

Women's Rights and Gender Equality Issues in India

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Abstract: Women constitute half of humanity and probably the better half. In the absence of gender equality, humanity is depriving itself of a substantial strength from fifty percent of its constituents. It has been the case almost from the beginnings of civilized society that women were cast in specifically discriminatory roles and thus have never been empowered to contribute their best to the advancement of the society. Gender inequalities hinder development. Social hierarchies are embedded in social institutions which are designed to perpetuate them through control over the environment and the socio-economic resources. Equality of participation and control are the necessary pre-requisites towards gender equality. There are many special challenges still faced by the women, but progress has been made when gender equality is viewed over the longer term. Much more can be accomplished, however, when women's contributions are valued by society as a whole, when they have a more prominent role in decision-making, and when women and men work in partnership to achieve these aims. In this context, the paper attempts to highlight the gender inequalities and identify the recent trends in women's social and economic development in India. The paper will be based on secondary sources of data.

Keywords: Gender Equality, Development, Women Rights

Introduction:

Women constitute half of humanity and probably the better half. In the absence of gender equality, humanity is depriving itself of a substantial strength from fifty percent of its constituents. It has been the case almost from the beginnings of civilized society that women were cast in specifically discriminatory roles and thus have never been empowered to contribute their best to the advancement of the society. This article takes a look at how modification of traditional roles, particularly through education, can impact on gender equality and more emphatic participation of women in the affairs of mankind. Nature has empowered women by presenting them with the greatest gift of procreation, along with others like nurturance, tolerance and above all super sensitivity. It is for humanity to take advantage of these strengths of women for its betterment as a whole. It is believed, and probably rightly so, that a woman is her own biggest enemy because she fails to realize her inner strengths and weaknesses when her super sensitivity overpowers her.

The mandate for equal rights for men and women is embedded in India's Constitution. Gender equality is a constituent of development as well an instrument of development. It is a constituent of development as no country can be deemed developed if half its population is severely disadvantaged in terms of basic needs, livelihood options, knowledge access, and political voice. It is an instrument of development because without gender equality other goals of development like poverty alleviation, economic growth and environmental sustainability will not be achieved. Gender inequalities hinder development. Ignoring gender disparities comes at great cost to people's well-being and to the country's abilities to grow in a sustainable manner, to govern effectively. Social hierarchies are embedded in social institutions which are designed to perpetuate them through control over the environment and the socio-economic resources. The gender inequality is manifested by the unequal power relations between women and men. Equality of control enables women to gain improved access to resources. Social equity can enhance livelihood security, productivity and sustainability of all members in building their capacity for their own development.

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are valued by society as a whole, when they have a more prominent role in decision-making, and when women and men work in partnership to achieve these aims. In this context, the paper attempts to highlight the gender inequalities and identify the recent trends in women's social and economic development in India. Gender discrimination is one problem that continues to affect women in India. The traditional oppressive norms have relegated women to secondary status at the workplace and in the household. This has left them with little or no education at all, poor health and financial status, as well as little involvement in the political arena. They are quickly married off when too young, and that means they become mothers at a tender age. They cannot cope with the stringent domestic and financial responsibilities. No doubt, gender equality in India is something to question. It's shocking that women are always treated last in the society, last to receive medical attention and last to serve food for themselves. So it's a common scenario to see malnourished women in India. Statistically, only 54% of women in India are literate, compared to 76% of men. That shows that women receive little schooling, and an unfair inheritance as well as divorce laws. Because of all these factors, it's impossible for them to accumulate a substantial financial asset which means no security for them.

Status of Women in India: A Historical Review

In India, the status of women underwent a drastic change from the Vedic period to the Modern. In Vedic society, women enjoyed the same position as men. In intellectual field, they were given equal footing with men. Some of the Vedic poets were women. There were women philosophers, women warriors who fought bravely in wars. This complete equality between men and women is found in all parts of Vedic literature; from Samhitas to the Upanishads. The girls received education like boys and went through the 'brahmcharya' discipline. In fact, a bride had no chance of a good match if she had not been educated as a 'brahmcharini'. The custom of 'Upanayana' of girls prevailed. Women studied Vedic literature like men and many of them Lopamudra, Ghosa, Sikata-Nivavani figure among the authors of Vedic hymns.

Vedic sacrifices were performed jointly by husband and wife, and singing of Vedic hymns was long considered as the most appropriate function of wife. Women performing 'Sandhyas' or offering sacrifices themselves unaccompanied by their husbands, figure as late as the time of the Ramayana. Girls were well educated and trained before marriage and were naturally regarded equal to their husbands. The term 'dampati' suggests that both husband and wife are equal partners and joint heads of the household.

Women during the Vedic period, had full rights over the gifts and property received at the time of marriage (known as 'Pannayya' or 'Satridhan'). The permission of love marriages indicated freedom of movement and choice of life partners. There are no traces of seclusion of women in the Vedic society. Women could mix freely and move with their husbands and lovers. They occupied distinct places in social gatherings because of their intellectual training, eloquence and also graceful apparels. There are evidences to show that women followed several professions. The teaching profession followed by women like Gargi attest to non-segregation of women. There are examples of women dyers and those who performed beautiful embroidery, were basket makers and other skilled workers. All these indicate that the status of women in India was high and women were empowered during the Vedic period and that women enjoyed freedom and various rights as much as men. Indeed there is a saying in India that 'man and women are like the two wheels of a chariot'. If one wheel is defective, the other cannot operate effectively. The analogy does indicate that our ancient Indian Society maintained equality and equity between men and women in all aspects of life, be they familial, social, economic or cultural.

However, historical processes down through the ages, brought considerable change in the status of women. Society became more patriarchal, male supremacy dominated. Women receded to indoor/household activities. Education became a rare possession. 'Purdah' System, early marriage, illiteracy, 'sati', and denial of rights in the property of parents and husband, reduced the status of woman. Woman became almost to an item of property of the husband and consequently, the disparity between men and women increased tremendously

How Empowerment can be achieved

Women's Empowerment can be achieved by adopting the following measure: -

- Better education of girl child.
- Promoting skill development & empowerment.

- Providing job opportunities to women and thereby promoting financial empowerment.
- Eliminating all practices that discriminate against women.
- Eliminating all forms of exploitation, abuse, harassment and violence against women and girls.
- Promoting gender sensitization at all levels to bring equity in wages, binnin in jobs, school admissions, property rights and other such opportunities.

Aim, Objectives

1. To study the discrimination and harassment.
2. To understand the equality of opportunity between men and women.
3. To study the Constitutional And Legal Provisions For Women In India
4. To study the status of women in India and international level.
5. To understanding of gender equality and women's empowerment.

Methodology

Descriptive method adopted in this study. Descriptive research design is a scientific method which involves observing and describing the behavior of a subject without influencing it in any way.

Gender Equality and The Empowerment of Women

Gender equality implies a society in which women and men enjoy the same opportunities, outcomes, rights and obligations in all spheres of life. A critical aspect of promoting gender equality is the empowerment of women, identifying and redressing power imbalance and giving women more autonomy to manage their own lives. Although women may have many interests in common with men, their lives and the choices available to them may vary widely. The principle of gender equality is enshrined in the Indian constitution in its preamble. The Constitution not only grants equality to women but also empowers the state to adopt measures of positive discrimination in favour of women.

More than two thirds of the world's 960 million illiterates are women. In India, literacy rates are 39 per cent among women and 64 per cent among men. In Egypt, only 27 per cent of females are literate, compared to 63 per cent of males. That presents a clear case per se for more education for women, but more importantly, the education should lead to empowerment. A recent literature review by the International Center for Research on Women (ICRW), entitled 'Impact of Investments in Female Education on Gender Equality,' shows that education is a necessary but not sufficient investment to achieve gender equality. For higher levels of education to have the greatest payoff, investments also are needed that address the social and economic constraints, in the form of this-empowering roles, since most advantages of education are lost when women are relegated to traditional roles which stifle their creativity, block their progress and diminish their contribution to the society at large.

Education is significant for girls and women because it is an entry point to other opportunities and the educational achievements of women can have ripple effects not only within the family but for many generations to come. Educated women recognize the importance of health care and know how to take care of themselves and their families. Education helps to know their rights and they get the confidence to claim them. An educated mother plays a greater role in household negotiations and she secures more resources for her children. An educated mother can pay more attention to her children. The Indian scenario has provided enough role models that stand out as icons of gender equality. Maharani Lakshmi Bai, Rajia Sultan, Indira Gandhi, Kiran Bedi, Medha Patkar, Sania Mirza, Sonia Gandhi, Kalpana Chawla and Sunita Williams are but a few names which highlight the heights women can achieve.

However, to achieve gender equality widely, it is most essential to educate both men and women about the changing roles. Men even more than women need to be made aware of gender equality issues. These attitudinal changes need to be incorporated right from the beginning of the socialization process. Men and women must be rightly educated to modify a woman's traditional roles so that there is awareness of women's basic needs for fulfillment – psychological and financial as well as biological.

Men and women must value a woman who is able to:

- Use existing laws for her benefit;

- Be self-reliant in all situations to get equal rights in the family, society and at work place.
- Love herself and be her own friend;
- Be full of positive self-esteem and extra vigor
- Be optimistic to self and fellow women;
- Learn to live the life of respect for oneself as well as all those around;
- Be ready to change and accept challenge;
- Have courage to go against the current;
- Search out opportunities;
- Search, locate and expand the extraordinary potential that is hidden in them;
- Break all stereotypes, especially those which are degenerative in nature;
- Learn to be assertive in all situations, in decision making and planning for managing future;
- Examine oneself critically with respect to finances as well as relationships;
- Be a change agent.

Women today, by following the above mentioned steps will definitely secure economic empowerment by becoming self-dependent. They will also attain educational empowerment by upgrading their minds and obtaining political empowerment by taking their own decisions.

Discrimination

Gender disparity manifests itself in various forms, the most obvious being the declining female ratio in the population over the past few decades. Social stereotyping and violence at the domestic and societal levels are some of the other manifestations. Discrimination against girl children, adolescent girls and women persists in many parts of the country. Women must stand together against such disparity, and definitely must not exemplify woman-woman rivalry.

The gender biased role allocations in society have been patently discriminatory and oppressive of women. For example 'Gender-specific education; high professional qualification is important only for the man', 'The workplace is not the primary area of women; career and professional advancement is deemed unimportant for women', 'Housekeeping and child care are the primary functions of the woman; participation of the man in these functions is only partially wanted',

'Woman takes care of the largest part of these functions; she educates children and cares for them in every way' – and yet 'In case of conflict, man has the last say, for example in choosing the place to live, choice of school for children, buying decisions'. Within the framework of a democratic polity, our law, development policies, plans and programmes have aimed at women's advancement in different spheres. From the Fifth Five Year Plan (1974-78) onwards there has been a marked shift in the approach to women's issues from welfare to development. In recent years in India, the empowerment of women has been recognized as the central issue in determining the status of women. The National Commission for women was set up by an Act of Parliament in 1990 to safeguard the rights and legal entitlements of women. The 73rd and 74th Amendments (1993) to the Constitution of India have provided for reservation of seats in the local bodies of Panchayats and Municipalities for women, laying a strong foundation for their participation in decision making at the local levels.

The goal of this policy is to bring about the advancement, development and empowerment of women by:

- Creating an environment through positive economic and social policies for development of women enabling them to realize their full potential.
- The enjoyment of all human rights and fundamental freedom by women on equal basis with men in all spheres – political, economic, social, cultural and civil.
- Equal access to participation and decision making of women in social, political and economic life of the nation.
- Equal access to women to health care, quality education at all levels, career and vocational guidance, employment, equal remuneration, occupational health and safety, social security and public office etc.
- Strengthening legal systems aimed at elimination of all forms of discrimination against women.

- Changing societal attitudes and community practices by active participation and involvement of both men and women.
- Mainstreaming a gender perspective in the development process.
- Elimination of discrimination and all forms of violence against women and the girl child.
- Building and strengthening partnerships with civil society, particularly women's organizations.

Constitutional and Legal Provisions for Women in India

The Constitution of India not only grants equality to women but also empowers the State to adopt measures of positive discrimination in favour of women for neutralizing the cumulative socio economic, education and political disadvantages faced by them. Fundamental Rights, among others, ensure equality before the law and equal protection of law; prohibits discrimination against any citizen on grounds of religion, race, caste, sex or place of birth, and guarantee equality of opportunity to all citizens in matters relating to employment. Articles 14, 15, 15(3), 16, 39(a), 39(b), 39(c) and 42 of the Constitution are of specific importance in this regard.

Constitutional Privileges

1. Equality before law for women (Article 14)
2. The State not to discriminate against any citizen on grounds only of religion, race, caste, sex, place of birth or any of them (Article 15 (i))
3. The State to make any special provision in favour of women and children (Article 15 (3))
4. Equality of opportunity for all citizens in matters relating to employment or appointment to any office under the State (Article 16)
5. The State to direct its policy towards securing for men and women equally the right to an adequate means of livelihood (Article 39(a)); and equal pay for equal work for both men and women (Article 39(d))
6. To promote justice, on a basis of equal opportunity and to provide free legal aid by suitable legislation or scheme or in any other way to ensure that opportunities for securing justice are not denied to any citizen by reason of economic or other disabilities (Article 39 A)
7. The State to make provision for securing just and humane conditions of work and for maternity relief (Article 42)
8. The State to promote with special care the educational and economic interests of the weaker sections of the people and to protect them from social injustice and all forms of exploitation (Article 46)
9. The State to raise the level of nutrition and the standard of living of its people (Article 47)
10. To promote harmony and the spirit of common brotherhood amongst all the people of India and to renounce practices derogatory to the dignity of women (Article 51(A) (e))
11. Not less than one-third (including the number of seats reserved for women belonging to the Scheduled Castes and the Scheduled Tribes) of the total number of seats to be filled by direct election 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))
12. 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))
13. Not less than one-third (including the number of seats reserved for women belonging to the Scheduled Castes and the Scheduled Tribes) of the total number of seats to be filled by direct election in every Municipality to be reserved for women and such seats to be allotted by rotation to different constituencies in a Municipality (Article 243 T (3))
14. Reservation of offices of Chairpersons in Municipalities for the Scheduled Castes, the Scheduled Tribes and women in such manner as the legislature of a State may by law provide (Article 243 T (4))

Table 1: Literacy Rate in India: 1951-2011

Census Year	Persons	Male	Female
1	2	3	4
1951	18.33	27.16	8.86
1961	28.30	40.40	15.35
1971	34.45	45.96	21.97
1981	43.57	56.38	29.76
1991	52.21	64.13	39.29

2001	64.83	75.26	63.67
2011	74.04	82.14	65.46

Source: Census of India 2011 * Excludes Assam ** Excludes Jammu & Kashmir

TABLE 2: Population, Percentage Decadal Growth And Average Annual Exponential Growth Rates, 1991-2001 And 2001-2011

State/UT Code	India/State/Union Territory*	Total Population		Percentage Decadal Growth		Average Annual Exponential Growth Rate	
		2001	2011	1991-2001	2001-2011	1991-2001	2001-2011
	INDIA	1,02,87,37,436	1,21,01,93,422	21.54	17.64	1.97	1.64
1	Jammu & Kashmir	1,01,43,700	1,25,48,926	29.43	23.71	2.61	2.15
2.	Himachal Pradesh	60,77,900	68,56,509	17.54	12.81	1.63	1.21
3.	Punjab	2,43,58,999	2,77,04,236	20.10	13.73	1.85	1.30
4.	Chandigarh*	9,00,635	10,54,686	40.28	17.10	3.44	1.59
5.	Uttarakhand	84,89,349	1,01,16,752	20.41	19.17	1.87	1.77
6.	Harayana	2,11,44,564	2,53,53,081	28.43	19.90	2.53	1.83
7.	NCT of Delhi*	1,38,50,507	1,67,53,235	47.02	20.96	3.93	1.92
8.	Rajasthan	5,65,07,188	6,86,21,012	28.41	21.44	2.53	1.96
9.	Uttar Pradesh	16,61,97,921	19,95,91,477	25.85	20.09	2.33	1.85
10	Bihar	8,29,98,509	10,38,04,637	28.62	25.07	2.55	2.26
11.	Sikkim	5,40,851	6,07,688	33.06	12.36	2.90	1.17
12.	Arunachal Pradesh	10,97,968	13,82,611	27.00	25.92	2.42	2.33
13.	Nagaland	19,90,036	19,80,602	64.43	-0.47	5.11	-0.05
14.	Manipur	22,93,896	27,21,756	24.86	18.65	2.25	1.72
15.	Mizoram	8,88,573	10,91,014	28.82	22.78	2.57	2.07
16.	Tripura	31,99,203	36,71,032	16.03	14.75	1.50	1.39
17.	Meghalaya	23,18,822	29,64,007	30.65	27.82	2.71	2.49
18.	Assam	2,66,55,528	3,11,69,271	18.92	16.93	1.75	1.58
19.	West Bengal	8,01,76,197	9,13,47,736	17.77	13.93	1.65	1.31
20	Jharkhand	2,69,45,829	3,29,66,238	23.36	22.34	2.12	2.04
21.	Orissa	3,68,04,660	4,19,47,358	16.25	13.97	1.52	1.32
22.	Chhattisgarh	2,08,33,803	2,55,40,196	18.27	22.59	1.69	2.06
23.	Madhya Pradesh	6,03,48,023	7,25,97,565	24.26	20.30	2.20	1.87

24.	Gujarat	5,06,71,017	6,03,83,628	22.66	19.17	2.06	1.77
25.	Daman & Diu*	1,58,204	2,42,911	55.73	53.54	4.53	4.38
26.	Dadra & Nagar Havel*	2,20,490	3,42,853	59.22	55.50	4.76	4.51
27.	Maharashtra	9,68,78,627	11,23,72,972	22.73	15.99	2.07	1.49
28.	Andhra Pradesh	7,62,10,007	8,46,65,533	14.59	11.10	1.37	1.06
29.	Karnataka	5,28,50,562	6,11,30,704	17.51	15.67	1.63	1.47
30.	Goa	13,47,668	14,57,723	15.21	8.17	1.43	0.79

Source: Census of India 2011

Recommendations

- ❖ Total attitudinal change in the country towards the purpose of education, no discrimination in the girl child's education by parents. Talking about equality and providing equal opportunities is not enough. The mindset of people needs to be altered. This can be done by educating society about gender equality. In schools, colleges and offices both men and women should be made aware of the rights of women. If we start this from the beginning attitudinal change is bound to occur.
- ❖ Equal job opportunity for women as well as status and power distribution. Along with being given equal opportunity, women also need to be given power to make decisions. They should be provided with responsibilities as challenging as those of their male counterparts. A woman's judgment needs to be valued.
- ❖ Corporations must come forward with their funds for the development of women, especially in rural areas.
- ❖ Government should take action towards implementation of the law in approach and practice at the school level.
- ❖ Public awareness in the villages should be raised by dramatic performances against dowry/ bride burning/ female feticide etc. In a country like India, the majority of the population still reside in rural areas. Here the maximum reach of communication can be through Nukad Natak or street theatre. The performers of the play impart a social message and at the same time involve the audience. Street plays can be used in a productive way to impart education for gender equality and empowerment of women in all corners of the country.
- ❖ Non-government activity should be promoted.
 - Women in India should be encouraged to become entrepreneurs, as is already happening in other countries.
 - I would like to end by quoting the famous Martina Navratilova, who said, "I think the key is for women not to set any limits."

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