



RIGHTS OF WOMEN: A HISTORICAL PERSPECTIVE

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Abstract

Since Mary Wollstonecraft's seminal work - A Vindication of the Rights of Women (1792), there has been almost centuries of the evolution of the rights of women. The world has witnessed social, economic and legislative reforms around these rights. They are asserting their right to shape their life from within and not to have it shaped for them. Fortunately, the philosophy that a woman being equal is well recognized widely understood and also practically accepted. Still, there exists lack of knowledge how women gained the existing rights. Large number of concerns about the women's evolving personality and incidental claims are being countered at various levels. More participation of women themselves along with various activists is bringing transformation in this area. Some of the issues have indeed been settled, others not yet.

The historical development of their rights is the main focus of this work. The core of the paper may be summed up in the words of Vance Thomson in Woman (1917) – “Whether you like it or not Woman is the Paladin, enormous and strong, of the ideals of tomorrow. She is the future; she is the future home; she is the future state – for she is in the majority both in numbers and in common sense and she has withal a kind of civic integrity, which may be unscrupulous, but which makes nevertheless for victory.”

Key Words – History, International, Modern, Rights, Woman.

“The new woman will be all that has made noble womanhood in the past, with added graces and strength. She will not evolve, but reveal new qualities and characteristics, thus her true self hood will become seen, felt, and universally acknowledged. For centuries, this selfhood has been to a great extent dormant and undeveloped.”

1. Introduction

In savage life, the great superiority of physical strength made man the absolute master, woman the abject slave.¹ Every successive step in civilization lessens the distance between the sexes, and renders the situation of woman safer and easier. In no state of society, however highly cultivated, has perfect equality

¹ Susan Fenimore Cooper, “Female Suffrage - Letter to the Christian Women of America”, *Harper's New Weekly Magazine*, Vol. XLI, June-November, 1870.

yet existed.² To bring woman at par with man, the pre-requisite is to first provide her larger opportunities, so that she is able to rise to same footing.

The position and function of woman, their biological position and failures have been discussed and re-discussed with unflinching for the last centuries. The woman's movement has been viewed from many angles. It has been seen as a sex problem, a domestic problem, an industrial problem, and a political problem, according to the insight or the bewilderment, of the spectator.³ She is striving to be a Woman - to get out of the sex - pen in which she has been cooped.⁴

“Woman is an end in herself, and not merely a means to an end.”⁵ With this framework in mind, the paper seeks to address the unfolding of the rights of woman over the time. The aim of this little paper is thus many fold - to explore the viewpoints regarding gender inequality; make out the case for women's equality and to enumerate the journey towards the grant of rights to women. The paper ends with concluding remarks to improve the rights enjoyed by women. Thus an attempt has been made to study the incessant transformations of women's movements. This study is of great importance for the reasons that it is a step forward to trace evolution of women rights movement. The study has used doctrinal method of study and used historical study to outline the evolution of rights of women.

2. Viewpoints vis-à-vis Inequality between Genders

Different schools of thought exist as to the backdrop upon the existing inequality between man and woman. No one can deny the difference of environment that in the past has acted on women and on men.⁶ From a biological standpoint, it would seem that any present inferiority of woman is mainly adaptation social, due to her to an arbitrary environment. It is not only her own life - her own extraordinary beingness - she is concerned with; she proclaims her concern with men and children, with the State, with civilization, with the future of the race.⁷

2.1 Equality at the time of creation of Universe

At the creation, there was neither superiority nor inferiority ordained between Adam and Eve.⁸ The distinctions which have for ages existed and which still exist are the brain child of man. It is assumed that the argument which treats both genders at par need to take into consideration the existing and continuing inequality against the fairer sex.

2.2 Suppression by Man

While man has admired and loved her, he has actually degraded her.⁹ For ages, woman has been ground down and oppressed by the tyranny of man. The whole thought has been that her destiny was realized

² Ibid.

³ F.G.Tuttle, *The Awakening of a Woman* 7 (Abingdon Press, New York, 1915).

⁴ Vance Thomson, *Woman* 22 (E.P.Dutton & Company, New York, 1917).22

⁵ Kant

⁶ C.Gasquoine Hartley, *The Truth about Women* 16 (Dodd, Mead & Co., New York, 1914).

⁷ Supra note Vance Thomson 2.

⁸ Rev. Thos. Webster, *Woman Man's Equal* (Nelson and Phillips, New York, 1873).

⁹ George Sumner Weaver, *Aims and Aids for Girls and Young Women* 193 (Fowler and Wells Publishers, New York,1856).

in being the mere satellite of a man.¹⁰ For the early man, the robust women were useful as slaves and were kept as chattels.¹¹

2.3 Peculiar Nature of Woman

For women as a class suffers from a sense of inferiority, not about themselves, but about their sex, and because of this they are convinced that they ought to be given an enormously exalted status. This lurks vaguely in the background of their minds. They demand recognition far beyond the ordinary claims of equality, but as they know it to be useless even to formulate such a demand, they nurse their grudge in secret.

The 'Woman Question' existed long before women's rights were envisaged. The woman question is as 'old as sex' itself and as 'young as mankind'.¹² It will continue to exist even long after women enjoy more rights than men.¹³ In fact, it exists primarily because women, on account of their physical and nervous composition, have developed characters and minds of a caste that raises endless problems to which there are no satisfactory solutions.¹⁴

3. Case for Superior Position of Women

Historically, woman is at the acme of her power.¹⁵ The age is in full accord with her, and on whatever ground she steps she commands the sympathy of mankind. The most important result of the better civilization of present time is the increased knowledge and power of women.¹⁶ The voice which we hear is not the voice of a woman but of womanhood, not of an idea and perfected womanhood, but of womanhood in many ways hampered, sometimes deeply and bitterly injured, but awake, and aware of her own.¹⁷

Each sex should endeavour, not to ape the other, but to 'make' the most of its own peculiar distinctions of character.¹⁸ The great organic distinctions between man and woman will always tend to produce different characteristics in each. Such differences should be fostered, not checked.¹⁹ The fundamental dissimilarities through long ages have been the distinguishing marks of the sexes.²⁰

4. Journey towards grant of Rights

From the very beginning of history woman appears everywhere in a state of complete subordination.²¹ Law often sanctions the subjection of woman. They have proved themselves to be as wise and judicious rulers as any of the opposite sex, under the same, or similar, circumstances.²² The real Woman, now emerging, is different. She tends toward higher things - ad altiom.²³

Women's rights have been at the heart of a series of international conferences that have produced

¹⁰ A.S.Raleigh, *Woman and Super Woman* 5 (Ermetic Publishing Co., San Francisco, 1916).

¹¹ R.H.Bell, *Woman from Bondage to Freedom* 42 (The Critic and Guide Company, New York, 1921).

¹² *Supra* note C.Gasquoine Hartley at 8.

¹³ Richard Curle, *Women -An Analytical Study*

¹⁴ *Ibid.*

¹⁵ A.H.Bullock, *The Centennial Situation of Woman* 27 (Mount Holyoke Seminary, Massachusetts, 1876).

¹⁶ Alvah L. Stinson, *Woman under the Law* iii (1914).

¹⁷ Zoe Fair'ield, *The Woman's Movement* 3 (Student Christian Movement, London, 1913).

¹⁸ S.M.Mitra, *The Position of Woman in Indian Life* xiii (Longmans Green & Co., London, 1911).

¹⁹ *Id* at xv.

²⁰ *Ibid.*

²¹ *The Rights of Women – A Comparative Study in History and Legislation* xi (Swan Sonnenschein & Co., London, 1893).

²² *Supra* note Vance Thomson 11.

²³ *Id.*

significant political commitments to women's human rights and equality. The roots of the Seneca Falls Women's Rights Convention, the first women's rights Convention in history, go back to 1840, when Lucretia Mott and Elizabeth Cady Stanton were attending the World's Anti-Slavery Convention in London as delegates, as were their husbands. The credentials committee ruled that women were constitutionally unfit for public and business meetings. After a vigorous debate on the role of women at the Convention, the women were relegated to a segregated women's section which was separated from the main floor by a curtain; the men were permitted to speak, the women were not.

The memorable Convention of Seneca Falls, New York, in 1848 asked for woman the right to have personal freedom, to acquire an education, to earn a living, to claim her wages, to own property, to make contracts, to bring suit, to testify in court, to obtain a divorce for just cause, to possess her children, to claim a fair share of the accumulations during marriage. Two early sources for the Seneca Falls Women's Rights Convention are the contemporary account in Frederick Douglass' Rochester newspaper - The North Star, and Matilda Joslyn Gage's account - National Citizen and Ballot Box. Both later became part of "A History of Woman Suffrage", edited by Gage, Stanton, and Susan B. Anthony. Lucy Stone was the key in organizing a Convention in 1850 in Rochester. The Convention was first to be publicized and conceptualized as a national women's rights convention.

In 1975, Mexico City hosted the World Conference on the International Women's Year, resulting in the World Plan of Action and the designation of 1975–1985 as the United Nations Decade for Women. In 1980, another international conference on women was held in Copenhagen and the Convention on the Elimination of All Forms of Discrimination against Women was opened for signature. The third World Conference on Women was held in Nairobi, with the Committee on the Elimination of Discrimination against Women having begun its work in 1982. These three world conferences witnessed extraordinary activism on the part of women from around the world and laid the groundwork for the world conferences in the 1990s to address women's rights, including the Fourth World Conference on Women held in Beijing in 1995. In 1993, the World Conference on Human Rights was held in Vienna. It sought to review the status of the human rights machinery in place at the time. The Conference was successful in adopting the Vienna Declaration and Programme of Action

The Beijing Declaration and Platform for Action, 1995 focused on 12 areas concerning the implementation of women's human rights and set out an agenda for women's empowerment. It sets out an agenda for women's empowerment. It includes a series of strategic objectives to eliminate discrimination against women and achieve equality between women and men. It involves political and legal strategies on a global scale based on a human rights framework. It is the most comprehensive expression of States' commitments to the human rights of women. Both the 2005 and the 2010 reviews of the Platform concluded that de jure and de facto equality had not been achieved in any country in the world and the 2010 review recognized that even where legal reforms had taken place, they were often ineffectively enforced.

5. Conclusion

Men's world is hostile and antagonistic in many respects to the world of the women. In every age, women have proved themselves to be fully men's equals - in intellectual capacity, in morality, industry, and religion; and that, in matters of government. Women as a body have started realizing themselves and are becoming articulate. Women have been steadily ascending to their rightful place as men's co equal in all the walks of life. The solution of women's place in the society of the future must be based on a recognition of their worth as human beings, irrespective of the gender.

The problem of woman's position or sphere of her duties, responsibilities, rights and immunities as woman attracts a large and still increasing measure of attention from the thinkers and agitators of modern times. The legislators have gradually commended to the popular comprehension and acceptance of the rights of the women.

- Women should endeavour to acquire strength, both of mind and body.
- The society needs to be sensitized about woman and their equal status.
- An unparallel acceptance of woman as a human being (not merely equal but supreme & superior) having ability to give birth to new life and make lives warmer must be inculcated.
- Transformation of gender norms and relationships in society is required.
