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April 01, 2013

Yes, No, and Maybe – Reflections on ‘Practicing Consent’

By Guest Contributor

9 comments

By **S. Vinita and Sanjana Gaiind**

(This is the first of a series of posts written from the experiences at **CREA** of implementing a program called “Count Me IN! It’s My Body: Advancing Sexual and Reproductive Health and Rights of Young Girls through Sports”. CREA is a feminist human rights organization based in Delhi (www.creaworld.org.)

Age of consent and age of marriage have become severely contested terms in recent times, and have led to several points of disagreements amongst Indian feminists. Several articles have also appeared on this subject, such as Flavia Agnes’s excellent analysis of high court judgments^[1]. In her article, she looks at elopement marriages and also at how law has been used to curb the agency of women when they make choices of whom they want to marry.

Words and concepts of agency, choice and consent are extremely complex and are understood differently by different people in different settings. As many of us work towards a vision of a just and rights affirming world for all women, we need to broaden our understanding on what we mean by consent and to reflect on what exactly agency means for women? When and how do women and girls claim a voice in saying ‘yes’ or ‘no’. Further in the interstices of the ayes and nays is the equally significant space of negotiation, the ‘maybe’!

This grey zone becomes especially important in the light of the current debates on age of consent which tend to focus more on the numbers – 16 or 18 – rather than on these complex negotiations. Women and girls negotiate the complexities around consenting or not consenting everyday. We make compromises, we assert, we resist, and sometimes we face dire consequences for having said ‘yes’ or ‘no’.

Currently, we at CREA are working in mostly rural settings, trying to initiate conversations on sexual and reproductive health and rights with groups of adolescent girls aged between 12 and 18. We began working with adolescent girls in rural areas of Bihar, Jharkhand and Uttar Pradesh through sports. The idea was to encourage adolescent girls to come out of their homes, occupy public spaces such as community grounds and thus challenge stereotypes around sports and women. Sports was used instead of tailoring, stitching and embroidery classes, to mobilize and collectivize them into small groups in the villages. It was not surprising to see many girls come and join these groups, largely because they were excited to play football or *kabaddi*. It wasn’t the first time they were playing these games, but it definitely was the first time they were out playing in a team, that too a game that is mostly associated with boys. For the first time, they were playing in the large village ground on their own, with boys, men and others watching and clapping for them. It was the first time and they promised themselves, it wouldn’t be the last.

Most girls have now realized that they can also play, that football is not only for the boys, nor does the field in their village does belong only to the boys and men. Public spaces are theirs to ‘occupy’ as well. For the others in the village – men, boys, women, mothers, fathers, teachers – this has made them acutely uncomfortable: the sight of girls’ bodies running around, legs kicking a football, *dupattas* not being in the place they should be. And all this happening in “broad daylight” in the *gaon ka maidan* (village ground). This assertion of freedom, independence, and mobility makes them uncomfortable. And not only are they refusing to stay inside their homes, girls have begun to ask questions, challenge everyday systems and structures of power that keep them under control. They have begun to voice their opinions in matters related to their own lives, exercising their rights. The girls who are members of these collectives not only insist on attending all sessions but have begun to say NO to dropping out of schools, and some of them have re-enrolled themselves in schools and have begun to demand the same food at home as their brothers. In some places, the collectives have arranged for their own volleyball courts and equipment with their savings and in some collectives joint pacts are being made by the girls to meet the boy before they give their consent to marry, whatever age at that maybe and however hard that maybe. They are beginning to realize the power of collective bargaining.

This process of giving or holding back consent – for marriage, education, dress, or to play – has been fraught with challenges and we have realized that patriarchy is challenged in the most fundamental way when a girl or a woman starts believing that she too has the right to say yes or no. While the girls are working very hard to negotiate their choices, needs, and rights with their families, schools and communities, the others in the village are keeping a close watch on all their moves and demands. Anything that is ‘out of line’, ‘bold’, ‘against the *sanskar* (cultural norms) of a girl’ is unacceptable, wrong and must be stopped right away. At a recent event celebrating International Women’s Day in Chatra District of Jharkhand, a 16 year old girl – Asha – grabbed the microphone to say that her body



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and her life had been controlled by everyone except her and that she will not keep silent anymore on this. "I can do everything that every boy can do, and you have to set me free to prove this". Her strong, fierce, bold and loud speech challenged every norm and rule she was raised to follow. The men and women squirmed in their chairs and finally the men got up and left the event. They could not accept a young girl telling them that she needs her freedom, or that she is even worthy or capable exercising choices. The fear of violence upon this young girl seemed so evident and real, that the organizers of the event (a community based organization) had to appease the audience by saying that Asha had not chosen her words well.

Rekha from Uttar Pradesh, is 16 years old and had to put up a fight to stay in school and to not marry at the age of 16. When the boy and his family came to "see her" from the neighboring village, she was angry and upset. She went on a hunger strike by not eating for two days and locking herself up in a room, as a strategy to protest. Finally her parents agreed with Rekha's decision to not drop out of school and only get married when she turns 18. While this is a huge success story (as seen from the perspective of "delaying age of marriage" – a popular and much desired Sexual and Reproductive Health Rights (SRHR) outcome!), it raises an important question. What are the demands can Rekha make in her context, that are seen legitimate? Agreeing to marry at 18, in order to pursue education, is still something that Rekha will receive support for, from her family and community. However, should Rekha push the boundaries further and demand the power to decide whom she wants to marry or what her terms of marriage will be the response might be very different. These nuances of what Rekha and other young women like her can and cannot negotiate at the present time do not fit in the neat box of 'delaying the age of marriage', a project that many organizations and SRHR activists aim to achieve. Focusing on a number, 'the age of marriage' then not just misses the subtle nuances of young women's lives but also ignores the other equally compelling struggles that they must undertake.

In doing this work, we have also questioned our own beliefs and notions of words such as 'field' or 'community'. Quite like the North-South stereotyping, there exists a large urban-rural divide within social change organizations as well. "Adolescent girls living in villages of Jharkhand or Bihar" often incite an image of a girl who has no access to any resources, is often powerless and unable to make any decisions. It is also couched in a particular understand of a hierarchy of gender equity, seen for instance in the assumption that, "for an average rural girl, it is her right to education that is the most important issue and not her right to wear jeans". This representation is deeply limited and limiting, and does a disservice to the multifaceted lives and diverse realities of the young women we work with and others like them. The effort then to address their 'needs' through simplistically designed one point programmes like 'delaying the age of marriage' are meaningless. In our work with adolescent girls, we are inspired by the countless stories of resistance where girls use extremely smart and bold strategies to assert their freedom and their rights, despite a difficult and conservative terrain. We need to recognize and respect the choices, negotiations and struggles they undertake to voice and assert their right to say yes, no or maybe.

S. Vinita works at CREA as Program Manager – New Voices New Leaders. She is fascinated with the ways in which language can be used to empower or discriminate women and has worked on building scholarship in Hindi on sexuality, gender and rights. In her other life, Vinita likes to collect cookbooks and recreate her grandmother's recipes.

Sanjana Gaind works at CREA as Program Coordinator – Young Women's Feminist Leadership. Sanjana is interested in the application of artistic and creative methodologies in activism and development. She has used mediums like theatre, music, art and sports in her work on issues of gender, sexuality and rights.

[1] <http://kafila.org/2012/06/12/consent-age-and-agency-reflections-on-the-recent-delhi-high-court-judgement-on-minors-and-marriage-flavia-agnes/>

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Tags: agency, choice, consent, CREA, delaying the age of marriage | Category: Body & Sexuality, Relationships & Marriage, Self, Society |

9 comments to Yes, No, and Maybe – Reflections on 'Practicing Consent'



Ragini Pasricha

April 2, 2013 at 9:17 am · Reply

Point well taken. As someone who has worked on "delaying age at marriage"(DAOM), the tag has its history in maternal deaths. So while MMR created the funding opportunities, DAOM interventions have tried to create the space for adolescent girls to articulate their dreams, needs and goals and help them negotiate decision-making in their families and community. As to the tag, "DAOM", it possibly responds to the question, if there was one thing that you could change as a result of this intervention, what would it be and age at marriage or age at first pregnancy responds to donor and government agendas. But at the heart of many DAOM interventions is the same urgency and will to create agency that you have expressed so beautifully.

Great work and hoping that people who work on "DAOM" are encouraged by your post to make underlying concepts in their work, the centrepiece of their work with adolescents.



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Surya

April 2, 2013 at 10:47 am · Reply

Thanks for this piece. Often one finds that programmes for girls have a one point agenda – stop female foeticide or as you write, delay the age of marriage. I'm glad someone is talking about how facile this really is and how much we need to see the big picture. Also what wonderful stories of the young women! So real. Just lovely.



Bishakha Datta

April 2, 2013 at 6:27 pm · Reply

That Rekha had to go on a hunger strike for two days to get what should be hers by right just shows the deep roots of patriarchy – and the extraordinary power of resisting this in everyday life. Bravo!

Adolescents and the Production of Consent «

April 2, 2013 at 11:31 pm · Reply

[...] Yes, No, and Maybe – Reflections on 'Practicing Consent' [...]



Vinita S

April 3, 2013 at 12:38 pm · Reply

Thank you for your encouraging comments. I think everyone working on SRHR/maternal mortality/DAOM etc gets frustrated with top-down programs and single point agendas because it does not resonate with the realities and how can it? I think advocating for multi pronged approaches with those that fund such programs (also something most of us do!) needs to be sustained.

The other thing that we are really struggling with is the tremendous backlash and the very real threat of violence girls face. One practical way to deal with this is to include some sessions with girls on negotiation skills (which come under the larger umbrella of life skills) and we are learning from our other colleagues/organizations who are working with similar constituencies. But at a larger level, it points yet again to the deep roots of patriarchy and to the fact that backlash is, perhaps, the strongest sign that our program is working!

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May 15, 2013 at 10:58 pm · Reply

[...] My Body: Advancing Sexual and Reproductive Health and Rights of Young Girls through Sports". The first and second posts are here. CREA is a feminist human rights organization based in Delhi [...]

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May 17, 2013 at 1:27 pm · Reply

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Abhi Aur Safar Baaki Hai «

July 5, 2013 at 11:35 pm · Reply

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Pascaliah Makonjio

July 10, 2013 at 9:25 pm · Reply

Congrats Vinita for good work, looking forward to work with

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