

CEHAT. International Conference on Preventing Violence, Caring for Survivors: Role of Health Profession and services in violence. Nov 28-30, 1998, YMCA. Mazumdar, Kalindi.: Welfare rehabilitation or Dehumanization?. p.70-81.

Welfare - Rehabilitation or Dehumanization?

Kalindi Mazumdar

Mumbai, India

Violence is generally interpreted as physical, sexual and mental abuse of individuals. It can be overt or covert, continuous or sporadic but the intention in all types of violence is the same, that is subjugation of the weaker individuals, groups and communities. This paper will interpret violence as the denial of human rights, especially of women and children in state, managed agencies 'both institutional and non-institutional example shelter homes for women in distress, Remand Homes or orphanages for children and non-institutional agencies such as the police system and the I.C.D.S. This paper is based on the author's experience in the field of social work education and practice. It makes an effort to describe the type of violence in two institutional services and two non-institutional services offered by the government.

Reception Centre for Women

The author was a member of the committee appointed by the Bombay High Court in 1990 to study the Reception Centres of Deonar and Chembur in Mumbai. This order was passed by the H.C. following a public interest litigation by two organizations, that is the Mahila Dakshata Samiti and the Y.W.C.A. Mumbai and the journalist, Ms. Saroj Iyer. The petitioners filed the PIL soon after the rape of a deaf girl in one of these Centres.

Our study revealed quite a few shocking realities. Both these institutions were housed in the same premises. However, the number of residents (in-mates) in each centre hardly exceeded 30 women. The parallel set of staff seemed redundant. Yet the services offered were most inadequate.

All the women, including those who got admitted on their free will, those who were thrown out of their matrimonial homes and those who were remanded were housed together in a large ill-ventilated dormitory. The clothing and bedding given to them was most inadequate. Some were not given spare clothing.

The sanitary conditions were dismal. The toilets were right next to the dormitory. There was no water in the toilets and they were used as garbage dumps by the residents. One can imagine the stink and the danger of infections !

The food was served as per government rules. It comprised:

Breakfast: 8.30 - 9.00 . "Usal" of dried peas or gram

Lunch: 11.30 - 12.30 - Chappattis, Dal, one vegetable and rice.

Tea: 4.00 pm

Dinner: 7.00 - 7.30pm - same items as for lunch.

When inspected it was found that the chappattis were half roasted, dal was watery and the rice was half cooked. Mutton was served once a week but the residents complained that it was putrid.

There were no recreational facilities for these women except the T.V, which was quite often out of order. In order to keep the residents busy, they were made to remove the weeds from the vacant plot on the premises but they were not given any implements. They had to use their bare hands to do this job!

Vocational training comprised knitting classes. Those who were interested were taught knitting. It was alleged that the knitting teacher secured private orders for sweaters and made the residents knit them.

As a result of boredom and extreme frustrations the women often quarrelled and beat each other. In case of fights the ayahs in-charge would sometimes beat them up.

Although medical check-up was conducted regularly, the doctor told us that some of the essential medicines were not available in these centres. When a remanded patient had to be taken to the hospital, police van and escorts were not available for days.

None of these residents was allowed to go out. They were treated virtually as prisoners, although most of them had been admitted of their own free will.

Although it was not in the purview of our committee to investigate the rape case, we did speak to the girl who was raped when she came to visit the Centre. She wrote the name of the rapist, on a piece of paper. She had since her rape, given birth to a daughter. Meena (name changed) begged of us to get her married to the rapist. He was the husband of the Superintendent of one of the Centres. He himself was the Superintendent of a hostel for tribals in the same vicinity but used to spend the nights at the Reception Centre. Meena was made to do all the household work at the Superintendents home at the Reception Centre. This case went for years and we later learnt that the accused had committed suicide in the prison.

Lack of Emotional Nourishment

The residents had no one to turn to in times of crises. In fact there was no one prepared to listen to their daily woes let alone the crises. It is not the lack of time but an indifferent and condescending attitude of the staff which prevented them from lending a sympathetic ear to these women.

In our report which was submitted to Mr. Justice Pendse, in 1992, we had suggested that a committee be formed to continuously monitor the functioning of these Centres.

In 1996, the Bombay Court passed an order that the minor CSWs be rescued from brothels and admitted to governmental -aided institutions. The H.C. appointed a committee to counsel these rescued CSWs and I was one of the members of this committee. I opted for the Reception Centre primarily because it had a large number of rescued CSWs and also because I wanted to see if there had been any changes since the completion of our study.

Alas! The physical conditions were the same. There was not an iota of change. The same unpalatable food, the stinking toilets, lack of recreational activities and complete absence of vocational training. There was however, a ray of hope. The young probation

Officer was doing her best to talk to these rescued girls and pacify them. The first few days there was utter chaos. The girls were crying, shouting and breaking the furniture and T.V. The reasons for their behaviour were as follows.

They were suddenly removed from the brothel and admitted to the institution. There was no prior warning or mental preparation for such action. This was understandable because a prior notice would have given enough time for the brothel keepers to take the necessary steps to prevent the arrest of these CSWs.

The institutions too, were not given any notice prior to the admission of these girls. The institutional staff was thoroughly unprepared to accept these girls in terms of making arrangements for their food, clothing and accommodation.

Some of the C.S.Ws had to leave their children either in the brothel or in the homes of ayahas who were paid to look after these children.

Most of them had no time to collect their clothes, money or other valuables from the brothel.

As a result of frustration, some of the girls became violent. They fought with each other as also with the women police constables (WPCs). Consequently , they were locked up in the dormitory. The counselling sessions which I had with them helped them and they were pacified for the time being.

During one of their fights the WPC beat the girls with a wooden stick (not the baton). They (WPCs) explained to me that this was the only way to control them. I had a discussion with the girls as well as the WPCs and there was a modicum of peace in the Centre.

Arrangements were made to bring back the children of some of these CSWs from the brothel and from the ayahas who were employed to take care of these children. It was also possible to retrieve the clothes and money from the brothel keepers.

Efforts were made to initiate outdoor games for those who were interested. I conducted sessions on family life education, including sex education and AIDS. I was informed by the staff of the R.C. that these girls were tested for HIV, without their knowledge and 80 percent of them were positive. Since their consent was not taken prior to testing them,

they were not informed about the results. In the sessions on family life education the girls told me that they knew AIDS was fatal but they did not know anything about it. Most of them said that they resigned to die so it makes little difference to them whether they die of AIDS or any other reason.

The H.C. ordered that all these CSWs be sent to the Reception Centres in their respective states. The girls cried and pleaded that they should not be sent to the RCs because would expece them to their communities. Neither their parents nor their communities knew that they were CSWs. However, as per the HC orders, the girls from Karnataka , Andhra Pradesh and West Bengal were sent back. The Nepali girls remained at the RC. as there was no response from the Nepali Government regarding their repatriation.

Prayas, a NGO working with the RC made efforts to supply recreational equipment for the CSWs and other residents of RC. The Probation Officer of the RC was doing her best to establish a rapport with them and was successful in doing so.

Despite all these efforts, the CSWs from Nepal resented being cooped up in RC. The unpalatable food, the dismal sanitary facilities, inadequate recreational facilities and lack of meaningful social relationships made them belligerent.

In one of the counselling sessions. they asked me three insight provoking questions:

1. What is our crime? Prostitution per se is not illegal in India. (Most of these girls were above 18 years of age).
2. We are often told that the government have financial difficulties. If so, why have we been sent to the RC? This adds, to the government's expenses.
3. Where were all the police, government officials and social workers when we were force fully pushed into proslitution.

All those working for the rehabilitation of CSWs need to address themselves to the above mentioned questions and evolve feasible plans in collaboration with the CSWs.

Remand Homes (Observation Homes) for Neglected and Juvenile Delinquent Children

The Remand Homes were established at the end of the 19th century to provide safe custody and rehabilitation services to the neglected, delinquent and uncontrollable children. In the beginning of the 20th century Children's Acts were passed by various provinces and later a uniform Children's Act were passed for all provinces in India. In 1986, the Government of India passed the Juvenile Justice Act to remedy the lacunae in the Children's Act and to ensure a holistic approach to custodial care of neglected and delinquent children.

Despite a few lacunae in the J.J. Act, it was a sincere effort on the part of the Government to reach out to children in difficult situations. However, it is not being implemented in most states.

Basic Facilities in Remand Homes

Nutrition

There is a standard menu such as the one in the Reception Centres as well as the standard timings for meals. We are still in the Dickensian era. Our Oliver too, cannot ask for more. Scant attention is paid to the needs of the growing children. The last meal of the day is usually between 6.30pm to 7pm and the first meal next morning is served anywhere around 7.30am to 9.30am. The children remain hungry for more than 12 hours.

Clothing, bedding and other facilities

The institution has to provide 3 sets of clothing, 3 sets of underwears, mattress, bed sheet, blankets, soaps etc. Interestingly, footwear does not figure in the list of basic provisions, nor do brassiers for girls. In most institutions underwears are not provided. This poses a health hazard for the children.

Recreational facilities

Except for T.V. most institutions do not make efforts to secure equipment for organised recreation. The equipment provided is broken after constant use but quick replacement is never possible in view of the red tapism in the Government.

The staff, generally is not inclined to organize indoor and outdoor games. The children are left to themselves to use their leisure as they wish. Although unorganized recreation is also conducive to mental and physical health, there is a dire need for organised recreation, which is a good medium to teach values such as co-operation and discipline.

Vocational training

The stereotype vocational training is imparted to both boys and girls, e.g. stitching for girls and carpentry and stitching for boys. The institution in both these crafts is limited to catering to the needs of the institution, i.e. the boys make the furniture needed by the institution and the girls and boys stitch the clothes required by all the residents of the Home. Consequently, when they leave the Home and try to be self dependent they will find it difficult as their vocational training is very limited. In some Remand Homes, the equipment for teaching carpentry is broken and these Homes will have to wait long before it is replaced.

Neglect of emotional needs of children

Separated from their familial milieu (those with families) and catapulted in a regimented routine atmosphere of the RH. the children pine for affection. Most of the staff of R.H. complain of being overloaded with work and themselves feel deprived of due recognition of their efforts. However, the experience of social workers indicates that it is their attitude towards these children which makes them indifferent, callous and autocratic. More often than not the staff displaces its anger on to the children.

The children too, victimise those younger than them. In Bhiwandi Remand Home there was a case of a 3 year old child beaten to death by an older child. In the Mumbai Remand Home, a few years ago, a mentally retarded child was similarly beaten to death by an older boy. These incidents clearly indicate the malaise in these institutions.

The deprivations both physical and psychological, when unbearable, drive the children to displace their anger on to those who are young and helpless.

Lack of sex education and socially acceptable heterosexual relations

There is hardly any attempt in state agencies for women and children to impart sex education to the residents so as to create wholesome attitudes in them towards their own sexuality. Sporadic efforts such as experts delivering lectures and conducting discussions will not serve the purpose. The staff too, should be trained in imparting sex and family life education.

Last year a young girl was raped by a member of the kitchen staff in the Mumbai Remand Home. Soon after, there was a case alleged sodomy by a homeopathic doctor in the same Remand Home. As both these cases are subjudice, one cannot elaborate on them.

There are instances of homosexual and lesbian behaviour in most of the institutions for women and children. These cases are generally hushed up. At times those indulging in such behaviour are severely punished. There is rarely any attempt to provide counselling to these children and women.

There is hardly any socially accepted heterosexual interaction in these institutions. Girls institutions are so insulated as not to have any contact with boys from Remand Homes, or with any other group of boys. This applies to Boys' Remand Homes and women's Reception Centres as well. As a result, the residents fantasise a great-deal about love and marriage and misinterpret the kind of behaviour of anyone belonging to the opposite sex as 'love'. Such love affairs and attempts at elopement are severely punished. Despite the jails abandoning the punishment of shaving off the heads of prisoners who attempt to run away, some Remand Homes still adhere to such punishments. The girls who run away and bought back can be easily identified with their shaven heads. They are boycotted by other residents, taunted by all and at times, beaten up.

Violence in the police system

As has been said often, India inherited the police system from the British. Hence the attitude and behaviour of the police towards the public has remained barely unchanged.

The covert form of violence begins right from the time the complainant enters the police station. The shouts and abuses hurled at men, women and adolescents are unbearable. Cases of rape in police custody are on the increase. We are well aware of the case of brandishing the foreheads of women thieves and blinding the criminals in the prisons of U.P. Although the Maharashtra police are believed to be the best in India , much needs to be done in order to humanise the police force.

The poor and the illiterate are duped and harassed more than the educated citizens. Sakhya, the Anti-Dowry Guidance Cell of the College of social work, Nirmala Niketan, Mumbai, has identified cases in which a copy of the FIR was not given to the complainant and cases in which the complainant was persuaded to file the FIR in such a way so as to benefit the culprit. To illustrate the father of a girl burnt to death by her husband and in-laws, had to file the FIR stating that his daughter was careless and hence must have got burnt while she was cooking.

In 1996 women's organisations formed a conunittee to look into the police atrocities in the Goli Bar slum community in Santacruz , Mumbai. Four young men who attempted to murder a local hooligan, were beaten up and paraded through the streets. A pregnant woman, the sister of one of these young men, tried to intervene and was kicked in the abdomen by one of the constables. There were other types of atrocities also. We, the committee members presented this report to the then Commissioner of Police and the only immediate action taken by the police was to transfer the DCP of the area. Consequently , the Women's Centre had filed a PIL against the police.

There are numerous cases of Dalit and tribal women being stripped, beaten and paraded through the streets.

The brazen attitude of the police was well described by a social worker who took a young woman to the police station and in his presence the police asked each other "Do you want her or shall I take her?" (Indian Express - 2.2. '93). In 1994 some women activists in Delhi conducted an inquiry into the sexual assault by policemen on 30 women rallyists travelling in the bus (TOI - 17.10.94)

In the well known Gaund -Gawari Stampede case in Nagpur in 1994, approximately, 2000 women and children died due to the police yielding force on the 5000 people who had gathered to meet the minister. The committee which inquired into the episode found that no prior warning was given to the people before the police fired in the air and simultaneously began yielding their batons. The police mistook the behaviour of the mass as mob frenzy while in actuality, the mob had stood up as the minister's car drove in.

There are approximately 20 - 25 cases of deaths in custody per year in the Delhi Police Stations. The number of cases elsewhere, e.g. U.P., M.P., Bihar and Rajasthan may be much more but are rarely reported.

The guilty policemen are transferred to another, district or city or at most, are suspended from service. Yet how many policemen have been awarded the sentence of life imprisonment?

Violence in the Integrated Child Development Scheme (ICDS)

The ICDS was initiated in 1975 to prevent and reduce IMR and to ensure the healthy development of pre-school children and the pregnant and lactating mothers. It is focussed on the poverty group in the rural, tribal and urban areas and caters to the children between the ages of 3 - 6 years.

The Anganwadi (AW) (nursery) is the pivotal point of this scheme. The children attending the AW are provided supplementary nutrition, preschool education and health services such as immunization.

The administrative set-up of the ICDS is as follows.

C D P 0 (Child Dev. Project Officer)

Supervisor

Anganwadi worker

Helper

Of all these staff, the AW is the most overworked. She has too many responsibilities, such as managing the AW; keeping innumerable registers, paying home visits, helping women in rural and urban areas to form Mahila Mandals (women's groups) and providing health and nutrition services to the pregnant and lactating mothers. In addition, the AWW (Anganwadi Worker) is involved in any new schemes undertaken by the government, e.g. AIDS prevention. Despite this heavy workload, the AWW is still employed as an honorary or voluntary worker. Therefore, she is deprived of a pension and other benefits. Of late the AWWs have planned unions and are agitating for their status and a substantial increase in their honorarium.

The AWWs are not well educated and are often dominated by the higher staff. There have been incidents of rape of the AWWs by the CDPOs and others e.g. at Chandrapur. A few years ago, a handicapped CDPO tried to molest a Supervisor. In one of the workshops conducted by the Middle Level Training Centre (MLTC) of the College of Social Work, Mumbai, we were informed that one of the Auxiliary Nurse Midwives (ANM) had had five abortions due to repeated rapes by the CDPOs. (The ANMs are involved in the delivery of health services in the ICDS).

We also learnt that the AWWs are forced to do domestic work at the homes of a few CDPOs. In one such case, the AWW was raped firstly by the CDPO and later, by his driver. This incident took place at Chandrapur district a few years ago and no action was taken against the CDPO and the driver. Incidentally, most of the CDPOs in the "progressive" state of Maharashtra are males. Most AWWs belong to the uneducated low-income groups. They are in dire need of a job. Hence they have no option but to put up with all types of violence from their supervisors.

Violence in the Health Care System

This topic will probably be discussed in great detail at this workshop because most of the medical personnel present would have elaborated on this topic.

Nevertheless, based on my professional experience I wish to mention a few points. In the Municipal and Government hospitals, there is an overwhelming number of patients. The doctors no doubt are overworked. Yet, this does not justify the manner in which the patients are treated. They hardly know the effects of drugs or family planning devices prescribed by the doctors. Thanks to our government, medicines and family planning

devices banned in most developing countries find an easy entry into India. E.g. NORPLANT. Till last year, when the Government of India changed its family welfare policy, this contraceptive was still prescribed in the ICMR research conducted at the J.J. Hospital.

This hospital has been in the news in the recent years for several reasons. The gangsters arrested and then admitted for health problems are in danger. Some of them have been killed in the hospital premises by the rival group.

The case of Aruna Shaanbag, a nurse in the KEM Hospital is well known. She is languishing in this hospital for the last 25 years due to brain damage as a result of attempted rape by one of the sweepers. During the riots of 1993 in Mumbai, one of the doctors of the J.J. Hospital, Dr. Aadil Chagla was beaten up by the police because he had parked his car in the compound. Mr. V.P. Singh, the Janata Dal leader was to visit the J.J. Hospital to see the riot affected patients. The police had to clear the compound for his visit and an argument between Dr. Chagla and the police ended up in Dr. Chagla being battered by the police.

Main Cause for Violence in State Run Agencies

Lack of a people centred attitude. The government's (both state and central) attitude towards the residents of children's and women's institutions, the patients at the hospitals and the complainants in the police station, needs to be changed drastically. It is a patronizing and condescending attitude. It is commonly said by government officials that these women and children would have been in streets but for its efforts for their custody and shelter. It is an attitude of a "do gooder?" and hence gratitude is expected from the residents of Remand Homes, After Care Hostels, Reception Centres and Beggars Homes. The assumption is that these residents should be happy and should not complain at all against any inconveniences or malpractices.

Government officials enjoy job security. They cannot be easily removed from their jobs. One of the caretakers in a Remand Home in Maharashtra makes the older children look after the younger ones, while she takes the credit and, of course, the salary. She mentioned to me that no one could terminate her services, because she enjoys job security as others in the government service.

Lack of Training to personnel working in institutional and non-institutional services. In addition to the job training there is a dire need for regular in-service training. The staff,

at all levels, should be imparted education regarding the latest theories of child care, rehabilitation of women in distress, rights of the patients women and children and the legal aspects of social welfare development. The staff could be deputed for training workshops, seminars and conferences. There should be interagency and intra-agency interaction among the staff e.g. case presentations, policy formulation and changes in the existing laws. Such an attempt is being made in the I.C.D.S.

Lack of Adequate and Appropriate Supervision. The supervision of government run agencies is limited to 'inspection' and that too, is limited to the financial aspects. There is hardly any educational and supportive supervision.

What Needs to be Done

Radical change in the attitude and behaviour of all personnel in the governmental agencies. We need to think deeply and identify root causes of poverty and destitution Government should be liberal in funding its agencies both institutional and non-institutional. The present rate of Rs. 500/- p.m. per child in residential institutions is inadequate.

As has been mentioned earlier, there should be regular monitoring, evaluation and supervision of agency and its personnel.

Networking among the state agencies and between state and NGO agencies will yield good results.

There is hardly any documentation in state agencies. Apart from the routine registers, annual report and financial accounts there does not seem to be other types of documentadon.The rich educational material regarding innovations in administration, cases handled, problems encountered and solutions utilised are hardly recorded. If the agency personnel has no time for such activities outsiders (volunteers) could be involved in this task. This brings me to the next point of volunteers.

Involvement of Volunteers: The responsibility of custody and rehabilitation can be shared with volunteers such as the senior citizens, school and college students, e.g. N.S.S. and women volunteers. The Vinamay Trust, comprising retired and others still in service in BARC is doing an excellent job of development of the children in the

institution of Children's Aid Society. This Trust has now built an After Care Hostel for boys.

Introduction of Managerial Skills in the Administration of State Agencies: In order to manage these agencies effectively concepts from management such as MBO, MIS and SWOT analysis could be utilized.

Conclusion

Governmental agencies provide shelter, food and clothing to children, men and women who are destitute or those in remand. Government also offers services to the preschool child through the ICDS and to the poor patients through its hospitals. Yet is this adequate? Even in the delivery of these services there are malpractices leading to covert and overt violence. Moreover due to the apathy of most of the functionaries of these agencies the humane approach is sadly lacking. The introduction of yoga and vipassana may help to energize the functionaries. The Government needs to put the soul into the anatomy of its numerous services.