Development-Induced Displacement and Gender Injustice: Some Critical Reflections

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Abstract
The development projects that most of the countries in the world witnessed after post-colonial period have led to alienation and deprivation of large sections of population through the process of displacement. Doubtless, it has brought a loss to all but the magnitude of loss is more severe in case of women than men, as they are disconnected from nature which is the main source of survival for them. Women’s use rights over certain lands, which gave them autonomous spheres of control, are wiped out without compensation. Moreover, the losses of forests and common property resources have destabilised women’s income and relative social status. The employment generated by the projects comes with hazardous working conditions and low wages, and without job security, pushing more and more women into the informal sector. Along with economic loss, it has directly and indirectly affected women’s health, their food security and status in society. Here, the issue raised in the paper tries to interrogate what kind of loss the women faced due to displacement; what kind of policy initiation is being taken for the betterment of women in case of displacement; and what is the role of women in displacement movement. This paper, based on the review of the existing literatures and authors’ own experiences, attempts to reflect on the above issues.

Keywords: Displacement, Gender, Globalization, Injustice, Women’s movement

Introduction
In the era of globalization, the issues of development, displacement and rehabilitation vis-à-vis local communities have acquired a special significance. The states in the world in their quest for development, caused displacement and resettlement of their populations (World Commission on Dams, 2000). Every year roughly 10 million people are displaced by development projects particularly by two development sectors such as dam construction and urbanization/transportation throughout the world (Cernea, 1995). In the last decade, the magnitude of displacement of peasant communities in Africa, Latin America, Central

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Asia, South Asia including India and China has increased enormously (Cotula, Vermeulen, Leonard, and Kelly, 2009; Pearce, 2012). In India alone, following Independence, the development projects have displaced roughly sixty million people in the last sixty years. Out of the 60 million people displaced, 75 per cent are adivasis and 25 per cent are Dalits (Fernandes, 2008). Displacement deprives people from many things. It deprives them from their lives and livelihoods such as homes, lands, productive assets, familiar environments to which their skills and practices are attuned, community networks and a sense of local belonging. While displacement affects all, it is more severe for women than men, irrespective of caste, class, religion and region. Everywhere women bear the brunt of the forced move a lot more than their male counterparts (Mehta, 2009). While there is an overall negative impact on the poor, women and female children, they are more affected due to intra-household inequalities that already exist in the levels of literacy, health, nutrition etc. These disparities are accentuated at the times of economic stress (Sen, 1981).

The gender inequalities that endured before displacement get accentuated in some form or the other, among various social inequalities created by developmental processes (Kabeer, 1994). Moreover, the loss of forests and common property resources leads to the scarcity of minor forest produce and fuel wood, and destabilises women’s income and relative social status. Mechanization, an inseparable part of industrial development projects, also has an impact on women. It has only intensified women’s unemployment (Lahiri-Dutt, 2001; Fernandes, 2007). Moreover, the employments generated by the projects have hazardous working conditions, provide low wages, and are without job security. Hence they push more and more women into the informal sector (Lahiri-Dutt, 2001). Along with economic loss, it has directly and indirectly affected women’s health, their food security and status in society. Here the issue raised in the paper tries to interrogate what kind of loss the women faced due to displacement; what kind of policy initiation is being taken for the betterment of women in case of displacement; and what is the role of women in resistance movement against displacement. This paper, based on the review of the existing literatures and case studies, attempts to reflect on the above issues.

Resettlement and Rehabilitation Policy: History of Injustice
India got its first National Resettlement and Rehabilitation Policy (NRRP) in 2003. Before that there were as many as five draft policies. Each Draft policy was an improvement upon the previous policy. In fact, earlier almost all the projects had their own rehabilitation and resettlement policies. There was no such a pan India policy. It was published in the Gazette of India, Extraordinary part-I, section-1 on 17th February 2004. India promulgated its second national rehabilitation policy on 31st October 2007, known as National Rehabilitation and Resettlement Policy, (NRP) 2007. The preamble of the policy has laudable principles. It stresses displacement and deprivation to be minimized. It considers that monetary compensation is inadequate to get over the traumatic consequences of displacement and prescribes that resettlement and rehabilitation ought to be intrinsic to the development process (Fernandes, Chetri, Lama, & Joseph, 2012; NRP, 2007). It states the need to rehabilitate ‘those who do not have legal or recognized rights over the land or upon which they are critically dependent’ (NRP, 2007). It includes landless labourers and petty business persons among the displaced persons (DPs). It prescribes social impact assessment (SIA) mandatory. It speaks for a tribal development sub-plan where the tribal DPs predominate. It highlights a time frame for implementation and grievance redressal mechanisms (Fernandes
et al., 2012; NRP, 2007). In response to the various national level policies on resettlement and rehabilitation, different state governments had brought out their respective policies in different period. In course of time, like any other state, the Government of Odisha announced its Resettlement and Rehabilitation policy in 2006, known as Orissa Resettlement and Rehabilitation Policy 2006. The policy is claimed to be among the best in the country. The policy came as a ‘kneejerk reaction’ to the Kalinganagar police firing and several other high profile movements gaining momentum. However, the policy falls short of the campaigners’ demands (Mathur, 2006b).

Inadequate social planning ensured high social tension resulting in a negative impact upon women that in turn increased the risk of displacement. Till the National Policy 2007 came to exist, even the word gender failed to acquire a significant place in the policy. No steps were being taken to provide justice to those women affected earlier by various development projects. The policy violates constitutional provisions. It contravenes Article 15 (I) on the grounds of non-discrimination against gender. It also flouts Article 39 (a) of the directive principles of state policy which prescribes securing equal rights both for men and women on the grounds of adequate livelihoods. These constitutional provisions have failed to provide justice to women in case of displacement. There is wide gap between the Constitutional justice and the reality. Women have greater poverty, lower literacy and education and fewer rights. Moreover, they are marginalized socially and economically and exposed to violence and abuse. In this context, Sahaee (2003) argued that first national rehabilitation policy is ‘gender blind’ as it recognizes the male as the head and sole deciding factor for compensation and rehabilitation. While extending rehabilitation benefits, it does not mention any separate criteria for women. The policy gives the impression of being a response to liberalization. This is evident, among others, from the extent of land most states acquired for private companies. For instance, Odisha had acquired 40,000 hectares for industries during 1951-1995 and planned to acquire one lakh hectares in a decade (Fernandes & Asif, 1997). The policy can at best keep the victims poor and at worst push them below the poverty line and it will legitimize impoverishment (Fernandes, 2004).

Regarding gender issue, the National Rehabilitation and Resettlement (R&R) policy 2007 is less sensitive. It continues to include unmarried sisters or daughters in the family while an unmarried adult son is regarded another family for providing compensation (Fernandes et al., 2012; NRP, 2007). Fernandes (2012) also states that both the two R and R policies did not deal with the issues concerning women. These policies emphasize land acquisition. They can at best reduce resistance, but cannot rehabilitate people.

While NRRP 2003 was gender blind and the NRP 2007 was less sensitive to gender, the Odisha rehabilitation policy was gender biased. In the context of rehabilitation, one of the most glaring instances of gender disparity has been the issue of compensation. R&R policy often gives compensation or land to major sons, but major daughters are excluded from such provisions. Odisha R & R policy considered the unmarried women above 30 years as separate units for R&R benefits. Although Government emphasize gender equality on all other aspects but it shows gender-bias on extending R&R benefits to the girls above 18 years of age in contrast to their male counterparts.
In case of a woman divorcee, to get compensation benefit is another problem. The clause of proving herself as a divorcee in order to get R&R benefits is real problem for the women of lower social strata as no formal divorce is sought in such cases. It is also problematic for a divorced woman to get a divorce certificate in order to be eligible for compensation. It is the complex legal structure in which a woman divorcee faces a lot of difficulty to obtain a divorcee certificate. Even nothing has been mentioned about separated women. The gender dimensions of displacement have not been closely studied in the state of Odisha. Besides, there is another problem evident in the state policy. Though unmarried daughters above the age of 30 years, widow and divorced are considered as separate family at the time of compensation, they are not considered separately at the time of providing employment opportunities.

Asian Development Bank’s (ADB) R&R policy of 1998 has recognized gender issues in resettlement. The Bank feels that the need and problems of women affected by relocation are likely to be different from those of men particularly in terms of social support, services, employment, and means of subsistence for survival. Under unit of entitlement, the ADB policy recognizes that the households headed by women are to be recognized and compensated equally with households headed by men. Widowed women or divorcees living within male-headed households and having no legal rights to land may be considered as separate units for relocation purposes (Asian Development Bank, 1998). All these gender issues prescribed by ADB were ignored by the Odisha state R&R policy 2006.

Compensation in India in the Land Acquisition Act, 1894 (as amended in 1984) is the only legal instrument available in the country to address the issue of development-induced displacement. Compensation and rehabilitation benefit for the displaced people in the project is determined on the basis of ownership to land as per the said Act. A serious weakness of the Act is that it only offers cash compensation to those who have land records of their lands that were acquired for the project. The resettlement and rehabilitation of project affected people does not fall within the scope of the Act. The Act recognises only the individuals’ right, not collective or community rights and hereditary rights. Again the Act recognises only the legal records of rights. Thus, those who have depended upon government land for generations but do not have any records of rights, or traditionally depended on the common property resources (CPRs) or have survived by rendering services to the village community as a whole, are called encroachers and they are not entitled to get any compensation according to the present legislation. In case of women, most of the time they depend on CPRs to run their families and invariably face loss of right to access those resources which may be considered as gross injustice meted out to them. Ganguly Thukral (1996) has pointed out that the Land Acquisition Act, 1894 is gender-biased and merely reinforces the existing situation of women’s lack of ownership of land and property. She further remarks that the notice of acquisition served on a woman in the absence of any male person in the family is not legal. All R&R policies in the country go by the ownership of land or property in case of working out compensation, and reflect a similar gender bias.

Mehta and Srinivasan (2000) have noted that as men are treated as heads of households, compensation, either cash or land, is only awarded to them. As compensation was not deposited in the joint account of both male and female, the compensation given used to be misappropriated by male sometimes. Women are not considered to be farmers or house
owners. In this situation, single women and widowed women are particularly vulnerable. Similarly, R&R policy often gives land to major sons, but major daughters are excluded from such provisions.

Both National Thermal Power Corporation (NTPC) and Coal India Limited (CIL) formed their own R&R policies in 1993 and 1994 respectively for the rehabilitation of displaced people. Both of the policies can be argued to be gender biased because none of them considered women as separate units for R&R benefits except the policy of CIL that claims to have made special attempt to ensure women in getting adequate access to income generating opportunities offered under the policy. In case of *Sardar Sarovar* Project, the Maharashtra government considers major unmarried daughters as project-affected persons for R&R benefits. The Gujarat government has included all women widowed after 1980 as separate family to benefit from the rehabilitation package in the *Sardar Sarovar* Project. However, the women widowed prior to 1980 will continue to be dependents of the head of the family.

In the State of Odisha, the major industrial projects (*Rourkela* Steel Plant and National Aluminium Company Limited), thermal power projects (*Talcher* Super Thermal Power Project under NTPC and *Ib* Thermal Power Station, a State PSU) and coal mining projects (under Mahanadi Coalfields Limited, a subsidiary of Coal India Limited) have adopted their own R&R policies differing from each other. However, it is glaring to mention here that none of the R&R policies have gender perspective to address gender dimension of displacement. In every Project women were not recognized as a separate entity. Even widows, unmarried adult daughters and deserted women were considered as dependents. The State R and R policy is even more gender biased. If a couple holds property separately, they will be considered one unit and will receive one package. In this situation, a woman will have to forego her right to the package as it will be given to the head of the family i.e. to the man. A deserted woman has not even been referred to in any of the state policies.

The laws, policies and government procedures also serve injustices to women. It is the consequence of the unequal social and political set-up that men get preference over women in the matter of land, security, physical space, food intake, jobs, etc. within home, society and in the government. These injustices accentuate in the event of a critical situation like displacement and resettlement.

**Impact of Displacement on Women**

If we reflect on the position of the displaced women in the light of Cernea's conceptual model of 'impoverishment risks and reconstruction', we find that all the sub-processes like landlessness, joblessness, homelessness, marginalization, food insecurity, morbidity, social dis-articulation and loss of access to common property get aggravated in their case. For affected communities, the development projects have widened gender disparities either by imposing a disproportionate share of social costs on women or through an inequitable allocation of the benefits generated.

Transitional phase brings a great loss to women as all developmental activities stops in the project area. Displacement brings loss of access to common property resources and hence a loss of access to livelihood. Many a times, loss of fodder leads to loss of livestock rearing that brings an additional burden of workloads and responsibilities for women. A study on
impact of displacement on people in seven projects in Odisha found that due to declining access to land and other common property resources, women’s productive activities that they usually carried out at home such as livestock rearing, kitchen gardening, fishery, poultry or petty business etc. got disrupted which adversely affected their status in the family. They lose their earnings from forest and other common property resources and other non-farm activities like handicraft, cottage industry, and livestock rearing (Pandey, 1998a).

When we visited IB Valley Coal field in 2012, the women, complaining about their present circumstances said that life prior to displacement was hard, but at least there was water available from the local river, and fuel and fodder available from the forests. Now the mining operation has spoiled the water, which in any case was too polluted for consumption, and has appropriated the forests. Loss of access to traditional sources of livelihood marginalizes women in the labour force. A study carried out by Fernandes and Raj in NALCO, of Damanjodi in Koraput reveals that out of 443 jobs created, only 25 were provided to women, all of whom were widows or otherwise single and were, as such, considered heads of families (1992). It is also observed that the tribal women who used to work as agricultural labourer now shifted to act as housewife or non-farm labour.

In displacement, when men migrate for job to other areas, women’s emotional stress accentuates. Control of women’s sexuality becomes a serious issue. It increases the pressure of women in living alone. Poverty and lack of any other income-generating activities increase women’s involvement in prostitution although enough empirical data is not available to substantiate this. ‘Displaced women in Assam and Manipur have increasingly been forced into prostitution in order to support their families in the absence of husbands who have left in search of work’ (Internal Displacement: Global Overview of Trends and Developments in 2009, 2010, p. 78). This has disastrous consequences for old people when a combinations of factors like economic stress, migration and break down of family structure appear together and it makes the life of old parents insecure.

A Tata Institute of Social Sciences (TISS) study reveals that in case of Sardar Sarovar Project, the per capita intake of calories among some relocated people have shown a fairly significant drop. This is due to the low crop productivity and lack of employment opportunities in the resettlement area (as cited in Ganguly Thukral, 1996)). The same was observed in case of many project sites in Odisha. The study on Kalinga Nagar Industrial Complex reveals that most of the agricultural lands near the plants construction sites remain uncultivated. A local farmer pointing out the issue observed as under:

‘We are not getting enough water as we got earlier for our land because the water near the plant construction sites is dried up due to the plant construction. Our Pattas and Nallas have been dried out due to the industries. We are not able to cultivate paddy, mung and biri and peanuts due to lack of water. We have left our cultivation. Hence we have to depend on the food supplied by the project authority as resettlement assistance. But most of the time it is irregular and some cases they have stopped the assistance’.

Sanitation is a major problem specific to displaced women. A study on the impact of displacement in Odisha reveals that NALCO has provided housing without toilet facilities to
the displaced persons. Thus, they were forced to use a plot that the neighbouring village had set aside for pasture. Quarrels were frequent and they were mainly between women (Fernandes & Raj, 1992). It is an embarrassing experience every day. Similarly, the study of impact of displacement on people by Pandey (1998a) in seven projects in Odisha such as Rengali Irrigation Project, Upper Kolab dam project, Talcher coal mining projects, Ib valley coal Mining projects, NALCO, Hindustan Aeronautics Limited, and Ib Thermal Power Station found that the resettlement colonies had very little housing land, which resulted in overcrowding, loss of privacy and proper sanitation; thereby women were worse affected during call of nature.

Displacement has significantly decreased the women’s participation in development activities in villages. Fernandes and Raj (1992) have found strong gender biasness in job offering as most of the jobs go to the men in NALCO project. Similarly, displacement has resulted in the exclusion of an increasing number of women from active participation in the productive process. This occurs in two ways. First, the dispossession of women’s participation in the jobs which existed before displacement and the second is, less number of jobs offering to women in the post-displacement period. In our study of the Kalinga Nagar study, it has been revealed that a few women, particularly the kith and kins of the police firing victims have got employment in the projects. Majority of the women have been deprived of getting jobs in the projects. However, the jobs provided to the women are of low wage. In our study of IB valley area it was observed that there has been a reduction of 20% of women’s participation in developmental activities due to lack of time and high stress.

Parasuraman (1993) in his study on impact of displacement on women in six projects - Bolani Iron Ore mines, Durgapur Steel Plant, Jawaharlal Nehru Port, Maharashtra II Irrigation, Upper Krishna Irrigation project and Sardar Sarovar dam reports that women not only suffered in terms of poor health and malnutrition, they also lost the capacity to provide a secure future for their children. By engaging in seasonal migration in the absence of other alternatives, they have denied access to their children to school, health, child welfare, preschool and other welfare services. A study by Fernandes and Raj (1992) mentions that in NALCO project of Damanjodi in Koraput district of Odisha, the percentage of literacy has gone down from 22.63% before displacement to 18% after the process and it is only 3% for girl children. It has also resulted in many children dropping out of school. Does lack of access to or no access to education for the children lead to a sustainable future to the parent and for their children? When displacement gives an insecure future not only to women but also to their siblings ‘does it not represent an injustice to future generation?’

Displacement sometimes impinges on the social status of women. When women do not have work both in terms of domestic and outside, it can lead to serious consequences. Ray (1998) in her study on displacement in Talcher Super Thermal Power Project finds that women of both large and small agricultural farmer families have little in their domestic work during the resettlement period. Women did not have enough paddies to process and distribute. They could not celebrate most of their religious rituals since the rituals were all related to agriculture. They could not keep the larger community ties through the horizontal exchange of food stuff, most of which remains rice-based. Their contribution to the family economy, whether they worked as agricultural labourers, or managers of paddy inside the house, was not replaced with anything else. Deprived of access to land, forest, and non-
wood forest products as a consequence of displacement, women no longer remain equal partners to men. This results into the loss of their freedom in social matters, their independence in economic matters and almost no gain in the political and educational fields of social development. It increases the women’s dependency on men (Chauhan, 1990 as cited in Ekka & Asif, 2000).

Tribal women who are deprived of the resource that is the basis of their relatively high status, experience downward economic and social mobility. Dependence on men grows further among other women whose social status is not the same as that of the tribals (Menon, 1995: 100-101). In India for example, women may have use rights over land and forests, but are rarely allowed to own or inherit the land they use. Given the gender-blindness of the planning process development projects typically build on the imbalance in existing gender relations. For affected communities development projects have widened gender disparities either by imposing a disproportionate share of social costs on women or through an inequitable allocation of the benefits generated. Women have the responsibility of collecting fuel, wood, fodder, and minor forest produce and water for their family. As women have no rights on these resources, thus, their loss of access to these resources is seldom focused upon when displacement takes place.

Parasuraman’s (1993) study on the impact of displacement on the social and economic condition of women by six development projects found an important but serious aspect that is highlighted by some scholars that any loss of access to traditional sources of livelihood such as land, forest, sea, river, pasture, cattle, and salt-pan-land marginalizes women in the labour force.

**Women’s Movement against Displacement**

Deprived of justice from the legal and political structure and facing severe consequences as a result of displacement, women find no alternative way but to protest against their historical injustice. Women many a time have been played significant role in major displacement movements and against the forceful appropriation of lands, resources and other assets. Sometimes they have taken leading roles in major displacement movements against development projects like the Sardar Sarovar projects, Tehri and Maheswari dam projects, etc. Even in major protest movements against projects like Baliapal, Netarhat and Enron thermal power projects, women spearheaded the movements. Women possess a worldview quite different from men. Men are apt to be attracted by short term benefits like getting cash for their land, but women generally have a long-term perspective (Hemadri, Mander, and Nagaraj 1999).

In Odisha, the participation of women in resistance movements against displacement is remarkable in case of the Ib Valley Coal Mining Project. Women also have taken quite a significant role in the POSCO movement and Kalinga Nagar movement. Large number of women along with school children protested the POSCO project in sleeping under the scorching sun in Jagatsinghpur district in Odisha. In Kalinga Nagar movement large number of women took part in protest movement against Tata project and two women were killed in the police firing on January 2, 2006. The women of Kadalimunda village being displaced by the project have taken a leading role in a non-violent struggle against the authority-Mahanadi Coalfields Limited (MCL), and succeeded in winning a better rehabilitation
The women with the support of the men stopped mining operations for three to four days (Pandey, 1998b).

Documenting the women’s participation in the protest movements against the projects like Utkal Alumina International Limited, BALCO in Gandhamardan hill, National Missiles Test Range at Baliapal, Chilika Aquatic Farm Limited at Chilika lake, TISCO Plant at Gopalpur etc in Odisha and the Koel Karo Hydel Power Project, Subarnarekha Multipurpose Project and Netarhat Field Firing Range in Jharkhand, Institute for Socio-Economic Development (ISED) found that women participated in great numbers in such protest movements. Women invariably had to act under the leadership women leaders. Almost all the movements had some kind of political affiliation and generally women were hardly given opportunity to react to change of stand by political parties. The upper caste people did not want their women to join the movement apprehending loss of prestige in the society. Although, women participated in large numbers in the protest movements yet they were hardly given due recognition. It is also an urgent need to document the role of women in resistance movement against displacement.

Conclusion
In fact, all women do not suffer injustice in the same way. The impact varies depending on the Plural system of caste, class, ethnicity and other social institutions. Gender injustice is appropriated in various levels of the legal system such as substantive, structural and cultural as a result of abortive displacement. In the structural level of resettlement policy many countries and funding agencies have adopted specific gender policies in recent years aimed at mainstreaming gender issues in their developmental interventions. But the actual project planning and implementation continue to overlook gender dimensions. In the Orissa resettlement policy 2006 though the needs of women have got special address but it is observed that the impacts of projects on gender at most of the phases are ignored. Similar study mentions that Asian Development Bank approved a gender policy in 1998, but the impact on gender at the project preparation and implementation stages were often not considered.

Suggestions for Improvement
1. Resettlement sites should be fully developed before any relocation or resettlement including houses, sanitation, schools, drainage, community hall, wells/drinking water, roads, health centers, ration shops, common spaces --playground, burial/crematorium ground, spaces for cultural reproduction and green cover.
2. Resettlement areas should cover or include all sources of livelihood such as agriculture, horticulture, livestock, fishing, forestry, artisans, CPR products, shops, SSIs, OAME-Own Account Manufacturing Enterprises and family enterprises.
3. The resettled area should have full facilities in terms of micro finance, SHGs (Self Help Groups) and extension services with subsidies being provided for all livelihoods.
4. Gender participation should be integrated fully in all the processes of displacement-consultation, design, and implementation in achieving consensus.
5. There should be gender parity with regard to compensation irrespective of age and marital status.
6. After proper rehabilitated and resettled completed a fixed share of the profit incurred by the organization be made available to the displaced people. It is necessary for the long sustainability of the project.
7. CSR should be mandatory and be a part of constant and continuous process to empower the affected families at least for two generations and some special provision should be made to empower women.

8. All the relocation should be in similar geographical terrain, without the loss of cultural and communitarian identity.

9. Single window disbursement of beneficiary scheme should be adopted.

10. All self-governance institutions such as Gram Sabhas should be constituted immediately after the rehabilitation with fifty percent gender representation.

11. Free vocational training and skill up-gradation must be provided by new project from the day of MOU with Govt. till the organizations continue to survive and special focus should be given to women.

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