

WOMEN'S EMPOWERMENT IN INDIA

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Abstract

The present paper is to analyze the status of women empowerment in India using various indicators like women's household decision making power, financial autonomy, freedom of movement, political participation, acceptance of unequal gender role, exposure to media, access to education, experience of domestic violence etc.. based on data from different sources. The study reveals that women of India are relatively disempowered and they enjoy somewhat lower status than that of men in spite of many efforts undertaken by government. Gender gap exists regarding access to education and employment. Household decision making power and freedom of movement of women vary considerably with their age, education and employment status. It is found that acceptance of unequal gender norms by women are still prevailing in the society. Women's exposure to media is also less relative to men. Rural women are more prone to domestic violence than that of urban women. A large gender gap exists in political participation too. The study concludes by an observation that access to education and employment are only the enabling factors to empowerment, achievement towards the goal, however, depends largely on the attitude of the people towards gender equality.

Key words: Women Empowerment, Gender Equality, Political Participation, Gender Gap

Introduction

As we all know that India is a male dominated country where woman is forced to take care of her family and live in her home along with many other restrictions. 50% of the population in India consists of women who are not empowered and are restricted by many sources. In such a situation, we cannot say that our country will be developed in the future. If we want to make our country a developed country, it is very necessary to empower women along with the efforts of men, government and laws. The need of women empowerment arose

because of the gender discrimination and male domination in the Indian society since ancient time. Women have been given a special place in every religion and this will help in the prevention of many ill practices (including physical and mental) against women as a norm since ages. In the ancient Indian society, there were many ill practices like sati pratha, nagarvadhu system, wife burning, child marriage etc. But now we can find discrimination in the form of dowry system, sexual violence, domestic violence, female infanticide, pardapratha, sexual harassment at

work place, child labour etc. All such ill practices are due to the male superiority complex and patriarchal system of the society.

In order to provide safety to women and reduce crime against women in India, government has passed another act Juvenile Justice (Care and Protection of Children) Bill, 2015 (especially after Nirbhaya case when an accused juvenile was released). This act is the replacement of the earlier Indian juvenile delinquency law of 2000 (Juvenile Justice (Care and Protection of Children) Act, 2000) where the juvenile age is reduced from 18 to 16 years in cases of heinous offenses.

Historical background

From ancient to modern period, women's condition-socially, politically and economically- has not remained same and it kept changing with times. In ancient India, women were having equal status with men; in early Vedic period they were very educated and there are references of women sages such as Maitrayi in our ancient texts. But with the coming of famous treatise of Manu i.e. Manusmriti, the status of women was relegated to a subordinate position to men.

All kinds of discriminatory practices started to take form such as child marriage, devadashi pratha, nagar vadhu system, sati pratha etc. Women's socio-political rights were curtailed and they were made fully dependent upon the male members of family. Their right to education, right to work and right to decide for themselves were taken away.

During medieval period the condition of women got worsened with the advent of Muslim rulers in India; as also during the British period. But the British rule also brought western ideas into the country. A few enlightened Indians such as Raja Ram Mohan Roy influenced by the modern concept of freedom, liberty, equality and justice started to question the prevailing discriminatory practices against women. Through his unrelenting efforts, the British were

forced to abolish the ill-practice of Sati. Similarly several other social reformers such as Ishwar Chandra Vidyasagar, Swami Vivekananda, Acharya Vinoba Bhave etc. worked for the upliftment of women in India. For instance, the Widow Remarriage Act of 1856 was the result of Ishwar Chandra Vidyasagar's movement for improving the conditions of widows.

Indian National Congress supported the first women's delegation which met the Secretary of State to demand women's political rights in 1917. The Child Marriage Restraint Act in 1929 was passed due to the efforts of Mahommad Ali Jinnah, Mahatma Gandhi called upon the young men to marry the child widows and urged people to boycott child marriages. During freedom movement, almost all the leaders of the struggle were of the view that women should be given equal status in the free India and all types of discriminatory practices must stop. And for that to happen, it was thought fit to include such provisions in the Constitution of India which would help eliminate age-old exploitative customs and traditions and also such provisions which would help in empowering women socially, economically and politically.

Constitution Of India And Women Empowerment

India's Constitution makers and our founding fathers were very determined to provide equal rights to both women and men. The constitution of India is one of the finest equality documents in the world. It provides provisions to secure equality in general and gender equality in particular. Various articles in the Constitution safeguard women's right by putting them at par with men socially, politically and economically.

The Preamble, the Fundamental Rights, DPSPs and other constitutional provisions provide several general and special safeguard to secure women's human rights.

International Commitments Of India As To Women Empowerment

India is a part to various International conventions and treaties which are committed to secure equal rights of women. One of the most important among them is the Convention on Elimination of All Forms of Discrimination against Women (CEDAW), ratified by India in 1993.

These various national and International commitments, laws and policies notwithstanding women's situation on the ground have still not improved satisfactorily. Varied problems related to women are still subsisting; female infanticide is growing, dowry is still prevalent, domestic violence against women is practised; sexual harassment at workplace and other heinous sex crimes against women are on the rise. This disparity is due to lack of education and job opportunities and negative mind set of the society which does not approve girls' education even in 21st century.

Political empowerment (decision making):

Women's equality in power sharing and active participation in decision making, including decision making in political process at all levels should be ensured for the achievement of the goals of empowerment. The measures have been taken to guarantee women equal access to and full participation in decision making bodies at every level, including the legislative, executive, judicial, corporate, statutory bodies, as also the advisory Commissions, committees, Boards, Trusts etc.. A bill for reservation in parliament and State Legislative Assemblies is also waiting to be passed by the parliament.

The Convention on political Rights of Women, 1954, empowered women with three basic rights, namely – women shall be entitled to vote in all elections on equal terms with men, without any discrimination; women shall be eligible for election to all publicly elected bodies established by national law on equal

terms with men and without any discrimination; and women shall be entitled to hold public office and to exercise all public functions on equal terms with men.

Women in difficult circumstances

In recognition of the diversity of women's situations and in acknowledgement of the needs of specially disadvantage groups, measures and programmes should be undertaken to provide them with special assistance. These groups include women in extreme poverty, destitute women, women in conflict situations, women affected by natural calamities, women in less developed regions, the disabled widows, elderly women, single women in difficult circumstances, women heading households, those displaced from employment, migrants, women who are victims of marital violence, deserted women and prostitutes etc..

The said directions would relieve the human problem by rehabilitation of unfortunate fallen women caught in the trap of prostitution; their children would be brought into mainstream of the social order. These directions would enable them to avail the equality of opportunity and the status of dignity of person which is the arch of the constitution.

Empowerment under personal laws

A) Safeguard of women married to nri

The Supreme court has highlighted the need and necessity for appropriate steps to be taken to safeguard the interests of women married to NRIs and issued the following guidelines; a foreign court may not annul the marriage between a NRI and an Indian woman, which has taken place in India; provisions may be made for adequate alimony to the wife in the property of the husband both in India and abroad and the decree granted by the Indian Courts may be made executable in foreign Courts.

B) Right of maintenance from husband

According to the Muslim customs, a Muslim husband was liable to maintain the wife

only during *iddat* period. But in 1985, the Supreme Court held that if, the divorced woman is able to maintain herself, the husband's liability ceases with the period of *iddat*, but if she is unable to maintain herself after the period of *iddat*, she is entitled to maintenance under section 125 of the Code of Criminal Procedure, 1973. The Supreme Court held that a Muslim divorced woman, as long as she does not remarry, is entitled to claim maintenance from her husband under section 125 of Criminal Procedure code, 1973 after expiry of period of *iddat*, even in presence of Muslim Women Act, 1986.

C. Women have equal rights under adoption and guardian law

The Personal law Amendment Act, 2011, has amended the Hindu Adoption and Maintenance Act, 1956, and the Guardian and Wards Act, 1890 to bring at par with husband. The Supreme Court held that, the mother can act as natural guardian of minor under the Hindu Minority and Guardianship Act, 1956, even when the father is alive.

D. Property rights of women

The Married Women's Property Act, 1874, provides certain liabilities on the husband of a married woman. But this Act is not applicable to any married woman who at the time of her marriage professed the Hindu, Mohammedan, Buddhist, Sikh or Jain religion, or whose husband, at the time of such marriage, professed any of those religions. Married women's wages and earnings shall be their separate property. This Act further explains the liability of husband and wife when arises in cases of post- nuptial and ante- nuptial debts, or breach of trust. Any benefit from the insurance of herself and her husband shall also be their separate property. At present this provision is also applicable to Hindus and

Mohammedans. The Hindu Succession (Amendment) Act, 2005, brings a daughter at par with son in getting equal share in the inherited property from the parents

Conclusion

The government is approaching women empowerment, but is still far away from the goals set up by the constitution and Indian commitments to the international fora. The introduction of women reservation in local self government has surely empowered them to participate in decision making to participate in family decisions and their nomination in commissions and Committees for making of women policy. On the other hand, trend of crimes against women is constantly increasing but most of them are domestic violence like cruelty by husband and his relatives, molestations, eve teasing and sexual harassment which are result of another form of women empowerment, as now they have courage to report the incidents. The approach of police, prosecution and judiciary also has changed towards the victim woman in cooperating with her in creating women friendly environment. These legislations, policies and schemes are not decorated by words on paper but create rights for women. So, implementing authority has to empower the women by enforcing these laws in true spirit. We should train and educate our male children to respect women of any age.

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