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Sex and Sexuality among Unwed Mothers in Kerala

Giji George¹

Abstract

The lack of factual knowledge of sexual matters among teenagers is often attributed as one of the major causes of unwed pregnancies. This article attempts to find out the relevance of the knowledge on sexual matters among the unwed mothers residing in the licensed homes in Kerala. A standardized scale on Sex and Sexuality developed by Rao (2006) was used to measure the same. The study also seeks to understand whether there is any association between age and education, and the knowledge about sex. The respondents (unwed mothers) were selected from the nine licensed homes based on an inclusion criteria. Findings revealed that the overall knowledge about sex among the unwed mothers was very low. There was association between education and sexual knowledge. There was no association between the level of sexual knowledge and age of unwed mothers. The results offer guidance to human service agencies in making decisions on additional components and enhancements to existing programmes and services for unwed mothers.

Keywords

unwed mothers, licensed homes, knowledge on sexuality

Introduction

The phenomenon of illegitimacy or out of wedlock pregnancy is not new. It has recently shown an increase as a direct effect of the changing family systems in terms of its structure, stability and functioning (Agarwal, 2010). Adolescence had traditionally been considered as the most difficult period in an individual's development cycle wherein the young woman undergoes psychological, physical, hormonal, cognitive and sexual changes which are not only stressful but also confusing. These changes occur without much support and help from families and communities. The situation often aggravates with uncertainties regarding one's career, marriage partner, sexual life and the self itself. Societal and familial restriction to knowledge about human sex and sexuality was found to be associated with child sexual abuse and unwed pregnancy during teenage (Agarwal, 2010). Keeping in line with this the lack of factual knowledge of sexual matters among teenagers is often attributed as one of the major causes of unwed pregnancies across cultures (Connell and Jacobson, 1971).

A study on adolescent girls in rural India showed that girls become a prey of incest, rape, unwed pregnancies and low self esteem due to the lack of sex education and mainly due to the contrary notion subscribed by mainstream Indian society that sex education would corrupt the minds of young people and will promote sexual act before marriage (Agarwal, 2010). Similarly, in

¹ Department of Social Work, Rajagiri College of Social Sciences, Kalamassery-683104, Kerala, India.
Email: gijifrancis@gmail.com

a survey conducted in California, Connell and Jacobson (1971) identified the factors associated with unwed pregnancies such as sexual knowledge, attitudes towards pregnancy and the role of parents during a girl's pregnancy. The study suggests that the unwed pregnant teenage girl possess limited sex knowledge (Connell and Jacobson, 1971).

It is important to examine what are the implications of sexual knowledge among teenagers to avoid or avert unwed or out of the wedlock pregnancies or illegitimacy. This becomes critical in the context wherein conservative and traditionalist parents and organizations have come forward to contain sex education programmes in Indian schools (Agarwal, 2010). In the context where many parents in the past have relied upon the school for the introduction and discussion of new ideas, however, many schools have recently come under fire from parents and communities when sex education has been added to their curriculum. Similarly, a wide range of objections are presented by those opposed to such programmes. They include the belief that sex education belongs to the home and the school is usurping parental responsibility, besides young minds are not able to cope with the intimate details of human reproduction. Charges have been leveled at the schools that they are corrupting the minds of youngsters and producing amoral behaviour by encouraging them to learn about their bodies and how they function sexually (Connell and Jacobson, 1971). Agarwal (2010) examined uneducated adolescent girls' knowledge about sex and sexuality in rural Uttar Pradesh (UP) and found that the major sources of sexual knowledge were from adult talks, jokes and something they saw in their own houses where intimate relations were no secret due to structural limitation of the houses. Adolescent girls who were educated up to 8-12 Standard had also come across some knowledge when they study science books.

Agarwal (2010) finds huge gaps between adequacy of knowledge imparted through current educational system and actual knowledge outreach. During a discussion with girls across Gorakhpur District (in UP), the author noted that pregnancy outside marriage is an issue due to incest sexual relationship within the family context. The culprit would often be uncles, cousins, and rarely, even the father. Though there were no authentic data to show the gravity of incest relations with the father but it is not that rare in rural areas (Agarwal, 2010). It was also found that when the girls hints to her mother about being touched or fondled by uncles, close family friends, or relatives, it is completely ignored as incredible or a gesture of affection misconstrued by the girls. When such a fate befalls of the unmarried pregnant adolescent girls, the first move is to contact either a doctor or a dai for abortion while sometimes these girls are married off. If abortion is not possible for several reasons, the girl is put to death by one of the family members or her life is made so unbearable that she is forced to commit suicide. In one incidence an unwed mother said that they had not heard of being killed, but an unwed adolescent girl was expelled from the village alone together with her own mother and nobody knows what happened to them. Seven out of the 40 girls who joined residential literacy classes in Gorakhpur Mahila Samakhya were found to be involved in physical relations with men of their villages because these girls were lured by small gifts, words of appreciation and love, something that was lacking at home. These girls reported that they had no knowledge about the implication about physical relations before involving in sexual acts. It was also noticed that sometime parents encourage them to engage in sexual acts (Agarwal, 2010; Jose et.al., 2009).

The girls were found to be ignorant regarding 'what really occurs during physical consummation'; and the unchecked freedom allowed to the boys, who were brazen in their behaviour, because they subscribed to the popular view that men can do anything they like (Connell and Jacobson, 1971: 1840). Though girls in this region attain puberty at 12 years old, information about physical relationship and its consequences came to them only after they themselves had experienced sex, either through marriage, molestation or criminal assaults.

Some of the questions were directed towards learning what these young mothers regarded as the major precipitating cause for teenage illegitimate pregnancy. Their responses dealt with

interpersonal relationships, the role of the self-image, the lack of knowledge of human sexuality and the lack of appropriate health facilities (Connell and Jacobson, 1971). The analysis revealed that nearly half of the group (44%) replied it was concerning the boy-girl relationship. Some of the pertinent comments were: "to trap the boy into marriage," "because they loved the boy," or "they didn't intend to get pregnant, but wanted to satisfy the 'feeling'" or "because they became involved with a boy" while about 40 per cent of the informants answered that indicated teenage girls were primarily concerned with their image as a female (Connell and Jacobson, 1971:1842). Because, they wanted "to prove they are women," "to be one of the girls," and "to establish their independence." Some of them (about 16%) reported the reasons for these pregnancies were because "they do not know that sexual intercourse can lead to pregnancy," "they do not know about birth control methods," or "they know about contraceptives but can't get them."

Boy friends were cited as a second source by 25 per cent, a school nurse or a teacher by 22 per cent, and only 5 per cent reported parents and other relatives as their primary source of information (Connell and Jacobson, 1971). Equally informative was the third area explored as to what age they felt this education should take place. Slightly over two-thirds (68%) of the patients felt between the years 12 to 13 were the most critical. Almost a quarter (22%) selected the years from 14 to 17 and a considerably smaller group (10%) thought the ages of 9 to 11 were the best time to begin sex education. If educational material on sex were to be made widely available to youngsters, what would be the most effective point for distribution? Four different sites were selected by the readers: an educational facility (41%) (2) a community setting (29%), (3) a health facility (24%), and (4) a religious institution (6%). Apart from supplying information, how influential did the patients consider that such materials might help be in modifying behaviour? Would they stimulate discussions on the topic of out-of-wedlock pregnancy between teenagers and their parents, their teachers and their peer group members which might ultimately help in preventing these pregnancies?

A large majority (85%) of the young mothers stated that they thought such educational material would be helpful; the remainder did not consider that they would be of any benefit in this regard (Connell and Jacobson, 1971). Since the lack of knowledge and lack of availability of contraception were cited by some of the girls as the major reasons for out-of-wedlock pregnancy, they were asked if they would accept contraception if it were made available to them. Almost all of them (90%) said they would but 10 per cent were uncertain. However, it should be emphasized that no patient said that she would not accept any contraceptive care. Finally, when the patients were queried as to whether in the future they would permit their own single teenage daughters to use birth control, 80 per cent of the girls said they would encourage their teenage daughters to practise contraception, but the remainders were opposed to allowing them to do so. At the onset of her pregnancy, the girl should confide this information to the alleged father and her parents. The latter, when possible, will respond with both moral and financial assistance. This study further suggests that early dating, lack of proper sex education, and a lack of parental supervision are significant factors in the causation of unwed pregnancy (Connell and Jacobson, 1971).

Given this background a study was conducted to find out the knowledge of sex and sexuality among the unwed mothers residing in the licensed homes in Kerala.

Methodology

Unwed mother: An unwed mother is a girl or woman (13-35 years) who is not legally married to a man by whom she has conceived a child. (This age group was selected as per the National Youth Policy, which defines youth as a person between 13-35 years of age.) She may be separated, divorced, widowed, married to someone other than the child's father or never married. She may be pregnant or has already delivered a child and is living presently in any one of the nine licensed institutions in Kerala for a minimum of one month period. (George and Joseph, 2012).

Licensed homes refer to those institutions in Kerala that have got the recognition-license from the Social Welfare Department to keep the women in distress (unwed mother in the present context) for a temporary period. All these homes were functioning along with the foundling homes from where babies are given for legal adoption. There were nine such homes in Kerala, during the time of data collection as per the record of ACA, Kerala (Adoption Co-ordinating Agency) functioning at Rajagiri College of Social Sciences, Kalamassery. All unwed mothers who were residing in the nine licensed homes in Kerala during the period of data collection (2007-9) were surveyed. A single unwed mother satisfying the operational criteria of the same was also included. Other participants included were unwed mothers belonging to the age group of 13-35 years, pregnant or delivered the child out of wedlock, living in any one of the nine licensed homes in Kerala during the period of study and unwed mothers without any mental illness. The sample population was based on the rate of admissions per month (1-3) approximately from the nine licensed homes in Kerala for a period of two years, there were 432 unwed mothers. From this, 362 unwed mothers satisfied the inclusion criteria. Among those who satisfied the criteria above, around 60 per cent were selected randomly using a lottery method and thus the total sample size was 210.

Findings and Discussion

The sex and sexuality knowledge inventory developed by Rao (2007) was used in the present study to assess the overall knowledge of the unwed mothers regarding the physical and psychological changes during adolescence, menstruation, reproductive process, sexually transmitted disorders, sexual orientation and sexual abuse. The knowledge inventory consisted of 50 items related to various dimensions of sex and sexuality. Responses of the respondents to the 50 statements in the scale are given below. The 50 statements in the inventory related to sexuality are grouped into/under nine aspects. The number of the positive and negative statements to each of the nine aspects is given in Table 1.

Table 1
Positive and negative items related to different aspects of sex and sexuality

Aspects	No. of items	Item no of +ve items	Item no of -ve items
Physical changes	12	1, 2, 3, 4, 5, 30, 32, 42, 46	19, 20, 48
Menstruation	4	7	6, 8, 33
Sexual practices	8	9, 35	24, 25, 26, 43, 44, 49
Reproduction/conception	9	11, 12, 13, 34, 36, 37	10, 14, 22
Sexually transmitted diseases	5	29, 40	15, 16, 39
Virginity	4	18, 41	31, 47
Homosexuality	3	45	17, 28
Sexual life	4		21, 23, 27, 50
Abortion	1	38	

For getting an overall assessment about the knowledge on sex of the unwed mothers the mean per cent age scores were computed and the entire range was divided into three groups, viz., low knowledge with per cent age score less than 34, medium knowledge with per cent age score 34 to 66 and high knowledge with per cent age score greater than 66. The level of knowledge of the respondents was classified and is given in Table 2.

Table 2
Classification according to the level of knowledge
in different dimensions of sex and sexuality

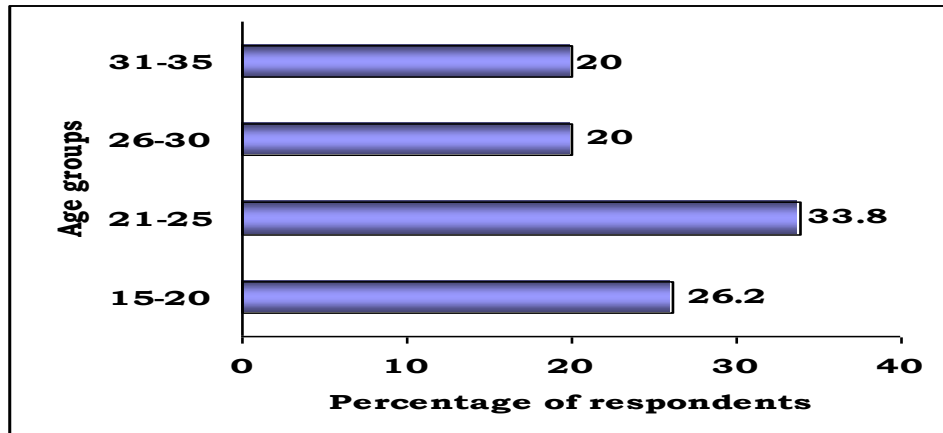
Dimensions	Low	Medium	High
Physical Changes	85 (40.5)	72 (34.3)	53 (25.2)
Menstruation	102 (48.6)	63 (30.0)	45 (21.4)
Sexual Practices	164 (78.1)	29 (13.8)	17 (8.1)
Reproduction/ Conception	137 (65.2)	30 (14.3)	43 (20.5)
Sexually transmitted diseases	122 (58.1)	71 (33.8)	17 (8.1)
Virginity	165 (78.6)	35 (16.7)	10 (4.8)
Homosexuality	202 (96.2)		8 (3.8)
Sexual life	182 (86.7)	14 (6.7)	14 (6.7)
Abortion	143 (68.1)		67 (31.9)
Overall	134 (63.8)	62 (29.5)	14 (6.7)

Note: Values in the brackets are percentages.

About 64 per cent of the unwed mothers were having only low knowledge on sex and about 30 per cent had only average knowledge. The percentage of respondents having high knowledge on sex was very low (7%). These results indicate that overall knowledge on sex and sexuality among the unwed mothers was very low.

While analyzing the age group of the unwed mothers in the licensed homes, it was found that about 34 per cent of the unwed mothers belonged to the age group of 21-25 years, followed by 26 per cent in the 15-20 year category. This shows that majority of the unwed mothers (60%) were below 25 years of age which is a matter of great concern. Among this 26 per cent belonged to the adolescent age group (15-20 years), which again reveals the intensity of the problem of unwed motherhood and teenage pregnancy. Adolescence itself is a crisis period, as it is a time of establishing social, emotional and economic independence from one's parents. The girl, who has an illegitimate child at adolescence suffers physical, mental torture from her parents and relatives who may finally desert her to let her do what she pleases.

Figure 1
Age distribution of unwed mothers



Teenage pregnancy is a widely acknowledged common public health problem worldwide, whereas the problems presented by the pregnant unwed teenagers are among the most difficult and perplexing issues faced by those who work in the fields of health, education and social services (Saran, 1999). No society is immune to teenage pregnancy. Teen pregnancy fact sheet reveals that 13 per cent of all U.S. births are to teens (ages 15 to 19). About 43 per cent of all American girls will experience at least one pregnancy before they reach age 20 (Alan Guttmacher Institute, 1981).

Older adolescents are likely to have more frequency of sexual intercourse than younger adolescence, even-though, first sexual encounter is likely to happen at younger age (Zelnik and Shah, 1983). Studies conducted among unwed tribal mothers in Kerala showed that the mean age at first pregnancy was 19.63 years that ranged between 13-30 years (Jose et.al., 2010a).

Table 3
Association of knowledge on sex with age of the unwed mothers

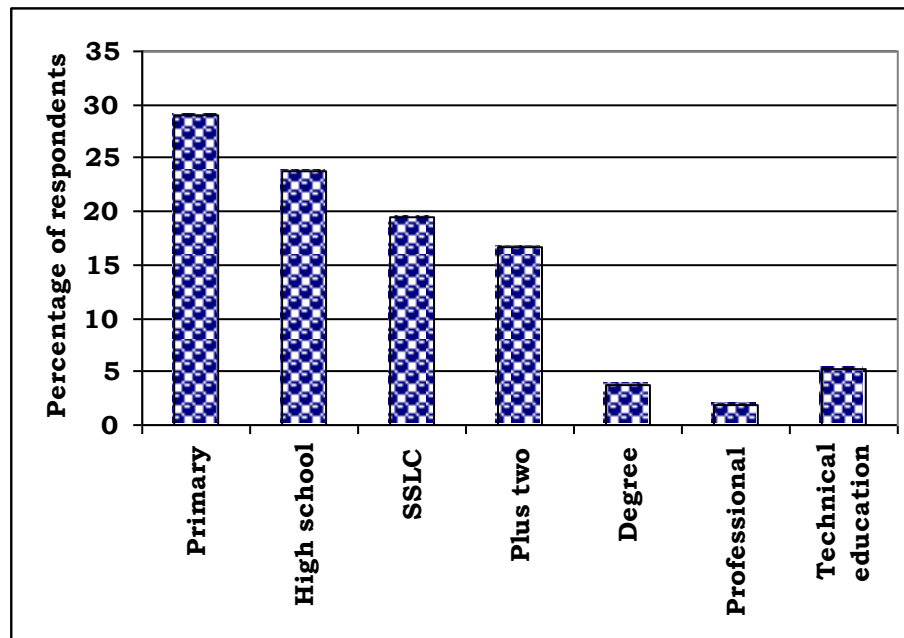
Level of knowledge on Sex	Age group (years)			
	15-20	21-25	26-30	31-35
Low	40 (72.7)	42 (59.2)	28 (66.7)	24 (57.1)
Average	9 (16.4)	23 (32.4)	12 (28.6)	18 (42.9)
High	6 (10.9)	6 (8.5)	2 (4.8)	--
Total	55	71	42	42

$X^2 = 12.062^*$, $df = 6$, $p < 0.1$

Note: Values in the brackets are percentages

Association of knowledge on sex with age of the unwed mothers was tested using Chi-square test. Results show that Chi-square value was non significant at 0.05 significance level. This implies that there is no association between knowledge on sex and age of the unwed mothers. Though there was no statistical significance at 0.05 levels, majority of the unwed mothers belonging to 15-20 age groups had low knowledge on sex.

Figure 2
Educational status of the unwed mothers



Majority of the unwed mothers (72%) were educated up to SSLC (Fig. 2). The figure clearly shows that majority of the respondents were less educated which signifies the severity of the problem of unwed mothers. “Children having children” is a phrase applied to young unwed mothers to imply that they are inexperienced and incompetent parents. The combination of limited education, basic skills, life skills, career skills and parenting skills means that these young parents (unwed mothers) have limited academic opportunities and are restricted to employment and wages that are below the poverty level (Moore et al., 1993; Hoffman et al., 1993; Rangarajan et al., 1992 cited in Cooper-Lampley, 2003).

Low educational attainment of adolescents and other women in their families were also likely to associate with teenage pregnancy (Alan Guttmacher Institute, 1981). In a study among tribal women in Kerala, Jose et al. (2010a) revealed that education was widely ranged and showed variation from no academic background to nine years of education. According to them, the mean completed years of education among unwed tribal mothers was 4.9 years, with a standard deviation of 2.6.

Table 4
Association of education with knowledge on sex among unwed mothers

Knowledge on Sex	Primary	High School	SSL C	Plus Two	Degree Above	and
Low	55 (90.2)	32 (64.0)	26 (63.4)	17 (48.6)	4 (17.4)	
Medium	6 (9.8)	18 (36.0)	14 (34.1)	11 (31.4)	13 (56.5)	
High			1 (2.4)	7 (20.0)	6 (26.1)	
Total	61 (100)	50 (100)	41 (100)	35 (100)	23 (100)	

$\chi^2 = 61.262, p < 0.01$

Note: Values in the brackets are percentages.

Association of education with knowledge on sex among unwed mothers was tested by using Chi-square test. It was found to be significant indicating that knowledge on sex and education is associated. From Table 4 it was clear that as the respondents become more educated the per cent age of respondents belonging to higher level of sexual knowledge increases and per cent age of respondents having low sexual knowledge decreases.

Conclusion

This paper has attempted to find out the knowledge of sex and sexuality among the unwed mothers residing in the licensed homes in Kerala. It was found that there was association between education and knowledge on sex, higher the education, higher the knowledge on sex and vice versa. The more deficits (or problems) an individual faces or accumulates in her life, the more vulnerable she would be than an individual with fewer deficits. Kerala being known for the highest literacy rates in the whole of India, the situation of unwed mothers in other states will be highly dismal. It is high time that we think of alternative systems of education that will empower the weak and the vulnerable. Therefore, improved socio-economic status along with increased empowerment on personal autonomy, domestic consultation and family decision making facilities were likely to reduce deficit accumulation in the social life, resulting in improved quality of social life. Thus it is necessary to explore and create new educational programmes that will reduce the probability of these young unwed mothers becoming pregnant again and which will also help them to have the opportunity to attain success in their life. The findings reiterate the need for developing an intervention package for unwed mothers in the licensed homes with the aim of assisting their future life.

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Indian Domestic Violence Law with Reference to Section 498A IPC

Mohanakumar V.N¹

Abstract

Domestic violence in modern India is endemic. Women victims are protected from domestic abuse under the civil law, namely, Protection of Women from Domestic Violence Act 2005. Section 498A on cruelty against wives by husband and his relatives was inducted to Indian Penal Code as early as 1983. Though it is made for addressing cruelty arising from dowry related issues, its definition is wide enough to address other situations of matrimonial domestic violence as well. The response of the society against the law has been unparalleled owing to the fact of its sporadic misuse by women. It is alleged that women “misuse” the law. Patriarchal allegations of misuse have sprung up from men’s fear of the appropriate use of the sting in 498A. There have been desperate demand for diluting, deleting the sting by making the law compoundable, non-cognizable, and bailable. This paper discusses the predicament of women and the reasons leading to it. The need to take precautions to stop the aberrational misuse is emphasized. The paper examines the trueness of the allegations of women’s misuse of the law by referring to case laws. Besides, it proposes some preventive measures. The co-ordination of civil and criminal mechanism to combat domestic violence can lead to checking the potential misuse.

Keywords

marital cruelty, protection of women, domestic violence law

Introduction

The allegation of misuse seems to be embedded in fear. It appears that the real fear has triggered not from the rigour of S.498 A as such. The sting is in the procedure. The offense is made cognizable, non-bailable and non-compoundable. There is a purpose behind this sting. Women have been doomed to the private sphere of life by men and securing equality with men poses a threat to the traditional, patriarchal power relations in the family.

When an institution in a society is patriarchal, law cannot stand aloof. If a particular stringent law has been framed to book male perpetrators of domestic violence against women, even the law administering institutions use to play it down with allegations of misuse by women citing sporadic instances of misuse. Every law is misused, mostly by men without having allegations of misuse. It is the sheer fear of losing dominion which has tempted men to allege misuse by women of the gender sensitive domestic violence laws. There is much furore against the stringent punitive provisions pertaining to the offence of spousal (male) cruelty under Section 498 A, I.P.C. The demands for deletion and dilution of the stringent procedural provisions are illustrations of patriarchal hegemony rampant in every facet of Indian society. Men in his ardent desire to keep

¹ Government Law College, Ernakulam, Kerala, India. Email: mohanas@live.in

women as a subservient wife and mother at home, are attacking legislation which liberates women from men's matrimonial cruelty.

In order to underscore the need of a stringent law like 498A it is imperative to know the grim picture of women's unenviable predicament in Indian society and family. Therefore, before going to assess Section 498 A, I.P.C. with reference to its misuse by married women let us first verify women's predicament in their household, in general. Besides this, the stance of law on domestic violence and the limitations of law to intervene in intimate partner violence are discussed from an angle of feminist jurisprudence.

The Unenviable Women's Sphere

Patriarchal outlook of society has condemned women to the tight corner of the private sphere of life, the home. The home is often the place of masculine dominion in which men expect the women's labour to secure the peace they crave. The home can be a place of terror for many women who are blamed for not being able to maintain the ideal home.

The pretext of biological determinism has been employed to tie women to domestic responsibilities of home. The inferiority of women is socially constructed rather than biologically determined. This can be well enunciated by the fact that the degree of inferiority varies from society to society. In reality women's disabilities are not natural but enforced. The world is the male and the woman is the 'other' (de Beauvoir, 1949). The role played by women in bearing, rearing children as mother has disadvantaged her from playing a vital role in the public sphere. Instead of recognizing her unpaid domestic services and her contributions to humanity in reference to procreation and protection of the offspring, she has been subjected to gender violence in a shared household. One is not born but becomes a woman through socialization and nurturance. Her status is socially constructed rather than biologically determined.

What de Beauvoir, the French feminist, said in 1949 still holds good in contemporary India. He is essential and she the inessential and the incidental. Humanity is man and the woman is considered only relative to him. A woman is simply what a man decrees. Everywhere he is vocal and loud, she is silent (de Beauvoir, 1949). This patriarchal attitude about domestic life has also led to her limited and unequal role in the public sphere of life. In this context it is quite reasonable to agree with de Beauvoir's words, 'personal becomes political'. The gender discrimination and inequality in the private sphere of personal, domestic life perpetrated on women get extended and reflected on the public sphere of their life. She is toiling in her domestic prison under the yoke of ovary, uterus, breast-feeding, menstruation and menopause withstanding the patriarchal insult, apathy, and cruelty all around. The oppression of the cumbersome responsibilities thereof has obstructed her public appearance in the role as a citizen. Domestic violence may, therefore, be seen as men's counter reaction to women's ever growing yearning for liberation from the oppression of the home. Women who try to challenge conventions of patriarchy by making public appearances are indicted as deserting the home and threatening the natural order. Such nonconforming women are indicted by society as misguided beings who have sacrificed their life for success.

The Stance of Law

Law has been patriarchal in content and conduct. Law presumably is neutral but subconsciously it is addressing exclusively and essentially the male. Law is an imposter in reference to its proclaimed objectivity, rationality and impartiality. The reasonable man of (common) Law precludes woman from its ambit. In order to secure the attribute of reasonableness she has to assimilate and qualify to the male standards of reasonableness. The generic reference of law is male.

All social institutions are controlled and reined by male architects who adjudge upon women's

fate. The gender inequality in public sphere has made men the makers of law. (Barnett, 1998). Judiciary, executive and legislature are by no means exceptions to such patriarchal ways. Law's gender neutrality, therefore, is but a myth. The allegations of misuse can be traced to this patriarchal stance of law and society. It includes every wing or machinery under the administration of justice. A woman's autonomy is regulated by law, religion and social policy which are male dominated. Woman's rights are subordinated to state policies.

Women are almost invisible in the eyes of law as their traditional, patriarchal private sphere is unregulated by law. Men were subjects of law and women and her rights were invisible to law. The process of removing the veil has started, though belated with the inception of gender sensitive law on domestic violence. Law was forced to seize the matter in the context of increasing occurrences of matrimonial cruelty, particularly pertaining to dowry. The Dowry Prohibition Act of 1961 proved wanting in prohibiting dowry in marriage. This has led to the making of Section 498 A, I.P.C. and later Section 304 B (dowry death) was introduced. Still the law is reluctant to enter the private sphere of intimate partner relationships.

Overview of the Evolution of Domestic Violence Law

Protection of Women from Domestic Violence Act, 2005, is the latest example of state intervention in the intimate domestic relationships providing for complete and speedy civil remedies against incidence of domestic violence against women. The Act is path-breaking because it is the first civil law permeating with gender sensitive notions and effective machineries providing for complete, meaningful protection of women from domestic violence. The Act has shown how the legal system might respond to situations in which the level of violence is low but the actual and/or potential harm to a woman is high. The Act has underscored that the seeming unrelated right to housing is far more important for addressing violence against women.

It may be noted that the demand of feminist movements, in the backdrop of increasing incidence of dowry related domestic violence, for the criminalization of dowry death culminated successfully in the enactment of Sec 498A in the IPC in 1983, Sec 304B in 1986 and corresponding provisions in the Indian Evidence Act, 1872. The ensuing sections will make an attempt to critically analyze the different facets of cruelty as conceived in Section 498 A with special reference to the misuse of the provision.

Critique on Section 498 A

The criminal law perspective

Before making an analysis of the penal provision some salient objectives of law of crimes are to be examined. The adage, 'every saint has a past and every sinner has a future' is reflective of one of the primary objectives of penal law. A sinner's life cannot be condemned to his capricious ways of delinquency. The state is made responsible by law to facilitate correction and rehabilitation of the offender. This is an essential component of a penal law.

The penal law has the deterrent or preventive content in it to prevent the individual offender from committing offenses in the future. In addition to this personal preventive aspect there is the general preventive aspect whereby society, at large, is cautioned against the punitive consequences of commission of a crime. The other motive, maybe the basest, for punishment is retribution. 'The offender must pay for what he has done' is its tone. The state, on behalf of the victim, takes revenge on the delinquent through punishments.

The state is interested in social control and it has, therefore, prioritized controlling violent conduct by its citizens, both in public and private spheres of life. For example, intimate partner violence may be of interest to the state because it unsettles families, harms children, and creates a public health crisis. This mandates intervention for the purposes of containing crises and managing harm, not to address women's systematic oppression. Separation of perpetrator and

victim through arrest or the use of shelters is often the first intervention for marital or partner violence. It is also among the most common interventions.

The above objectives of punishment inherent in penal provisions are naturally there in Section 498 A. The thrust here, accordingly, is on social control through correction, deterrence and retribution. In the scheme of things the individual victim has no real or direct benefit. The social security concern of the state is explicit. The punishment of the perpetrator of matrimonial cruelty often ends up with the dissolution of marriage. In this predicament the victim often has to take recourse in her reluctant natal home. The penal law is silent on the continued protection of the victim of marital cruelty. Besides, the machineries under penal law system are designed to meet the unique purposes of punishment. The protection of the victim is not its priority.

The existing civil law was too expensive and time-consuming to deliver speedy justice. Most of the civil law was personal law and they therefore had no universal application or relevance, irrespective of the religion the parties' belonged to. The making of the Protection of Women from Domestic Violence, Act of 2005 has come up with effective remedies and machineries to do away with the deficiencies in the existing law.

Another significant feature of criminal law is that the offence (cruelty) has to be proved beyond reasonable doubt. Although both civil and criminal law address violence against women as "cruelty" and considers the definition to be the same, the requirement of proof in civil and criminal law is very different. Sec 498A of the IPC necessitates that the "cruelty" of the husband and his relatives be proved "beyond reasonable doubt." Meeting this requirement is extremely difficult and almost impossible in most cases since such cruelty takes place within the precincts of the home.

Defining the offence of cruelty

The term cruelty has been defined as inclusive of any conduct, which is likely to drive the woman to commit suicide or to cause grave injury or danger to life, limb or health of the woman. Cruelty can be inflicting of mental agony or physical injury. The perpetration of cruelty shall be by the husband or the in-laws of the woman victim. Any kind of such harassment with a view to coercing the woman or any person related to her to meet any unlawful demand for property or any valuable security forms are the cruelty contemplated in the Section. Harassment for dowry, falls within the sweep of the Section. Creating a situation that drives the woman to commit suicide is also one of the ingredients of 'cruelty'. The offence under S.498A is cognizable, non-compoundable and non-bailable. Though made for addressing cruelty arising from dowry related issues, the definition is wide enough to address other situations of matrimonial domestic violence in general.

Any critical review of Sec 498A would convince that the definition of "cruelty" be expanded and elaborated to include the varied forms of violence against women within the home, so that it is not left to the discretion of police officers and courts to assess whether such violence would qualify as cruelty or not. In the patriarchal institutions of administration of law there could be arbitrary use of discretion. Thus the gaps and lacunae in the very definition of the offence have sown the seeds of its abuse and misuse. There is need for a broad and inclusive definition which would be in line with the definition of family violence given under the D.V Act of 2005.

The definition of a crime has to satisfy primarily three requirements (Pillai, 2001). First, a conduct that the law prohibits is a crime (*nullum crimen sine lege*). Here in the definition of cruelty the law has not specifically alluded to as a particular conduct called cruelty since cruelty cannot be concluded as a singular act or conduct. It is an ongoing conduct and treating it singularly as a specific conduct is irrational. Second, the law must prescribe punishment for the crime (*nullum poenae sine lege*). This requirement has been met with by the definition. Third, there is the 'ex post facto' rule that forbids the making of the criminal retrospectively. This

requirement too is fulfilled.

Owing to the vagueness in the definition the judiciary has given interpretations contrary to the interests of women victims. Some Judges have equated cruelty with the very term in the Hindu Marriage Act, 1955 while some others have held otherwise. On a more positive note, the courts have frequently held that cruelty under Section 498A would not only mean physical but also mental cruelty,² which includes mental torture and harassment. Although the term “cruelty” in 498A encompassed and got both physical and mental cruelty, it was difficult to bring the subtleties of everyday violence in intimate relationships within the ambit of the law even when the judges were convinced of the existence of “cruelty” (Jaising, 2009). In short, the definition was worded in such vague terms that it was difficult to bring issues of sexual violence, economic violence or even threats of violence within the ambit of the section.

Constitutionality of the Section

The doctrine of equality before law is a necessary corollary of ‘Rule of Law’ which pervades the Indian Constitution.³ The right to equality is guaranteed by Indian Constitution through Articles 14-18. Art. 15(1) mandates, ‘the state shall not discriminate against any citizen on grounds only on religion, race, caste, sex, place of birth or any of them. ‘Discriminate’ here means not to distinguish unfavourably from others. This mandate has concertized and enlarged the scope of Art. 14.

Article 15(3) prescribes that the prohibition on discrimination in 15(1) and 15(2) shall not prevent the state from making any special provision for women and children. This is based on the spirit of protective discrimination. The Article 15(3) is couched in unambiguous and absolute terms. It in no manner appears to restrict the nature or ambit of special provisions which the state may make in favour of women and children.

It is striking to note here the words of the Supreme Court while commenting on S.497 (adultery) of I.P.C. ‘...Articles 14 and 15 taken together validate the last sentence of S. 497, I.P.C. which prohibits a woman from being punished as an abettor of the offense of adultery.’⁴ It is quite interesting to compare the status of a woman perpetrator of domestic violence with the woman abettor of the offense of adultery under S. 497. These two laws have got the constitutional blessings and validation thanks to Art. 15(3). The jurisprudence behind the two laws may be different though they are in agreement with constitutional requirement.

A judgment of the Delhi High Court upholding the constitutional validity of the PWDVA on the ground that the gender-specific nature of the law does not violate the guarantee of equality as it is a “class legislation” aimed at protecting women as a class that is disproportionately vulnerable to violence.⁵ The same argument holds well with S.498A also.

The violence faced by women is a gendered phenomenon that reproduces and reinforces gender inequality, and hence, a gender-neutral law would defeat the purpose of a law on domestic violence. Given the power relations in the home, the men could use a gender-neutral law to dispossess women from the homes. It is in recognition of this gendered power imbalance that the Constitution enjoins upon the state to make “special provisions” for women and children in its pursuit of prohibiting discrimination on grounds of sex.

The backing of judiciary respecting the human rights of women is founded on the above-mentioned Articles 14 and 15. Human rights justice cannot be withheld to women. The entry of

² In Mohd Hoshan vs. state of AP, the Supreme Court gave an interesting judgment upholding the Andhra Pradesh High Court ruling on mental cruelty.

³ Ashutosh Gupta V. state of Rajasthan, AIR 2002, SC 1533.

⁴ Yusuf Abdul Aziz V. state of Bombay, AIR 1954, SC 321.

⁵ Aruna Pramod Shah vs Union of India, Writ Petition (Crl) 425/2008.

human rights law into the household has brought revolution since it has facilitated legal intervention in the private sphere of family life. Comparatively more general frame of human rights might “offer a more effective way to talk about domestic violence than the framework of women’s rights”(Bumiller, 2010). Women may be invisible elsewhere but they are visible as (better) equal half of humanity in the floodlight of human right law.

From the above discourse on the constitutionality of S.498 the same has been affirmed through decisions of the apex court. Looking from this human right perspective the following infamous remarks of the Delhi High Court in *Harvinder Kaur vs Harmander Singh* sound totally⁶ out of tune with socio-legal context, “introduction of Constitutional Law in the home is the most inappropriate. It is like introducing a bull in a china shop... In the privacy of the home and the married life neither Art 21 nor Art 14 have any place.” These words are not in isolation and cannot, therefore, be ignored as a solitary deviation or aberration. The same patriarchal refrain is frequently reiterated by every wing in administration of justice.

Allegations of misuse; why?

It is alleged that women “misuse” the law. Decoded, this means that women are actually using the law. When the disadvantaged use the law after centuries of exclusion from the legal system, they are charged with “misuse” of the law. What the backlash (the allegation of women’s misuse) tells us is that society has not accepted the fact that women’s rights are human rights (Jaising, 2009). The reports of low conviction cannot be exclusively related to misuse of the provision. Public prosecutors fail to actively pursue cases of domestic violence under Sec 498A, as often women turn hostile during the prosecution and agree to drop the charges. This cannot be attributed to misuse of the law by women. The reasons for alleged misuse may be seen as follows.

Stringent Pro-arrest stance: It is the procedure and not the punishment which has made this law unacceptable to many. The offence is cognizable, non-bailable and non-compoundable. These stringent procedural provisions have made the punitive facet acutely deterrent and retributive. These provisions have also necessitated the compulsory arrest of the accused. Based on the recognition that domestic violence is often repetitive and that domestic violence is often regarded as not serious by police, it is argued that predictable and substantial legal consequences for domestic violence should make victims safer and deter or remove perpetrators. This led to several changes in law which, inter alia required immediate arrest of offenders. A substantial set of studies has evaluated the effects of compulsory arrest in contrast to arrest at officer discretion and to other interventions such as mediation or separation. Compulsory arrest is adopted with a view to reduce the scope of arbitrary discretion of the police.

Vague definition: Fortunately, although conceived as a protection against dowry harassment, the text of Sec 498A was wide enough to apply to other situations of domestic violence. However, it applies only to violence faced by married women at the hands of their husbands or husband’s relatives. Nonetheless the definition of ‘cruelty’ is vague as it is wide. The degrees of cruelty cannot be assessed or measured as there involves mental cruelty as well. The police may make arrest of the accused persons irrespective of the seriousness of the criminal conduct.

While the text of Sec 498A contains one part that specifically addresses cruelty as harassment for dowry, the ambit of the section is meant to be much wider than that as it seeks to address all forms of cruelty that cause grave injury or danger to life, limb or health whether mental or physical. Sexual violence particularly needs to be recognized as a form of cruelty not only because of its high prevalence within marriage but also because the definition of rape within Sec 376 IPC specifically excludes marital rape as an offence. When a woman’s modesty is deflowered by rape,

⁶ AIR 1984 Del 66.

marital or otherwise, there occurs her social death. A definition of matrimonial cruelty on women is shamelessly incomplete if it excludes marital sexual violence.

The members of the bar: Majority of the complaints are filed either on the advice or concurrence of lawyers. At the time of filing of the complaint the implications and consequences are not properly visualized by the complainant that such complaint can lead to insurmountable harassment, agony and pain to the complainant, accused and his close relations.

Lawyers have enormous social responsibility and obligation to ensure that the social fabric of family life is not ruined or demolished. They must ensure that exaggerated versions of small incidents should not be reflected in the criminal complaints. The learned members of the Bar who belong to a noble profession must maintain its noble traditions and should treat every complaint under section 498-A as a basic human problem and must make serious endeavor to help the parties in arriving at an amicable resolution of that human problem.

The police: The police have a pivotal role in any type of cognizable cases as there is the leeway for discretion. The police action often is responsible for the use or misuse of the leeway. On the other hand, it has always been contended by feminine activists that the police and the courts are failing to protect women because they generally follow a policy of non-intervention in domestic and intimate partner violence. This non-interventionist attitude and policy imposes a secondary victimization on the woman.

Section 498-A IPC is incorporated by the Legislature basically in the interest of women and to safeguard them from harassment. But, it has become somewhat counterproductive due to either overreaction or inaction of the police. In several cases, due to police overreaction women as in-laws of the complainant are harassed, arrested and humiliated on the complaints given under the section.⁷ The police attitude to arrest first is the root cause of misuse. This injustice has often occurred due to the collusion or connivance of the police. There are instances of police reluctance to step in family violence cases. The degree of gravity is rarely taken into account by the police. Unity of approach results in hardships. The question of social security or law enforcement is dominated over liberty of the offender.

In *Sidharam Lingappa Vs state of Maharashtra*,⁸ the Supreme Court said, 'The arrest should be the last option...in exceptional cases where it is imperative in the facts and circumstances of that case'. The police act too fast. There is occasionally the tendency to unjustly implicate the relatives. The police conduct and attitude is not professional, sensitive or empathetic to meet the requirement of the situation.

Conclusion

In the absence of statistically correct and reliable data it is unfair to blame women alone for all the misuse of S.498A. The reasons for misuse are manifold. Now let us look at solutions for the alleged malady of misuse. The reasons themselves have inherently forwarded the answers to the problem. The solution is said to be part of the problem.

No one thinks that there is no problem in implementing the law on cruelty (498A, IPC), though it is not substantially due to women's misuse. The question, therefore, is whether any amendment to the Section or any other law is needed to do away with the problems in administering the provision. Besides there are some other measures to be administered along with the amendment of law.

The 237th report recommended for making 498A compoundable as reformation and

⁷ Criminal Petition No. 6642 of 2007, *Kamireddy Mangamma and others Vs. state of AP.*

⁸ Criminal Petition No. 6642 of 2007, *Kamireddy Mangamma and others Vs. state of AP.*

restoration are preferred by penal law to deterrence as its goal, especially in the marital contexts. Even in a law exclusively made for protecting women from domestic violence, reconciliation is given a preliminary place (Also see 243rd Report on Section 498A IPC).

1. Section 41 CrPC by adding sub section (3). This is to set in motion the steps for reconciliation and wait one month for the result, if the offence is not serious. The matter is undecided by judiciary as to whether FIR be postponed till mediation is complete. At present the respective High Court directives are to be followed in this respect. Such mediation has to be done by experts and not by police.
2. S. 358 CrPC: by raising the compensation from Rs. 1,000 to 15,000, for falsely implicating in criminal cases.
3. Punishment for false or over-implication need not be inserted into 498A as already there are such provisions, viz. S.211 IPC, 250 (malicious accusations) and 358 CrPC.
4. According to 237th report the offence it has to be made compoundable, subject to a cooling off period of three months. The preponderance of the view was to make it compoundable.
5. Let non-bailable arrest procedure be there as per S.41 and 41 a of CrPC. A subsection 41(3) to be inducted with a view to set in motion steps of reconciliation.
6. There shall be Women's Cell in every city/district, with women personnel in police, counseling, etc.
7. Passport of NRI's shall not be impounded, they need only be taken as bonds or sureties.
8. Most importantly, expeditious disposal is needed to prevent miscarriage of justice. Potentiality to abuse cannot be overemphasized in order to repeal or dilute the provision, especially when atrocities against women are on the increase. More than women men also have to be made aware of the penal provisions.
9. Co-ordination between civil and penal law institutions: The Protection of Women from Domestic Violence Act, 2005 is but supplemental to any other law in force. The right to file a complaint under S 498A specifically preserved under S. 5 of the Act. The interplay of the two laws guarantees the cognizance of the incidence by the Magistrate which will help prevent secondary victimization. It also paves the way for an early counseling occasion. The aim of law shall be protective and not retributive at least in family violence. The PWDV Act is a model to build upon. The machineries thereunder may be made use in the process under S. 498A also, especially in granting residence rights, restraint orders, mediation/reconciliation/counseling process. The obligation of the state to protect estranged women in distress as many women victims are unwelcome in their marital and natal homes. Only the state can intervene to help such miserable women as they need medication, shelter and counseling. The civil law can be an effective tool to combat misuse of 498A.
10. Misuse can be averted through the measures in S.482 CrPC whereby the High Court may use its inherent power to quash the proceedings in deserving cases. This is the inherent power of the court to prevent miscarriage of justice and should be harnessed only in deserving cases.
11. Role of women NGOs: These organizations should investigate complaints properly without any bias towards women keeping in mind that the law is being misused largely to harass more women in husband's family. A woman protective law shall not be made a law victimizing women unjustly.
12. Punish both Dowry Givers and Dowry Takers: If the complainant admits giving dowry in the complaint, the courts should take cognizance of the same and initiate proceedings against both the parties under the relevant sections of the Dowry Prohibition Act. Except conduct concerning dowry issues the law may be made gender neutral.
13. Amendment by making it bailable, non-cognizable and compoundable: This is to protect the elderly, the children, young women who have been implicated by the complainant. A law

made for protecting married women in her matrimony shall not be made a tool of oppression against other women who are in-laws of the husband.

Objection against making the section Compoundable: Often the prosecution is coupled with Ss. 3&4 of the Dowry Prohibition Act, 1961. A private compounding will, therefore, leads to legal endorsement of a social evil like dowry. It may be true that some other socially harmful offences are compounded. It is so true that the section has reference to other forms of matrimonial cruelty. But can violence be compounded in a family? A wise approach has to be taken here. A judicious mix of deterrence, repentance and reformation will be appropriate in familial situations. Another contention against making violence compoundable is that women are often pressurized to make some compromise. In order to combat this challenge the prosecution and trial have to be conducted by gender sensitive personnel.

The myth of one-way cruelty is a cause for allegation of misuse. The section has become sometimes a tool for mutual interspousal intimidation and harassment. Violence between partners is often bidirectional. Individuals participating in bidirectional aggression are also more likely to be involved in physical aggression across relationships. Almost no one considers that perpetrators are also often victims of some form of family violence.

Divorce after a successful prosecution under 498A is the most likely aftermath. It should, therefore, never be used for any other purpose than what it was intended for. This is because misuse takes place when a thing is used for a purpose for which it was not intended or designed for. Dating Violence, though non marital, is a matter of growing concern. The PWDV Act, 2005 is giving protection to aggrieved women who have a relationship in the nature of marriage with the male partner. The criminal law on spousal cruelty against women will also have to listen to the need of the times by bringing dating violence, if it is a relationship in the nature of marriage, under its ambit.

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Dominant Caste System in Rural India

Jose J. Nedumpara¹

Abstract

About 70 per cent of the Indian population live in the villages where the caste-based social structure is very strong. The primary source of income of the people in the villages is land. Those who own land dominate the rural social structure. In most of the land is traditionally monopolized by the forward castes. In some areas the traditional backward castes, which have attained upward mobility, also own land. These upper backward castes are also called Kulak class. The land owning caste is the dominant caste and the members of other castes work as agricultural labourers. The dependent castes have to depend on the dominant caste for their livelihood and survival. In the study area of Bihar where five villages have been taken for intensive study, the dominant caste system as enunciated by M.N. Srinivas is clearly evident. The dominant caste has dominance in the areas of land ownership, education, occupation and in the rural political power structure. The study shows that caste-class congruence is apparent in the rural social and political power structure. Economic power coupled with numerical strength and power of coercion are important for establishing dominance in the villages. Here, the dominant caste system perpetuates class oppression and exploitation of the weaker sections in the rural areas.

Keywords

dominant caste, caste-class congruence, land ownership

Introduction

The concept of dominant caste has been found very useful in understanding the power structure in rural India. Dominant castes have been controlling social, economic and political power in rural India, especially in the villages (Singh 1983: 158). A caste may be considered to be dominant in a village or region when it preponderates numerically over the other castes and when it also wields preponderance in economic and political power. A large and powerful caste group can more easily be dominant if its position in the local caste hierarchy is not low (Srinivas, 1962). The criteria of numerical strength and the preponderant economic power only constitute the core components of the concept of dominant caste and the other criteria are actually derivatives from the first two (Nicholas, 1968:273).

According to M.N. Srinivas (1994) four factors contribute towards caste dominance: 1) land ownership 2) numerical strength 3) political power and 4) high ritual status in the social hierarchy. The dominant caste may not be ritually very high but enjoy high status because of wealth, political power and numerical strength. Caste pockets create locally dominant caste. People who belong to a particular caste prefer to settle in a particular area. Caste is often specific to a particular village or area or region. Local dominance can translate into regional dominance. Best example of the principle is the concentration and domination of Vokkaligas in south Karnataka in the old Mysore region and of Lingayaths in north Karnataka in the districts bordering Andhra Pradesh. These dominant castes are accorded high status and position and have control over all the fields of social life in that area.

1. Darsana International School, Kottayam, Kerala, India. Email: josenedumpara@gmail.com

One of the striking features of the stratification of the rural society in India is the close correspondence between caste and class. According to K.L Sharma (1986), there is a caste basis of class and class basis of the caste hence, both are variable as well as the consequence of one another. In India the class struggle is also an effect of caste struggle and vice versa. The separation of the two seems superfluous and mechanistic (Sharma, 1986:18). Yogendra Singh views that caste and class represent, to a large extent, the same structural reality. Class operates within the framework of caste (Singh 1986: 171). According to EMS Nampoothiripad, "caste relations encapsulate class relations or that caste relations are another name for class relations," (cited in Fernandez 1975: 23). In the pre-capitalist society like ours caste is the main form through which class manifest itself (Punit, 1982).

The empirical studies on class and caste in India during the last four decades established a close relationship between caste hierarchy and economical hierarchy. Indian society has been traditionally known as society where a person's birth in a particular caste, sums up his other positions. Thus Indian society is considered as a society characterized by status summation (Bhat, 1975: 22) and from this respective a person who has a low status in caste hierarchy also has a low status in other hierarchies of the society, such as economic or political. The close correspondence between caste status and socio economic status, though only recently more systematically as empirically studied has been generally recognized.

Anil Bhat (1975) had established in a study that a high concentration of Harijanas (Scheduled Caste) and low castes is found in the two lowest income levels. The Brahmins and other high castes are to be found in the top three categories in the higher proportion. The lower backward castes and upper backward castes stand in between the low castes and the high castes in terms of family income (Bhat, 1975: 34). The traditional classification of society into three caste groups, namely, forward castes, backward castes and Scheduled Castes has been challenged now. The studies have shown that some of the backward castes (such as Ezhavas in Kerala, Vaniyars in Tamil Nadu, Yadavas and Kurmis in U.P and Bihar) have attained upward social mobility because of their advancement in education, profession and greater role in political power structure. On the basis of the advancement or upward mobility they have attained, the backward castes are again classified into upper backward castes and lower backward castes. The lower backward castes are also called most backward castes. The upper backward castes are called middle castes or intermediate castes because they stand in between the high castes and the lower castes in the social hierarchy. The high castes or upper castes are ritually superior to; economically better off, culturally more resourceful and locally more influential than vast majority of middle and lower castes (Ghurye, 1961).

The close congruence between caste hierarchy and socio-economic hierarchy was established in the detailed empirical studies of Beteille (1971), Mayer (1960), and Marriot (1955). They suggest that the relationship between the caste hierarchy and socio-economic hierarchy was much stronger and of higher magnitude in the past than today and that over time it is steadily decreasing. In some area, the upper backward castes (middle castes) have come up throwing a challenge to the upper castes especially in the cases of political leadership. The numerically stronger upper backward castes have become politically powerful or dominant in many states. After the implementation of the Mandal Commission recommendations, the upper backward castes have attained advancement in administrative level too. The upper backward castes are the main beneficiaries of the 27 per cent reservation provided in the central government and state government services. Bahujan Samajwadi Party supremo and former chief minister of Uttar Pradesh, Mayawati, had demanded that in the central government as well as state government services certain per cent age of posts should be earmarked in the OBC (Other Backward Caste) category for the lower backward castes, otherwise known as the most backward castes. She argued that there is no parity between the upper backward castes and the lower backward castes in the

levels of social, economic, educational and professional advancement and hence, the latter cannot compete with the former in the same OBC category. Anil Bhat (1975) has mentioned some examples of dominant castes in his studies: Nairs and Ezhavas in Kerala; Nadars, Tewars and Vanniyars in Tamil Nadu; Lingayaths and Vokkaligas in Karnataka; Reddys and Kammas in Andhra; Marathas and Patil Marathas in Maharashtra, Patidars and Kashatriyas in Gujarat; Jats, minas and Gujars in Rajasthan. To this category of dominant castes, Ahirs and Bishnois in Haryana; Yadavas, Jats and Takurs in UP; and Yadavas, Kurmis and Koeris in Bihar, who have achieved upward mobility are also added (Singh, 1983).

Traditionally, the upper castes are the dominant castes in the Indian villages. But the upper backward castes (middle caste) on the basis of their numerical strength have become dominant in village affairs with traditional dominant castes losing much of their erstwhile influence if not social and economic status. The upper castes or middle castes do not generally like to align themselves with the so called inferior castes, unless it is for their own interest. They are inhabited by caste prejudices in their relation with the lower castes, especially the Harijans (Singh, 1983).

One of the important features of the traditional social order of India is the close correlation between caste status and ownership of land. Roles in agriculture as a matter of fact followed the cleavages of the traditional society. Landowners generally come from the upper castes and sometimes from the upper backward castes (middle castes), share croppers from the middle castes, whereas the bulk of agricultural labourers were comprised of the lower backward castes and the Scheduled Castes.

The Study

In Bihar, land belongs to five land owning castes, namely, Brahmin, Bhumihar, Rajput, Kurmi, and Yadava castes. The South Bihar districts have been taken as the study area because of the agrarian tension between the landlord senas (armed groups organized by the landowners) and the poor peasants (organized by the naxalites). In the surveyed villages under study one of the land owning castes is dominant in each village. Five villages: (1) Rejeyam (Bhojpur District) (2) Tineri (Patna District) (3) Kalyanpur - Bazithpur (Patna District) (4) Ghejan (Jehanabad District) and (5) Mirchiyor - Pathalgadu (Gaya District) have been selected for detailed study. The study was conducted in the year 2003. Five villages were selected in order to give representation to the above mentioned five land owning castes. The village has been randomly selected from an area where each landowning caste is dominant. Data have been collected by conducting field survey in the village. The village households for the study had been selected by stratified random sampling. The data has been collected from the respondents by applying structured questionnaires and also with the help of interviews with the residents in the village. The researcher personally met each respondent, administered the questions and recorded the answers.

The land is in the hands of the dominant castes. The lower backward castes and the deprived castes, viz., the Scheduled Castes have no hold over the ownership of land in the surveyed villages. The figures 1-6 explain the picture of land ownership vis-à-vis caste hierarchy in the villages under study.

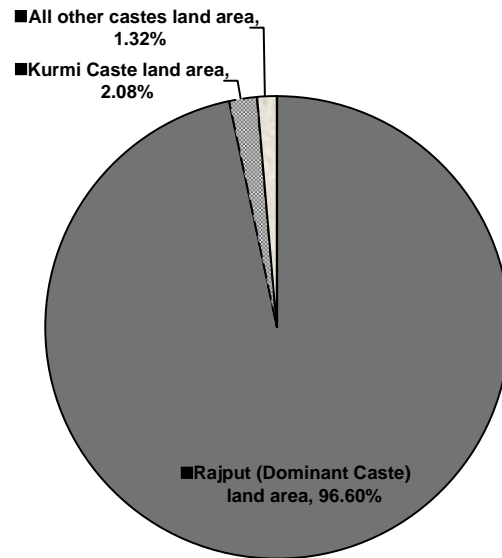


Fig 1 Caste-class correlation of land distribution in Rejeyam Village

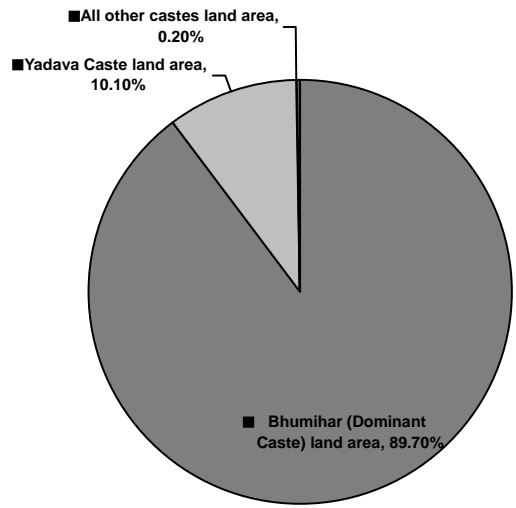


Fig. 2 Caste-class Correlation of land distribution in Tineri

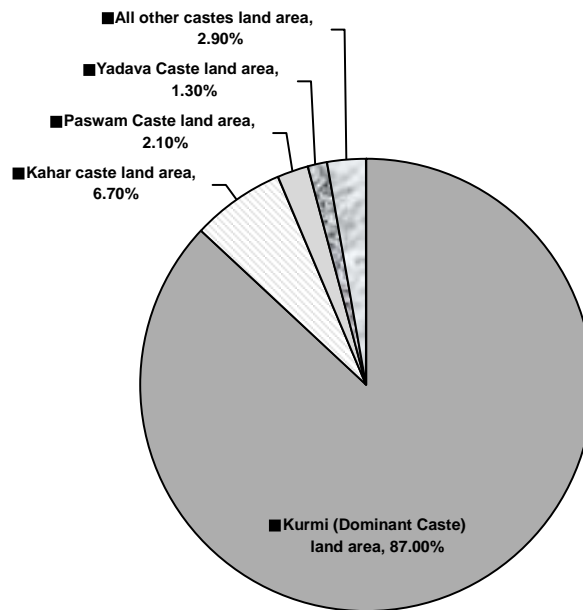


Fig. 3 Caste-class Correlation of land distribution in Kalyanpur - Bazithpur Village

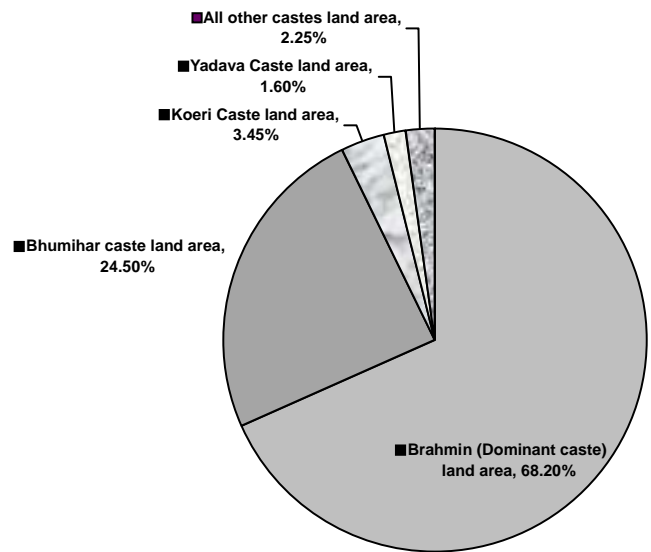


Fig. 4 Land distribution in Ghejan Village

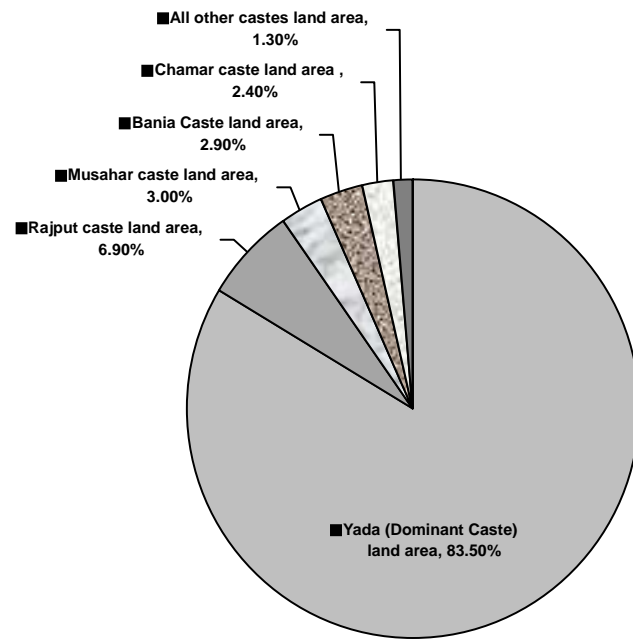


Fig. 5 Land Distribution in Mirchiyar-Pathalgadu Village

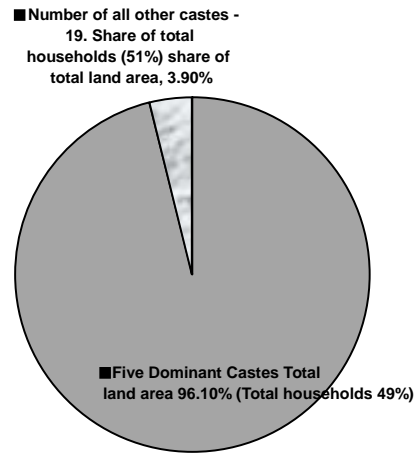


Fig. 6 Land ownership: Dominant Caste vis-a-vis other castes

Figures 1-6 show that major chunk of the land area in the surveyed villages is owned by five dominant castes, namely, Brahmin, Bhumihar and Rajput the traditional upper castes, and Kurmi and Yadava, the traditionally backward but now upcoming castes currently known as upper backward castes or middle castes. Table 1 and figure 6 show that 96.1 per cent of the total land area is owned by these five castes and the remaining 19 castes own only 3.9 per cent of the total land. This mainly explains that the five dominant castes have virtual monopoly over the land, the primary source of income in the villages. The dominant caste members are the landowners and the rest of the population depend on their land for livelihood. They are in a position of being masters and other dependent castes, their clients. They are also the creditors to the rest who are the debtors. The dominant castes has multiple economic and non-economic control over the rest of the people. Another feature of the dominant castes system is that the dependent castes belong to lower backward and Scheduled Castes. They are toiling on the land of the dominant castes. In the surveyed villages 85.4 per cent of the lower backward castes and 96.8 per cent of the Scheduled Castes are hiring out their labour in agricultural operations. In contrast, only 22.2 per cent of the upper backward castes (middle castes) are hiring out their labour. Among the forward castes nobody is working as an agricultural labourer.

Table 1
Land ownership pattern: Dominant caste and other castes in the surveyed villages

Name of the Village	Name of the Dominant Caste	House hold %	Land area %	Other Castes Number	House hold %	Land area
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Rejeyam	Rajput	58.8	96.6	10	41.2	3.4
Tineri	Bhumihar	46.0	89.7	9	54.0	10.3
Kalyanpur - Bazithpur	Kurmi	27.7	87.0	13	72.3	13.0
Ghejan	Brahmin	34.2	68.2	13	65.8	31.8
Mirchiyor - Pathalgadu	Yadava	51.0	83.5	6	49.0	16.5

In the Rejeyam village of Bhojpur district, the dominant Rajput caste (50 households) own 97 per cent of land. The landholding pattern of other castes are the following: upper backward caste Kurmis (4 households) owning two per cent of land and yadavas (one household) owning 0.75 per cent of land; the lower backward castes (Takur, Kumhar, Sao, Kahar and Badi), nine households occupying 0.47 per cent of land and Scheduled Castes (Paswan and Chamar) occupying 0.11 per cent of land. Except Kurmis all other castes are depending on the dominant caste for their survival.

In the Tineri village of Patna district, the dominant Bhumihar caste (46 households) occupy 90 per cent of land. Thirteen yadava households own 10 per cent, eight lower backward caste households (Badi, Kumhar, Kahar, Lohar and Sonar) own 0.17 per cent and 33 Scheduled Caste households (Paswan, Chamar and Musahar) own 0.01 per cent of land in the village. The Yadavas have a separate settlement in the village and work as share-croppers in the lands of the Bhumihar caste. The lower backward caste and Scheduled Caste people works as agricultural labourers and are entirely depended on the Bhumihar dominant caste for their livelihood.

In the Kalyanpur-Bazithpur village of Patna district, the dominant caste Kurmis (28 households) own 87 per cent of land. The land holding pattern of other castes are the following: Yadava (one household) 1.3 per cent, lower backward castes. Kahar, Sao, Takur, Kumhar, Badi, Teli, Noinya (16 households) 8.3 per cent and Scheduled Castes (Paswan, Chamar, Dhobi, Pasi, Musahar 30 households) 2.5 per cent of land. The lone Yadava peasant does not hire labour in the village because the landowners are Kurmis, who belong to the same upper backward caste category. The lower backward and Scheduled Caste families depend on the dominant caste for their subsistence.

In the Ghejan village of Jehanabad district, the dominant Brahmins (26 households) occupy 68 per cent of land. There are also five Bhumihar caste landowners who occupy 25 per cent of land. The land holding pattern of other castes is given below: upper backward caste Koeris (three households) three per cent, Bania 0.3 per cent, Yadavas (two households) 1.6 per cent, lower backward castes (Takur, Noinya, Kahar, Kanu, Mali-12 households) 0.17 per cent and Scheduled Castes (Paswan, Chamar, Don, Musahar - 28 households) two per cent of land. The dependent castes work for the Brahmin and Bhumihar land owners.

In the Mirchiyor-Pathalgadu village of Gaya district, the dominant caste Yadavas (26 households) occupy 84 per cent of land. Lone Rajput family which owns 12 acres of land occupy seven per cent. The land holding pattern of other castes are the following: Baniya, trading caste (one household) three per cent, lower backward castes (Takur and Bodi - 3 households) one per cent, and Scheduled Castes (Chamar and Musahar - 20 households) five per cent of land. During the emergency period one bigha (0.66 acre) of land was distributed to the Scheduled Caste households as per the land reforms implementation scheme.

The primary source of income of the people in the village is land. Hence the caste which owns the land has clear economic dominance over the other castes in the village power structure. The dominant castes have numerical preponderance in the villages. The dominant caste forms the 'single largest group' among the various castes in the villages. Numerical preponderance coupled with monopoly in land ownership make them dominant in all fields of social life in the

village.

Social and Educational Oppression

Modern education and occupation are important factors contributing to dominant caste. Profession plays a crucial role in determining the class character of the people. Persons from forward castes and upper backward castes (middle castes) occupy high status positions in the society and the people from lower backward castes and the Scheduled Castes have to be content with low-status professions. Status positions in the society such as doctor, engineer, lawyer, officers, college lecturer, police officer, school teachers, and government officials are few, but monopolized by the dominant caste. There are no factories or other business enterprises in the villages to generate additional source of income. The main additional source of income is the income from the employment in the government as well as private sector. In that case too the dominant caste have clear dominance over the dependent castes in the village.

The dominant castes which have almost total hold over the ownership of land have also supremacy with regard to education. The literacy rate of the dominant castes, viz., Brahmin, Bhumihar, Rajput, Kurmi and Yadava are 85 per cent , 98 per cent , 92 per cent , 97 per cent and 79 per cent respectively. But the literacy rate of all the other castes taken together in the surveyed villages is only 41 per cent . There is a glaring disparity between the literacy rate of the forward castes and the Scheduled Castes. Forward caste's literacy rate is 91 per cent . On the other hand, the literacy rate of Scheduled Caste is only 21 per cent . The Scheduled Caste women literacy rate is abysmally low (8.8%). The disparity between Bhumihar women, who have the highest literacy rate among women (91.5%) and the Musahar women, the lowest literacy rate (2.3%) manifest the deep rooted malady of the Bihar's political economy (The Musahar caste, a sub-caste within the Scheduled Caste, is the lowest in the ladder of caste hierarchy in Bihar).

The schools are situated in the main area of the village where the dominant caste people reside. The Scheduled Castes, especially the Musahars, reside in the filthy abandoned area of the village. The forward caste people believe that the very presence of the Musahars pollutes the village. Untouchability exists in the rudest form. The Musahars are not even allowed to enter the area of the village where the dominant upper caste people reside. In Tineri village of the Patna district where Bhumihar caste is the dominant caste the Musahar children are not even allowed to enter the school campus. The forward caste people treat the Musahars with contempt because they eat rat meat. In some villages the Scheduled Caste children are allowed to attend the classes, but they are not allowed to sit along with the forward caste children on the same bench. Instead, they have to sit on the floor and study. Bihar remains a backward state in India not because all sections of the population are backward, but because the marginalized groups are terribly backward and permanently impoverished.

Economic Exploitation

The agricultural labourers of the dependent castes are paid very low wages by the dominant caste landowners. There are large variations in the wage rates from village to village and from person to person. The main mode of payment is in kind than in cash. The wage rates existing in the villages are far short of the minimum farm wages approved by the government. There is also difference between casual labourers, attached labourers and bonded labourers in the payment of wages. The casual labourers are paid higher wages compared to attached and bonded labourers. Another feature of the wage system is that in some villages the caste status of the labourer gives him weightage or advantage in the labour market. The Yadava male labourers in the Tineri Village get Rs. 35 or 5 kilo grams of paddy as wage per day while the Scheduled Caste labourers (Paswan caste) get the maximum of Rs.25 or three kilograms of paddy per day. Even among the Scheduled Castes, the Paswans, who are the top of the Scheduled Caste hierarchy get more

preference in the labour market over the Musahars, who are at the bottom of the caste hierarchy. In fact 88 per cent of the Musahar households are bonded labourers in the Tineri village. They are paid in kind the wage—Rs.10 or one kilogram of grain per day. No paswan families can be seen in this category.

Usurious Exploitation

Since the agriculture labourers are paid very low wage, in order to meet the subsistence needs the labourers have to borrow from their employers and the interest charged are often exorbitant and arbitrarily set by them. The interest is charged in cash as well as in kind. The labourers have to repay the loan and interest either by giving back paddy at the time of harvest or by doing labour in the land of the landowner or both. Very often the labourers do not know the rate of interest they have to pay. In Mirchiyor-Pathalgadu village the interest charged in kind is the whole agricultural crop from five Katta (0.16 acre) of land. The Scheduled Caste poor peasants are taking loan from the Yadava land owners for cultivating their own tiny plots of land (that is, 10 katta of land). As interest they have to pay to the money-lender the whole crop from five katta of land. For the poor and powerless labourer there is no other way out, but to succumb to the pressure of the landlord.-moneylender and agree to the conditions put forward by him.

The failure to repay the usurious interest results in the capture of meagre land and crop of the indebted poor peasant by the moneylender-landlord. Thirty-eight per cent of the poor peasants have lost their land to rich and middle peasants due to indebtedness. In Mirchiyor-Pathalgadu village of Gaya district the Musahars land was forcibly taken away by the Yadava landowners because the Musahar labourers could not repay the loan. During the emergency period in 1977, 20 Scheduled Caste labour households were distributed one bigha (0.66 acre) of land each under the surplus land distribution system of the Bihar government. But 72 per cent of the labour households lost part of their land due to indebtedness to the landowners in the village.

Perpetual Indebtedness and Bondage

The worst form of exploitation due to indebtedness is bonded labour. The labourers for their mere subsistence during the loan period are always dependent on the dominant caste landowners for the consumption loan. It is treated by their creditors as 'advance money.' The advance has two purposes, first is to assure the supply of labour during the peak season and second is to get cheap labour. The loan has to be repaid by their labour during the peak agricultural season. The convention that prevailed in the surveyed villages is that the labourer pledges himself to work for the landowner in lieu of interest on loan. The most important feature of the system is that the debtor pledges himself or member of his family to the creditor against a loan. He can be released only after the amount is paid back so long as he does not return the loan he has to work for his creditor. The labourer who gets meager wage is not only unable to repay the original debt but has to borrow loan again and again in order to survive. The original debt together with interest is piled up and the labourer and his family are gradually tied up to the landowner. It leads to perpetual indebtedness and bondage of the agricultural labourers in the rural areas of Bihar. Abject poverty throws the labourers into the clutches of the landlord-moneylender and once trapped they can hardly extricate themselves.

Dominant Caste and Political Domination

Usually in the rural areas political leadership synchronizes with economic leadership. The upper caste-upper class sections not only provided leadership in economic, educational and social spheres but in political sphere as well. The vacuum created by the decline of the power and position of the forward castes in the state has been filled by the dominant upper backward castes. In the pre-Mandal commission period most of the chief ministers of Bihar belonged to the

forward castes. But the post-Mandal period Chief Ministers—Laloo Prasad Yadav, Rabri Devi (Yadava caste) and Nitish Kumar (Kurmi caste)—belonged to the upper backward castes, otherwise known as middle castes. A critical analysis of the Assembly and Lok Sabha elections in the post-Mandal commission scenario in Bihar shows that the representation of the forward castes are decreasing and the representation of the upper backward castes such as Yadavas, Kurmis and Koeris are steadily increasing.

Though the surveyed villages are multi-caste villages there is no dispersion of power in the said villages. The surveyed villages do not have a multiple power structure. The numerically less preponderant and economically weak lower backward castes and Scheduled Castes have no say in the determination of the local leadership.

The rural leadership is now distributed among the forward castes and the upper backward castes. Generally the leaders of the upper backward castes try to project themselves as leaders of low castes. The two prominent middle castes (upper backward castes) of Bihar, the Kurmis and the Yadavas are dominant in two villages but they have less interaction with the inferior castes in those villages. In the Kurmi dominated Kalyanpur-Bazithpur and Yadava dominated Mirchior-Pathalgadu villages they are not ready to treat the inferior castes as equals. Moreover, they have hostile relations with the inferior castes because both have different class and caste interests. In other villages where the upper castes are dominant the Kurmis and the Yadavas are ready to align themselves with the inferior castes in order to put up a joint fight against the forward castes. In these villages there is better interaction between the middle castes and the lower castes.

Participation in the Elections

Involvement in electoral process is the most important means of political participation in a democracy. The people by electing their own representatives to the legislatures and local self-governing institutions indirectly participate in decision-making process. Unfortunately a major share of the backward castes and Scheduled Castes are not allowed to vote in the elections in the villages of Bihar. By denying them the voting right they are denied the right of political participation in the democratic system. One of the reasons for the low per cent age of voting in Bihar is the denial of voting rights to the weaker sections. In the Bihar elections the voting per cent age is generally between 50 and 60 per cent .

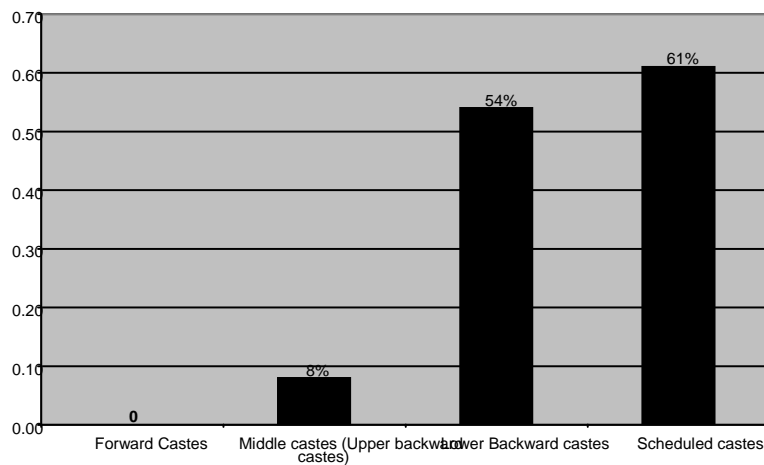
In the present study the dominant castes in the respective villages prevent the numerically less preponderant and socially and economically weak lower backward castes and the Scheduled Castes from exercising their franchise and assert the domination of the former. These dependent castes may be supporting a party or candidate hostile to the interests of the dominant caste. By denying them the voting right all the votes polled in the village go to the party or candidate which the dominant caste supports.

In order to ensure the victory of the party or candidate whom they support and to establish their dominance over the other castes, the dominant caste men resort to two techniques which are corollary: 1) forcible denial of voting right to the weaker sections, 2) capture the booth and cast the votes of the weaker sections in favour of the candidate whom the dominant caste supports. Booth capturing and intimidation are techniques used by the dominant groups in each village to assert their dominance and to protect their class interests by maintaining their hold in the state politics.

Bhumihar youth leaders in Tineri village admitted that the lower backward castes and the Scheduled Castes people in that village do not come to the polling booths to vote in the election. The reason given by them for this withdrawal is that the polling booth is established in a place where the dominant caste people are staying. The lower backward and Scheduled Caste people are the labourers working in the land of the dominant caste and they are dependent on the latter. They are naturally reluctant to come to the polling booth, which is established in an area where

Bhumihar caste men are dominant. The Scheduled Caste labourers of Tineri village explained that, “since independence, not in a single election we were allowed to vote by the dominant Bhumihar caste men. Earlier we used to go near the polling booth with the hope of using the right to vote, but we were chased away by the Bhumihar castemen. It is true that now we are not going to the polling booth to be chased away by them. We have reconciled to the fact that democracy is meant for the rich for the poor voting right is a dream.” Figure 7 shows the caste-wise representation of the respondents who were denied voting right in the elections in the surveyed villages. It shows that all the respondents from the forward castes could use the franchise, whereas eight per cent of the middle castes, 54 per cent of the lower backward castes and 61 per cent of the Scheduled Castes were denied voting right. Among the Scheduled Castes, the Musahars, the lowest in the caste hierarchy, are worst affected. Apart 70 per cent of the Musahars were denied voting right.

Figure 7
Respondents denied voting rights



This study in the Bihar villages shows that landed property and caste hierarchy still remain as bases of power. Along with landed property and ritualistic position in the caste hierarchy, the capacity to use muscle power has become a dominant factor in the determination of power. This has led to the increasing criminalization of politics in Bihar. In the formation of alliances and counter alliances between different castes in order to capture power, the numerical strength of the various castes has also become an important factor. But in the case of Scheduled Castes who remain at the bottom of the caste hierarchy even the numerical strength does not provide them with any influence or say in the rural power structure.

Village Panchayath and Dominant Caste Domination

The dominant caste is numerically preponderant compared to other castes and economically very powerful. They are able to dominate over the other castes in the village. If the numerically less preponderant and economically weak castes organize themselves against the dominant caste they can pose a challenge to a certain extent. In Bihar, where caste system is very rigid and inter-caste mobility and interactions less evident, the unity of the smaller and weaker castes is a difficult thing to materialize. Except in Ghejam, where Jan Mukti Andolan under the leadership of Vinayan has organized the weaker castes against the dominant Brahmins, in all other surveyed

villages the numerically less preponderant and economically weak castes maintain a very low profile. The organization of the poor peasants in Kalyanpur-Bazithpur village was met with violent response by the Kurmi landowners. The infamous and heinous Pipra carnage in which 14 Scheduled Caste people were burnt alive by the Kurmi land owners took place in the Kalyanpur-Bazithpur village (The pipra is a small hamlet of the Scheduled Caste households that comes under the Kalyanpur-Bazithpur village). The main hindrance in organizing the numerically smaller castes is that economically they are dependent upon the dominant caste.

The dominant caste members are dominating the village panchayath, co-operative societies and rural developmental organizations and are fully utilizing these institutions in collusion with the bureaucracy for their own benefit and welfare. For example, the amount sanctioned by the Block Development Officer, Masaurhi Block to the Tineri village for village development purposes was utilized by the dominant caste men for the construction of drainage and the beautification of the area where their castemen are settled. The area where marginalized groups-lower backwards castes and Scheduled Caste people-live was completely neglected. Since the dominant caste men control the village power structure it is natural that they tend to use developmental schemes for the improvement of the village area where their caste men are settled. This is true of other surveyed villages too. Schools have been put up and tube wells for drinking water have been dug in areas where dominant caste men are dwelling. In states like Bihar, where caste bias and caste feeling is very strong, the devolution of power would be disadvantages to the poor and marginalized sections of the society. The transfer of power to the rural people would mean transfer of power to the dominant caste men in the village and the benefit of welfare schemes in Bihar have not reached the poor people. The rural developmental schemes in Bihar have not reached the poor and deprived sections of the society. This study correlates the findings of the studies made by James Scott (1979) and Siwan Anderson (2011). Scott's study provides evidence of how the vested interests of the dominant caste elites that developed over hundreds of years persist under the veneer of modern institutions and still affect policy outcomes. Anderson's study has established that in Maratha caste dominant villages, pro-poor policies are rarely implemented, fewer centrally available resources make their way into the village and Gram Panchayat leaders expend less effort in obtaining resources.

Conclusion

The concept of dominant caste is of crucial importance in understanding the socio-economic and political life in Bihar. The notion of dominant caste is tenable in Bihar because of the unity of the caste as a group. It is the unity and cohesion of the caste as a group that makes the dominant caste more pronounced in village affairs. The dominant caste is dominant not because of any single factor but because of the combination of several factors. Land ownership is a crucial factor in establishing dominance. With the introduction of adult suffrage numerical strength has become a crucial source at the disposal of a caste. A caste should have numerical strength if necessary to use physical force against the challenge of other power castes. But numerical superiority alone is not an important factor. In some of the surveyed villages the dependent castes have numerical strength. They are not allowed to cast their vote in the elections by the dominant caste men because they are economically dependent on the dominant caste. Economic power coupled with numerical strength and power of coercion are important for establishing dominance in the village. The power of coercion is important because it is through coercion that dominance is announced and expressed to the dependents. As long as land is the main resource at the disposal of the dominant castes, they are economically powerful in the villages. Since industrialization and consequent occupational diversification have not taken place in Bihar the dominant caste has not lost its hold over the serving castes. In India a modern democracy with liberal principles and rules has been imposed on a traditional caste-based society. Though a

welcome move that has brought democracy to the rural population of India, it is one which has the potential to be subverted by the traditional hierarchical caste structure. The concept of dominant caste as an analytical tool in understanding the power structure in the villages has relevance in the rural context in India.

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Housing among Persons of International Protection in the Slovak Republic

Martin Hulín *
Vladimíra Antolová- Hulínová #
Martin Martinkovič *
Luboš Kovács *¹

Abstract

The present study² analyses the conditions and housing opportunities for Persons of Concern (PoCs) to the UNHCR (United Nations High Commissioner for Refugees), specifically refugees and persons who have been granted subsidiary protection in Slovakia. This study follows recent pilot studies conducted in Poland and Hungary, which examine the risks of homelessness for PoCs. However, the scope of this paper is wider and deals with issues of housing more thoroughly. The analysis includes risk assessment and the impact of housing policies and legislation is assessed and key issues are identified. It is also the first comprehensive analysis of housing issues among PoCs in Slovakia. Since 2010 the provision of their basic needs were passed from the state to an NGO which became the main service provider of their accommodation. Lack of education and an insufficient knowledge of Slovak language supported by stereotypes and prejudices of employers and the majority to foreigners (especially from Africa and Arab countries) greatly reduce their chances to find a job and support an adequate housing. The capacities of an NGO are limited and the state should rethink its approach towards this vulnerable group via a concrete implementation plan (not just through strategic or conceptual documents) for their integration into the society.

Keywords

right to housing, refugees, housing policies, legislation, accommodation

Introduction: The Right to Housing

Safe, quiet, and decent housing is a key factor and considered to be a fundamental human right when its impact is considered in terms of overall health and well-being of individuals and society as a whole. The right to housing is a fundamental right, a right that sustains human dignity and provides the possibility to access other basic rights. The term 'right to housing' can be broadly defined as 'the right to live somewhere in safety, peace and dignity.' Persons with

¹ * Faculty of social and economic sciences, Comenius University in Bratislava, Slovakia; # Faculty of Education, Catholic University in Ružomberok, Slovakia. Email: mato.hulin@gmail.com; Address: Martin Hulín, Institute of Social Anthropology, Faculty of social and economic sciences, Comenius University, Mlynské Luhy 4, 821 05, Bratislava, Slovakia.

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international protection must first fulfill this right in order to have the possibility to seek employment, restore family relationships and establish links with the wider society. It is therefore important to consider the overall integration potential of housing sites at which persons with international protection can settle down. In addition to assessing the housing situation, other factors that are equally important include an in-depth analysis of the local labour market and employment prospects, educational possibilities, and the local attitudes towards foreigners as well as the access to social services.

The right to housing and its contents as part of the rights of refugees is directly enshrined in Article 21 of the Convention on Relating to the Status of Refugees of 1951 and its Protocol relating to the Status of Refugees of 1967. Specifically, the Contracting states, “shall accord to refugees lawfully staying in their territory treatment as favorable as possible and, in any event, not less favorable than that accorded to aliens generally in the same circumstances” (Convention Relating to the Status of Refugees, Article 21, 1951, p.26). The Convention of 1951 applies only to refugees; therefore, persons with subsidiary protection are not entitled to the same rights recognized in the Convention of 1951. Subsidiary protection is a product of EU law, notably in the Council Directive 2004/83/EC (the Qualification Directive). The Qualification Directive provides an obligation for the Member states to “ensure that beneficiaries of refugee or subsidiary protection status have access to accommodation under equivalent conditions as other third country nationals legally resident in their territories” (Qualification Directive 2004/83/EC, Article 31, 2004, p.11). The Slovak Constitution does not specifically provide for the right to housing. The problematic part for both foreigners and citizens of the Slovak Republic (SR) is the minimalist definition of basic living conditions, as set forth in the Act on Assistance in material need. This considers “one hot meal a day, necessary clothing and shelter” sufficient for those in need.

Methodology

This study was prepared in two stages (between March and May 2012). The first stage included the analysis of the legal framework and policies in the field of housing with an emphasis on beneficiaries of international protection. The next stage examined the possibilities and conditions for and the experiences with housing of persons with international protection. To this end, the information was collected through interviews with persons granted international protection themselves, and based on the experiences of NGOs that deal with the persons in question. The views of authorities and other institutions relevant to the given group were also considered.

A total of 25 semi-structured ethnographical interviews (lasting approximately 90 minutes each) were carried out with refugees and persons granted subsidiary protection from a variety of countries (Afghanistan, Somalia, Syria, Iran, Iraq and Chechnya). The interviews were conducted during several field visits with the respondents’ living in the quarters in Bratislava (capital city), Trnava, Nitra, Nové Zámky, Zvolen and Košice. The aim was to address a diverse sample of respondents. The sample included persons with short- and long-term residence, young and elderly, men and women, persons living alone, families with children, the employed and unemployed and persons living in lodging houses and rented flats.

Apart from the individual interviews three focus groups were carried out with persons granted subsidiary protection. Two of those groups lived within a Somali community and one within an Afghan community. The interviews covered three topics. The first included refugees’ experiences with housing during their stay in the SR. The second dealt with questions related to employment and joining the labour market in the SR. The last addressed services and support provided to persons granted international protection, especially concerning housing.

Status of Persons of International Protection

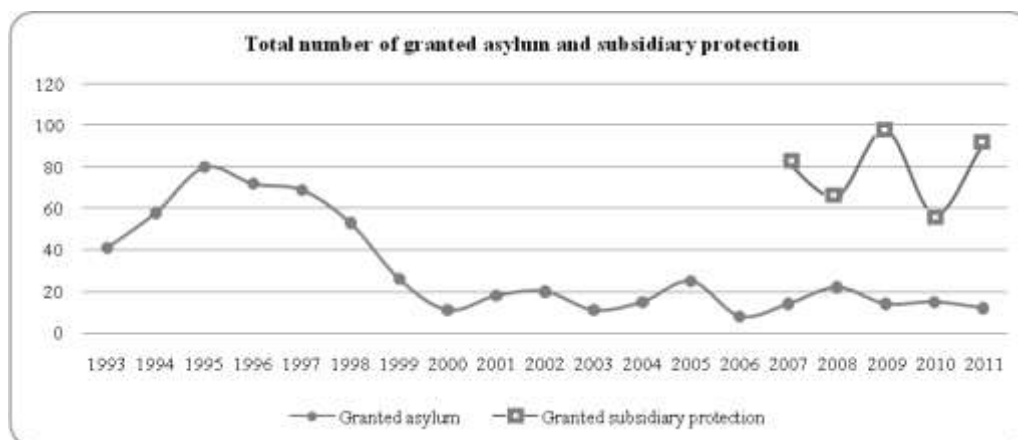
Third-Country Nationals (TCNs) who have been granted refugee status on the territory of the SR enjoy the widest range of rights among all foreigners, as their status is closest to the rights of citizens of the SR. Asylum is granted for an indefinite period. According to the Act on Asylum, the provision of accommodation to refugees in an accommodation centre is a possibility, not a responsibility of the Ministry of Interior. There is no legal requirement to placement of a refugee in an asylum centre. Accommodation is provided for the necessary time and the refugee is required to adequately cover the expenses associated with his/her stay. After being granted asylum and leaving the accommodation centre, the Migration Office provides accommodation for refugees in the Integration Centre in Zvolen. In order to support the integration process at the local level, the Ministry of Interior allocates financial support to the municipalities that are providing accommodation for refugees. However, during the investigations carried out, the research team found that no municipality has asked for this contribution.

According to the Act on Asylum, a TCN who is granted subsidiary protection is regarded as a foreigner that has been awarded temporary residence. Subsidiary protection is provided for a period of one year. The status is extended for another year if all conditions are fulfilled and there are no reasons for its rejection. In reference to the specific situation on housing, these persons are not eligible for housing provided by the Migration Office as stated in the wording of the Instructions of the Migration Office. In early 2010, the Ministry of Interior stopped providing accommodation on the grounds that the law imposed a possibility and not an obligation to provide accommodation and other basic needs. According to the opinion of several professionals working in the field, such interpretation of the current law by the Ministry of Interior is considered to be incorrect. The experts assert that the law gives the alien the possibility of being provided accommodation, not giving the public authorities the possibility of providing accommodation (Hrnčirová et.al., 2012). In this manner the responsibility to provide housing and other basic needs was swept away from the state to the NGO sector. NGOs have taken responsibility for the overall agenda of care for persons with international protection since 2009, while the Ministry of Interior acts only as a donor of financial support through the ERF (European Refugee Fund).

Trends in Asylum Applications

In the past years there has been a significant decrease in the number of applications for asylum. The applicants were mostly persons coming from Somalia, Georgia, Afghanistan, Moldova and Vietnam. The declining number of asylum applications can be the result of the increasing distrust of the system among asylum seekers or the impact of the EURODAC introduction (since May 2004) which, under the Dublin Regulation, provides that an asylum seeker can apply in only one EU country (Popper et.al., 2006). Between 1993 when the SR began providing international protection to refugees and 2011, the Migration Office received a total of 56,575 asylum applications, of which 592 were approved, representing approximately one per cent of the total. Subsidiary protection was granted for the first time in 2007, following the amendment to the Act 480/2002 of the Coll (Coll is acronym for collection of Acts. It is the terms of law written after the number of the Act) on asylum which transposed the Council Directive 2005/85/EC. Since 2007 the number of submitted applications follows a downward trend and this may be associated with the distrust of applicants towards receiving subsidiary protection or with their preference to obtain refugee status. The lowest number of submitted applications was recorded in 2011, which represents approximately a five-fold decrease compared to 2007.

Figure 1
Total number of applicants granted asylum and subsidiary protection



Source: Ministry of Interior SR, 2012, available online at: <http://www.minv.sk/?statistiky-20>, accessed: 12 April 2012.

Conditions and Housing Opportunities

The main document in the area of housing in SR is the Concept of State Housing Policy to 2015 which indicates the direction of the housing policy. The Concept of State Housing Policy obliges municipalities to invest in building low-cost housing that will be used in the public rental sector with appropriate standards and regulated prices. However, there has been a steady decline in the availability of financing for housing projects especially affecting the Housing Development Programme and the State Housing Development Fund. As a result of large-scale privatization in Slovakia, the municipal rental apartment market has largely shrunk. While in 1991 the share of municipal housing was 27 per cent of all types of apartments, currently only about three per cent of all types of apartments are municipality and/or state owned (Szolgayová, 2010). Of the total number of newly built apartments, the share of municipal housing is very small, averaging just 15 per cent for the period 2004-9 (Szolgayová, 2010). In EU countries, the share of rental apartments ranges from 19 to 62 per cent (Szolgayová, 2010). Low-income groups, which in many cases include persons with international protection, have difficulties accessing affordable and adequate housing in Slovakia.

After obtaining asylum, a refugee is usually placed by the Ministry of Interior in an Integration Centre. The options include integration flats in Bratislava (capital city) and Zvolen, or rental flats in Košice under the Migration Office's right of disposal. A refugee can reside at the Integration Centre for six months with an option to prolong it by six more months. It seems that, under the standard circumstances, it is the Migration Office's strategy to terminate refugees' stay at the integration flats after a period of nine months. Following this period refugees were usually relocated to Bratislava or Košice, and occasionally they stayed in Zvolen. Accommodation at this Centre has been, however, described very negatively by some refugees.

(Chechen family): "We were not allowed to search for a job while staying at the centre, and we experienced a very negative attitude of the management that discriminated us and treated us inadequately; we were deprived of our rights, e.g. we were not allowed to have visitors."

In Bratislava, the integration flats are managed by the Migration Office. There are nine one-

room apartments. At this location, refugees were also keen on utilizing the facilities for more than six months, since the rent paid here is very low. However, living in the apartments also had its negative features, as described by one of the refugees:

“It is a very tiny room with no TV or internet connection. The apartment at Pivonkova St. felt like prison to me with no one around, but me. If you’d opened the door, you would’ve thought you were in prison. There was no one to talk to.”

In Košice, refugees are able to rent an apartment from the Migration Office at very reasonable prices. The standard rental period for these apartments is five years. This period is normally used to the maximum by refugees, since it would be impossible for them to find cheaper accommodation of the same standard. An NGO contributes to the rent payments of vulnerable groups of refugees (the elderly, the sick, parents with children), sometimes the full amount if the project’s budget permits.

As determined from the interviews, refugees located in integration housing find themselves in an unstable situation. As their stay is generally short-term in character, this precludes their ability to find work, which in turn limits their ability to establish local social networks, thus hindering their integration within the local community (Antolová, 2011). Several refugees found themselves in a situation in which they had to relocate a few times after leaving an integration house as the work available to them was only short-term in each new location. Often, refugees were not able to find a job for a long period of time and had to rely on the benefits in material need after job contract terminations. One of our respondents, a mother with a child, has been depending on benefits in material need for as long as two years, during which she moved twice without any prospect of finding long-term work.

Social Housing

Rental accommodation is one of the key issues in Slovakia. Access to these apartments is very limited, although the Concept of National Housing Policy includes a mandate for municipalities to build public rental sector apartments of reasonable standards and with a regulated price. Rental houses provided by municipalities are preferably allotted to applicants with limited possibilities of finding accommodation by their own means; the conditions for providing the support define eligible applicants based on their income level. Apart from the state itself, municipalities, self-governing regions and NGOs are among the main players in the field of social housing. The majority of municipalities’ accommodation department staff confirmed that there have been no applications for social housing from refugees or persons granted subsidiary protection or there have been only a very small number of applications, however in none of the cases did applicants fulfill the specific conditions and, as a result, social housing was not granted.

This study concludes that building social housing is not a priority for the municipalities. Even in towns where social housing is available the number is insufficient. According to the accommodation department staff, the waiting lists are so extensive that refugees or persons granted subsidiary protection would have a very low chance of fulfilling the conditions and being granted this type of housing. Generally, families with children and single mothers with children are given preference (Suchalová and Staroňová, 2010).

Housing in Lodges

Living in lodging houses provides the possibility to avoid the problematic searching for private housing; however, it is only a temporary solution. As such, the vast majority of persons with newly granted subsidiary protection is forced to live in lodging houses mediated through NGO projects, as the SR has not enacted a programme for the integration of persons granted subsidiary protection and the social housing system does not work. Due to the current interpretation of the provisions of the Act on Asylum by respective authorities, persons granted subsidiary protection

have found themselves in a precarious situation regarding accommodation possibilities. The state has delegated the provision of accommodation to NGOs on the basis of (European Refugee Fund) project activities. The danger is that this model does not guarantee anything to persons granted subsidiary protection and in the case of problems with the grant, persons with newly granted subsidiary protection face a real risk of homelessness. Accommodation for those with newly assigned subsidiary protection is fully covered by the NGOs. After the termination of project support, the PoCs can receive subsequent support from the NGOs for the next four months. After this period, they have to secure finances for housing on their own.

Due to the inadequate conditions present in lodging houses, NGOs attempt to provide private housing, outside of lodging houses, for families with newly provided subsidiary protection and for mothers with children. NGOs try to find independent housing for families, which often depends on the number of family members. When an apartment is assigned, the social workers try to provide the basic necessities for the apartment (couch, bed, table, chairs, etc.).

Private Housing

Persons granted subsidiary protection become self-payers for accommodation, a) when they become employed or b) when the support from the NGO project expires after 12 months. After the termination of NGO support self-payers are dependent on state social benefits. These benefits are relatively small and cannot usually even cover half of the rent. Typically, right before the conclusion of support provided from NGOs, PoCs start to interact intensively with the social workers who in turn help them find and communicate with the providers of private accommodations and the social workers may very well assist them in negotiating terms and conditions of the rent. A social worker often represents a guarantee to property owners/renters.

“...For example, it is not possible to say that it is a renter from Afghanistan as the landlord would refuse further communication, it is necessary to choose an appropriate name, so that people do not get scared“. (NGO social worker)

Those looking for private housing often form groups of three or four people to look for accommodation together. They are usually either colleagues at work or they knew each other from the lodging house. Findings show that they are successfully able to pay the rent for the entire period of their employment. Sharing the accommodation cost allowed respondents to create a financial reserve, and thus also cover the costs in difficult periods, such as during their document renewal.

Housing for refugees is always closely linked to their employment. When living in private homes, the risks related to loss of income / work and the subsequent lack of funds to pay the rent are high. When a loss of income occurs, the PoCs receive only material need benefits. In such cases, refugees are forced to move to cheaper apartments or lodging houses. For our respondents, the loss of accommodation came within one month after the job loss. All of the refugees with whom we interviewed reported problems with rent paying because of a low monthly income.

In Slovakia there are some employers who provide employment for persons of concern and currently they provide accommodation for them as well. These are car manufacturers in Bratislava and Trnava, and production factories in other regions of the country, such as Galanta, Šaľa and Sládkovičovo. When families with children are considered, even though a family member has gained employment, this type of accommodation is not conducive to family living. Considering the night arrivals of employees from shift-work, noise, and in many cases alcohol consumption, it all combines to make the hostel environment not suitable for raising children and also may pose a direct threat to women. The respondents classified this accommodation as many times worse than in the asylum centres.

From the employer side some misunderstandings in the employment of PoCs were noted.

Frequently, the problems were associated with cultural differences (for example problems with work absence on religious grounds, such as in observance of holy days), or payments for accommodation (for example, the accommodation provider had to explain to employees why they must pay for accommodation despite their inability to work or holidays). Distrust is growing against such workers for several reasons, which creates a negative image of the group of PoCs as a whole. Research found that they often last in a work place only for a very short time, and occasionally they leave the job without giving notice.

Root Causes of the Current Situation

Increased social exclusion: In connection with PoCs, a general disadvantage with regard to education, employment, accommodation and financial resources is apparent, which is reflected in their social exclusion. This exclusion is largely created and maintained by prejudice and stereotypical attitudes of the majority. The results of a recent representative research study concerning the attitude of the public towards foreigners shows that a significant part of the population of Slovakia is not ready to accept foreigners and has a problem accepting others, even though the majority of Slovaks do not dismiss the idea of a successful and conflict-free co-habitation of people from different cultures (Vašečka, 2009). This cautiousness and common refusal of foreigners originates from the fact that Slovaks consider themselves poor and thus do not have the resources to “take care” of others.

Absence of complex integration programme: In Slovakia, there is a lack of a focused state integration programme for PoCs. There is a lack of clear-cut standards, rules and scope of integration activities for these target groups. This is then reflected in several legislative limitations (labour, education, accommodation, etc.), especially concerning persons granted subsidiary protection. As a result of this situation there is an enormous dependence of many PoCs on the aid of NGOs. NGOs are subsequently overloaded by securing basic life conditions for refugees and do not have the necessary resources (financial, as well as personnel) for more specific, targeted aid. The implementation of an integration policy (which is not even formalized) exclusively via projects of NGOs is risky due to the possibility of discontinuation of funding at any time, for any reason.

Barriers in labour market and language: The integration programme should prepare PoCs sufficiently for the fastest possible adaptation to society and employment, with which two additional key issues of provision of adequate accommodation are connected: barriers of entry to the labour market and the language barrier. Persons granted subsidiary protection, in contrast to asylum seekers, are limited by several legislative barriers in entering the labour market. The Act on Employment Services No.5/2004 Coll. enables them to find work only after being issued a work permit by the competent labour office. Moreover, persons granted subsidiary protection (same as other citizens of third countries) should provide adequate qualification to perform work. Another major obstacle is the practice of labour offices to not issue work permits to persons granted subsidiary protection for jobs performed outside the employment relationship, which makes it impossible for them to perform seasonal work or temporary work. It is especially temporary and seasonal work that is the most accessible type of legal work for persons granted subsidiary protection and that is why they are often forced to perform this work illegally. Furthermore, many employers consider the period of time for which a person is granted subsidiary protection is granted temporary residency to be too short to consider the person to be an ‘attractive’ candidate and prefer applicants with a longer career perspective.

One of the main conditions of successful integration into society is also an adequate level of proficiency in the Slovak language. The better the knowledge of the language, the more independent the refugees will be to solve their own situations and problems. Despite this fact, language proficiency of PoCs is, generally, relatively low. On the one hand, this is a result of a

lower intensity of language teaching (refugee centres provide a course schedule of 90-minute meetings two to three times a week, which is about 12 hours per month), this is considerably less than in other countries. Finally, there is certain unwillingness from the side of some PoCs to learn a difficult foreign language. This is often connected to a feeling of insecurity in relation to their future, as subsidiary protection is only temporary and is not renewed automatically. This then leads to a sense of pointlessness in learning a language which they may never need to speak and which is not used anywhere else in the world.

Conclusion

Persons granted international protection within the territory of the SR face discrimination in many areas, particularly employment. We have identified several problematic areas connected to the housing situation of persons of concern to UNHCR. The provision of housing and other basic needs of persons of international protection in Slovakia have been passed from the state to NGOs, financed from the European Refugee Fund. From a wider perspective, we may summarize that the barriers of acquiring adequate housing into an internal and external even though both are interconnected. Internal limitations are those originating mainly from the persons social, economic and cultural capital and result in the limited possibility of employment, which, in the long run, significantly affects the possibility to acquire adequate accommodation (low proficiency in the Slovak language, age over 50 years, insufficient education). Many problems are related with a low proficiency of Slovak language of these persons, despite that it is one of the most important conditions for a successful integration into society. Many of them do not see the point in learning a difficult language, which they may never practically use, or need and which is not used anywhere else in the world. External limitations are mainly on the part of the society, its norms, institutions and organization. (legislative provisions, high unemployment rates in regions where integration flats and shelters are situated, discrimination on the labour market and accommodation providers, and prejudice of the majority.) In addition to the complicated process of acquiring a work permit, employers and recruitment agencies are not sufficiently aware of what subsidiary protection is. The negative attitudes towards foreigners and the implications therein do not stop with just the employers and colleagues, but are perpetuated by their neighbours and many other Slovaks with whom they meet regularly (Bargerová et.al., 2011). The owners of flats or other accommodation facilities (particularly lodging houses) are often not willing to rent them to foreigners. These problems then strongly influence the housing and living strategies of persons of international protection.

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Best Practices in International Service Learning Classes for Social Work

Kristin Heffernan¹

Abstract

This paper is a culmination of what we have learned about international service learning (ISL) course development and sustainability over the past nine years. The paper describes what we believe to be critical ingredients to planning and delivering an ISL class, and details how the class has changed over time, building global collaborations in order to help students better understand social development in an increasingly diverse global community. We include a case example to build on the current knowledge of best practice and illustrate what we have found to be critical ingredients to organizing an effective, respectful, and sustainable ISL class. The case example, hereafter referred to as the Romania Service-Learning (RSL) class, has been offered to graduate social work students since 2004.

Keywords

service-learning, international education, Romania

Introduction

“Service learning combines community service with academic instruction, focusing on critical, reflective thinking and personal and civic responsibility. Service learning programmes involve students in activities that address community-identified needs, while developing their academic skills and commitment to their community” (American Association of Community Colleges, n.d.).

International service learning (ISL) encompasses the American Association of Community College’s definition of service learning; however the service learning is carried out in an international community often exploring a variety of global issues. In fact, globalization underscores the importance of developing social work programmes that encompass worldwide issues and country-specific interventions for addressing transnational problems (Engstrom and Jones, 2007). Being able to acquire this world view can be complicated when most educational preparation is designed to train practitioners to address specific problems found within their own society or local sphere (Kendall, 1996). ISL promotes community activism (Hondagneu-Sotelo and Raskoff, 1994) and bridges academic learning with applied settings; helping demonstrate the interconnections between theory and practice for many students (Calderon and Farrell, 1996; DeMartini, 1983).

ISL is one way to attend to the growing global field of practice learning in social work. Social work programmes include content relating to human rights, social justice, inequality, oppression,

¹ The College at Brockport, Social Work Department, 350 New Campus Dr., Brockport, New York 14420, USA. Email: kheffern@brockport.edu

racism, and sexism in their curriculum at the micro and macro levels yet more and more, programmes are looking beyond the domestic sphere to global trends and are exploring the connections between social problems at home and abroad. ISL programmes are one way to help the students grasp key concepts of globalization. Research has noted the importance of encouraging students to go beyond personalized thinking by placing themselves within the broader social context at a more aggregate level (Rochelle et.al., 2000). This paper will outline the important components of ISL courses in social work education and provide a case example of the Romania Service-Learning (RSL) class taught at a graduate school of social work in the United States to illustrate how these components may be carried out.

Major Components of Service Learning in Social Work Classes

Developing an ISL programme can be very challenging, as there are many different components to consider. Course development purports integrating sound pedagogical methods with experiential learning in another country, which means developing partnerships abroad. For those schools that are accredited by the US Council of Social Work Education, it also means developing courses that will help social work students meet the Council's identified competencies. Therefore, it is important to ensure academic rigor while developing service learning that is equally meaningful and beneficial to all those involved.

One of the first challenges educators encounter is identifying partners in the locations where they want to conduct service learning. While there has been research on the importance of developing good community partnerships (Jacoby and Associates, 2003), little has been written about how to form international partnerships. Much of the developing stages of any ISL programme should be spent forging contacts in order to form partnerships with an identified university and/or nongovernmental agency (NGO) within the prospective host country, if a pre-existing relationship does not already exist. This in and of itself is challenging as it takes considerable time and effort to cultivate steady, reliable connections in order to begin conversations about ISL. Once both parties reach an agreement about the worth of a partnership, developing what that partnership will look like will take even more time as the benefits must be seen as equitable by both parties.

To the extent possible, visits to NGOs, governmental officials, and universities should represent the best practices in the target country. As the faculty member organizing the visits gains more experience, s/he will be better able to identify those best practices. One reason that we believe ISL classes should be organized by individual faculty members rather than contracted out to private companies that plan study tours is that the faculty members need to take responsibility for evaluating the potential visits, determining what are the best practices, and coordinating visits with the academic portion of the class. While students will come and go, there should be a commitment on the part of the faculty member to maintain the course and the relationship between the university and the service partners over time. Relationships that are developed over the course of the ISL programme must be respected. If people have shared goals and realistic expectations, then the partnership is more likely to be genuine. The faculty member needs to take responsibility for maintaining those relationships during the time between the visits, which typically are annual. This means sharing resources throughout the year and attempting to stay in touch whether via skype, social media, and/or email. ISL projects need to ensure that they reflect the best practices within the country of origin, while continuing to adhere to the National Association of Social Work's and the International Federation of Social Workers' Codes of Ethics by providing in-depth learning experiences for all participants, and not just for the visiting students. This point should be closely tied to the respect for all partners.

Those developing partnerships with host countries need to have a sound understanding of the local community's cultural understanding of international service learning (Annette, n.d.) so they

are not applying their own ethnocentric meaning of service learning to understand the meaning of the work they are doing. There is a need to align the goals of the service learning class and local NGOs where the students will be volunteering (DiSpigno et.al., 2001 as cited in Annette, n.d). As mentioned earlier, in order to build collaboration, trust and respect, reciprocal and equitable exchanges are a must (Jacoby, 1996; Stanton, 1990). Students must come to terms with the fact that the host country is the one offering the learning experience, hence key to the service learning approach is dispersing the idea that 'we are going to help' the other or lesser individual/community (Grusky, 2000). Depending on students' prior experiences, they may or may not realize this distinction before they are in the host country. Discussion and readings such as Van Engan's (2000) paper on short-term mission trips or Richter and Norman's (2010) paper on AIDS orphan tourism can provide a context for examining these issues.

As part of a service learning experience, whether national or international, there is often an element of 'doing for' as the students in the ISL course are in positions of privilege. Many students are of the view that they are in the host country to provide services which the host country would otherwise not have; providing services for an oppressed and/or vulnerable group of people. This way of thinking can be problematic as many of the students place unrealistic value on their efforts, exaggerating their importance and, as a result, missing out on the opportunity to learn by 'doing service with' the host agency or country. Such grandiose thoughts need to be dispelled prior to arriving in the host country but need to be continually monitored during the travel portion of the class. If there is a good working relationship between the class and the NGO, then both parties can have a fruitful discussion on what are the student concerns.

When doing service learning in a country that is less developed than their country of origin or one that may have clear cultural boundaries based on the country's traditions and language, students are especially vulnerable to culture shock. In these situations, it is critical that substantial academic work be devoted to preparing students before leaving for the host country, developing class sessions that will help them contextualize and understand the host culture (Crabtree, 2008; Tonkin and Quiroga, 2004). These classes can focus on local history, politics, social welfare policies, different ethnicities within the host country, common social work practices, and local NGOs that are providing these services.

Students bring with them a range of professional and life experiences, as well as varied experiences in traveling or working outside of the US. Before leaving the US, the professor needs to encourage students to be open-minded about what they are going to observe and to stress the importance of not evaluating what they see through the 'US lens.' In other words, what works in one country may not work in another country. For example, students may want to propose 'green' options to NGOs, but these options may not be financially viable or realistic in a developing country where over half of the households lack indoor plumbing. The challenge for the instructor is to take into account the varied experiences of students while also finding ways to facilitate reflection and meaningful discussion of social justice concepts during and after the travel portion of the class. To begin with, the students should be asked to articulate their personal goals for the class, possibly in their application or in another activity, such as writing a letter to themselves before departure, regarding what they hope to achieve. They should be encouraged to review and possibly revise these goals during the course of their travels.

Designing time for reflection before, during and after the ISL experience, is extremely important. The timing of class reflections will vary according to several variables such as the intensity of a given experience and how students respond to an experience. As we have fine-tuned our ISL course, we have found that scheduled reflections should occur weekly in a 3-week class. Often there will be specific experiences that are very intense, such as a visit to an impoverished community, with victims of sex trafficking, or to a prison, which will suggest the need for a more spontaneous and focused group reflection. These may have to occur on a bus

ride or over a lunch break, given the schedule. Instructors need to realize that students also will be engaged in some small group processing with their peers. Staying informed about the content and direction of these more private reflective discussions is a challenge.

Assuming that the class members have completed the academic preparation, reflections can provide space for emotional discussion but also emphasize the learning aspect of the experiences. The first reflection usually involves allotting more time to people's emotional responses to what they are experiencing but should provide a structure for students to begin to evaluate what they are learning. Although they are graduate students, many of them may need to be given time to devote to their reactions to and their understanding of the different living and social conditions that they are observing. On the one hand, students should not romanticize poverty or other challenging social conditions that they might experience. On the other hand, they cannot allow these conditions to overwhelm them. In either case, students have to grow beyond judging what they are seeing from the perspective of a familiar US framework.

What we have found through the development of the RSL class over these past nine years is that ISL projects can and should provide opportunities for students to immerse themselves in the host country's culture. This may mean living or staying with host country families, and sharing in food, culture and traditions. While learning new ways of living and carrying out daily living activities can be stressful, it also can be an enriching experience for the students.

Regardless of the country or the experiences, there is no one uniform explanation or understanding for any given social issue. It is helpful to encourage students to develop hypotheses and then ask the same question in multiple settings and of varied people, and then compare their findings. For example, students often struggle with understanding child abandonment, or discrimination against Roma people, or attitudes toward pre- and post-Communist experiences of people in Romania. While this process of hypothesis testing is explained during the class, it often makes more sense once students are in the country. The first class reflection provides an opportunity to remind students about this practice and subsequent reflections can provide opportunities for a follow-up.

The final class reflection might occur in the country or back in the US, depending on the travel schedule and other logistical issues. In either case, there should be an emphasis on helping students think about the next steps. These next steps should include discussion of what follow-up efforts we need to address as a class. As an example, when we take photographs of children in communities and NGOs (with their permission), we agree to send copies of the photos. But, we might also have offered to send a social worker some information about a particular social intervention or to send an NGO some ideas about craft activities for their beneficiaries. This is a critical part of the university-NGO relationship. Additionally, upon return from the host country, the students participate in a final course to present their individual projects, summarize what has been learned, and hopefully, initiate the call to action.

Equally important to preparing students prior to going to another country is working with them to gain a meaningful experience while completing service learning project(s) as well as preparing them for re-entry into their home country (Crabtree, 2008). Tonkin and Quiroga (2004) found that students often find re-entry into their home country particularly trying. ISL programmes need to develop ways for students to process their experience as often they are presented with stark differences between their home country and the host country. Students may experience the same or even worse culture shock upon returning home as they did going abroad. In order to help the student readjust to their culture, while concurrently helping them accommodate the new information they gained through their service learning, students should be encouraged to expand on what they learned. To maximize the experience, students need to be guided in exploring how they can expand on what they have learned once the service learning class comes to a close. A final reflection on the experience, whether it occurs at the end of the

travels or when the students have returned home, is critical for helping students integrate their experiences, both professionally and personally.

ISL programmes need to develop effective strategies for sustained impact. This may mean joint efforts to continue to raise awareness via advocacy projects and/or fund raising. Students also may benefit from the opportunity to present what they have learned to the broader campus community. Multimedia interfaces such as Facebook allow people to keep in frequent contact with each other, so partners can continue the service learning work planning and preparation the year round. Forging lasting, meaningful relationships with programme partners needs to be a priority, as this will provide the foundation for the sustaining of a deeper understanding. Students may feel a call to action to build on the work they initiated in the host country once they return home. Indeed, students participating in service-learning experiences may be more likely to commit to future service in both the short- and the long-term at the local, state, country, or global level (Bringle and Steinberg, 2010).

Faculty teaching ISL classes have to consider several issues in addition to the usual educational concerns associated with graduate education. Some of the major issues include student fund raising, selecting students for the class, risk management, group dynamics, and balancing educational and leisure-time activities while traveling.

In addition to tuition for the academic credits, ISL classes involve the expense of travel and possibly supplies for service projects and/or a fee for a major service partner to cover the administrative costs. Fund raising can involve individual efforts to solicit donations, such as writing letters, or using electronic supports such as Facebook or Firstgiving. Sometimes classes also want to engage in group fund raising which might be a bake sale, selling t-shirts or other items, or hosting a bar fundraiser. These group activities can help with team building but also can add to the faculty workload. The faculty member needs to monitor these activities, because they represent the class. Moreover, someone needs to manage the funds, ensure equity, and provide supports for logistical matters. The faculty member also needs to decide how much time to devote to supporting student fund raising.

The number of students who can enroll in an ISL class may need to be less than a typical class for pragmatic reasons. For example, if in-country transportation needs to be a small bus or van, then the number of seats on the bus may pose a restriction. On the other hand, some schools need to require a minimum number of students to offer a class and this number may actually present challenges for the instructor. ISL classes can be very popular and often there are more applicants than slots. Reading and evaluating applications, including essays about the student's learning goals for the class, interviewing applicants, and collecting references all are very time-consuming. Some applicants immediately stand out as good potential class members while many others fall in the gray area. Should you favour students who already have considerable international or service experience, or should you select students who want to gain such experience? What about age and gender considerations in forming a team? We do not really have the answers to these questions, but can say from experience that a good mix of people usually makes for a richer learning experience. On the other hand, if a given student is quite different from the others, say in terms of age, she or he might have difficulty fitting in, especially with regard to leisure-time activities.

Risk management is an ongoing concern in universities, especially when educational activities take students off the campus, as in the case of internships. Obviously, travel to other countries adds another layer of concerns. Faculty offering such courses need to think through what rules they will put in place to keep students safe while still respecting the fact that they are adults and have had varying levels of international travel experience. All decisions regarding the in-country experiences, ranging from what cities to visit, to service opportunities, to choices of transportation or lodging need to take into account issues related to risk.

ISL classes also differ from many graduate-level courses in that group dynamics come into play. International travel and service are emotionally and physically draining and, from time to time, everyone will need some extra support or to have some down time. The reflections are one venue for helping students deal with individual or group responses to the experience. The instructor needs to find the delicate balance between using group time to deal with these issues versus keeping in mind that this is an academic course. The instructor also needs to have an open door policy whereby students can have personal meetings to talk privately about their emotional and learning challenges. It is essential that the student co-leader, if one exists, and the professor have a good working relationship as the co-leader may be in a strategic position to identify individual or group issues.

It is all too easy for students and others to see an ISL class as a vacation or a trip rather than a class. Nonetheless, in planning the in-country experience, the instructor needs to find a good balance between academic and service activities, also allowing students free time for exploring the host country on their own or as a group. This further allows students to take in other cultural experiences that they might not otherwise experience through the ISL course. If the professor knows the country well, s/he can suggest activities when students have free time, such as a visit to a park or museum. As a general rule, we advise that touring activities involving the entire class be simple and inexpensive.

The Case of the Romanian Service Learning (RSL) Class

The RSL class has worked most closely with two organizations in Romania, Habitat for Humanity and Romanian Children's Relief. The relationships with these organizations happened serendipitously. An advisee of the professor who developed the RSL course wanted to develop a class specific to graduate social work students around Habitat for Humanity's Global Village programme. The Global Village component of Habitat in Romania turned out to be a good fit, because of their ability to host a class every year. Additionally the programme had a history of working with child welfare issues specific to Romania. Meanwhile, the professor organizing the RSL course learned about an NGO, Romanian Children's Relief, that was started by someone in the US and close to her university, making collaborations easier as it was in our home country.

Both Habitat for Humanity Romania and Romanian Children's Relief have a long history of working with and hosting service visits by foreign visitors, which once again helped when developing the course. What this meant for us is that there was a pre-existing infrastructure designed to deal with issues relating to foreign visitors; however, we had to work very closely to develop an actual partnership whereby we were identifying mutually beneficial goals. The benefit from these organizations having already developed policies and procedures for such visits and having staff members with responsibilities for working with volunteers in terms of issues related to logistics, safety, and the like, should not be underestimated. Since they do not typically host a visit by graduate students, however, we needed to supplement the service project with educational material in order to assure that the course was meeting the educational requirements of the MSW (Master of Social Work) curriculum. Academic preparation for the RSL class in the US involves studying poverty and housing, the history of child welfare under the Communist regime, women's issues such as domestic violence, and human trafficking, and then framing the topics in terms of post-Communism and accession to the European Union. When Habitat for Humanity's Europe / Central Asia offices were in Budapest, we also met with their representatives to supplement our academic preparation and provide an up-to-date macro context for our service.

Over the years, our service partnership with Habitat for Humanity and Romanian Children's Relief has strengthened. We have developed a good fit between the needs of each respective NGO and what we as visitors have to offer as well as what we can learn from our hosts. After nine years, we now feel as if there exists a long-term relationship with open communication and

flexibility between the partners. At the same time, we continue to work collaboratively between in-country visits as we have developed some joint projects and shared resources.

In recent years, Habitat for Humanity Romania has less need for teams to build housing so we work together in other ways. We still visit their projects in two cities, but we also support them by sharing some of our connections. For instance, one of Habitat for Humanities' staff members is responsible for building Roma housing and our faculty member provides him with contacts at Roma NGOs in Budapest and Romania and invites him to visit these NGOs with us. In this way, we continue to learn about the latest advances for Habitat programming, while providing needed connections to our hosts. Meanwhile, our relationship with Romanian Children's Relief also has changed. Students have always spent time working with some of the children who the NGO supports. More recently, depending on the makeup of the class, we have been able to offer a workshop of interest to their social work staff which helps them with their need for continuing education, demonstrating the importance of reciprocal benefits for both partners. We have, for example, provided training on case management techniques, advocacy in sexual assault cases, and child behaviour management. In addition to these service projects, students shadow hospital or child welfare social workers or the physical therapist, depending on the students' interests. This allows us to better understand current practices with children who have been removed from their families or who have been left orphaned. In the RSL class, students learn about such things as service provision with limited resources, innovative ways to use agency space for multiple purposes, sustainable methods of community organization, non-profit management and administration skills, and strategies for engaging clients of different cultures.

In addition to these ongoing service relationships, we also have smaller service projects which change from year to year and, as mentioned above, vary according to the needs of the NGOs and what we have to offer as a class. We have been able to forge these new relationships and create smaller projects because of the connections that we have developed over the past nine years. It has taken time and a considerable amount of learning about the needs of our host country and sharing with them our needs. Additionally, over time we have been able to gain a better understanding of what each of us has to offer and how we can build on our respective strengths so that both parties are learning new perspectives and models of delivering services. Most importantly, we have built trust between our hosts which has been paramount to the RSL course's success.

One popular service project involves visiting a community-based mental health programme that provides a range of activities for their beneficiaries. In some years we have led musical, dance, or craft activities, which provides a great opportunity for students to enter the lives of both staff and beneficiaries. This visit also provides important learning, as the clinic has a strong consumer-led component, encouraging client voice and empowerment. Students are able to witness this important model and potentially integrate it into their own practice back home. As another example, we often visit a public nursing home. In one year, a student who specialized in work with older adults suggested that we could offer hand massages for the female residents. This was an unusual activity—we combined hand massages with music, and the residents loved it. While at first it seemed out-of-the-ordinary to them, the women quickly were rolling up their sleeves and asking for their massages. It offered another way to communicate with residents and provides students with the opportunity to learn alternative intervention methods that are often not taught in social work schools but are supported by the literature (Remington, 2002). While these projects are very small examples of service, they do offer ways for students and our hosts to get to know each other. Obviously, we do not undertake any of these projects unless we have a clear understanding with our NGO partner. Again, such projects are best developed when there is a longstanding relationship between the partners.

In Romania, students are offered the chance to engage in home stays with the foster parents

at Romanian Children's Relief. The students sleep and eat in the foster parents' home, getting to know their lifestyle and meeting the children for whom they care. Students may socialize with NGO staff possibly going for bowling, out to lunch, folk dancing, or hiking. Furthermore, communal experiences alongside Romanians, such as the Habitat for Humanity build, allow for a feeling of equality and companionship between the students and those living in the host country. For example, in describing his Habitat for Humanity experience, one student stated, "One lesson from that experience that continues to stand out for me is the value of manual labour, and how it can transcend social, political, and cultural boundaries. Despite the large gaps between us and our Romanian colleagues, we found common ground in the labour we performed together. Our experience in Beius speaks of larger issues of self-sufficiency, and how shared, goal-directed labour can lead to immensely positive outcomes." During all of these interactions, it is important that the leader provide continual guidance to the students on cultural competence and the importance of not exploiting or offending the hosts. Service learning creates a plethora of teachable moments (Grusky, 2000), as students are often forced to confront differing governmental structures, overwhelming poverty and gross inequalities within the host country, just to name a few examples (Kiely, 2004; Tonkin and Quiroga, 2004).

In the RSL class, one of our rest and relaxation activities often involves a visit to a small village in a beautiful setting. We have a traditional lunch on the porch of an inn and then have time to explore the village. The village is not on the typical tourist itinerary and allows students to experience a different part of the country. More elaborate rest and relaxation activities that involve travel to a major tourist destination can be attractive but one has to balance the cost in terms of money and time versus the experience in terms of providing a deeper understanding of the country. These experiences also allow for students to reflect on the local customs and norms of their host country allowing them further insight into human behaviours in the local environment.

Following the RSL class, students have felt compelled to contribute in various ways to the NGOs. Students have organized fund raising initiatives that included making knitted items, greeting cards, jewelry, and matted photos to sell with all proceeds donated to Romanian Children's Relief. One student encouraged her wedding guests to donate to the organization in lieu of wedding favours and another student solicited donations from church groups. Many students participated in reporting back to the social work community, particularly at the school the students attended. This included poster presentations, sharing Romanian foods in an international cooking celebration, and presenting their experiences to other students who are considering attending the course in the future. These fund raising and reporting back activities provide an opportunity for students to synthesize what they have learned from the ISL trip, stay involved with the host country in some way, and allows for other students and faculty and the university to learn from the ISL trip as well.

This paper has covered what we believe are the best practices in offering rigorous and educationally challenging ISL courses. Obviously, the class has changed over the past nine years in response to previous experiences, new possibilities, and changing political, social, and economic trends. Instructors of ISL courses need to strive for flexibility while traveling in-country and in planning the next year's course syllabus and itinerary. As demonstrated though our class example, almost every encounter is a teachable moment when considered in an ISL context. Through their experiences abroad students learn more about global issues, social justice and human rights, as well as social development and the best practices in an international context. When done well, students will complete the class with an increased familiarity with new models of practice, a different sense of themselves as citizens of their country of origin, and a newfound sense of civic responsibility in a larger social context.

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Fieldwork in Social Work Education: Challenges, Issues and Best Practices

Sunirose I.P¹

Abstract

Fieldwork has always been part of social work and an integral component of social work education. Fieldwork is based on the philosophy of 'learning by doing' and its purpose is fundamental to a sound education in social work. Fieldwork opportunities take the students to a vast variety of ground realities around the world. It is critically important for social work students to acquire, in a classroom environment, practice principles, values and ethics and the scientific basis for practice. Equally important is the need to apply the theoretical content covered in the classroom, to real life situations as part of a student's preparation to become a professional social worker. In this perspective began the evolution of field action projects (presently referred to as social labs or live labs) by the leading social work institutions in the country. These initiatives provide both meeting the needs of the target population and a platform for the students to practice. This paper looks into the major challenges faced by the students, teachers and the agencies/live labs in providing the training for the students. It also draws light on the different issues in the entire process of fieldwork in Kerala. Finally it also highlights the best practices that can be replicated for the benefit of the students and professionals.

Keywords

fieldwork, live labs, best practices, social work

Introduction

The social work curriculum consists of classroom education and learning from the actual fields of practice. Classroom education provides the information basis, theoretical knowledge and understanding in all the foundational areas. Social work practicum is based on the philosophy of 'learning by doing' and its purpose is fundamental for a sound training in social work. Social work practicum, usually referred to as fieldwork plays an essential role and provides the experiential basis for the students' academic programme. Many of the leading researchers in social work explicitly assert the importance of both fieldwork and classroom instruction in social work training (Adsule, 2005; Alphonse, 1999; Dhembha, 2012; D'Souza, 2012; Johnson et.al., 2012; Mallick, 2007) As Hepworth et.al. (2002) observes, fieldwork engages the student in supervised social work practice and provides opportunities to integrate theory and practice. The fieldwork opportunities take the students to a vast variety of ground realities of the world around. Therefore it is critically important for social work students to acquire, in a classroom environment, practice principles, values and ethics and the scientific basis for practice. Equally important is the need to apply the theoretical content covered in the classroom, to real life situations as part of a students'

¹ Rajagiri College of Social Sciences, Kalmasserry, Ernakulam, Kerala, India. Email: sunirose74@gmail.com

preparation to become a professional social worker. It takes more than academic fitness, but also evidence-based knowledge, field- tested skills and a wealth of hands-on-experience to become a true professional social worker.

Professional Social Work Education

Social work education shapes the profession's future through the education of competent professionals, the generation of knowledge, and the exercise of leadership within the professional community (Johnson et.al., 2012.) Education provides knowledge, skills and practice models to enable people to cope with and maintain a balance with the environment. It emphasizes the initial preparation of the qualified social work personnel as well as the provision of continuing education for social work practice, administration, education, training and research, within the value framework of the profession. The objective of social work education is to impart integration of social work knowledge, attitudes and skills, relevant to the contemporary social realities, in the historical context, and local social realities, in the national and international context (Sewpaul and Jones, 2004). It also focuses on the development of a critical consciousness in students, through a process of critical pedagogy, so that they become aware of the social ills of society and are motivated to alleviate them (Johnson et.al., 2012). The approach used is student-centered dialogical classroom teaching-learning, self-study, supervised fieldwork and practice-based research.

The general purpose of fieldwork is therefore, to acquaint students with actual social work situations, in preparation for professional social work practice. It is an instrument that is used to initiate students into the profession through, inculcation and assimilation of social work ethics, principles and values. Thus, social work students on fieldwork are exposed to social work at both the micro and macro levels. Additionally, the concurrent exposure to class room theory and fieldwork ensures that students obtain thorough professional development to the social work practice with individuals, families, groups and communities. The class room teaching and fieldwork is equally important in social work education. However, in reality fieldwork is marginalized when compared to its academic counterpart in many training institutions. (Dhemba, 2012; D'Souza, 2012; Mallick, 2007). In social work education, integration is given prime importance though the concept of integration remains ambiguous (Mallick, 2007). To make the integration of theory into a reality is actually a challenge at times for the students, agency supervisors and even for the educators. In addition, the scarcity of indigenous literature on fieldwork has intensified the training situation in social work.

In July 2001, both the International Association of Schools of Social Work (IASSW) and the International Federation of Social Workers (IFSW) reached an agreement on adopting the global standards for the education and training in the profession of social work. Following guidelines are assigned for the field education:

- Field education should be sufficient in duration in complexity of tasks and learning opportunities to ensure that students are prepared for professional practice.
- Planned co-ordination and links between the school and the agency/field placement setting.
- Provision of orientation for fieldwork supervisors or instructors.
- Appointment of field supervisors or instructors who are qualified and experienced, as determined by the development status of the social work profession in any given country, and provision of orientation for fieldwork supervisors or instructors.
- Provision for the inclusion and participation of field instructors in curriculum development.
- A partnership between the educational institution and the agency (where applicable) and service users in decision-making regarding field education and the evaluation of students' fieldwork performance.

- Making available, to fieldwork instructors or supervisors, a field instruction manual that details its fieldwork standards, procedures, assessment standards/criteria and expectations.
- Ensuring that adequate and appropriate resources, to meet the needs of the fieldwork component of the programme, are made available.
- Clear plans for the organisation, implementation and evaluation of the theory and field education components of the programme (Sewpaul and Jones, 2004).

In this perspective began the evolution of field action projects (presently referred to as social labs or live labs) by the leading social work institutions in the country. These initiatives actually provided both meeting the needs of the target population and a platform for the students to practice. Later on the different social work and related agencies are included as the place for fieldwork for the student in and around the state, country and even outside the country. This calls for a highly professionalized approach in social work practicum. This paper looks into the major challenges faced by the students, teachers and the agencies/live labs in providing the training for the students. It also throws light on the different issues in the entire process of fieldwork in Kerala. Finally, it highlights the best practices that can be replicated for the benefit of the students.

Fieldwork in Social Work Education: Issues and Challenges

Students undergoing fieldwork may be placed in settings in which they are engaged in direct practice or indirect service provision. All student social workers are expected to develop certain competencies that are considered essential. These include the application of the ethics of social work practice, the use of critical thinking to guide decision-making, the acceptance and understanding of diversity in practice, the advancement of social justice, the participation in the development of policies that impact social service provision and the engagement, assessment and intervention with individuals, families, groups and communities (Johnson et.al., 2012).

General structure of fieldwork: Social work training institutions generally use these forms of fieldwork in Kerala, namely exposure visits, concurrent, block, a combination of all three and in-service placements. A block fieldwork placement refers to a continuous full-time engagement of a social work student at a fieldwork agency for a period of 25-30 days. Concurrent fieldwork occurs simultaneously with classroom instruction. Typically, students spend two days in a week at the field agency and the remaining four days in the classroom. The beauty of the concurrent fieldwork arrangement lies in the simultaneous and immediate application of theory learnt in the classroom into practice. An added advantage of this form of fieldwork is that students can share and readily discuss their concerns with the faculty supervisor and this can contribute to effective integration of theory and practice. A major limitation of this arrangement is that students have to be attached to agencies within the proximity of the college. Students are denied the opportunity to work in preferred areas of social work intervention. Another disadvantage is the possibility that the fieldwork experience becomes more fragmented and students are unable to do justice to either classroom or fieldwork because of the overlapping expectations of the agency and the college. Many of the agencies of late do not prefer concurrent fieldwork thus it becomes difficult to arrange agencies for the fieldwork. While the block placement allows students to immerse themselves in the work of an agency and is more conducive to the pursuit of intellectually and professionally stimulating tasks, it also has its weaknesses. One problem is the lack of consultation with the faculty supervisor. At times the agency may not give the students enough exposure to the social work intervention but only do the administrative work. Over the years there is an escalation in the number of institutions offering social work training. This development has placed a strain on the ability of social service agencies to provide fieldwork experiences for students and consequently has led to increasing challenges in securing placements for students. At times the fieldwork for the students becomes an

expensive affair to manage.

Fieldwork syllabus: A fieldwork syllabus can shape the content of what is learned by students through a practice curriculum and students are empowered through the existence of an explicit written syllabus. They can also have an understanding of required learning at the start of the placement itself. With a given curriculum it is possible to know what a student has learnt in given areas, and then to move on to other components of the curriculum or to find ways to compensate for deficiencies in the learning environment. According to the view of the agencies and students some of the colleges in Kerala are yet to prepare a syllabus on fieldwork.

Supervision: Learning through social work practicum takes place through regular and continuous facilitation. Usually the term employed is supervision. It is an integral and essential part and aims at developing core skills such as observation, listening and communication, intervention, relationship building, skills in fact finding, recording, analysis, administrative procedures, planning, organisation, and implementation in students. At the social work schools generally every student is placed with a faculty member such as a faculty supervisor and an agency supervisor, who is generally a trained social worker. The facilitation takes place through periodic individual and group conferences, scrutiny of the weekly reports; faculty visits to the agency and discussion with the agency supervisor/personnel. Guidance and support are inevitable in the process of the supervision. It affords students the opportunity to practise reflection, and to build skills related to professional use-of- self. Under supervision, students can learn to communicate issues or concerns in ways that are direct, open, and honest.

Group conference and individual conference: These are important components in supervision. Individual conference with the faculty supervisor provides the student to explore his / her goals, learning styles, aspirations, fears, worries, intelligence and energy. Whereas group conference is a platform in which they learn from one another. In the group conference students of each group are encouraged to present their achievements, learning gains and concerns with the entire work and the team. It is an energizing exercise. Faculty supervisor encourages the students to prepare a resource file of their respective client system.

Recording: It is basically a learning tool for the student. It is meant to develop in the student the skills of presenting information in an organized manner. It serves as a tool both for the student and the concerned faculty to assess the growth of the student as a professional. It becomes a database for the agency and worker for further follow up and research on it. Students are required to submit weekly recordings to their concerned faculty supervisor before the individual conferences. In the block pattern, the students are encouraged to do daily recording of the activities, and send them to the faculty supervisor once a week. The recording should have the utilization of time, the details about activities and a section of analysis based on the theoretical inputs. It should also have a critical reflection on the activities, the problems, the gaps, the government policy, and the possibility for improvement.

Fieldwork evaluation: In training the process of evaluation is a continuous one. It helps the trainee to grow in self-awareness which is necessary for the development of a professional social worker. During the teaching-learning process of fieldwork, the student and the faculty supervisor are expected to share the initiative in evaluating the student's performance in the fieldwork. While for each semester, attainment of the distinct and definite learning goals are to be assessed as part of the evaluation; certain common areas form the part of evaluation during the entire programme, namely, areas of learning, achievements, areas of strength/improvement, areas on future learning and growth of 'self' as a professional social worker. The evaluation is done on the development of the student in three areas, knowledge, attitude and skills with respect to the semester field practicum objectives. They are cumulative in nature, i.e., while new ones are added as required in the new semester, the old ones are essentially retained, and the new ones are built on them. Evaluation is not limited to the written and formal end of placement evaluation, but is

implicit through weekly individual conferences. Though the responsibility of grading the field performance of the student lies primarily with the respective faculty supervisor, in order to ensure some standardization, the final grades are awarded after a discussion of the student performance in the department faculty council.

Fieldwork presentation: At the end of the each semester the students have to present their fieldwork experiences generally before the panel of teachers and agency supervisors. Students are expected to make presentations creatively using the different media.

Field supervisors play the major role in the training of social workers. They are partners in the training process with responsibility to manage the transition from the classroom to the field and this requires support and continuous dialogue between the training institution, the agency supervisor and the agency. It is probably in recognition of this fact that the IASSW and IFSW spell out the need for training institutions to provide fieldwork manuals and orientation to agency supervisors. This enables them to appreciate the expectations of their role and also ensures that students are given optimum opportunity to develop professional knowledge and skill. Though the use of qualified and experienced supervisors is quite critical in any professional training the supervision of students by non-social workers remains a common practice in Kerala. Some of the field supervisors even do not know the purpose of fieldwork. Many institutions have not taken enough steps to organize training for field supervisors. Students complain that the agencies do not have any clear ideas about fieldwork. They engage the students with clerical work. Defining student roles is an important step, so the student can benefit fully from the educational opportunity, while providing appropriate service to both clients and agencies.

Challenges in the Management of Fieldwork

The fieldwork in social work education is an ongoing process of moving between one's teaching, outlook, field action and research, administration and consultation, and evaluative reflection and back again to building critical perspectives. Fieldwork placement opportunities should provide an environment within which students can be exposed to the professional realities of practice in social work. Against this background a study was conducted. The purpose of this study is basically to expose the challenges in the management of fieldwork faced by the educators, agencies and students in Kerala. The study is based on the view that while theory and fieldwork are of equal importance in social work education yet the latter is marginalized and it is not given the importance that it deserves. These views were collected from the respondents through telephonic interviews.

Teachers: Care has been taken to include the views of both senior as well as the junior educators in Kerala. Social work profession calls for multiple tasking. Often fieldwork gets side tracked with other pressing concerns of professional growth, institutional needs and personal works. Shortage of teachers is also a challenge. There are institutions where only two or three teachers handle the entire programme. The teachers, both senior and the juniors, feel devoting the exact stipulated time for each student is a distant dream. Supervision comes down to a level of just correcting the recordings. Lack of practice experience of the teachers is also a challenge. Fresher's find it difficult to guide their students effectively. Time constraints prevent them from getting experiential knowledge through action oriented research. Some of the teachers feel there is a problem in getting fieldwork placements in reputed agencies. Many such agencies prefer the structure of block placement rather than concurrent placement. At times the distance to such organizations also put a financial burden on the students. "Ironically such fieldwork actually gives a chance to take block leave," a faculty added.

Agencies: Students have enthusiasm and passion for social work, new ideas and an inquisitive mind. Agencies have found most of the students do not hesitate to ask questions and are eager to learn. Students working alongside experienced social workers quickly immerse

themselves in social work practice. It is great to witness students gaining in confidence as they progress through their placement. They bring vibrancy to the agency which they value. Fieldwork placements are a positive two-way experience for agencies. In return the agencies provide a constructive and enjoyable learning experience for students in a supportive, team environment. In their views the following are the challenges in the management of fieldwork placement.

- To balance students' supervision and completion of their work become at times a burden. When staff has to work on a target and time bound projects, constraints of time is a real challenge.
- The agencies get students from different colleges, managing and providing them with exposure and experience is a concern for many of the agencies.
- Students' lack self motivation, initiatives and creativity.
- Managing students who do not have the relevant aptitude and right attitude for the profession is a concern in recent years. The staff has to check on the adherence to attendance, required clock hours, and performance of duties.
- Some of the agencies feel that concurrent placement is not beneficial for the agency and the students may not get possible exposures. In contrast providing students with one whole month of work is also a dilemma for some.
- All the agencies look forward to the faculty supervision and their involvement in the students' work. Often they have to be satisfied with only the visitation or telephonic enquiry. Some colleges do not even do this bare minimum requirement.

Students: Fieldwork is perhaps the most eagerly and anxiously anticipated part of the social work education. Students can experience a range of conflicting emotions prior to placement ranging from excitement to self-doubt. Once fieldwork begins it can be exhilarating, exhausting, affirming, and challenging. It is through practice that knowledge begins to be tested and skills are applied and further developed takes place with an attitudinal change. The following views have been collected through the experiences sharing result awaiting MSW (Master of Social Work) students from different colleges in Kerala.

- Many students felt there was lack of supervision by their faculty supervisors especially during block placement. Since the students are placed in far of places it is not possible to have direct consultation with the faculty. The students get even the corrected recordings only when they are back in the college. Some students also mentioned they get their clarifications and guidance through telephone or electronic mail.
- Lack of professional social workers in some agencies is another challenge faced by some of the students.
- Some of the students also felt that the colleges had defined objectives for fieldwork for each semester. Many of the agencies got their specific jobs done by the students. Thus the students faced tough challenges in fulfilling the requirements of both. Some of the leading colleges had in their learning contract the semester requirements, agency needs and the students initiatives clearly incorporated.
- The use of student as substitute employees was another problem experienced by some.
- Some agencies do not have any scope for the students' initiatives and creativity. They were made to do only administrative work. It also lacked a challenging exposure. In some of the residential institutions even the clients were aware of the case work and group work. Students shared they felt embarrassed to do the same case again and again which was already done by different students.
- Writing a report linking theory in particular was a challenge for some of the students.
- For a few, some of the field placements at times were a financial constraint.

Fieldwork in Social Work Education: Best Practices

The 'best practice' is a technique or methodology that has evolved through experience and research. Here some of the best practices adopted by the School of Social Work of Rajagiri College of Social Sciences are discussed.

Development through Live-Labs: Many of the social work training institutions have initiated live labs of their own. The School of Social Work of Rajagiri College has the unique feature of an array of practice cells, which have been named live-labs. They serve as the practice wing of the School of Social Work, providing models and avenues for the Social Work trainees. Each student is allocated to a minimum of two exposures to live-labs, with the twin intention of gaining professional experience, and encouraging voluntarism and a spirit of service, which form part of the professional social work. Their involvement with the live-labs is assessed, and a weightage is given in the fieldwork evaluation for the same. Besides the voluntary assignment, at times, the students are also assigned to the live-labs for their regular concurrent / block field practicum as well. Following are the live labs in which students generally do their fieldwork, namely, Rajagiri Out Reach, Family Counselling Centre, Adoption Coordinating Agency, Middle Level Training Centre, Research Institute, and Child Line. In these live labs they have trained professional social workers. Out Reach alone has more than 50 professional social workers in it. Rajagiri live labs cater to all the student social workers from in and outside the country with regard to different specialization.

Public-Private collaboration: Another healthy practice is that of building tie-ups with the initiatives of the state and various autonomous bodies. It includes student involvement as Voluntary Executives of Kutumbasree (VEK), as community volunteers for the World Bank assisted by the Jananidhi Project, research collaboration with Kerala Institute of Local Administration (KILA), and for the CSR of the leading corporate sector, Social audit in collaboration with the local self governments, work with National Rural Health Mission (NRHM), National AIDS Control Organization etc.

'Know Your Neighborhood' programme: An innovation training begins from where students are, which is termed as 'Know Your Neighborhood Programme' through which the student learner is sent out to learn about one's own community from a development and welfare perspective. This is a 10 days of self-learning programme through observation, reading, interviews, discussions about their own locality and its diverse resources, problems and prospects. The programme intends to acquire adequate qualitative and quantitative data regarding various institutions, organizations, developmental programmes, projects and services in their own home village / town which are considered as public resources. They should also acquire sufficient information about various socio-economic problems, developmental issues and concerns of the people of their neighborhood. This self-learning at the beginning of their social work education will sensitize the students and facilitate better learning at subsequent levels of studies.

Organizational observational visits: After the Know Your Neighborhood Programme the students are better disposed towards the observational visits. The field orientations in the form of observational visits introduces them to various settings of social work practice. This is organized in order to give the students an exposure and orientation to the ongoing services by different groups and individuals for addressing people's needs. Organizational / Agency visits are held all through the BSW, PGDAHS and MSW programmes. With reference to MSWs in the first semester, the visits begin with the major objective of exposing students to various settings and modes of social work practice. They are meant to give the student an idea of the possibilities ahead, to understand the element of professionalism, the issues and the problems involved. In the second semester, visits conducted in connection with the theory papers such as Counseling and Gandhian Studies. In the third and fourth semesters, visits to specialization fields are

conducted, for specialization in their topics, or as part of further exploration. The college also organizes orientation programmes for the students prior to their field placements. This gives the students an opportunity to interact with their respective agency supervisors. The students are able to clarify their doubts and through discussion can prepare a learning contract during the orientation programme.

Social sensitization camp: Social sensitization camp has evolved as one of the most important activities of Rajagiri College of Social Sciences (RCSS). It focuses on generating social sensitivity. It is an integral part of the curriculum during the first semester. The camp experience is gained in three phases like pre-camp orientation, planning and preparation in groups, the actual camp experience and post camp evaluation. It provides occasions for experiential learning about rural people, rural life and rural areas, it also gives them a taste of physical / manual labour and hard realities of life to the students. This leads them into a firsthand experience in participatory planning, coordination, and management of a programme. It also brings out the creative expression of the potentialities and opportunities for developing creativity. This camp of 10 days is often organized as a National Service Scheme programme, under the special camp category.

Study tour: This forms an essential component of the third semester field practicum. It intends to present the students with a view of the social work scenario beyond the boundaries of the state. It also serves as a tool of learning from the field of practice through a detailed process of identifying issues in social work and the development sector, setting specific goals for learning from the field, and familiarizing with the art of programme planning and implementation by actually undergoing such a process. Generally it is a 10-14 days programme with 10-12 field visits. This enables the students to interact with practitioners and other partners/stakeholders in a development project/service delivery system. Through this students can establish contacts with development / social work agencies working in their specialized areas. The students also prepare a documentary based on their trip to various agencies and presents it before the junior batch and the faculty council.

Annual conference/seminar (Dyuti): The departmental annual conference, Dyuti, is a mega event organized by the collective effort of the entire department, with the students playing a pivotal role in planning, mobilizing resources, organizing, coordinating and documenting the function. It is envisaged as a platform for discussion on relevant issues in the context of social work as a profession by bringing in people of high standing in the concerned field from all over India and abroad. The year-long planning and the hosting of Dyuti have always brought a festive spirit in all Rajagirians.

International placement opportunity: The students are encouraged to take up international placement during their final year block placement. The college also has a tie-up with various universities outside India. Some of them are as follows:

Rajagiri Student Overseas Internship Programme: Katho University College, Department of Social Sciences, Kortrijk, Belgium: The Memorandum of Understanding (MoU) of bilateral understanding was signed in 2004, between Katho University, Belgium, and RCSS. As per the agreement every year, the living expenses of three students and a faculty member is borne by Katho International at Katho. BSW students are selected every year through a screening process held within the campus.

University of Applied Sciences, Western Switzerland: Since 2011 three MSW students are selected for the Summer University at University of Applied Sciences, Western Switzerland. The total expenses for three weeks placement are borne by the Summer University.

BSW Students on Field Practicum Internship Nepal and Sri Lanka: The students from final year BSW often do their one-month internship in Nepal and Sri Lanka. They generally go to developmental and welfare agencies of these countries.

RCSS also has signed MOU with the following University for the Twinning programme
University of Maryland, School of Social Work, Baltimore, USA from 1998
Graduate School of Counselling Psychology, Assumption University, Thailand from 2004
School of Social Work, University of Applied Sciences, western Switzerland from 2012.

RCSS has an international academic tie-up for professors in social work, social work students and practicing social workers. From 1997 onwards the following universities send their students regularly for internship to Rajagiri:

Salem State College, Massachusetts; Rutgers

The State University of New Jersey and West Michigan University, USA

Laval University, Quebec and Moncton University, Canada

Göteborgs Universitet; Lund University; Mid Sweden University and Malmö University, Sweden

University of Co-operative Education at Stuttgart, and Berufsakademie in Stuttgart, Germany

University of Ghent, Belgium, Zurich University, Switzerland.

From 2005 onwards:

University of Maryland, School of Social Work, Baltimore, USA

Katholieke Universiteit, Kortrijk, Belgium

Université Catholique de Lille, France

University of Washington, USA

Juniata College, USA

Ryerson University, Canada

Dominican University, Graduate School of Social Work, USA

University of Amsterdam, Holland

University of Bayreuth, Germany

The international academic tie-up gives the opportunity for Rajagirians to interact with them on the campus. They organize classes, seminars workshops and even conduct research jointly. It also enables them to work together in social sensitization camp, study tour and field placement.

Fieldwork manual: Some of the training institutions in Kerala have developed a fieldwork manual. Rajagiri has a comprehensive fieldwork manual with all the semester wise details like fieldwork objectives, components, requirements, evaluation criteria, guidelines for supervision, and model recordings. It is given to all the students, agencies, and teachers. This serves as a reference book.

Conclusion

The fieldwork is envisaged in three stages: Exposure, Insertion and Immersion. The initial phase is that of exposing various settings and situations to the students; in field practicum proper, the student is introduced into the profession of social work, basically through an open community learning opportunity, with linkages with one or many of the existing systems or resources. Immersion phase is an expected stage of growth in the student's life, when the student absorbs the professional values and is able to take one's stand and get immersed in the field in which one is introduced. 'Practice makes human perfect' is the adage often used. It would indeed set the individuals on the track to perfection. As the Sanskrit saying goes, 'abhyasat siddhim apnoti'—skill comes through practice (Rajagiri College of Social Sciences, 2009).

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Book Review

Community Practice Skills: Local to Global Perspectives. Dorothy N. Gamble and Marie Weil, 2010, New York, Columbia University Press, ISBN 978-0-231-11003-7 (pbk) pp. xiv+482, Price. \$42.30.

The community practice of the contemporary era could trace back its origin with Jane Addams' settlement house movement of 1920s. As a generic method of social work, community organization was practised with a set of axiomatic principles and case models with very limited emphasis on the conceptual framework. The conceptualization of community practice began to acquire the necessary momentum with the introduction of the three models of community practice identified by Rothman in 1968, that is, locality development, social planning and social action and these models depict the major areas of community practice intervention. Subsequently alternate models for community practice such as feminist model, policy practices, local economic development, community capacity building and community engagement were experimented by a number of theoreticians and practitioners.

The book is a synthesis of the major community practice models used in mobilizing, empowering and organizing communities for community action in different regions of the world. Eight models of community practice are discussed in the volume with each model is elaborated with specific goals, area of intervention, strategies, tactics and role of the practitioners with examples drawn from the practice field of both developed and developing world. The models are developed into a coherent framework for better comprehension, reflection and action for community practitioners. The volume is in two parts with the first part describing the knowledge base, namely, the values, concepts, approaches, theories and perspectives for community practice. The second part of the book elaborates on the eight models of community practice for the twenty-first century. The theoretical perspectives and practice models are better illustrated with the judicious use of figures and tables. An extensive bibliography and a detailed index are beneficial for advanced learners for a critical analysis of the topic.

The introductory chapter deals with various perspectives on the meaning of community and community practice in the local to global continuum with an emphasis on social justice and human rights which are fundamental to social work where Millennium Development Goals are cited as benchmark for effective community practice. The other three chapters of the first session establish the foundation for understanding and preparing for community practice. The evolutions of values, the history of approaches to community practice, the rationale for selecting the eight models, an overview of the theories, knowledge base, and perspectives that guide community practice are discussed in detail.

The eight models of community practice which the authors have introduced in the nineteenth as well as in the twentieth editions of the *Encyclopedia of Social Work* are further updated in the second chapter of the present volume. The conceptual framework of the models are presented through the three 'lenses' namely the globalization, increase in multicultural societies and expansion of human rights which will significantly influence the context of contemporary community practice. Five characteristics, namely, the desired outcome, systems targeted for change, primary constituency, scope of concern and social work / community practice roles are identified for each of the model with the social, economic and environmental well-being as the values and the aforesaid three lenses as the contexts for practicing the models in community organization and development. The eight models of community practice with twenty-first century contexts are neighborhood and community organizing, organizing functional communities, social-economic and sustainable development, inclusive programme development, social planning,

coalitions, political and social action and movements for progressive change. The primary roles for social workers designed for these models are advocate, leader, organizer, planner and researcher/assessor with specific definitions for each role and sub-role which could be applied in the aforesaid models. Such a systematic analysis of the practice roles has provided the guidelines for the social workers to enable themselves with necessary competence to engage in the roles demanded by the particular condition and context of their practice.

The ethical value base of social work along with evolution of values and a brief history of approaches to community practice are described in the third chapter. The values shared across major spiritual traditions as well as humanism, renaissance, age of discovery and enlightenment and human rights movements are summated by the authors here, to provide a unified matrix of value foundation to social work with a focus on community practice. The values mentioned in the NASW code of ethics are compared with the particular values and ethical issues which are critical to community practitioners. Interdependence, empowerment practices, reciprocity, partnerships and mutuality in work, citizen and community participation, human rights and social justice and structural analyses and approaches are enlisted as critical for a value based community practice. In the rapidly globalizing world, the purposes of community practices identified are improvement in the quality of life, advocacy, human social and economic development, service and programme planning, service integration, political and social action and social justice.

The theories and perspectives used in explaining the community practice models are described in the fourth chapter to provide a general picture about the importance of theorizing for community practitioners. The theories of political economy, systems and ecosystems, critical feminist and race theories and perspectives of evidence based, social construction, empowerment, realist, strength based practices are analyzed to create a solid foundation for the models discussed in the subsequent sections. The authors have positively acknowledged the contributions of community practitioners in every part of the world who would bring their own culturally specific perspectives, approaches and knowledge which are having local, regional and international relevance in addressing the challenges in community practice. The Gandhian philosophy and practices developed in the Indian context, the conscientization approach of Paulo Freire of Brazil and Nelson Mandela's political process which led South Africa from the terrors of apartheid to a new democracy are global icons of community work for social justice, human rights and progressive change. A thorough understanding about the different theoretical frameworks enables the social worker to adopt the appropriate framework for effective community engagement while working with diverse groups, organizations and communities.

The chapters from five to twelve analyze the eight practice models, presenting the scope of the concern, the basic process, the theoretical underpinnings and conceptual understanding that are important to each model. The primary roles, skills and competence used by the practitioners are also identified for each of the model. The models are helpful to provide a comparative framework for critiquing community practice approaches and to determine which approach seems most appropriate for the given context and to the needs of the community groups.

One major attraction of the presentation is that authors have incorporated examples from a wide range of practitioners in different parts of the world. The peoples' movement against Coca-Cola Company at Plachimada in Kerala is cited while explaining the political and social action model of community practice. The Fair Trade movement which is having universal momentum is taken as an example to narrate and explain the model of movements for progressive change. The extensive citation of development practices from various parts of the world has made the analysis of the models truly global in nature. In the context of emerging and enduring problems of racism, sexism, multicultural conflict, human rights violations, poverty, social exclusion, environmental degradation and violence, the community workers have to acquire detailed understanding and

specific knowledge of the problems and the strategies to address the same in a systematic manner. The various models described in the volume may inspire the social workers to adopt the same in their respective socio-cultural context for facing the challenges of community practice in the twenty-first century.

Joseph.M.K
Rajagiri College of Social Sciences
Kalamassery, Kochi, Kerala

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