 : Meetings, Conferences, Seminars, Workshops

Meeting

Topic: Discussion on Plans of the Center and exploring the possibilities of collaborative efforts with them.

Date: 29th June 2011, Friday

WSC called a meeting of Educational Institutions, NGOs and Civil Society members at ILS Law College on 29th June 2011 to share with them the establishment of UGC sponsored WSC and discussion to plan the activities in the coming year. Around 30 members attended the meeting and congratulated ILS Law College for getting WSC. They all said that the law college getting WSC is something that was long awaited and knowing the contribution of ILS in this area, everybody expressed a great hope of doing more work for promoting women's legal rights. They gave various suggestions for undertaking the activities. Dr. Jaya Sagade and Ms Archana More shared with members the proposed plan of WSC and also made announcement regarding the International Conference on Feminism and the Law to be held in February 2012.

Training Workshop

Topic: Sexual Harassment of Women at the Workplace

Date: 12th August 2011, Friday

WSC organized a training workshop on "Sexual Harassment of Women at Workplace" (SHAWP) on 12th August 2011 at ILS Law College. Dr. Sanjay Jain, Shri. Shrikant Malegaonkar, Smt. Vinita Palkar were the resource persons. Dr Sanjay Jain shared information and his views about connection between Gender and Sexual Violence. He narrated in brief the Supreme Court judgment in Visakha's case. Smt. Vinita Palkar explained various facts and myths about sexual harassment of women particularly about SHAWP. She expressed the need for legislation to curb this evil. Shri. Malegaonkar, a practising lawyer, who has experience in training management persons on this issue, explained the procedures to be followed by the complaints committee, role of the employer and employees. Each session was followed by a discussion. The training was very fruitful as it updated the participants on the functioning of Vishaka Committees and the disciplinary action that has to be taken by the Management.

State Level Consultation

Topic: Right to Abortion, Sex Selection and Eugenics

Date: 28th Nov 2011, Monday

WSC organized a State level consultation on “Right to Abortion, Sex Selection and Eugenics” on 12th August 2011 at ILS Law College. The reasons for organizing this consultation was to discuss the declining sex ratio and the role of law, bringing in the complexities of the issue of right to abortion and opposition to sex selective abortion, as well as the legal sanction to abortion on the basis of disability of the fetus. Students, academicians, researchers, activists, medical practitioners, lawyers and representatives from educational institutions and NGOs participated in the consultation. Manisha Gupte, founder – MASUM, in her key note address shared the socio-cultural aspects of the declining sex ratio. She shared her experiences of the campaign against sex selection that was initiated during nineteen eighties. She also shared her experiences of filing Public Interest Litigation along with CEHAT in the Supreme Court for effective implementation of the Pre Natal Diagnostic Act. Manisha very forcefully brought out the various dimensions of the problem and complexities involved in the issues. Her address was very well received and it laid a path way for discussion during the entire day. Ms Archana More gave the feminist perspective of right to abortion.

Prof. Ilina Sen, Director – Women’s Studies Center, Wardha University shared the demographic aspects of the sex selective abortion. She also brought in the complexities of the issue and discussed the international perspectives. Dr. Charulata Bapaye, M.D. (Gynecology) gave the medical perspective of abortion. She also answered many questions which were particularly raised by the students. Dr Anjali Radkar, Associate Professor from Gokhale Institute of Politics and Economics shared the demographic aspects and social impact of sex selective abortion. Dr Soumitra Pathare, psychiatrist and disability rights activist, emphatically said that sex selection is a practice of eugenics. The medical practitioners owe the responsibility of it. He also pointed out that the provision in PCPNDT allowing abortion on the ground of eugenics is contrary to the Convention on Rights of People with Disabilities that India has ratified and a clear violation of human right of people with disabilities. Ms Vidya Bal, Ms Leni Choudhury, Dr Sanjay Jain, Ms Vrushali Magdum, Dr. Jaya Sagade, contributed substantially to the deliberations.

International Conference

International Conference on Feminism and the Law: Revisiting the Past, Rethinking the Present and Thinking the Way Forward

Date: 10th to 12th February 2012

WSC in partnership with the University of New South Wales and the University of Technology Sydney, Australia organized an international conference on “Feminism and the Law: Revisiting the Past, Rethinking the Present and Thinking the Way Forward” from 10th

to 12th February 2012 in the memory of Prof. S.P. Sathe under the rubrics of “Remembering S.P. Sathe”. Prof S.P. Sathe’s contribution to public law is recognized all over India. He was the author of several essays on Feminism. It is, therefore a fitting tribute to him, that the Conference on Feminism and the Law be organized in his honor. The aim of the Conference was to bring together various stakeholders in the women’s movement, namely, lawyers, academicians, students and activists. It explored various themes such as Domestic Violence, Women and Property, Sex Work, Sexual Violence, Marriage and Motherhood, Gender and the Criminal Justice System, Gender and International Law, Teaching Gender, Gender and Education, Feminism and Law Reform, Reproductive and Sexual Rights, Surrogacy, Feminization of Poverty, Feminist Litigation, Gendered Violence and Feminism & Intersectionality, through the paper presented during the course of three days. In all 62 papers were presented. The Conference witnessed a significant international participation with presenters and delegates from countries such as Australia, Egypt, Canada, China, Indonesia, Iran, Japan, Lebanon, Mauritius, Netherlands, Nigeria, South Africa, Sri Lanka, Turkey, the United States of America, and the United Kingdom. The conference was attended by 37 international delegates from 16 countries and 131 Indian delegates from various institutions.

The Conference was shaped by inputs from stalwarts in women’s movement, such as Prof. Ratna Kapur, Ms Flavia Agnes, Ms Manisha Gupte, Prof Margaret Thornton, Ms Pushpa Bhave, Justice Prabha Sridevan and Prof. Rosemary Hunter. Dr. Jaya Sagade, the coordinator of the Conference, emphasized at the outset that the feminist movement is not a monolith. It is, in fact, shaped by various perspectives and individual women’s experiences. Dr. Christine Forster – UNSW, Australia and Dr. Vedna Jivan – UNITS, Australia shared their experiences in this partnership. Inaugural address at the Conference was given by Prof. Rosemary Hunter from the University of Kent, UK and Ms Flavia Agnes from MAJLIS, Mumbai. Prof Rosemary Hunter spoke of the need for open-access journals and related that to feminist ideology. Ms Flavia Agnes spoke of the dynamics of class, caste and religion that influence the experiences of women in India. She also gave a historical overview of the “Feminist Movement” in India. Shri. Raosaheb Shinde, President of Indian Law Society presided over the inaugural function. The Second day’s plenary session witnessed Prof. Margaret Thornton deconstructing the ideal academic and speaking about the subjectivity of merit. Ms Manisha Gupte the second plenary speaker spoke of the concept of honor killing and the need to examine it before rushing into the creation of legislation. The valedictory addresses were given by Justice Prabha Sridevan, Chairperson of Intellectual Property Appellate Board and former judge of the Madras High Court and Ms Pushpa Bhave, former Professor and Head of the Department of Marathi, Ruia College and a Feminist Scholar. Justice Sridevan spoke of a woman’s voice as it is found in judgments and illustrated it with several judgments delivered by the Supreme Court and High Courts. Prof. Pushpa Bhave summarized the deliberations over the three days and provided her analysis of the same. Ms Usha Ganesh, faculty of ILS Law College compered the entire proceedings of the Conference. Ms Archana More proposed the vote of thanks. The Conference was pleased to host a cultural program in the form of a shadow play on gender violence by the Srishti School of Art and Design, Bangalore which brought to light the sensitive aspects of violence through dance, music and shadow play.

The ILS Law College hopes that the deliberations that took place in the conference shall chart a course for the future of the women's movement. We are determined to bring about a publication of the proceedings of the Conference as a first step towards this end.

Consultation on Assisted Reproductive Technology and Women's Rights

Women's Studies Center and Nisha Dhanagare Memorial Foundation jointly organized a consultation on "Assisted Reproductive Technology and Women's Rights" on 24th March 2012 at the ILS Law College, Pune.

This consultation was designed to deliberate on the Assisted Reproductive Technology Bill, 2010, Medical aspects of Assisted Reproductive Technology, Critical analysis of the Bill, 2012, Socio-cultural, psychological, ethical aspects of ART and alternatives to ART. Ms Mona Dhanagare welcomed all the participants on behalf of Nisha Dhanagare Memorial Foundation. Dr Jaya Sagade, Director of Women's Studies Center, introduced the theme of the consultation and raised number of issues to be deliberated during the consultation.

The first session was on the Medical Aspects of ART and its impact on women's health. Dr. Vaijayanti Patwardhan (Obstetrician and Gynecologist) explained meaning of the ART, artificial insemination, oocyte and embryo donation, surrogacy and other processes that are carried out under the umbrella of ART. Dr. Pratibha Kulkarni (Obstetrician and Gynecologist) while explaining the complexities of the processes, specifically mentioned which technology can be used at what stage and situation of the reproductive cycle of the woman. She also elaborated the advantages and disadvantages (short term as well as long term) of ART on women's health.

Dr. Anant Phadke a health rights activist chaired the session. The second session was on the critical analysis of the Assisted Reproductive Technology Bill, 2010. Ms Archana More, Coordinator, Women's Studies Center, highlighted the basic provisions of the Bill and Rules under it. Dr. Deepa Paturkar while critically commenting on the Bill pointed out errors in drafting various contradictions and gaps in the Bill. She also argued that number essential rights of the donors of the genetic material are missing in the Bill. She also said that the liability of professionals is not adequately clarified. Dr. Nitish Nawsagaray discussed the administrative mechanism provided under the Bill. He pointed out the pitfalls and also suggested the necessary changes. He also mentioned that the proposed mechanism is designed to benefit the medical profession and does not provide enough protection to those who would avail ART and surrogates. Dr. Sanjay Jain challenged the constitutional validity of the proposed Bill. He pointed out the error committed by the drafts man in bringing such legislation under Article 252 of the Constitution. He also argued that some of the provisions of the Bill do violate Art. 21, 19 and 23 of the Constitution. He raised issues pertaining to citizenship under the Bill. He also asked a question regarding the right of a working woman wishing to be a surrogate and her claim to maternity benefit under Maternity Benefit Act. By bringing such issues before the audience he was trying to establish multiple complexities involved in ART. This session was chaired by Principal Vaijayanti Joshi and Dr. Jaya Sagade.

The third session was on Socio-cultural, ethical and psychological aspects and alternatives to assisted reproductive technology. Dr. Karuna Gokhale (Professor and writer) while discussing the socio cultural aspects of ART, explained that different streams within feminism have different viewpoints on surrogacy and other ARTs. Dr. Shirisha Sathe (Professor and clinical psychologist) explained that the administration of the technology on the mother is going to have alarming impact on the children born out of it. Ms Sunita Bandewar (expert in bioethics) explained all the ethical aspects involved in all kinds of assisted reproductive techniques and the law related to it. Ms Roxana K (the Executive Director – BSSK) explained how adoption could be an important, more humane, inexpensive alternative to ART. She compared the ethical issues involved both in adoption and in ART. This session was chaired by Prof. D.N. Dhanagare. Dr. Meena, WSC, TATA Institute, Ms Chayanika Shah, feminist activist were among the few who substantially contributed to the discussion during the sessions. Dr. Jaya Sagade took a review of the proceedings of the consultation. Dr. Anagha Tambe, Secretary – Nisha Dhanagare Memorial Foundation proposed vote of thanks.