



# Unwarranted Hysterectomies and health issues of women cane cutters in Maharashtra's Beed districts

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## Abstract

Women in India face heavy gender biases and are subsequently more likely to experience disadvantages in their lives, especially when it comes to healthcare. There are various health issues trending in present times especially with respect to women and their reproductive rights. Women's reproductive rights account for only one aspect of the control a woman can exercise on her own life. Reproductive health may be defined as "A state of complete physical, mental and social well-being, and not merely the absence of reproductive disease or infirmity. Reproductive health deals with the reproductive processes, functions and system at all stages of life. Hysterectomy is one of the other several health issues associated with reproductive rights of women. Hysterectomies have been reported from rural areas of several Indian States; under Pradhan Mantri Arogya yojna. The issue has been contentious due to health reasons and for being violative of human rights.

The present research aims to highlight the health issues associated with Hysterectomies and violations of reproductive rights of women cane cutters of Maharashtra's Beed district; for earning the means of livelihood. The research is descriptive in nature and non-empirical method of research is adopted. The statistical data is based upon secondary sources such as official survey reports and news paper reports.

**Key words:** Reproductive rights, health issues, Hysterectomy, Human rights Farm laborers

## Introduction

Health is an important factor contributing physical, emotional and economic well being of humans. Gender disparities exist even in health care sector in India and overcoming the same is essential. There are various health issues faced by women especially in unorganised sector; such as maternal health, malnutrition, diseases, and many others. Women workforce in the marginal sector is high and on the other hand they are more vulnerable to discrimination and harassment during the course of employment. Women's sexual and reproductive health are often at risk and multiple

human rights, including the right to life, the right to be free from torture, the right to health, the right to privacy, the right to education, and the prohibition of discrimination are often violated. Reproductive independence is the soul of human dignity, self-determination, and equality but unfortunately the women cane cutters in Maharashtra are deprived of their sexual and reproductive freedom as they are compelled to undergo Hysterectomy (sterilization) and bear the brunt of sexual harassment for the sake of employment according to various news paper reports. It is a violation of the fundamental rights to bodily integrity and privacy, among others.<sup>i</sup>

This is not a primordial practice but a contemporary form of exploitation of women laborers of their reproductive and sexual rights. Ironically it gives rise to several other health issues of women. .

### **Health and Reproductive rights under International instruments**

Reproductive rights - access to sexual and reproductive healthcare and autonomy in sexual and reproductive decision-making - are human rights; they are universal, indivisible, and undeniable<sup>ii</sup>. These rights are founded upon principles of human dignity and equality, and have been enshrined in international human rights documents<sup>iii</sup>. The idea of reproductive rights as human rights is new and challenging. At the 1994 International Conference on Population and Development in Cairo, governments explicitly acknowledged, for the first time, that reproductive rights are grounded in already existing human rights obligations<sup>iv</sup>.

Reproductive rights are founded on a number of international agreements, including human rights documents such as:

- Article 5 of The Universal Declaration of Human Rights says, "No one shall be subjected to torture or to cruel, inhuman, or degrading treatment or punishment."<sup>v</sup>
- Articles 12.1 of International Covenant on Economic, Social and Cultural Rights (ICESCR)<sup>vi</sup> says, "The state parties to the present Covenant recognize the right of everyone to the enjoyment of the highest attainable standard of mental and physical health [and] the benefits of scientific progress and its applications."
- Articles 9.1 and Article 17.1 of International Covenant on Civil and Political Rights (ICCPR)<sup>vii</sup> says, "Everyone has the right to liberty and security of person." "No one shall be subjected to unlawful interference with his [sic] privacy." Article 7 says, "No one shall be subjected to torture or to cruel, inhuman, or degrading treatment or punishment. No one shall be subjected without his [sic] free consent to medical or scientific experimentation." Article 23.4 "State parties shall take appropriate steps to ensure equality of rights and responsibilities of spouses as to marriage, during marriage, and at its dissolution."
- Article 12.1 of The Convention on the Elimination of all forms of Discrimination against Women (CEDAW) states, "State parties shall take all appropriate measures to eliminate discrimination against women in the field of health care in order to ensure, on a basis of equality of men and women, access to health care services, including those related to family planning."
- Article 5e of Convention on the Elimination of all forms of Racial Discrimination (CERD)<sup>viii</sup> says, "State parties undertake to prohibit and to eliminate racial discrimination in all its forms and to guarantee to everyone the right to public health, medical care, social security, and social services."

- International Conference on Population and Development (ICPD) Programme of Action<sup>ix</sup> was adopted in 1994 by 179 Member States laid out a far-sighted plan for advancing human well-being that places the human rights of individuals; it stated that “Everyone has the right to the enjoyment of the highest attainable standard of physical and mental health. States should take all appropriate measures to ensure, on a basis of equality of men and women, universal access to health-care services, including those related to reproductive health care, which includes family planning and sexual health.
- Paragraph 89 of The Beijing Platform for Action states, "Women have the right to the enjoyment of the highest attainable standard of physical and mental health." "Women's right to the enjoyment of the highest standard of health must be secured throughout the whole life cycle in equality with men." "Any harmful aspect of certain traditional, customary, or modern practices that violates the rights of women should be prohibited and eliminated.<sup>xii</sup>"

### **Hysterectomy and associated Health issues**

A hysterectomy is surgery to remove a woman's uterus or womb. After a hysterectomy, women no longer have menstrual periods and cannot conceive.<sup>xi</sup> In normal circumstances this surgery is used to treat women's health conditions related to gynecological problems.

There are several health issues associated with hysterectomy such as; breathing problems, organ injuries, blood clots, painful intercourse and likewise<sup>xii</sup>. Serious impact on the health of the women as they develop a hormonal imbalance, mental health issues, gain weight etc Forced hysterectomy on the other hand is violation of women's reproductive rights.

### **Statistical reports about unwanted Hysterectomy of women cane cutters in Beed District of Maharashtra**

Large numbers of families from the Marathwada region (South-eastern parts of the state, which includes Beed district) of Maharashtra, migrate in search of work to the sugar belt in the western parts of the state, and end up their search by getting work as sugarcane cutters. According to ground zero reports<sup>xiii</sup>, the women cane cutters have been systematically persuaded by private hospitals to opt for unnecessary hysterectomies; so that they can work for maximum hours without break due to menses or to avoid pregnancies.

Out of the 120 private hospitals in Beed district, the 4,542 hysterectomies were carried out in past three years; in 113 of these hospitals; out of this, 1,705 operations were done by 10 specific hospitals only namely Pratibha Nursing Home in Kaiz tehsil, where 277 hysterectomies were carried out in the last three years; it was followed by Tidke Hospital (196 hysterectomies), Shree Bhagwan Hospital (193), Gholve Hospital (186), Veer Hospital (179), Sri Kripalu Hospital (167), Ostwal Hospital (151), Dhoot Hospital (145), Karad (Parli) Hospital (110) and Yogeshwari Maternity Home (101).<sup>xiv</sup>

Eknath Shinde<sup>xv</sup> revealed in the Maharashtra Legislative Council that in the last three years, 4,542 women in Beed who harvest sugarcane underwent hysterectomy to remove their uterus. According to the report, given by investigating committee of social workers it is revealed to *Newslandry* that the number of hysterectomies done for

the last 25 years was around several lakhs.<sup>xvi</sup>The statistics further reveal that,50 percent Women in Vanjarwadi, who have had hysterectomies are cane cutters.<sup>xvii</sup>According to Achyut Borgaonkar of Tathapi,<sup>xviii</sup> young women under the age of 25 years too have undergone hysterectomy.

According to the information collected by grass root workers in Beed district; it was found that 13,861 of the women surveyed had had their wombs removed in the past decade.<sup>xix</sup> Most of them are in the age group of 35-40 while a small section under 25 too has undergone hysterectomy. The report was submitted to the government on the basis of information collected through Personal interviews, group discussions and in-camera testimonies from a group of about 400 women<sup>xx</sup>.

### **Causes of undergoing Hysterectomy**

As per the information collected by various organisations on the basis of personal interviews it was revealed that women cane cutters have to undergo hysterectomy due to shocking reasons such as:

1. Cane-cutting contractors are unwilling to hire women who menstruate, as they have target of work to be completed within a time frame so hysterectomies have become the norm.<sup>xxi</sup>
2. Menstrual periods hinder work as women may miss a day or two of working due to their periods, and if it happens – they have to pay fines<sup>xxii</sup>.
3. Menstruation is still considered as a taboo.
4. The mukadam (contractor) is keen to have women without wombs in his group of cane cutters.
5. Doctors also encourage them to go through with hysterectomies whenever they are consulted for health issues.<sup>xxiii</sup>
6. There is repeated sexual exploitation of women by contractors and their men<sup>xxiv</sup>; hence to avoid pregnancies.
7. Poverty and illiteracy remains the measure cause of undergoing hysterectomies.

### **Measures to overcome the problem**

The National Commission of Women, a statutory body established by the Indian Government, which offers policy advisories on matters relating to women, issued a notice to the Maharashtra Chief Secretary UPS Madan asking for legal action to end the practice of womb removal by women working as sugarcane cutters<sup>xxv</sup>. The seven-member committee under deputy chairperson of the Maharashtra legislative council Dr Neelam Gorhe has also suggested a slew of measures to tackle this social distress in the 140-page report<sup>xxvi</sup>.

Maharashtra government has decided to make health check up compulsory for them before and after the sugarcane cutting season. Government has asked doctors to submit monthly reports about number of hysterectomies performed.

### **Conclusion and suggestions**

Gender disparities at workplace is a common phenomenon across the globe but forced hysterectomy for the sake of survival is something unusual; which caught the attention of social activist in Maharashtra's Beed district. The reason



too is quite surprising that just to avoid menses and unwanted pregnancies as a result of sexual harassment at workplace the marginalized women cane cutters are compelled to face health issues associated with it.

<sup>i</sup> Amnesty International USA

[https://web.archive.org/web/20080120140923/http://www.amnestyusa.org/Stop\\_Violence\\_Against\\_Women\\_SVAW/Reproductive\\_Rights/page.do?id=1108242&n1=3&n2=39&n3=1101](https://web.archive.org/web/20080120140923/http://www.amnestyusa.org/Stop_Violence_Against_Women_SVAW/Reproductive_Rights/page.do?id=1108242&n1=3&n2=39&n3=1101) Dec 4, 2019 11: 46P.M IST

<sup>ii</sup>T. Mukhopadhyay, “Women’s reproductive rights are human rights”, July 11, 2017 United nations development programme Human Development Reports <http://hdr.undp.org/en/content/women%E2%80%99s-reproductive-rights-are-human-rights> Dec 5, 2019 12:15 A.M IST

<sup>iii</sup>Amnesty International USA

[https://web.archive.org/web/20080120140923/http://www.amnestyusa.org/Stop\\_Violence\\_Against\\_Women\\_SVAW/Reproductive\\_Rights/page.do?id=1108242&n1=3&n2=39&n3=1101](https://web.archive.org/web/20080120140923/http://www.amnestyusa.org/Stop_Violence_Against_Women_SVAW/Reproductive_Rights/page.do?id=1108242&n1=3&n2=39&n3=1101) Dec 4, 2019 11: 42 P.M IST

<sup>iv</sup> <https://reproductiverights.org/story/repro-rights-are-human-rights> Dec 5 2019 12:36A.M IST

<sup>v</sup> <https://www.un.org> › universal-declaration-human-rights

<sup>vi</sup> As accessed from <https://www.ohchr.org> › Documents › Professional Interest › cescr

<sup>vii</sup> Pdf. available on <https://treaties.un.org> › publication › units › volume-999-i-14668-english

<sup>viii</sup> <https://idsn.org> › wp-content › uploads › 2015/11 › CERD-Recommendations

<sup>ix</sup> Available on <https://www.unfpa.org/publications/international-conference-population-and-development-programme-action>

<sup>x</sup> S.D.Jacobson, “Beijing Platform for Action. Chapter IV. C. Women and Health – Paragraph 89”, <https://goodmenproject.com/featured-content/beijing-platform-89-sjbn/> Dec 5 2019 1:04A.M IST

<sup>xi</sup> <https://medlineplus.gov/hysterectomy.html> Dec 3 2019 11:51P.M IST

<sup>xii</sup> R.B.Wheeler, “Your Body After a Hysterectomy”, July 29, 2014 <https://www.everydayhealth.com/hs/hysterectomy/your-body-after-hysterectomy/> Dec 3 2019 11:57 P.M IST

<sup>xiii</sup> Mass Hysterectomy of Bahun Women Plantation Workers in Maharashtra Sugar Belt

June 30 2019 as accessed from <https://www.groundxero.in/2019/06/30/mass-hysterectomy-of-bahun-women-plantation-workers-in-maharashtra-sugar-belt/> Dec 4 2019 12:06A.M IST

<sup>xiv</sup> P.Goyal, “A slaughterhouse for wombs: District Beed, Maharashtra”, Jul 31, 2019 <https://www.newslaundry.com/2019/07/31/a-slaughterhouse-for-wombs-district-beed-maharashtra> Dec 4 2019 12:14A.M IST

<sup>xv</sup> Health minister

<sup>xvi</sup> P.Goyal, “A slaughterhouse for wombs: District Beed, Maharashtra”, Jul 31, 2019 <https://www.newslaundry.com/2019/07/31/a-slaughterhouse-for-wombs-district-beed-maharashtra> Dec 4, 2019 12:15A.M IST

<sup>xvii</sup> The Hindu Bussiness line April 08, 2019

<sup>xviii</sup> An organisation

<sup>xix</sup> Indian news Express, August 29, 2019

<sup>xx</sup> Ibid

<sup>xxi</sup> R.Jadhav, “Why many women in Maharashtra’s Beed district have no wombs”, <https://www.thehindubusinessline.com/economy/agri-business/why-half-the-women-in-maharashtras-beed-district-have-no-wombs/article26773974.ece> Dec 4 2019 12:23A.M IST

<sup>xxii</sup> S.Gupta, “Women Compelled To Have Hysterectomies In Beed District, Maharashtra”, for break through organisation as accessed from <https://inbreakthrough.org/women-hysterectomies-beed-district/> Dec 5 2019 2:19A.M IST

<sup>xxiii</sup> Ibid

<sup>xxiv</sup> The Hindu Bussiness line Sept 27 2019

<sup>xxv</sup> Ibid

<sup>xxvi</sup> A.Mulye, “Over 13,000 female sugarcane workers in Beed have undergone uterus removal surgery, says probe panel” The New Indian Express <https://www.newindianexpress.com/nation/2019/aug/29/over-13000-female-sugarcane-labourers-in-beed-have-undergone-uterus-removal-surgery-says-probe-pan-2026166.html> Dec 4 2019 12:28A.M IST