
Empowerment of Women in India- Historical Perspective

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Abstract:

It is often said that the status and position of women in society are the best way to understand a civilization, its progress and its shortcomings. In case of India, women have come a long way from women sages and scholars in the Rig Vedic period to women in the armed forces, IT sector, politics, industry and other significant areas while balancing their role as a daughter, wife and mother. This journey towards modernization has not been easy. Women have had to fight the traditional Indian male-dominated society to emerge as stronger and independent entities. While all these are positive developments, cases of rape, harassment at workplace and dowry deaths are rampant. Illiteracy and ignorance about their rights are still prevalent among a majority of the women. It is in this background this paper lays stress on the evolution, status, development of women and their empowerment in India from a historical point of view.

Key words: Empowerment, Women, Indian Constitution, Laws.

Concept of Women Empowerment

Empowerment is a multi-faced, multi-dimensional and multi-layered concept. As such, it is not this or that, but is the action and interaction of various factors-physical, socioeconomic, political, mental, psychological, and attitudinal and so on. Women's empowerment could be described as a process in which women gain greater share of control over resources-material, human and intellectual like knowledge, information, ideas, and financial resources like money and access to money and control over decision making in the home, community, society and nation, and to gain 'power'. The "term

‘women’s empowerment’ has come to be associated with women’s struggle for social justice and equality”.¹

Sharma points out that “The term empowerment refers to a range of activities from individual self-assertion to collective resistance, protest and mobilization that challenge basic power relations”.² In order to understand what is ‘power’ one has to understand its partner ‘Ideology’. As Nath and Chatterjee stated that for true ‘empowerment’, what is most significant is the control of ideology, i.e., control over thoughts and perceptions that shapes individual beliefs, values and attitudes-ways of perceiving, thinking, feeling and analysing. This control in turn confers decision making power which increases access to and control over resources.³

According to the country report of the government of India “empowerment means moving from a position of enforced powerlessness to one of power. It would promote women’s inherent strength and positive self-image”.⁴

To empower women does not mean to give them power to dominate others or to use power to establish their superiority over others, as it may be commonly understood. Akthar has rightly observed, “We would not like women’s empowerment to result in women’s taking over men’s power within the same exploitative and corrupt society.”⁵ Women’s moving to a position of power does not mean that she is going to abuse power to ill – treat and exploit men. Women’s empowerment in reality is to empower herself, and not to overpower men.

Speaking at a workshop, Griffen spoke about what empowerment meant to her. She said that to her the word simply meant adding to women’s power, and power to her meant having control, being listened to, being recognized and respected as equal citizens and human beings with a contribution to make. Power for her meant, “Being able to make contribution at all levels of society and not just in the home. Power also means having women’s contribution recognized and valued.”⁶

To be empowered is to become aware of the magnificent potential that lies in each one of us but scarcely known to us. In the words of Swami Rama as quoted by Nuernberger, “by being aware of one’s own potential and abilities, one can become a perfect citizen, help the nation and serve humanity.”⁷

The empowerment of the woman begins when she becomes aware of the socio-psycho-cultural injustice that is being done to her and also how gender inequality and inequity and gender and social-cultural, economic and political forces are affecting her adversely in every sphere of her life. It starts when she becomes fully aware of her positive self –image, self –esteem, positive rights and duties, of her capabilities and potentialities.⁸

Thus to empower women in the real sense is to enable them to flower their talents, facilities, abilities and capacities, and to realise their full potentialities, and real identity as also freedom of thought, expression and action, and strength to handle every sphere of their lives. It is not only to make them aware of their capacities, but also to provide them with the opportunities, facilities, and external and internal environment to utilize their inherent qualities and to develop in them self-confidence, self-esteem and social-psycho-economic self-reliance and self –dignity and the ability to raise a voice and fight against injustice, exploitation and violence done to her.⁹

Thus we find that the issues of Gender Justice, Gender Equality, Women's Rights and Women's Empowerment are very closely interrelated, and act and interact on one another. Women are liable to achieve empowerment when there is gender justice and equality and women's rights are recognised as human rights and these are not violated. On the other hand, gender equality and justice can be achieved in reality and in day to day life only when women are really empowered.

Empowerment of women would mean equipping women to be economically independent, self-reliant, have a positive self-esteem to enable them to face any difficult situation and they should be able to participate in developmental activities. The empowered women should be able to participate in the process of decision making. Education will be the only factor which would play the most crucial role in empowering women.

The CSWI Report in 1974 had warned us about the declining sex-ratio. The 1991 Census had done the same. When we talk about the position /status of the Girl Child and the empowerment of women in 2001 we get shocked because the decline in sex-ratio is alarming for girls and women. The provisional figures based on the decennial census for 2001 report the decline in the sex-ratio among children in 'Zero to six' age group. It is an unfortunate coincidence that this is being reported in 2001 which is also the year of Women's Empowerment. If the nation does not wake up now then where will we find women whose empowerment we have talking about for more than two decades?

In the ancient period of Indian History, birth of a daughter was not unwelcome. Gradually preference for a male child led to the unwelcoming of a girl-child, it brought sorrow to the family. On the contrary, birth of a son was always desire, looked forward to and celebrated. Marked preference for sons led to the neglect of female children. Marriage is an important institution, in India, and a woman's child bearing potential is valuable, but she is more respected if she bears a son. So in the Medieval and Modern periods, a general societal prejudice was prevalent against women and that is why coming into the world of a female infant meant disappointment to the parents/family.

The girls are also facing severe discrimination in nutrition, health care and education. Girls are gradually becoming wage earners. Parents have more control over the income of the daughters than that of the sons.

The rural girl child is disadvantaged because she is deprived of all the advantages of the urban girl child. The most important factor is the inadequate exposure of her parents/family to modern amenities and facilities: transportation, electricity, media, hygiene, health care and access to education. The number of girls in rural India is much more than those in urban areas and hence the need to improve their status.

Status of girl child is related to her mother's status which has been low in rural India. The birth of a daughter is unwelcome. Marked preference for sons has led to the neglect of the girl child. Nonetheless, a woman's child bearing potential is valuable. The only time when a woman received respect and care from her family is when she becomes the mother of a son (Devendra: 1993).

There are many socio-religions –economic reasons for the biased attitude of family/society with regard to the birth of a daughter. Socially, parents of a daughter feel

humiliated when her marriage is to be settled. The reasons for this could be hyper gamy. In case of arranged marriage, which is still the socially accepted type of marriage, parents wish to marry their daughter into a family which has higher socio-economic status. This must have been giving them a sense of satisfaction and security. This cannot hold true anymore because of the rising dowry demands which have acquired a sense of competition. Socially, sons are preferred for continuation of family's line, for looking after parents in their old age, for performing their last rites. Economically, sons are an asset as they look after the land; help in farming and in settling the local disputes. Daughters are an economic liability-bringing them up, spending a little money on their education and a lot of it on their marriage and husband's family even after the marriage ceremonies are over.

Evolution of Women Empowerment in India

From the eighteenth century onwards, we have, besides Indian sources, western evidence on the condition of women. This century, in political terms, was a major break from the past with the decline of the Mughal Empire after the death of Aurangzeb in AD 1707. Powerful political forces were released with the emergence of the Sikhs in Punjab, strong Rajput states in Rajasthan, Muslim independent states in Oudh and in Bengal, but most importantly with the rise of the Marathas. The Marathas were to become the flavour of the eighteenth century until they were overshadowed by East India Company in the late eighteenth and early nineteenth century. In the nineteenth century the position of women suffered in a big way with the share of education declining to almost nothing. The existence of widespread network of elementary schools and higher educational institutions is commented upon the foreign observers but girls' attendance in them is not mentioned. It is possible that due to constant internecine warfare, it was not safe to send girls to schools. Contemporary European writers have commented upon the piety, chastity and modesty of Indian women and also mentioned the absence of insecurity in their movement. Purdah was observed in the north, very widely among Hindus and Muslim of the higher classes, though it was not prevalent among the poor. Maratha women moved freely and so did women in south except for the landed classes in Andhra Pradesh and Moplah women in Malabar.¹⁰ Marriage for women were almost universal. Polygamy was confined to princes and men of high rank and among Kulin Brahmans in Bengal. Remarriage of widows was not common among the higher classes. Non-Brahman women in Maharashtra could remarry.¹¹ sati and selling into slavery of girl children and young women in times of distress was prevalent though they were, in general, treated kindly. Exceptional women, both among the Hindu and the Muslims, asserted themselves politically. Ahalya Bai of Indore was an exemplary ruler. The wife of Mushed Quli Khan, Dardanah Begum, urged him to fight against Ali Verdi Khan when he invaded Orissa. Zebunissa Begum, wife of Nawab Shaja-ud-din, assisted her husband in administration.¹² significant reform movements for improving the status of women were not there except for the Sikhs who's Gurus insisted that women should occupy apposition of honour.

The nineteenth century was to be a watershed for women's history. There were both political and social movements which impacted on their situation. The change in the country's polity brought India inevitably closer to the western world particularly to Great Britain in many ways. Although social contact with the British was limited to the highest class of Rajas, Maharajas and *Zamindars* at one end and to the local cooks, bearers, gardeners, tailors and ayahs at the other end, a better view of gender equality was there for all to see. Similarly, western education was limited to a few in India and of those few an infinitesimally small number who went for education to England were exposed to nineteenth century liberal thought. Colonial historians would have us believe that everything good come to us through becoming a part of the British Empire. The perspective of hindsight is even now not available to fully assess the imperial factor but some influences are definitely visible.

Officials of East India Company, though in general few of them were well educated, most had a natural curiosity about a culture so different from their own. Their attention went naturally to some horrific social practices relating to women with which they were not acquainted. The practice most commonly remarked upon was infanticide and *sati*. Both customs shocking by them, were by no means universally practised. The first was limited to being occasionally practised in some communities in the north and the second was also more pronounced in the north than in the south, and was practised by highest castes, both the practices were exceptions rather than the rule. It is to be credit of the British administration that *sati* was banned by Sir William Bentinck, the Governor General of India in 1836, and infanticide in 1870. The officials also took interest in education by introducing, during Lord Dalhousie's Governor General ship (1848-1856), a system of grants to public school which also helped women's education as most institutions run by private hands could apply for grants. The Indian Panel Code, promulgated in 1861 also took a systematic view of Indian women's situation. The Government did not have any social policy or policy framework for improving women's situation. Their responses were, on the whole. They did not touch any issues concerning Muslim women and in the case of Hindu women they did not want to upset conservative leaders.

The main social reform movements benefiting Indians were initiated by Indian men, followed closely by their women and liberal English women. Raja Ram Mohan Roy of Bengal stands first in the roll of honour. He founded the Brahma Samaj in 1825 to reform Hindu society. He spoke against early marriage of girls and *sati* and spoke in favour of monogamy and widow remarriage. Keshab Chandra Sen, also of Brahma Samaj, carried this cause further and spearheaded a movement in Bengal against child marriage, stating that girls should not be married before fourteen and boys before eighteen years of age. He also promoted simple marriage; spoke against heavy marriage expanses and polygamy. He promoted widow remarriage and it was largely due to his initiative that the Widow Remarriage Act of 1856 was passed. He wanted women to participate in the prayer meetings of the Brahma Samaj and allowed them to perform divine services.

Ishwar Chandra Vidyasagar, another great son of Bengal, was a champion of women. He was a great supporter of widow remarriage and female education and a critic

of polygamy. He was a forceful supporter of the widow Remarriage Act along with the Brahma leaders. He was also a great supporter for a system of mass education, both for boys and girls, and succeeded in establishing forty vernacular schools of girls alone.

A powerful movement for purifying Hinduism and removing its evils was started by Arya Samaj, founded by Swami Dayanand in Bombay in 1875. It soon spread throughout Maharashtra, Gujarat, Uttar Pradesh and Punjab with its cry of 'back to the Vedas'. The movement forcefully propagated better status for women and wanted to restore to them their status during the Vedic age by preaching against child marriage and polygamy and spreading female education by opening schools for girls.

The main thrust of social reform was higher caste women's subjection to a ban on widow remarriage and polygamy and child marriage which was affecting all classes and castes. It was the effort of giving education to women which spread to all religions, classes and castes among the Hindus, which was to have the most empowering effect in the next century. The Indian social reformers in the first half of nineteenth century had succeeded in opening a few schools for girls but the major impetus came from Christian women missionaries. Many of them started arriving in India from the 1840s. They joined as teachers in *zananas*, in an effort to convert women of well-to-do households into Christians.¹³

As for as the movement of political rights is concerned, it came from aristocratic women. At first women of this class gave stirring leadership to the first independence struggle against British rule which came to be known as the Indian unity mutiny of 1857- 58. The name of Rani Lakshmibai of Jhansi got immortalised for her valiant resistance to British force in defence of her son's kingdom of Jhansi. Begum Hazrat Mahal of Lucknow, when her husband went to Calcutta after his deposition from Oudh, stayed back in Lucknow and inspired and encouraged the mutineers with men, money and materials. The Ranis of Rangarh of Jalaun and Jeytpore in Madhya Pradesh and Rani Jindan of the Sikhs also did their bit for the mutiny. Innumerable women dressed as *sowars* or ordinary soldiers also fought along with men.

The movement for changing women's status was to accelerate in the twentieth century on every front. During British rule, this was due to the efforts of the women themselves to organise themselves for improvement, as well as to participate in the national struggle for freedom from colonial rule. This was aided by the able support extended to them by Indian men in positions of leadership, both as reformers and political leaders. The British administration itself was not unsympathetic. The extraordinary leadership of Mahatma Gandhi was to unite thousands of women in the National Movement. Women started to organize themselves in groups.

The Stri Bharat Mahamandal was set up in 1901 by Sarla Devi Chowdharani. Mahilla Samajas were set up in Ahmedabad in 1908 and in Mysore in 1913. The women's Indian association was founded in 1917; the National Council for women in 1925 and the All India Women's Conference was founded in 1927. All the All India Associations had branches in most of the states. Their leadership came mostly from the rich, upper or middle classes. Their first endeavour was to work for female education. They also considered it necessary to fight against child marriage, *purdah*, polygamy and women's

status in family. These associations started fighting for women's right to inheritance and ownership of property and against immoral traffic in women.

At the beginning of the 20th century itself, Women started taking part in all aspects of the National Movement for independence. It is interesting that this movement threw up some remarkable women during every stage of the struggle with several women of lower stature working both at national level and in the states. It is extraordinary that common women in the villages and in urban areas also had a high degree of awareness about the cause and selflessly gave their service whenever the leaders asked them to do so.

During the early period of struggle Sarla Devi and Kumudini Mitter in Bangal, Sushila Devi and Har Devi in Punjab and the women belonging to the Arya Samaj took active part in promoting the national cause.

During the Home Rule Movement, Mrs Annie Besant, an English woman, was to have a profound effect on it as she was the first one to moot the Home Rule League with the Idea of promoting self- government for India. She provided a volatile force in Indian politics and played an extremely useful role in sensitising the need for articulating and fighting for self- government. For her contribution to the national cause, she was elected the first women president of the Indian National Congress in 1917. She had influence on social change as well. Mrs Besant set up schools for girls in Varanasi and Madras and encouraged women's education. She also raised her voice against the caste system, fought for women's suffrage and organised the Boy Scouts movement and promoted *Swadeshi*. Overall she was a remarkable spirit and a powerful voice for change.

Mrs Sarojini Naidu was the leading light of the Civil Disobedience Movement. She was a powerful voice for Hindu-Muslim unity, intercaste marriage and women's education. She took part in every political movement of the Congress, whether it was Satyagraha, Civil Disobedience, agitation against the salt laws or the Non-Cooperation Movement. She was often the main spokesperson of the Congress in front of various British Commissions which visited India and at conferences held by the government as well as at international meetings.

Women revolutionaries, on the other hand, contributed to the extremist struggle against foreign rule. Kalpna Datta and Preetilata Wadekar were early revolutionaries. Suniti shot the magistrate of Comilla in Bangal in 1931. Many other women revolutionaries acted as informers for their male comrades in armed struggle and also strove to provide them safe accommodation, shelter and food.

Side by side with the political struggle, when political reforms were introduced by the British through acts passed in 1925 and 1935, women were granted limited franchise. Women constituted sixty lakh voters and won fifty-six seats in the Legislative Councils. Dr. Poonam Ducose was the first woman state health minister of Travancore in 1925 and Vijay Lakshmi Pandit became the minister of local self-government in the 1937 in the United Provinces.

The last phase of the national struggle for independence, launched during the Second World War, including the Quit India Movement, Subash Chandra Bose's cry for armed struggle through the Indian National Army, and the struggle of the Indian Communist Party, threw up many women leaders. Among the moderates were

AmritKaur, SuchetaKriplani, Vijay Lakshmi Pandith in the United Provinces, KanakLataBarua in Assam and AnasuyaBai Kale in the Central Provinces. Lakshmi Swaminathan was the organizer and captain of the Rani Jhansi Regiment of Subash Chandra Bose's army and finally ArunaAsaf Ali, a revolutionary leader loved by all. Thousands of women took out processions all over India, faced *Lathi* charges, bullets and incarceration in jails. Many of them took to boycotting foreign goods by burning them, spinning khadi and donating their jewelry to the national cause. They showed once and for all that the Indian woman was as capable of sacrifice as the men and could fight shoulder to shoulder with them.

Empowerment of Women after Independence

The status of women in the family, their illiteracy, early marriage, widowhood was major issues on which the Social Reforms Movement in India agitated for over two centuries in India. The patriarchal society in India had pushed down the status of women, from the high positions they were said to occupy in the Vedic period.

Having achieved freedom from foreign domination, and been exposed to new values that emerged through the United Nations, the constitution of India emerged with all these values firmly enriched in its framework. There was a special space for women who had proved themselves no less patriotic or less energetic in the freedom struggle. Right from the inception of the Indian Republic in January 1950, the right of women to vote was recognized, and women have exercised that right since then. The constitution of India provided for Women's equality with men.

The Special Provisions in the Constitution of India designed to secure equality of sexes and non-discrimination are:

- Equality before law and equal protection of law (Article 14).
- State shall not discriminate against any citizen on grounds only of religion, race, caste, sex or place of birth. And the state is permitted to make any provision for women and children. (Article 15).
- Equality of opportunity in public employment. (Article 16).
- Equal rights for men and women to adequate means of livelihood. (Article 39(a)).
- Humane conditions of work and maternity relief for women. (Article 42).
- To secure for all citizens a uniform civil code throughout the country. (Article 44).
- It is a constitutional duty of every citizen of India to renounce practices derogatory to the dignity of women. (Article 51 A (e)).
- Not less than one-third of the total number of seats to be filled by direct elections in every Panchayat to be reserved for women and such seats to be allotted by rotation to different constituencies in a Panchayat (Article 243 D (3)).
- Not less than one-third of the total number of offices of chairpersons in the Panchayats at each level to be reserved for women (Article 243 D (4)).
- Not less than one-third of the total number of seats to be filled by direct elections in every municipality to be reserved for women and such seats to be allotted by rotation to different constituencies of a municipality (Article 243 T (4)).

- Reservation of the offices of Chairperson in Municipalities for the Scheduled Castes, the Scheduled Tribes and women in such manner as the legislation of a State may by law provide (Article 243 T (4).

Yet after half a century, considering the status of women in the Indian society, it has become necessary to emphasize the need for empowerment of women and awaken the society to the guarantees in the Constitution.

Special Laws

Consistent with Constitutional Provisions as well as their spirit, the Government has also enacted specific laws for the protection of women and for the up gradation of their status.

Marriage Related Laws

- Special Marriage Act, 1954 --- Any girl of 18 years of age or boy of 21 years can take resort to this law irrespective of caste or religious considerations.
- Hindu Marriage Act, 1955 --- Marriage is deemed to be solemnised on the performance of certain rites, especially *Saptapadhi*; while first marriage subsists, second marriage is forbidden; right to judicial separation and divorce is made available on certain grounds like, for example, unsound of mind, conversion to a different religion, incurable or communicable diseases, etc.
- Dowry Prohibition Act, 1961--- Giving, abetting or taking dowry is a cognizable, non-bailable offenses against the state and is not punishable with less than five years of imprisonment and a fine of Rs. 15,000 or the amount representing the value of the dowry.
- Hindu Adoption and Maintenance Act, 1955 --- An unmarried women, a widow or a divorcee of sound mind can also take a child in adoption. ¹⁴
- Prohibition of Child Marriage Act 2006 –To overcome the shortcomings of the Child Marriage Restraint Act, the Government of India enacted the Prohibition of Child Marriage Act 2006. Which receives the assent of the president of India on 10 January, 2007? The act came into effect from 1 November, 2007 to overcome the constraints of the former legislation in effectively dealing with the problems of child marriage in India and to put in place a comprehensive mechanism.¹⁵

Property Related Laws

- The Hindu Succession Act, 1956 --- It vests women with rights in the matter of inheritance as well as the alienation of property at par with males.
- Equal Remuneration Act, 1976 --- This Act is enacted for providing equal remuneration to men and women, thereby to prevent discrimination against women on the grounds of sex.

Violence Related laws

- Immoral Traffic (Prevention) Act, 1986 --- This Act was adopted in India as a follow-up of the International Convention on Immoral Traffic, 1950. This Act

underwent several changes and exists today as the Immoral Traffic (Prevention) Act 1956. This act aims at the prohibition of illegal traffic for purpose of sexual exploitation or abuse. It lays out procedure for rescue of a women or girl.

- Commission of Sati (prevention) Act, 1987. --- This Act provides for the prevention of the commission of sati and its glorification. The Act lays out extensive provisions to check attempts to commit abet or glorify sati. The collector or District Magistrate is empowered by Act to offences relating to Sati.
- Protection of Women from Domestic Violence Act, 2005 --- This Act of Parliament received the assent of the President on 13th Sep., 2005. The act provided for more effective protection of the rights of women guaranteed under the Constitution who are victims of any kind occurring within the family and for matters connected therewith or incidental thereto. Under the Act 2005, Domestic Violence covers any abuse or threat thereof that is physical, sexual, verbal, emotional or economic.¹⁶
- The Sexual Harassment of Women at Work Place (Prevention, Provision and Redressal) Act 2013. –It is an act to provide protection against sexual harassment of women at work place and for the prevention and redressal of complaints of sexual harassment and for matters connected therewith or incidental thereto.

Whereas sexual harassment results in violation of the fundamental rights of a women to equality under Article 14 and 15 of the Constitution of India and her right to life and to live with dignity under Article 21 of the Constitution and right to practice any profession to carry on any occupation, trade or business which includes a right to a safe environment from sexual harassment.

And whereas the right to protection against sexual harassment and the right to work with dignity are universally recognised human rights by international conventions and instruments, such as Convention on the Elimination of all Forms of Discrimination against Women, which has been ratified on the 25th June, 1993 by the Government of India.

And whereas it is expedient to make provisions for giving effect to the said Convention for protection of women against sexual harassment at work place.¹⁷

Women's Reservation Bill

Since from 1990s debates and campaigns within the women's movement in India have certainly witnessed a new focus on women in electoral politics. Demands for reservation of seats first at the local level bodies (village councils and municipalities) and beginning in 1996, through vain attempts to pass legislation for a one-third quota in state and national assemblies would be clear indication of India's own investment in the dimension of gender equality. Therefore the passing of the Women's Reservation Bill in the Rajya Sabha on 9 March, 2010 marked a historic turning point in the story of Indian democracy.¹⁸

After being passed in the Rajya Sabha in 2010, the Bill, which provides for 33 per cent reservation for women in Parliament and Legislative Assemblies, was sent to the

Lok Sabha for approval, but did not see the light of the day for lack of political consensus and will.

Ironically it was just on 12 August 2014 that Congress president Sonia Gandhi made a pitch for the passing of the Women's (Constitution 108th Amendment) Bill. Speaking at a function in Thiruvananthapuram, Ms. Gandhi said that the UPA would mount pressure on the NDA to pass the Bill in Parliament "to honour its commitment to women".

And now, under Article 107 (5) of the Constitution, it is amongst the 68 government Bills that have lapse on the dissolution of the 15th Lok Sabha. If the new government wants to give reservation to women, it will have to come up with a fresh legislation just as it did in the case of judicial appointments Bill.¹⁹

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