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- DEBATING STATE OBLIGATION
- CHOOSING BETWEEN BREAD AND FREEDOM
- GOING BEYOND THE RIGHT TO FOOD
- CASH VERSUS FOOD
- DOES UNIVERSAL MEAN 'UNIFORM'?
- PROTECTING CHILDREN
- **GENDER-JUST FOOD SECURITY LAWS**
- THOSE AT THE EDGE
- STRINGS ATTACHED
- ENFORCING RIGHTS

## What forms of state provisioning best secure food entitlements for women and girls?

Owing to inequities – including various intra-family forms of discrimination – a large proportion of women and girls are highly vulnerable to food insecurity.

### SPECIFIC PROVISIONS FOR GENDER JUSTICE

- The eldest adult woman in every household is designated as the household head for the purpose of issuing ration cards
- Entitlement to take-home rations during pregnancy and up until 6 months after childbirth, plus 6 months' maternity entitlements
- Near-universal provision for maternity benefits for pregnant and nursing mothers, including those doing unpaid work at home

### GAPS AND CRITIQUES

- Due to low decision-making power of women within families, transfers will just augment the family income, rather than change the situation of women
- Longer duration and higher payments would be required to effectively protect women's right to food during the maternity period
- Absence of any food entitlements for women who are not in the reproductive cycle shows an instrumental approach that only recognizes women's reproductive role



After children, women are the largest population group which suffers from food deprivation and malnutrition, including that which is due to intra-family inequities. Therefore, the next set of important debates relate to what measures food programmes and the law should contain to ensure gender-just food entitlements. NFSA designates women as heads of households for PDS ration cards, and provides for universal maternity benefits for expecting and nursing mothers.

Women play a crucial role in guaranteeing their families' nutrition security. Those who are able to access livelihood opportunities are more likely to spend a greater part of their income on the family's nutrition than men.<sup>1</sup> However, because of the various forms of discrimination endured by women and girls, including those within the family –

in owning land and other means of production and in accessing livelihood opportunities – a large proportion of them are highly vulnerable to food insecurity.<sup>2</sup> Women and girls also face barriers in accessing education, health care, clean drinking water and sanitation, all of which are essential for nutrition security. On the other hand, recent evidence points to no significant food and nutritional differences between boys and girls; but a higher proportion of women have mild, moderate or severe anaemia,<sup>3</sup> and tend to eat least and last.<sup>4</sup>

One important measure for gender justice contained in NFSA – supported across parties and groups without debate – is to designate the eldest adult woman in every household as the household head for the purpose of issuing ration cards; only in cases where a household does not have an adult female is the eldest adult male member of the household considered the household head. If such households have girls less than 18 years of age, they assume the status of household heads upon becoming adults.

Other measures in NFSA include take-home rations during pregnancy and up until 6 months after child birth for pregnant and lactating women, as well as 6 months' maternity entitlements. Pregnant and lactating women have enhanced nutritional requirements to facilitate the growth and development of the foetus and the infant, as well as for maternal metabolism and tissue development specific to reproduction. Therefore pregnant and lactating women are particularly vulnerable to malnutrition. Nutritional deficiencies among pregnant women are a leading cause of maternal and child mortality, and can also cause irreversible damage in the development of foetuses and infants.

There is however still debate on whether take-home rations provided in the law should actually be fed specifically to

1 Quisumbing *et al.* point to several studies from the 1980s and later that confirm differences in spending patterns of men and women. For instance, in the Republic of the Philippines, the share of female incomes has a significant positive effect on calorie availability for the household, among other things. In the Republic of Rwanda, no female-headed households had severely malnourished children and a less than proportional number had calorie-deficient children, although men's earnings were greater by about ten times. In Brazil, women's incomes were found to have four times the impact of men's incomes on child weight-for-height. See: Quisumbing, A., Brown, L., Feldstein, H., Haddad, L. and Pena, C. 1995. *Women: The key to food security*. Washington, DC, IFPRI, pp. 9–11. Analysts posit that higher rates of malnutrition in South Asia compared with sub-Saharan Africa, despite higher income and economic growth, can be partly attributed to the lower status of women. See: Smith *et al.* 2003. *The importance of women's status and child nutrition in developing countries*. Washington, DC, IFPRI.

2 See for instance: Quisumbing *et al.*, 1995. Op. cit.

3 Arnold, F., Parasuraman, S., Arokiasamy, P. and Kothari, M. 2009. Nutrition in India. National Family Health Survey (NFHS-3), India, 2005-06. Mumbai: International Institute for Population Sciences; Calverton, Maryland, USA: ICF Macro, p. 49 (available at [http://rchiips.org/nfhs/nutrition\\_report\\_for\\_website\\_18sep09.pdf](http://rchiips.org/nfhs/nutrition_report_for_website_18sep09.pdf)).

4 See for instance: Ramachandran, N. 2014. *Persisting undernutrition in India: Causes, consequences and possible solutions*. New Delhi, Springer, p. 52.

pregnant women, or just added to the family pot. Culturally the latter is much more likely to be the case. Some argue therefore that the provision should instead be a hot-cooked meal in the Integrated Child Development Scheme (ICDS) centre. There are practical doubts about the feasibility of pregnant women physically visiting the centre daily in the middle of chores at home or at the work site. But states like Chhattisgarh,<sup>5</sup> where this has been adopted, demonstrate that many women do eat at the centre, and at least to the extent they visit the centre the food augments their nutrition, and is not just an addition to the household food pot.

Along with ration cards issued in the name of women, the most progressive feature of NFSA from a gender perspective is the near-universal provision of maternity benefits for pregnant and nursing mothers. For the first time, this law provides women in the unorganized sector, including those doing unpaid work at home, maternity benefits of Rs 1 000 a month for 6 months. This will hopefully give women a greater chance to rest at home, enjoy greater quantities of nutritious food, and breastfeed their children.

The actual provisions in the food law still raise many questions. First, there is the amount of the maternity benefit. Critics argue that, as maternity entitlements are provided as wage compensation to enable women to quit work and stay at home, they should be equivalent to the minimum wage and indexed for inflation. Even if it is half the regular monthly minimum wage for unskilled workers<sup>6</sup> of around Rs 9 000, it should be at least around Rs 4 500 a month.<sup>7</sup> Furthermore, as women require adequate rest and nutrition for a healthy

delivery, some suggest that maternity benefits should be provided for 9 months, starting from 3 months before the expected date of delivery.

Second, there are worries that, given the low decision-making power of women within families, this cash amount will only augment the family income, rather than change the food and nutrition situation of women in any way. Micro-level studies indicate that indeed at least some of this money has led to better food and rest for women,<sup>8</sup> but this undoubtedly needs further study.

The debates about conditionality are discussed in a later chapter. Finally, in a highly unequal society there are practical worries about the ways that all pregnant women will actually be reached with maternity benefits, especially those on the margins, such as Dalit and tribal women; women in remote forest habitations, urban slums and streets; those in stigmatized occupations like sex work; and nomads and migrants.

Critics also point out the absence of any food entitlements for women who are not in the reproductive cycle, such as single and older women. In predominantly patriarchal societies such as that of India, women are viewed as reproducers, caregivers, sexual outlets, and facilitators of a family's prosperity. Hence, single women are characterized by the absence of male "protection" in their lives, which in most instances is actually an absence of male "control". This erodes the social status of women who are widows, divorced, separated, abandoned, or never married. Although widows in India have a legal right to their deceased husband's property,<sup>9</sup> few of them are able to exercise this right; even in cases where widows establish

5 The *Fulwari* scheme is implemented through *Anganwadis* existing under the ICDS, where children aged between 6 months and 3 years get three hot-cooked meals a day, and pregnant and lactating women get one meal a day, with the stipulation that oil and green vegetables must form a part of each meal and eggs are to be provided to each child at least twice a week. Each *Fulwari* centre is managed by women from the community. Initiated in one district of Chhattisgarh in 2012, by 2014 over 2 700 such centres had been opened in the state. The expansion was based on a study conducted by a medical college in Chhattisgarh and UNICEF, which found that malnutrition declined from 45 to 30 percent in enrolled children (available at <http://dprcg.gov.in/1534e-25-08-14>).

6 Delhi Government's stipulated monthly minimum wage for unskilled workers is Rs 8 632 (available at [http://delhi.gov.in/wps/wcm/connect/doit\\_labour/Labour/Home/Minimum+Wages](http://delhi.gov.in/wps/wcm/connect/doit_labour/Labour/Home/Minimum+Wages)).

7 Ibid.

8 See for instance: SEWA Bharat and UNICEF. 2014. *A little more, how much it is – Piloting basic income transfers in Madhya Pradesh, India* (available at [http://unicef.in/Uploads/Publications/Resources/pub\\_doc83.pdf](http://unicef.in/Uploads/Publications/Resources/pub_doc83.pdf)); and SEWA Bharat. 2012. *An experimental pilot cash transfer study in Delhi- Executive Summary* (available at <http://www.undp.org/content/dam/india/docs/poverty/Final-study-results-SEWA-PDS.pdf>).

9 Hindu Succession Act, 1956. Act No. 30 of 1956. 17 June 1956 (available at <http://www.wcd.nic.in/research/nti1947/7.11.1%20Anaemia%20deficiency.doc6.2.08%20pr.pdf>); Hindu Succession (Amendment) Act, 2005. Act No. 39 of 2005. 5 September 2005 (available at [http://www.hrln.org/admin/issue/subpdf/HSA\\_Amendment\\_2005.pdf](http://www.hrln.org/admin/issue/subpdf/HSA_Amendment_2005.pdf)).

their rights, they may be unable to actually control the property. Women who leave their husband's families or are abandoned by their husbands are sometimes turned away even by their parents, leaving them with nowhere to go. Suggestions that the law should automatically include single women-headed households for coverage under the PDS, and pensions for single and aged women, were not accepted.

Critics also worry that NFSA is completely silent on issues of livelihoods for women. They feel that the law should have looked at the issue of land rights for women and provided women legal entitlements to other factors of food production. Others again argue that this is beyond the scope of a law for food provisioning. However, given the importance of equitable access to land, water and other inputs required for agriculture; the feminization of poverty; and the agrarian crisis in the country that burdens women especially, a separate legislation guaranteeing these entitlements should be considered. Again, the practical arguments of not making the law too heavy to implement are cited as reasons for excluding this from a food law; the importance of women's livelihoods to enhance household food security is largely undisputed.

Related to the issue of livelihoods of impoverished women, another point raised by some critics is that NFSA does not mandate a supply of cooked food (whether in child feeding centres or schools) by self-help groups of women, as was

done in the Supreme Court. Some suggest that methods for preparing cooked food should be left to the executive, and not mandated by law. But others argue that if the law were to make such a provision, it would secure the livelihoods of hundreds of thousands of poor women. They are convinced that this option could have additional positive spinoff impacts, such as empowering women; strengthening their capacities in terms of nutrition knowledge, hygiene and food safety good practices; and improving the nutritional status of other members of the household. States like Andhra Pradesh, Odisha, and Tamil Nadu have already demonstrated these benefits.<sup>10</sup>

10 Community-assisted and supervised day care centres are run in Andhra Pradesh; cooks are members of local Self-Help Groups (SHGs) and meals are supplied at Rs 30 per day per person. Village Organizations (VO) maintain a vegetable garden (which subsidizes running costs for the centre) and also manage the centre. Nutrition and Health Education (NHED) sessions are held for pregnant women and those with children under two years. The VO and centre are responsible for mobilizing labour collectives at the centre and ensuring that they get the compulsory 100 days of work under the NREGS, which helps them pay a part of the cost of the meal. The convergence of these various systems has led to a decrease in malnutrition and low birth weight. In Tamil Nadu, municipal corporations run canteens selling highly subsidized food (for prices as low as Rs 3–5) with the help of SHGs across cities in the state. SHGs in Odisha monitor and manage the MDM in schools. A survey of schools in a particular district of the state illustrated that as representatives of the SHG purchase provisions for meals, hire and pay cooks/helpers, cook meals themselves when the regular cook is absent, and also monitor the quality of rations, the MDM continues uninterrupted.

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