

# Women In India: From The Perspective Of Contemporary Society

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**Abstract:** *This article focuses on the condition, status and position of women in India in different periods, viz Ancient, Medieval, Pre- Independence and Post- Independence along with contemporary scenario. It discusses the Indian Patriarchal tradition, where women are victims of intense gender discrimination. Dowry, Mal-Nutrition, Illiteracy and so on are the key issues behind the marginalization of women in India. After achieving independence, though few constitutional and legal rights have been attributed to this 'weaker Section', still the present outlook of the same is far behind the desired. Social evils like gang rape, molestation etc. and mal-customs like Triple Talaq Tradition, Prohibition in Temple Entrance have given birth to several protest movements and organized agitations.*

**Keywords:** *Gender Discrimination, Patriarchal Tradition, Weaker Section, Triple Talaq Tradition, etc.*

## I. INTRODUCTION

Indeed in the patriarchal society women are restricted and restrained from all dimensions and consequently helpless. Several Dharmashastras mention the restricted role of women, such as the Manu Smriti: her father guards her in her childhood, her husband guards her in her youth, and her sons guard her in her old age. A woman is not fit to act on her own (Mnava Dharmasastra, 1993). In terms of cognitive understanding, analytical ability and cardinal thinking women are always lagging behind, but the women themselves have proved it a utter our dated belief in due course of time. Now a days women are emerging as 'BIRANGANAS' in the fields of literature, art, culture, science, defense, industry and politics. Today, they tame the limitless universe, drive the airplanes tearing the sky; trains over shadow lined frontiers, ships in surging blue deeps, safeguard the Mother land in the perimeters. Moreover, they have equalized themselves with the male folk in every way possible. But according to the perspective of contemporary patriarchy, as if house-wifing is the sole moral responsibility and prerogative of the women, which was continued and is continuing and should be continued. 'Feminism' has acquired since late 90's a institutional and academic value and incorporated into inter-disciplinary research, which was eventually initiated since 1975 through the announcement of 'International

Women's Day' i.e. 8<sup>th</sup> March. But the promising seeds of 'Feminism' can be traced back in 'Feminism: The Essential Historical Writings' by Mirran Schneir which was published in 1972 (Schneir, 1972). As a obvious result of it, today the society is compelled to think how the women have been tortured, exploited and marginalized since outset of history.

## II. STATUS AND POSITION OF WOMEN IN INDIA

One of the problems of Indian Society is the inferior position accorded to women. They do not enjoy equal status and their condition is far from satisfactory. In this article, we have tried to cover the condition, status and position of women in different periods, viz Ancient, Medieval, Pre-Independence, post-independence and contemporary with special reference to Indian patriarchy. Especially, we briefly discuss the status and position of the same in the contemporary Indian patriarchy society. The ancient Indian women enjoyed a comparatively high status during the early Vedic period (2000 B.C. to 1000 B.C) surpassing contemporary civilization in ancient Greece and Rome. In Vedic civilization 'marriage' was treated as a very pious bonding, and the 'widow marriage' was also in practice, for women had a respectable place in the family as well as in the society. They were true helpmates of their partners in its constructive sense. Women education too

existed at that time, and therefore, Visavara, Lopamudra, Apala, Urvasi, Ghosa, Sulabha, Lilabati, Gargi and other prominent fair-figures emerged at that period.

However, the status and position of women deteriorated in the later Vedic and Epic periods. They were not considered equal to men and did not enjoy the same rights and privileges as men. Knowledge of the Vedas became limited to women. Wives became silent partners of religious ceremonies (Jayapalan, 2001). Manu, the celebrated ancient law-giver, stated that man should enjoy unquestioned supremacy over his wife. He declared that women had no right to study the Vedas. Cardinal, when India was governed through Feudal systems in the Maurya era, the ecclesiastical Hinduism emerged and consequently the women in India were guided by concepts of Monism or Manu Smriti, and they lost their individual identity (NRCW, 2006).

The status of women in medieval period was low. The era of Mughals introduced many social evils and practices like purda system, child marriages, sati etc. But with the advent of Britishers and during their rule, the status of women improved to a significant extent. Many social workers like Raja Rammohan Ray, Iswar Chandra Vidyasagar worked for the upliftment of women and evil practices like Sati were stopped and widow remarriages restarted. Much legislation were also passed during that time to uplift the status of women (Mehra, 2014). Traditions such as Sati, Jauhar, Purdah and Devadasi among same communities have been banned and are largely defunct in modern India. However, some instances of these practices are still found in remote parts of India. Raja Rammohan Roy's efforts led to the abolition of Sati under Governor-General William Cavendish – Bentinck in 1829. Iswar Chandra Vidyasagar's crusade for improvement in the situation of widows led to the Widow Remarriage Act of 1856. During the British Raj, many reformers such as Rammohan Roy, Ishwar Chandra Vidyasagar and Jyotirao Phule fought for the betterment of women. Peary Charan Sarkar a former student of Hindu College, Calcutta and a member of 'Young Bengal', set up the first free school for girls in India in 1847 in Barasat. The early years of the 20<sup>th</sup> century witnessed rapid progress in breaking down prejudices against women's education. A number of women's societies sprang up. The Women's Indian Association was founded by Mrs. Annie Besant in 1917, with the primary aim of promoting women education. The Federation of University Women was formed in 1920 to affiliate women graduate's associations for more effective advancement in the status of women.

Women's participation in India's freedom struggle began over a century before the country become independent, at that time when conservative traditions and social customs had derived them their rightful place in the society. The participation of women in Indian freedom struggle are landmarks in the history. The birth of the Indian National Congress (1885) was a political platform to women. In the year 1900 that Swarn Kumari and J Gangoli attended the congress session held in Calcutta as delegates from Bengal. Smt. Gangali was first women to speak from congress platform. This was perhaps a beginning of new era and afterwards the women took an increasingly active part in political activities of the country. Post Independent India gave

freedom and better rights for women, but safety and security, appear poorer than before. It is the issue of law, order and governance.

However in the British Raj, the Colonial Modernism (western education system, especially English teaching, influence of the liberal thinking, philosophy) shattered the traditional concepts of society related to women, and afterwards it fueled the women liberation movements, though primarily the movements were controlled and initiated by male social reformers. Marxist Sociologist A.R.Desai, in his Book, 'Social Background of Indian Nationalism' opines that in the new economic and political systems of colonial India, there is individual liberty and equality and there is no discrimination in terms of race, gender, caste, and creed (Desai, 2011). And in this scenario Rammohan, Vidyasagar, Ranade and others inaugurated women liberation movements and it came to maturity through the hands of Mahatma Gandhi and his strategies of 'nonviolence' and 'satyagraha'. Not only that, but in the proceedings of National Congress, the participation of women also paved the way against the negative and narrow concepts regarding the role of women.

### III. INDIA'S PATRIARCHAL TRADITIONS

India is moving away from the male dominated culturalism, though discrimination is still highly visible in rural as well as in urban areas, throughout all strata of society. While women are guaranteed equality under the constitution, legal protection has a limited effect, where patriarchal traditions prevail. It is the patriarchal setting of India that has given impetus to the marginalization of the minority women.

**DOWRY TRADITION:** Much of the discrimination against women arises from India's dowry tradition, where the bride's family gives the groom's family money and gifts. Dowries were made illegal throughout India in 1961. However, this law cannot be entirely enforced in India. Unfortunately this has widely infected the society. Even today in the Twenty First Century India, many women are subjected to extreme oppression and exploitation and in many cases they have to lose their life for it. What is shocking is that in most cases, women are tortured for dowry by their sister-in-laws and mother in laws who are women themselves.

Reported Facts		
	2001	2012
Dowry deaths	6851	8233
Pending Trial	21922	27969
Cases withdrawn	1389	
<i>Source: National Crime Record Bureau</i>		

Table 1: Dowry Report

**MAL-NUTRITION:** Women children are also discriminated against. As a child, girls are often treated differently from boys in terms of nutrition and health care. While male children are afforded much health care, female children are very often neglected. This nutritional deprivation has harmful consequences upon women. They never reach their full growth, potential and academia.

**ILLITERACY:** In the sphere of education, there too is inequity between male children and female children. Although there is provision in India for both male children and female

children (up to 14 years) to get primary education, female children are extremely deprived of this opportunity. Not only in India but almost in all the countries of the world the female literacy rate is very low. Social sector programmes in India e.g. “Sarva Shiksha Abhiyan, “Beti Bachao, Beti Padho” & “Kanyashree” are promoting girl’s education to equalize educational opportunities and eliminate gender disparities, but these initiatives will take time to unfold their wholesome effect. Literacy rate of India in 2011 is 74.04%. The male literacy rate is 82.14% and female literacy rate is 65.46% according to Census 2011. Among the Indian states, Kerala has highest literacy rate 93.91% and then Mizoram 91.98%.

**CHILD MARRIAGE:** India has the highest number of child brides in the world. It is estimated that 47% of girls in India are married before their 18<sup>th</sup> birthday. The rates of child marriage vary between states and are as high as 69% and 65% in Bihar and Rajasthan respectively (UNICEF, 2009).

Countries	Child Marriage (%) (2008-2014)	
	Married by 15	Married by 18
India	18	47

Table 2: Child Marriage

It is a hideous fact that crimes like acid throwing, domestic violence, honor killing, accusations of witchcrafts, rape, gang rape, sexual harassment and trafficking are occurring to women till date.

Sustainable and long term development is not possible without the participation and empowerment of women, only if they participate in the economic and social development, the full potential of India’s societies will be unfolded. The caste system in India is engineering social stratification. Dalit women, who are deemed “untouchable” suffer severe discrimination in society, because in this case caste and gender are intersected, putting these women on a very low marginalized social position. Dalit women are frequently the victims of rape and other crimes (Khan, 2016). Caste-based discrimination and negligence of tribal communities are also continuing threats in India, as sexual abuse and other violence against women and children. Modi Govt. in India has stressed protection of women from violence and other abuses, and their access to healthcare and sanitation.

Sl. No.		2010	2011	2012	2013	2014
1	Rape	22,172	24,206	24,923	33,707	36,735
2	Kidnapping & abduction of Woman	29,795	35,565	38,262	51,881	57,311
3	Dowry deaths	8391	8618	8233	8083	8455
4	Cruelty by husband or his relatives	94,041	99,135	1,06,527	1,18,866	1,22,877

Source: National Crime Records Bureau. 2015

Table 3: Crime against women

## VI. WOMEN RIGHTS IN INDEPENDENT INDIA

Revolutionary changes have taken place in the position of women in independent India. The constitution of India provided for special steps to be taken by the government to

improve the condition of women by separate institutions (National Commission for Women, Parivarik Mahila Lok Adalat, Delhi State National Commission for Women and others). The constitution of India assures certain fundamental rights and freedom: protection of life and personal liberty. Indian women are the beneficiaries of these rights in the same manner as the Indian men. Article 14 ensures equality before law and Article 15 prohibits any discrimination. Article 16(a) forbids discrimination in any respect of employment in the offices under the state on the grounds of religion, caste, sex, descent and place of birth, residence or any of them. In addition, it allows special provisions to be made by the state in favour of women and children (Articles 15 (3), renounces practices derogatory to the dignity of women (Article 51 (A) (e)), equal pay for equal work (Article -39, (d)), and also allows for provisions to be made by the state for securing just and humane conditions of work and for maternity relief (Article-42) (Menon-Sen, Kumar, 2011).

In the independent India we had series of laws passed for the upliftment of women. These legislations have been brought in order to give equal rights and privileges with men, to eliminate discriminations against women, remove inequality between sexes, and erase external barriers coming in the way of their self-realization and development. The important Acts passed for the upliftment of women are:

- ✓ The Hindu Marriage Act of 1955.
- ✓ The Hindu Adoption and Maintenance Act of 1956.
- ✓ The Hindu Minority and Guardianship Act of 1956.
- ✓ The Hindu Succession Act of 1956.
- ✓ The Dowry Prohibition Act of 1961.
- ✓ The Medical Termination of Pregnancy act 1971.
- ✓ The Hindu women right to Property Act of 1973.
- ✓ The Equal Remuneration Act of 1976.
- ✓ The Family court act, 1984.
- ✓ Muslim women (protection of rights on divorce) Act. 1986.
- ✓ National Commission for women Act, 1990.
- ✓ The 73<sup>rd</sup> and 74<sup>th</sup> constitution Amendment Act, 1993.
- ✓ The Pre-conception and Pre-natal Diagnostic Techniques (Prohibition of sex selection) Act – 1994.
- ✓ Protection of women from Domestic Violence Act. 2005, Sexual Harassment of women at work Place (Prevention, Prohibition and Redressal) Act, 2013.

Women in independent India have more rights than their counterparts in many other countries of the world. But most of our women are not very conscious of these rights. Uneducated rural women do not have any awareness of their rights. Prof. Ram Ahuja conducted a study a few years ago in 8 villages of a district of Rajasthan among 753 women belonging to different age-groups. Prof. Ahuja’s study proves that more than 75% of women were unaware of their rights, 20% of them did not have any awareness of their political rights, less than 1/3 of women had the chance of inheriting their husband’s property and only 0.5% of them got a share of the father’s property (Ahuja, 2014). On the basis of the above study and some other general observations made by experts, it could be concluded that even today majority of our women are being identified not as independent individuals but only as daughters, wives, mothers or as family members. Women are also not ready for their independent identification yet.

Hence, women are still regarded as belonging to the 'weaker section', entirely dependent on the stout patriarchy.

#### VII. CURRENT SCENARIO OF WOMEN

The main reason behind the deplorable situation of women's in India is the Joint Family System. Nehru anticipated that with the implementation of Hindu Code Bill, the equality could be realized to men and women in the fields of assets, property and marriage. Due to the hindrances created by Orthodox Hinduism, Nehru amended and implemented Hindu marriage Act, 1955 and Hindu Succession Act, 1956, though the convention of patriarchal exploitation was not eradicated entirely. Still, then women could inherit the property of their husbands and demand compensation after divorce on the basis of Hindu Succession Act, 1956 which agitated the conservative Indian society and politics. Shah Bano Case, 1985 and concerning Verdict of Hon'ble Supreme Court deserves special mention here which was severely opposed by Muslim Personal Law Boards. Ultimately, keeping in mind the statistics of Vote bank contemporary Congress Govt. was compelled to set back. However, most Islamic Countries like Algeria, Tunisia, Malaysia, Iran, Saudi Arabia, Iraq, Pakistan, Bangladesh and so on banned Triple Talaq Tradition but it still in practice in India.

A committee on the status of women, set up by the Manmohan Shingh government in 2013, recommended a ban on the Muslim Practice of Unilateral, oral divorce (Triple Talaq), arguing that it makes women "extremely vulnerable and insecure regarding their marital status." In this context it is worth mentioning that many Muslim Women have organized themselves to protest against Talaq through various movements. Moreover, Bharatiya Muslim Mahila Andolan (BMMA) and many Muslim organizations have also raised their voices against the Talaq. Very recently the central Govt. led by the P.M, Hon. Narendra Modi has recognized the validity, importance and relevance of the demands and has taken many effective steps to ban the socially ignominious custom talaq and the steps of the govt. has been welcomed by the big part of muslim women.

At present the barbaric Nirvaya kanda (gang rape) of Delhi and many more incidents of women molestation of sexual harassment to women have given rise to many organized protest movements which have enforced the govt. to strict legislator reforms. Again, the issue of Banned Women entrance to temples ban have also given rise to many movements. Recently women activists were barred from entering the Shani Shingnapur Temple in Maharashtra as they tried to force their way in, in a planned protest against the tradition of disallowing women from entering the inner sanctum of the Shrine. Apart from Shani Shingnapur Temple, Haji Ali Dargah in Mumbai and Sabarimala temple in Kerala have also been in the news related to an ongoing legal battle for women to avail access to these places of worship. Following the Bombay High court's order to explain this discrimination, the Maharashtra government assured the High Court that it was completely against gender discrimination and would ensure that the provisions of Maharashtra Hindu Place of Worship (Entry Authorization) Act are strictly implemented.

According to the Public Interest Litigation (PIL) filed by Bharatiya Muslim Mahila Andolan, the Haji Ali Dargah was open to women but entry to the inner sanctum was restricted since June 2012. Similar rules have also been in place at the Nizamuddin Dargah in Delhi. The Hon'ble supreme court had recently questioned the ban on women at the Lord Ayyappa temple while considering a plea and said that God does not discriminate between men and women, so why should there be gender discrimination in the premises of the temple.

#### VIII. CONCLUSION

Simon e de Beauvoir in 'The Second Sex' has rightly remarked "one is not born but rather becomes, a women." In other words, it is the society that through its patriarchal lens dictates what a women should be or the ways of the women. When we are born, there is no such dictates what a male child or a female child should be in society, what a female child should wear, or how should she behave. But it is society that determines what a women ought to do. Society plays an active role in this 'becoming' of women. That in why, the feminist critics argue that 'sex' is biological and physiological and 'gender' is social and cultural construct. Women have started protesting against such gender discrimination of society. Women have proved that they are no longer the 'weaker sex'. They have deconstructed this myth of being weak and powerless and have reached to new heights and milestones, cutting across the boundaries laid down by the patriarchal society. The more women will break down the unseen walls of patriarchy and be empowered, the racier will be the progress of society. No women empowerment, no development Swami Vivekananda has very aptly observed.

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