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STATUS OF WOMEN IN INDIA: ISSUES AND PROBLEMS

Ashok G. Jadhav

Department of Sociology, Y. C. College, Islampur, Sangli.

Abstract:-Despite all the social hurdles, Indian women stand tall from the rest of the crowd and are applauded for their contributions to their respective field and the economy as a whole. The hidden potential of women has gradually been changing their role and economic status in the society. Women are increasingly being conscious of their existence and their rights. An attempt is made to take quick review of historical background of Indian Women status from Ancient, Medieval and modern India. The paper talks about issues of the status of women in India since independence, Gender, Women's cultural and economical movement. Analysis of the problems faced by them is taken into account such as SATI, Widow Remarriage, and Right to Property, Child Remarriage and Female Infanticide.

Keywords: Women Status, Cultural, Economical, SATI, Widow Remarriage, Child Remarriage, Right to Property, Female Infanticide.

I. INTRODUCTION

Major changes that have occurred in the status of women in some parts of the world in recent decades is considered, it is found that the norms that restrict women to the home are still powerful in India, defining activities that are deemed appropriate for women. They are, by and large, excluded from political life, which by its very nature takes place in a public forum. In spite of India's reputation for respecting women, including treating her as a Goddess, history tells us that women were also ill-treated. There was no equality between men and women. This is true of ancient, medieval and early modern times barring some revolutionary movements such as that of Basaweshwara, the 12th century philosopher in Karnataka, who advocated equality, casteless society, status for women, and betterment of the downtrodden. Reform movements in the 19th and 20th centuries led by great social reformers provided boost to women's legal status in India.

Independence of India heralded the introduction of laws relating to women. The Constitution provided equality to men and women and also gave special protection to women to realise their interests effectively. Special laws were enacted to prevent indecent representation of women in the media and sexual harassment in workplaces. The law also gives women equal rights in the matter of adoption, maternity benefits, equal pay, good working conditions etc. The UN Charter, the Universal Declaration of Human Rights and Convention on Elimination of All Forms of Discrimination against Women (CEDAW) sought to guarantee better legal status to women.

II. HISTORICAL BACKGROUND

It is very important to know the historical background, if we are to make a study of status of women in India. It is not easy to find answers for questions like when did women start losing their status or who was responsible for this situation. The position that women occupied in the medieval and later the colonial period is of utmost importance. Women were never put on high pedestal in the Shastras.

A. Ancient India

It cannot be clearly stated whether equal rights between men and women prevailed or not during the Vedic

period. But available sources show that liberal attitudes and practices pertaining to women did exist. Women were actively involved in religious and social matters. They had some freedom to choose their partner in marriage and a widow was permitted to remarry.

As India started taking steps towards civilization, social discrimination increased. Jainism and Buddhism emerged as potent religious reform movements. The high status that women enjoyed during early Vedic period gradually started deteriorating in the late Vedic period. Lineage began to be traced in the male line and sons were the sole heirs to family property. As the economic and social status of sons began to rise, the position of women saw a steep decline. The position of women reached an all-time low during the age of the Dharmashastras. It is during this age that codes of conduct prescribing behaviour norms for women were evolved. This period saw the exclusion of women from both economic and religious sphere.

During the period of Dharmashastra, child marriage was encouraged and widow marriage was looked down upon. The birth of girl child was considered as an ill omen and many parents went to the extent of killing the female infants. The practice of Sati became quite wide spread because of the ill treatment meted out to widows.

B. Medieval India

The system of Purdah which was prevalent among royal families, nobles and merchant prince classes prior to the advent of Muslims spread to other classes also. During the medieval period, practices such as polygamy, sati, child marriage, ill treatment of widows already prevalent during the Dharmashastra age gained further momentum. The priestly class misinterpreted the sacred texts and created an impression that all these evil practices had religious sanction.

C. Modern India

With the advent of the British, the status of women saw many changes. The East India Company (EIC) was mainly a trading company involved in trade in India. To expand their trade network, they started acquiring territories. As they were a trading company, the question of law and order in the acquired territories posed a great challenge before EIC. Therefore, the company acquired the rights to make laws related to the criminal area. For dealing with civil matters, most importantly, dealing with matters which involved the personal laws, the EIC consulted Moulavis and Pundits. At that time, the customs were devised and sustained by male members. Women were not even consulted. Women's wrongs formed the theoretical basis for men's rights or more properly male duties towards moderating women's lust. Women were not given equal matrimonial rights to property, rights to widows to remarriage, adoption and divorce rights. This situation was severely criticized by the colonial authorities.

To bring reforms smoothly in India, legislations transforming the family structure were introduced in Princely States without much opposition. Baroda was the first to introduce divorce provision. The Princely state of Mysore enacted the Infant Marriage Prevention Act of 1894. Keeping pace with these princely states, Malabar part of Madras Presidency and Travancore introduced reforms. But the major drawback was that the Princely States could not stop violation of these laws across their borders.

In return, Indian cultural nationalism argued in favour of Indian tradition. Therefore, the 19th century is often termed as the century of social reform. The criticism angered the people of India and caused a serious threat to the longevity of colonial rule in India. Hence, the Queen's Proclamation of 1859 declared that British authorities will not interfere in religious matters of the people.

III. ISSUES AND PROBLEMS

Any attempt to assess the status and problem of women in a society should start from the social framework. Social structure, cultural norms, and value systems are crucial determinants of women's role and their position in society. In respect of the status there is a gap between the theoretical possibilities and their actual realization.

Empowerment of women, gender discrimination, and violence against women, which have become serious subjects of sociological research in contemporary times, was hitherto neglected. While contemporary social changes have exposed women to unprotected socio-economic, cultural and political environment, there are no corresponding protective social systems and institutions of social justice to safeguard their interests. There are many who are sceptical about women's ability to exercise equal rights with men and about their capacity to play equal role with men. But such apprehensions are ill-founded in the context of the broader opportunities available for women following mechanization of industry and agriculture, enabling women to compete with men successfully.

A. From Women to Gender

The role of men and women in the development process has received much attention in the last few decades. Although the principle of equality of men and women was recognized as early as in 1945 in the UN Charter and the

UN Declaration of Human Rights of 1948, researchers have pointed out that development planners worked on the assumption that what would benefit one section of society (especially men) would trickle down to the other (women). The new theory argues that a person's role was specified under a patriarchal framework where the scope of gender - masculine or feminine - was limited within the biological understanding of sex (male/female).

B. Gender, Development, Women's Movement

If the World Bank report concluded that poor women are clearly more efficient economic actors, with greater managerial and entrepreneurial skills than men, the Shramshakti report recommended that women require greater access to resources, especially credit and social services. Wider disparities exist among various women's groups culturally and socially. As a result one can perceive a difference in the cognitive, connotative, and consumption patterns of women residing in various spheres of social and economic layers. The victims of exploitation and oppression have been largely women of the third world countries in general and lower sections among them in particular.

Culturally:

- ❖ Gender specific specialization (work)
- ❖ Cultural definition of appropriate sex roles
- ❖ Expectation of role within relationship
- ❖ Belief in the inherent superiority of males
- ❖ Customs of marriage (Bride price/Dowry)
- ❖ Notion of the family as the private sphere and under male control
- ❖ Value that give proprietary right over women and girls.

Economically:

- Limited access to cash and credit
- Limited access to employment in formal and informal sector.
- Limited access to education.

As a result of the cultural and economic factors, women face discrimination right from the childhood. It is held that both in childhood and adulthood males are fed first and better.

C. SATI

The first serious challenge for the reformers was the problem of widow immolation or Sati, where Hindu widows climbed the funeral pyres of their husbands; an ancient tradition, prevalent in Bengal, Rajasthan and the South Indian kingdom of Vijayanagar. Sati was never a religious obligation, but it was believed that by burning herself on the funeral pyre, a widow sanctified her ancestors and removed the sins of her husband. She was believed to ascend to the heaven on committing Sati. Strong social pressures on the widow and the status of widows among the Hindus were also factors which helped the growth of this custom. Sati was first abolished in Calcutta in 1798; a territory that fell under the British jurisdiction. Raja Ram Mohan Roy fought bravely for abolition of sati and with assistance from Lord William Bentinck, and a ban on sati was imposed in 1829 in the British territories in India.

D. Widow Remarriage

Ishwar Chandra Vidyasagar, who wrote Marriage of Hindu Widows relying heavily on the Shastras, fought for widow remarriage. Reformers like Mahadev Govind Ranade and Dayananda Saraswati also actively participated in the reform movement, resulting in the enactment of the Hindu Widows Remarriage Act XV of 1856. The major drawback of the Act was that it was only applicable to the Hindus. Also, people showed little enthusiasm to implement the provisions of the Act. In Maharashtra, social reformers like Pandit Vishnu Shastri, Sir R.G. Bhandarkar, Agarkar and D.K. Karve have made significant contributions in this regard.

The status of widows in India was deplorable in that they were not allowed participate in any religious and social functions. Their lives were worse than death; one of the reasons as to why many widows opted for Sati. The upper caste widows were most affected by the then prevailing customs. Prohibition against remarriage of widows was strictly observed only amongst upper caste Hindus. Attempts to make laws to facilitate remarriage of widows by the British were vehemently opposed by the conservative Hindus, who held that remarriage of widows involved guilt and disgrace on earth and exclusion from heaven.

E. Right to Property

Before the Hindu Womens Right to Status of Women in India: Problems and concerns 14 Property Act XVIII of 1937 and the Hindu Succession Act XXX of 1956 came into effect, the Dayabhaga and Mitakshara Lawslaid down that a widow could become a successor to her husband's estate in the absence of a son, sons son, son's son's son of the deceased and the estate which she took by succession to her husband was an estate which she held only during her lifetime. At her death, the estate reverted to the nearest living heir of her dead husband. There was a lot of ambiguity on the question of the rights of a widow to property which made it difficult for a widow to remarry.

F. Child Marriage

Small kids and in some cases even infants in the cradle were married off. Early marriage affected the growth and development of the children. Fixing the minimum age of marriage of men and women by law was voiced as early as the mid-19th century by Ishwar Chandra Vidyasagar and Keshab Chandra Sen. Vidyasagar argued that early marriage was detrimental to the health of women, their efforts, coupled with that of Mahatma Gandhi, resulted in the passing of the Child Marriage Restraint Act, 1929.

G. Female Infanticide

A girl is considered a burden by parents. Since a girl child would be going to her husband's place upon marriage, the parents did not want to waste their resources on her upbringing. Again the demand for large dowry and the huge wedding expenses caused a lot of hardship to the parents. So, the parents preferred a male child as they would be able to bring in large dowry. These considerations led to the practice of killing the girl child once she was born.

The practice of female infanticide was common among certain castes and tribes in India, especially in the north and north-western states. The custom of infanticide was particularly prominent among communities which found it difficult to find suitable husbands for their daughters and an unmarried daughter was considered a disgrace to the family. The difficulty was exacerbated by the extravagant expenditure which conventions demanded on the occasion of a daughter's marriage. The earliest efforts to stop female infanticide were made in Kathiawar and Kutch. In 1795, infanticide was declared to be murder by Bengal Regulation XXI. The evil of female infanticide was ended by propaganda and the forceful action on the part of the British Government. Through the efforts of Keshab Chandra Sen, the Native Status of Women in India: Problems and concerns 15 Marriage Act of 1872 was passed, which abolished early marriages, made polygamy an offence, sanctioned widow remarriages and inter-caste marriages.

In 1901, the Government of Baroda passed the Infant Marriage Prevention Act. This Act fixed the minimum age for marriage for girls at 12 and for boys at 16. In 1930 the Sarda Act was passed, to prevent the solemnization of marriages between boys under the age of 18 years and girls under the age 14 years. However, even today, the Act remains merely on paper on account of several factors.

IV. CONCLUSION

Thus in short, the Millennium Development Goal on women's status can be realised in India only when the traditional practices like SATI, female infanticide, dowry deaths, honour killings by khap panchayats, domestic violence, or sexual abuse is eliminated. Such traditional practices and issues is not only discussed as a part of academic activity but also considered from policy point of view to eradicate the problems face by Indian women. To understand the problems of Indian women it is necessary to understand the social fabric of our Indian society. It is only then that gender equality and women's empowerment can become a reality.

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Ashok G. Jadhav

Department of Sociology, Y. C. College, Islampur, Sangli.

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