

THE SOCIAL STATUS OF INDIAN WOMEN  
DURING THE LAST FIFTY YEARS.  
(1900-1950)

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Abstract of Thesis

The Social Status Of Indian Women During The Last Fifty  
Years. (1900-1950)

The present social, political, legal and economic status of women in India has been the result of many kaleidoscopic changes during the last 150 years. As the pace of enlightenment and progress has been quicker and marked during the present century a more detailed study is made of this period. An attempt is made in this work to trace the various trends, activities, factors, efforts and forces which contributed to the general amelioration in the position of women as individuals, as integral constituents of the family and as members of society.

The subject is treated historically in the first three chapters in order to facilitate a clearer perspective for the understanding and evaluation of the progress made. Chapter I deals briefly with the status of women during Vedic times (before 2500 B.C.) when the women enjoyed almost equal status with men in order to show that such enlightened attitude was not foreign to Indian society and culture. The second chapter gives briefly the gradual deterioration from the Smriti period (500 B.C. to 500 A.D.) to the end of the nineteenth century which marked the beginning of an enlightened attitude. Chapter III

traces

traces mainly the contribution of social reformers, the growth of women's institution and the immense awakening as a consequence of political struggle during the present century.

The next seven chapters deal topically with the relation of women to marriage and family life, the customs of child marriage and enforced widowhood, social evils like purdah (veil) and prostitution, education of women and their legal, political and economic status during the last fifty years. In the last chapter an effort is made to collect the threads and give an overall picture of the status of women with a few suggestions for further progress.

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## INTRODUCTION

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## INTRODUCTION.

The present social, political and economic status of women in India has not been miraculously attained overnight but has been the result of many kaleidoscopic changes throughout the last hundred and fifty years and especially during the present century and, therefore, it is difficult to give a detailed account of all the numerous activities of women during this period. However, it must be admitted that this definite advance in every sphere of life during this century was beyond the expectation of women of the 19th century. The problem for investigation - The Social Status of Indian Women from 1900 to 1950 - has been specially selected in view of the fact that during the period many swift and remarkable changes in the status of Indian women have taken place as a result of the political, social and economic movements through which India has passed. In order to understand and evaluate the condition of Indian women in various important spheres of life, an attempt is made here, to study the position of women with reference to various aspects like education, marriage customs, legal status, political rights, and economic status. Various problems affecting women have been thoroughly discussed and their distinctive features brought out in the following chapters which are arranged according to the various topics:-

- (1) A Socio-historical Survey of the position of women from ancient times upto 1900.
- (2) A study of the factors responsible for the general

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amelioration in the position of women and a survey of all important women's organizations and chief forces and movements responsible for social and political awakening in India.

(3) Position of women in the family during the period 1900 to 1950. Rights and limitations as a daughter, wife and a mother in the family, widowhood, its drawbacks and benefits.

(4) Social evils - Purdah and prostitution, its ill-effects on the health of women and its hindrance to their progress.

(5) Education of women and their role in different spheres.

(6) Extension of women's franchise and their improved political status with a detailed discussion about the position and status of women under the New Constitution of India; and the future scope for further progress.

(7) Forces affecting the economic status of women; and

(8) Legislation affecting the status of women with special reference to marital relations and property rights.

The topics mentioned above will give the readers a coherent and a chronological account of the progress of women in this country from ancient times to the present day. In order to interpret the Social Status of Indian Women in the correct perspective and effort is made to examine, explain and analyse critically the changes which have taken place together with the reasons that have affected the condition of women in India during the period 1900-1950 as well as to see how far the existing laws, institutions and forces have influenced

the



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the social position of women. An attempt is also made to give a vivid picture of the deplorable condition of women and the social injustice which they have suffered in the past. The year 1947 is not only a landmark in the history of India but is also a culminating point to some extent in ending a few of the glaring injustices to which the women of this country have been subjected. The partition of Bengal in 1905, the non-cooperation movement of 1920 and the civil disobedience movement of 1930 led many a women to leave their hearths and homes in order to take active part in politics. It has not only influenced their social status but it led to a complete change in the position of women in this country. Since the attainment of independence and the framing of the New Constitution women have enjoyed equal rights with men, developed their interests in public activities, took active part in the social reform movements in this country and finally tried to improve the economic condition of the family by working as clerks, teachers, doctors, nurses and pleaders. To a certain extent, this may be due to the influences and impetus which they received from the West.

Up till now few investigations in this direction have been made in India dealing with the problems of Indian women. Most of them deal with the past. Only a few of them discuss the status of women in modern times. These studies have their own limitations and, therefore, they give an incomplete

Picture

- 4 -

picture of Indian women. Some have made a survey of a restricted area; some have issued questionnaires and based their conclusions on a few samples from it; while some studies are so old that they give only a partial account of Indian women to-day.

This thesis is a very modest attempt to review in brief the gradual change in the status of women which has taken place from the Vedic to the modern times. In addition, particular attention has been given to the period between 1900 and 1950 on account of its being one in which great, swift and epoch-making changes have taken place. Hence constant references have been made to the historical events in the past and the present. In doing so, certain activities and social forces are bound to overlap. However, care has been taken to avoid repetitions. Special references have been constantly made to historical evidences of vital importance with a view to giving a clear picture of the changing position of Indian women, during the selected period.

Most of the social reform movements have their beginning in the second half of the 19th century. A majority of women's organizations have been founded and have flourished in the twentieth century which resulted in the awakening amongst women of to-day. Another reason for the changes in the social status is the transformation brought about by the political movements in India as well as the world over. The New

Constitution

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Constitution of India has tried to maintain equilibrium between the status of <sup>men &</sup>women and has given them the rights and privileges for which they had fought.

All these various factors have contributed largely to the changing outlook of Indian women of the present day, as a result of which enlightened women take an active part in the social and political activities of the country and share in shaping the future of the nation. It must, however, be acknowledged that it will take some time before all the women in India will be able to reach such a level of enlightenment. But the influences and forces for an awakening of social consciousness in women are visible and are gathering momentum thus giving hope for the bright future.

In order to understand the present status of Indian women in general and Hindu women in particular a study of the old customs, rituals and manners, and the place of women in the ancient society is necessary as a background. From the contemporary

1. From the Preface of the book "The Principles of Hindu Law" 1917, p.1.



A SOCIO-HISTORICAL SURVEY OF STATUS OF WOMEN  
IN ANCIENT TIMES.

Status of Women During the Vedic Period: (2500 to 1500 B.C.)

Indian culture is one of the oldest culture in the world and its history dates back to the pre-Christian era. The cultural, social and political traditions of ancient India have been well preserved because they form the basis of religious, legal as well as social life of the Hindus in modern times.

J. C. Ghose writes: "The Hindu law and the Hindu social customs are the most ancient of human institutions. We can trace in them the gradual development of the laws and institution of the Aryan race from before 2500 B.C. to the year 1917 A.D."<sup>1</sup> Most of the present customs, manners and ceremonies amongst Hindus are the outcome of these traditional religious orders of the past mainly relating to family life in its various aspects, including the forms of marriage, proprietary and legal rights of women and their position in Society.

In order to understand the present status of Indian women in general and Hindu women in particular a study of the old customs, rituals and manners, and the place of women in the ancient society is necessary as a background. From the contemporary

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1. From the Preface of the book "The Principles of Hindu Law" 1917, p.1.

contemporary literature of that time one can get a picture of the actual state of women by weighing the various evidences. "With all its faults and drawbacks, India's past was rich and glorious. Taking into consideration contemporary conditions of other countries, ancient India had nothing to be particularly ashamed of. On the contrary she possessed a number of such bright features as would now be a source of inspiration and light to the many so-called enlightened and advanced modern countries".<sup>2</sup>

During the Vedic times society was well organised and the family was the unit. In those days girls were ordinarily less welcome than the boys and in Atharva Veda one finds stanzas like "Grant it elsewhere the birth of a child but here grant a boy",<sup>3</sup> which definitely indicates the preference of a boy to a girl. Yet a daughter's birth was not a source of misery during the Vedic and Upanishad times and female infanticide was not practised at all.

The education of a girl was not neglected in Vedic India, and there were several references of Gurukulas (Residential schools) where girl students used to stay in pursuit of study. Women had equal opportunity for receiving knowledge of

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2. Indra: From the Preface of "The Status of Women in Ancient India", p.2.

3. Atharva vi., 2-3.

of sacred scriptures, as there was mention of many learned ladies, such as Lopamudra, Indrani, Shachi, Mamta, Surya and others.<sup>4</sup> The main feature of the educational system in later Vedic civilization was "the part taken in intellectual life by women like Gargi, who could address a Congress of philosophers on learned topics, or like Maitreyi who had achieved the highest knowledge of that of Brahma (meaning highest spiritual knowledge). The Rigveda also shows some women such as Visvavara, Ghosha, and Apala as authors of hymns."<sup>5</sup> The women were not only scholars of philosophy or composers of Vedic hymns but they had the right to perform the religious ceremony or a sacrifice.<sup>6</sup> Vishvavara was not only a composer of verses but even performed the function of a priest at a sacrifice. Thus it is clear that in Vedic times women enjoyed the best privileges at par with men not only in getting equal opportunities for academic studies but also played an important part in religious ceremonials.

Infant or child marriages were not practised by the Vedic Aryans and women had considerable freedom in selecting their partners.<sup>7</sup> Usually girls lived under the protection of their fathers and after their death in the shelter of their brothers.<sup>8</sup> From the instances of Surya a daughter of Sun

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4. Rigveda, x-189; v-28.

5. Mookerji R. K.: Hindu Civilization, p.iii.

6. Rigveda v.28.1

7. Ibid, x-27.12

8. Ibid, ii-17-7 and iv-5-5.



Sun and Ghosha the lady - 'Rishi' (seer) who married at a mature age <sup>E</sup> ~~my~~ of their own choice one could infer that marriages were performed when girls reached maturity and their consents were taken in the selection of suitable partners; hence pre-pubescent marriage was not a customary feature of Vedic Society.

Marriages.

Marriage in Vedic Society was monogamous as a general rule and polygamy was limited to the wealthy class. The practice of polygamy was never approved by the society and was usually condemned, as plurality of wives often disturbed the happiness and peace of domestic life of common people. A jealous wife would try to win her husband's favours <sup>9</sup> by various means. It is quoted by Indra from Rigveda as follows: "O plant, blow thou the rival wife away and make my husband <sup>10</sup> only mine." Sexual morality was very high in Vedic society.

The husband was considered as the master of the household while a wife held an equally important position as the mistress of the house. The custom of Sati was unknown to Vedic society and a widow could be reunited either by a re-marriage or was permitted to practice Niyog. Reference to this is found in Rigveda of a childless widow marrying a <sup>11</sup> younger brother of her deceased husband. Though no reference

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§. Rigveda x-27-12

10. Ibid, x-145-2 also x-145-1; x-145-4.

11. Ibid, i-109-2.

reference was made to widow re-marriages in Rig Vedic times<sup>12</sup>  
 there was a positive proof in Atharva Veda to the practice of  
 widow re-marriage.<sup>13</sup>

There was little possibility of child widows, as girls were married at a mature age yet in the case of a childless widow Niyoga also was permitted hence such widows could have marital relations with their husbands' younger brothers for begetting a male issue which was considered essential for spiritual salvation. This was a social custom of the time and no stigma or scandal was attached to the practice of Niyoga.

Religion: The wife enjoyed equal status with that of her husband in all matters connected with religious ceremonies. A sacrifice or any other religious act could not be performed without the partnership of the wife. He could not conduct it alone because at that time the wife was not considered as the property of the husband, but the other half of the man and without her he was incomplete. On the same ground a coronation was always performed in the company of the queen. "The queen had an official character inasmuch as she appeared with the king on the throne on certain official occasions. It seems, however, the underlying principle here is the sacred theory that without the wife no sacrament could be performed,  
 the

12. Ibid, x-40-2.

13. Atharva, ix-27-28.

the sacrificer by himself being only one-half of his whole  
 spiritual body, the other half being the wife.<sup>14</sup>

Property Rights: The right of adoption to women was  
 recognised in Vedic society but as it was a patriarchal  
 society her property rights were limited. The father's  
 property was inherited by a son and not by a daughter. Only  
 in the absence of the former it went to the latter as a widow  
 was allowed to inherit the property as a daughter of her  
 parents.<sup>15</sup>

Women and Politics: In ancient India women mostly engaged  
 in their household duties and occasionally participated in  
 politics or political struggles. The system of governing the  
 people was quite different in that Society and there was no  
 scope for agitation for women's franchise. In general, women  
 had enjoyed equal liberty with that of men in freedom of  
 movement, association and expression. References were found  
 of women in Rig Vedic society participating in political  
 activities. There has been a reference to Vishpala - the  
 queen of king Khela who had lost her leg in a conflict and  
 was replaced with an iron one by Ashvins.<sup>16</sup> There have been  
 also instances of other women such as Indra-Sena<sup>17</sup> and

Saraswati

14. Jayaswal, K.P.: Hindu Polity, p.16-17.

15. Rig Veda ii-2-7.

16. Ibid, i-112-10.

17. Ibid, x-112-2.



Saraswati<sup>18</sup> who took part in warfares with a view to help their menfolk against enemies. There have not been many instances of women taking active part in warfare as "there must have been a stage in the evolution of the Aryan civilization when it was necessary for all men and women to defend themselves and their property from attacks and aggressions, but in the course of time, the fighting came to be<sup>19</sup> relegated to the sterner sex only."

Position of Women in General: In short the position of women in the Vedic period was almost that of equality. It was a society where child marriages did not exist, girls had an equal right to learn religious scriptures as well as the three R's of the time and their freedom of speech and movement were never restrained. Women shared equally in sacrifices and other religious ceremonies and their place in the home was that of equality. It was so because "during the Vedic period when civilization was simple, life was lived in agricultural communities and wealth consisted of crops and cattle, woman was comparatively free and her place in the community was naturally determined by her ability to share in the work of the community."<sup>20</sup> Thus women enjoyed an equal position in religious, social and political matters, throughout the Vedic age but there was a sign of decadence in the status of  
of

18. Ibid, v-61-7.

19. Indra: Status of women in Ancient India, p.183.

20. Quoted from the Forward by Vijayalakshmi Pandit to the book the Status of Women in Ancient India.

of women from that period onward. However, few instances were to be found even in Vedic times where women were held in low esteem.

The only disadvantage she suffered was her right to property. A woman had no right to inherit property except in few exceptional circumstances.

1.2 The Position of Women during the Age of the Samhitas, Brahmanas and Upanishadas (1500 to 500 B.C.): On this period immediately following the Vedic period gradual changes began to appear which were responsible for the beginning of a very slow deterioration in the fairly high status of women hitherto enjoyed by them. One of the fields in which the change though very small in the beginning was not such as to be invisible to an impartial observer. The Upanayana ceremony (sacred initiation into learning) which in the previous period was observed by one and all began to be restricted in this period generally to the higher sections of society. Thus it came about that the education of women in the lower caste began to be neglected as this ceremony which gave an impetus to learning became uncommon in the lower strata of society. Though, references are found in the literature of the time to women who were philosophers and teachers, it must be admitted that towards the close of the period there was a decline in women's education. The marriageable age was not much lowered during this period and Swayamware (choice marriage)

marriage) was common among Kshatriyas. Divorce was not permitted to wife under certain conditions. Sati custom was not yet known to the society and a widow could marry either with her brother-in-law or with an outsider. However, no radical changes took place in women's rights pertaining to their civil conditions as well as to their status in the family and the society at large.

### 1.3 Women's Status in the Epics and Smriti Period (500 B.C.

to 200 A.D.): During the later period of Epics and Dharmasastras Indian Society had acquired a fixed pattern and upto the advent of the Western culture Indian Society followed the same old customs except for the alterations in consequence of the Mahammedan occupation of India. In Smriti Period, the dictates of Manu Samhita were the only ideals before the cultured Aryan race. This period was followed by Puranas and later works of other Smritikaras of whom Yajanvalkya and others <sup>WERE</sup> ~~was~~ the most prominent. The Puranas tried to popularise the pattern adopted by cultured people and later, Smritikaras gave fixity to the pattern. From this time onwards, the status of women began to deteriorate considerably because of the fact that certain restrictions had to be placed by the Dharmasastras in response to the changed conditions. Her right to Vedic studies was checked by the religious commands.



It seems however, that the position of women did not begin to deteriorate suddenly, as women held the respected position in a way, at the beginning of Smriti period. Manu, the earliest and the most authoritative Smritikar was held in great reverence by the Hindu Society. He eulogised women as goddesses in homes who brought many blessings with them.

He further adds that where the female relations live in grief, the family soon wholly perishes; the family where they are not unhappy ever prospers. <sup>21</sup> He also specifically paid great tributes to women in his two well known stanzas. Where women are honoured gods are pleased but where they are not honoured, no sacred rite yields any reward. <sup>22</sup>

Another well-known Smritikara Yajanavalkya held an equally high opinion about women. Even in Epic literature the same idea about the high status of women was prevalent. In Mahabharata women were responsible for bringing up children because on them depended the future of the country. Sita, the typical embodiment of all virtues, evoked the greatest respect and honour even today from every Indian woman. Draupadi, the wife of the Pandavas was another woman of lofty ideals who placed before women a different but at the same time an inspiring ideal. Draupadi, Sita and Savitri from the

21. Manu iii-57.

22. Ibid, iii-56.

the Hindu classical literature were considered the embodiment of the finest ideal of womanhood.

Manu

Education, Religion and Marriageable Age of a Girl: One of the reasons which lowered the position of women was the marriages of non-Aryan women with the Aryan men. With the passing of time Aryan settlers began to move inward and they came more and more in contact with non-Aryans. As the conquerors of the land they must have accepted the Anarya women as the war-prizes in their households. Later on, the permission to marry non-Aryan wife was given by Smritikaras, perhaps, due to unequal numbers in both sexes. There were also instances in the great epic of Aryans marrying non-Aryan<sup>23</sup> wives. This brought serious degeneration in the education of girls or women. Though a birth of a daughter was not prized in Vedic society, she enjoyed almost equal opportunity of education. But their education was neglected in later times and finally stopped during the period when non-Aryan wives were introduced in the Aryan households. However, there were instances of learned women during this period also, which leads one to believe that women among the higher classes were privately educated by a learned teacher while in ordinary circumstances girl's education

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23 (i) Arjuna married Ulupi a Princess Regent of Naga.  
(ii) Bhima married Hidimba a sister of Rakshasa Chief.

education was left entirely in the hands of her guardian. In an Aryan home ritual formed an important part in their daily life. While performing the daily ceremony of a householder, a wife and a husband both were supposed to recite holy verses. The non-Aryan wife knew very little or no Sanskrit and was also unable to pronounce it correctly. There was every possibility of her committing mistakes in recitation of sacred hymns. Vedic Aryans and law-givers believed in correct pronounciation and intonation and the slightest mistake in pronounciation of sacred texts would distort the text. That state of things might have frightened the priests and therefore an attempt was made to stop non-Aryan wife from participating in any religious recitations. 24

Vashishta did not allow a non-Aryan wife to take part in rituals. She is only meant for the personal use of her husband alone. But the powerful Aryan chiefs might have insisted on permitting their favourite non-Aryan wives to participate in rituals. The conscientious Aryan priests did not allow any women whether Aryan or non-Aryan to take part in sacrifice. Thus the right of Aryan women of active participation in rituals was lost for ever. Priests thought that

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24. Vashista xviii-17 कृष्णवर्णा या रामा रामणायैव न धर्माय ।

Also see Vishnu Puran Ch. 26:  
 द्विजस्य शूद्रा भार्या तु धर्मार्थं न क्वचिद्भवेत् ।  
 रत्यर्थमेव सा तस्य रामान्धस्य प्रकीर्तिता ॥



that they were preserving the sanctity of religion, but their action was responsible for the consequences and a certain degradation in social status of women.

The education of women had a setback when the Upanayana ceremony for girls also fell into disuse as it was the main landmark to indicate the beginning of education. Women had no right to learn and recite religious hymns or sacred verses and thus their status was lowered to that extent. Now girls had little to learn before their marriage except the household duties. As a girl was considered a sort of a deposit entrusted to her father he was naturally eager to dispose her off in marriage as early as possible. Hence the age of marriage became lower and lower and the natural result was that towards the end of the period by 500 A.D. there was a definite tendency towards lowering the marriageable age of a girl.

As mentioned before, a marriage was a sacrament to all Hindus. Also, marriages were considered very important in ancient society as the householder's life was the foundation on which the whole system, social duties, obligations, privileges and satisfaction rested. These are grouped under five categories. (1) Duties to men. (2) Obligations to father and nation. (3) Duties to God and religion. (4) Duties to creatures and animals. (5) Duties to one's self.

The

The first consisted in extending hospitality to a visitor. The second consisted in continuing the thread of family by creating progeny as his parents have created him or her supplying men and women to the nation. The third consisted in Sacrifices, fire-tending, study and teaching of Vedas and promulgation of Dharma. The fourth consisted in giving food to animals like cows, birds like crows, insects like ants. And lastly, the fifth consisted in worshipping God and trying for 'Moksha' (salvation) through 'Vairagya' (renunciation) which comes after enjoyment of worldly life. It was this intention that the Vedic society thought that the child-bearing time of a girl should not be wasted. And during the Vedic period to get married was the social and religious duty of every man and woman, because besides the perpetuation of race and oblations to Gods and ancestors there was a special duty for a householder as pointed <sup>OUT</sup> by Dr. Altekar. "A later age, which had developed the system of the four Āśramas, pointed out that the whole Society depends upon the householder for its maintenance; the Brahmachari, the Vānaprastha and the Saṁnyasī can hardly exist without active help from a zealous and conscientious class of householders. The householder is as necessary for society as the breath is for the body. <sup>25</sup> (Manu 111,77). So great

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25. Altekar: The Position of Women in Hindu Civilization, p.37.

great an importance was attached to marriage in later age that there was an interesting episode in the Epic depicting the fate of a maiden. Subhru, the daughter of sage Kuni remained unmarried throughout her life though her father wanted to marry her. She passed her life in pursuit of higher knowledge but when she approached death she knew that as a maiden she could not enter heaven because she had not performed the sacrament of marriage. She, therefore, requested one sage Sringavat to marry her, and after her marriage she could go to heaven. Thus a very great value was attached to marriage. Also in Mahabharata sage Dirghatamas had forbidden women not to remain unmarried as it was considered a great sin.<sup>26</sup> Thus marriage was made obligatory for men and women by Epic writers as well as other law-givers.

The examples from the Epics and other literature indicate that upto 400 B.C. girls in cultured families did not marry earlier than 16 years. But from this period onwards upto 100 A.D. later Smritikaras began to advocate that a girl's marriage should not be postponed after her puberty. Vashistha and Baudhayana were of the opinion that a girl's marriage could be delayed upto three years after <sup>her</sup> ~~their~~ puberty if suitable partner was not available, while Manu who generally held

26. अपलीनां तु नारीणामधप्रभृति पालकम्।

1 Maha 1,114-36.



held the same view went to the extent of recommending that a girl's marriage should not be performed until a suitable match was found. There was a conflict in opinion upto 100 A.D. regarding the marriageable age of a girl but soon after that later Smritikaras decided in favour of pre-puberty marriage as great importance was given to absolute chastity, in act and thought. Hence it was considered desirable to marry a girl before puberty. Pre-puberty marriage came in vogue specially among the Brahmin class which was the topmost class in the society and took extra precautions to observe the Shastric injunction. Among Kshatriyas girls continued to marry after they were fully grown up and sometimes by Swayamwara. Having had some idea of the customarily accepted age for marriage in the early Smriti period it is necessary to understand the different forms of marriage prevalent at that time in order to appreciate certain social customs and traditions. To begin with, there were eight forms of marriage known to society in Vedic times. They were Paishacha, Rakshasa, Asura and Gandharva, Brahmaç, Arsha, Prajapatya and Daiva. Out of these eight forms the first four fell in disuse in course of time and at present only three of them viz. Brahmaç, Arsha and Prajapatya are in practice though they have been modified to meet the changing conditions.

Paishacha

Paishacha and Rakshasa forms of marriage involved compulsion to the girl to marry under external pressure, the first form being of a very base type and it was disapproved since very early times. Rakshasa form was more common among fighting classes as it meant the giving of a maiden in a marriage as a war prize or in the alternative it meant the kidnapping of a girl for marriage.<sup>27</sup> "It is clear that though the Kshatra (a variety of Rakshasa marriage) marriage continued to be recognised by Smritis and Epics it had ceased to be approved even by enlightened Kshatriyas in the third century B.C."<sup>28</sup> It could therefore be concluded that the Rakshasa form or the Kshatra form was not a very popular form of marriage and it was generally practised as and when the need arose. The third form, Asura, meant a marriage in which a bride-price was paid. It was condemned by later law-givers because, it was the marriage by purchase. Though, the custom of bride purchase was not quite unknown in vedic times it was not highly esteemed and most of the leaders in the society condemned it. The traces of this practice was found in Epics also. It being customary in their families the guardians of Kaikeyi, Madri and Gandhari demanded the bride-price due, with apology. Most of the

leaders

27. e.g. Marriage of Arjuna with Subhadra.

28. Altekar: op. cit., P.45.

29. Dandayama 1,31,20-1. Also see Sri, 384.

leaders of the Society and law-givers condemned it as it marred the spirit and sanctity of marriage. The main purpose of a marriage was that a daughter should be given in a marriage as a gift and hence she could not be sold. Almost all <sup>29</sup> the Dharmashastras did not approve of this type and criticised the custom severely. B<sup>u</sup>dhayana gave a warning to the parents as well as husbands regarding this particular type of marriage. The bride purchased by wealth could not be considered a legal wife and her status was similar to that of a maid. Parents who sold their daughters because of their greed for money would go to the most terrible hell. Though the custom was severally criticised by Purana writers and leaders of the Society from time to time; the evils of it were so deeply rooted that it did not vanish totally and it is still prevalent in modern society.

Gandhrva marriage or love marriage was not sanctioned by some of the later authorities, because it was not regular though ~~it was~~ <sup>of</sup> a very simple form. In short it was an union of two lovers showing reciprocal attachment and could be practised without the least interference of the guardians. The consummation took place immediately after the consent of the two lovers, without any sacred rituals. This would have definitely prevented child marriage to some extent because

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29. Baudhayana 1,11,20-1. Also see Atri, 384.

ऋयक्रीता च या कन्या न सा पत्नी विधीयते।



only grown up people could practise this type of marriage. Baudhayana approved this form on the ground that love unions should be regarded as marriages as it manifested reciprocal attachment. Mahabharata<sup>30</sup> also regarded it as an approved form of marriage, and Kamasutra<sup>31</sup> held it in the highest esteem though Manu<sup>32</sup> was uncertain. In course of time it became infrequent but it did not vanish totally. Hence later authorities put some restrictions on it in order to give it the sacramental form. They laid down that a religious ceremony of marriage should be performed before the consummation of marriage in Gandharva type. The instances of Gandharva or love marriages which could be practised by mature persons might have become rare as child marriage was gradually becoming popular. Towards the end of 500 A.D. the whole problem of marriage was generally left in the hands of the father or a guardian. However, the practice of Swayamvara<sup>33</sup> was prevalent in a few instances especially among the Kshatriyas. Here the bride selects her own partner. The custom survived till the 12th century A.D.

The remaining four forms of marriage were approved of by

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30. Mahabharata XIII - 44.  
 31. Kamsutra III - 5 - 30.  
 32. Manu III - 25, 25.  
 33. e.g. Savitri, Damayanti, Rukimani.

all the Smritikaras and among them Brahma was held in high esteem. In a Brahma marriage a gift of a daughter to a learned man specially invited for the purpose, was made by the father according to the prescribed religious marriage ceremonies. The word 'gift' did not give any proprietary rights to her husband, on the contrary he was supposed to be her close associate in all the spheres of life. The word 'gift' (दत्त) had its holy significance; also a gift should be given to a proper person. In a marriage like this where there is nothing to give and take in terms of money, a father would attempt to find out the best possible partner for his daughter as the whole function was solely based on religious ground. It was one of the most popular and sacred forms of marriage.

A Prajapatya marriage was not very different from Brahma marriage. "The nuptial rite called Prajapatya is performed when the father gives away his daughter with due honour, saying distinctly, 'may both of you perform together your civil and religious duties.'<sup>34</sup> The instruction given to the couple, in the Prajapatya marriage was to remain inseparable partners in the practice of civil and religious duties. This was sometimes, wrongly, interpreted as the main distinction between Brahma and Prajapatya marriage. According to this injunction a husband could not join other two Ashramas or remarry

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34. Nehru, S: (ed) Our Cause, p.224.

remarry without the consent of his wife. But looking to the spirit of a Brahma marriage the same conclusion could be drawn as a wife and husband were the life-long companions in a Brahma marriage too, hence practically the marriage principle was the same in those two types.

A marriage arranged during the performance of a sacrifice to Devas (Gods) was called Daiva marriage. In this type of marriage a gift of a girl beautifully dressed and ornamented by the sacrificer, was given in marriage to a learned priest who attended or sometimes conducted the sacrifice. This type of marriage disappeared with the falling in disuse of vedic sacrifices and no instance of this form could be traced even at the later period.

Arsha form of marriage was placed the last in the approved forms of marriages because some law givers considered it a relic of the Asura form. Generally, in a gift of a daughter a father was not supposed to take anything from his son-in-law-this was perhaps a midway between the old practice of Asura form and a Brahma one. In this type of marriage a father was entitled to take a pair of cow and a bull.

Divorce, Separation and Widowhood: Marriage was indissoluble according to the Smritis as was the case in early Christian times. A wife could not terminate her marriage even if her husband were to desert her or sell her. Though Manu <sup>35</sup> did not



not allow the dissolution of marriage <sup>and</sup> a woman must obey her husband and could not get separation from him. According to Manu "Though destitute of virtue or seeking pleasure elsewhere or devoid of good qualities, yet a husband must be constantly worshipped as a God by a faithful wife." <sup>36</sup> However, he did not blame a wife who abandoned an impotent or insane husband. He did not object to a wife deserting a husband suffering from incurable or contagious diseases and she was free to marry if marriage was not consummated. The later Smritikaras did not favour the idea of divorce. Thus according to the Vedic concept of marriage, a union was not only life long but continued even after the death of her husband. Hence a widow could not marry, but the same was not the case with a widower. The householder must perform his religious duties every day and he was only permitted to do so in the company of his wife. Hence a householder who was supposed to perform sacrifices and religious duties was allowed to re-marry. Child marriages were not very common and hence there was a very small chance of them becoming widows in childhood. But in the later times the marriageable age of a girl varied between eight and twelve <sup>and</sup> hence there was a danger of a large number of child-widows in society. The practice of Niyoga also was gradually restricted by later Smritikaras. A woman who desired to get a son

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36. Manu V - 154.

a son by Niyoga should perform severe penances; she should also lead a life of austerities. Though widow remarriages were not permitted in Rig Vedic time it was sanctioned by later authorities because the practice of Niyoga which was not restricted in the Vedic times was not widely approved of by the later Smritikaras. There were occasional references of widow-remarriage in the works of later writers. Narada<sup>37</sup> approved the practice of widow re-marriage under certain conditions. According to him a woman was justified in re-marrying if her husband was lost or dead or if he was impotent or excommunicated from the caste. Parashara who was considered an authority on Kaliyuga also wrote in favour of widow remarriage.<sup>38</sup> Early writers of the Dharmashastras also adopt a sympathetic attitude towards the child widows. Thus Vasistha (XVII - 66) states that if merely the marriage ritual is performed and the marriage itself is not consummated, the girl should be married again.

Besides religious injunctions another factor which affected the social condition of women was partly political. Several foreign invasions upto the middle of the 2nd century, political upheavals and war atrocities resulted in a decline in prosperity and manpower. Such a decline led to a wave of despondences

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37. Narada XII - 97 - 101.

38. Parashara IV - 27.

despondences and put an ideal of renunciation before the people, which affected the position of widows considerably. A higher ideal of salvation through renunciation instead of heaven which could be attained by begetting son by Niyoga was placed before the widows and it was to be attained by leading a pure and ascetic life. Naturally, widow marriages came to be disregarded by the society. Another bad custom, Sati, which was hitherto common among the warrior class, was spreading gradually among the other classes. As To be a Sati was mostly considered as an act of great religious sacrifice and widows burnt themselves on the funeral pyre. Thus the general condition of women gradually began to deteriorate during the period in various aspects connected with her married life except in case of the proprietary rights.

Property Rights of Women (500 B.C. to 500 A.D.) Upto the first half of the selected period widow remarriage and Niyoga continued to be practised but public opinion started to grow against these customs, as a result of the appreciation of ascetic ideals of life. Consequently widow remarriage and Niyoga gradually became unpopular towards the beginning of the Christian era. This led to an increase in the number of widows and a new problem was created of their maintenance. So far the provision for a widow was a responsibility of the family but now a need was felt to make provision for her in the



family estate. Hence a group of jurists at the beginning of the Christian era began to advocate that if a husband was separated from the family a widow was entitled to inherit her husband's property. This view was not accepted immediately but later on it was supported by a great majority due to a growing need for such reform.

In general, during this period a widow's position was not bad as it appeared in the later ages. She was allowed to remarry under certain conditions. She also enjoyed certain rights to her husband's property. Though <sup>39</sup>Manu and Narada held the opinion in disfavour of a widow's right to property as she had right to get only the maintenance while the entire property was inherited by the brothers of the deceased; other Smritikaras were more liberal on this point. Katyayana believed in the right of succession of a widow. It was the widow who was the rightful successor to inherit her husband's property. Vishnu, Brihaspati and Yajanvalkya appeared to hold the opinion that a widow had a definite right to inherit her husband's property. Of course, all believed that a widow should lead a chaste life and Manu disclaimed her right to maintenance <sup>if</sup> ~~provided~~ she led a sinful life. Thus a widow had a right to inherit property or <sup>was</sup> entitled to get maintenance according to the views held by various law givers. But a wife

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39. Manu IX-185.

wife had no right over her husband's property except her stridhan (gifts given to her at the time of marriage by either party). She had no individuality apart from her husband hence could not claim any separate ownership of her husband's property. "Over the property of her husband also she has no right during his life time, beyond the right of maintenance and residence. This right to maintenance arises out of the relationship between the husband and wife, created by marriage which is indissoluble."<sup>40</sup> But Mitakshara law was very liberal to a wife also. When the division of the property was made during the lifetime of her husband she got an equal share with that of a son.

Technically, a woman could not hold any property as a wife but she enjoyed special prerogatives over her Stridhana. It meant a property entirely possessed by a woman over which she had full rights.

No reference is found in Rig Veda regarding Stridhana.

A detailed description of Stridhana was given by late Smritikaras. According to Manu following has been included in

Stridhana:<sup>41</sup>

1. Any gift given by a mother, father or a brother at any time.
2. Presents given by other relatives at the time of marriage

though it was included in Stridhana, Katyayana in Dnyasa or

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40. Manu IX-133.

41. Manu IX-194.

42. One of the schools of thought which governed the property rights of Hindus.

or at the time of going to her husband's house.

3. Any gift given by the husband after marriage.

4. Any amounts earned by her by manual work when not neglecting her household duties.

Yajanvalkya expanded the scope of Stridhana by adding any compensation given to her by her husband's remarriage during her lifetime. Vishnu added one more category of gift to Stridhana. A gift given by a son also denominated as Stridhana. In short, Stridhana was a property over which a woman could exercise absolute rights of her own.

In the beginning she had absolute right over her Stridhana. She could sell the property or dispose it of even without consulting her husband. But later on, with the expansion in her Stridhana which also consisted landed property, her rights were restricted. In Vedic times or even after it, Stridhana mainly consisted of ornaments or rich clothes. Nobody objected to her absolute right to sell this type of property with or even without the consent of her husband.. In a patriarchal family, it was natural that they might not like the idea of giving away the family property to somebody who did not belong to the family. Hence Smriti writers differed in their opinion regarding a woman's right over immovable property<sup>42</sup> though it was included in Stridhana. Katyayana in Dayabhaga

"holds

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42. One of the schools of thought which governed the property rights of Hindus.



"holds that women possess the power of sale and mortgage even over the immovable property included in their Stridhana. Narada differs from him and declares that women can dispose of only the movables in their Stridhana."<sup>43</sup>

When the question of inheritance came first preference was given to unmarried daughters. Almost all Smritikaras agreed with this point. In case of succession to such property daughters were entitled to inherit their deceased mother's Stridhana. Unmarried daughters were given the preference over married ones and <sup>the</sup> unprovided were preferred to <sup>the</sup> provided ones.<sup>44</sup> Mitakshara<sup>45</sup> (11-145) held the same opinion. "Hence, if the mother be dead daughters take her property in the first instance and here in the case of competition between married and maiden daughters, the unmarried take the succession, but on their failure the married daughters and here again in the case of competition between such as are provided and those who are unprovided, the unprovided take the succession first, but on failure of them those who are provided. Thus Gautama says that a woman's property goes to her daughters - unmarried or unprovided. The latter are such as are destitute of wealth

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43. The Position of Women in Hindu Civilization. p. 267.

44. Yajanvalkya, 11-117.

45. A school of thought which governed the property rights of Hindus.

or without issue." <sup>46</sup>

If a mother died having no daughters or daughter's daughters or daughter's sons, Stridhana belonged to her own sons. In the absence of all such relations the whole property was possessed by her husband but in Asura form of marriage the property of childless woman was claimed by her parents. Stridhana by Asura marriage <sup>WAS</sup> presumed to be consisted of bride price hence it should go to her parents. Later on when Stridhana included movable as well as immovable property Manu held the opinion that Stridhana property given by the husband should be divided among the sons and daughters. This arrangement might have been accepted with a view that landed property did not pass away from the family. All other schools of Hindu law were of the same opinion. A husband was given certain rights over Stridhana in exceptional circumstances e.g. famine etc. but otherwise he had no right over such property.

The general position of women in the Vedic times was that of equality and honour, with only exception to their property rights; but in the later periods their status gradually began to deteriorate. In the age of Samihitas, and Upanishads a gradual decline could be traced in women's position but during the time of Epics and Smritis women's status

declined

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46. Indra: op. cit. p.210.

declined considerably as very ably described by Majumdar. "In regard to the position of women, there was hardly any improvement. Daughters were regarded as a source of misery. Women could not go to the tribal council or assembly (Sabha) neither could they take an inheritance. Married women of the upper class had often to suffer the presence of rival wives. ... The education which some of them received was of a high order, as it enabled them to take a prominent part in philosophical disputations at royal courts. The rules of marriage underwent a change towards greater rigidity and there were instances of child marriages." <sup>47</sup>

Though Purdah was not known to this period a woman's freedom of movement was restricted. Women did not attend public meetings frequently. Women's right to property was not recognised but she enjoyed the right over her Stridhana.

#### 1.4 Further Deterioration in the Position of Women After

500 A.D.: During the epic, post-epic and Smriti period women's position underwent many changes. The general deterioration in women's status was due to the several factors:

- (1) Entrance of non-Aryan wife in the Aryan family.
- (2) Neglect of girls' education.
- (3) Beginning of pre-pubescent or child marriages.

Though there was no trace of female infanticide the birth of a girl was not rejoiced. The Upanayana (sacred initiation)

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47. Majumdar: An Advanced History of India, p.45.



initiation) of a girl totally went out of practice, but the formal upanayana ceremony before marriage continued to exist even at a later age. The education of a girl which began after the upanayana ceremony was practically neglected and only a few gifted ladies from the high-noble-society could get an opportunity to study. Pre-pubescent marriage had done serious harm to girl's education. The age of marriage for a girl was lowered from sixteen to eight. Formerly this was the time of Upanayana ceremony after which the girl's education began. The early marriage put a stop even to the liberal education of a girl. Her only education was to perform household duties and carry out the commands of her husband and elderly people of the family. Swayamwara was practised among Kshatriyas only. Love marriage became out of practice except amongst the Kshatriyas because as a girl of tender age, <sup>hence</sup> ~~and~~ inexperienced, <sup>she</sup> could not participate in settling her marriage and it was settled by the parents.

As mentioned earlier the only sphere in which the position of women improved was in the field of proprietary rights. In all other spheres of life - marriage, divorce, education etc. the position of women was deteriorating.

#### 1.5 The Status of Women as Interpreted by Buddhism and

Jainism: It is essential to add a short note on Buddhism and

Jainism

Jainism at the end of the chapter as certain characteristic features of these religions contributed to the improvement of the status of women in some fields. Buddhism and Jainism were the outcome of a revolt against Hinduism which was increasingly becoming ritualistic and was beginning to neglect to some extent the very underlying spirit of its spiritual tenets. These two religions brought about an upheaval in the prevailing ideas on the participation of women in religion. According to Buddhism and Jainism both men and women were given equal opportunity in the study of religious scriptures. This naturally expanded the scope of education for women. Contrary to Hindu beliefs the birth of a daughter was not looked upon with disfavour by Buddhists and Jains. One of the main reasons for it was that to the Hindu law-givers a son was important and essential for funeral ceremonies and for offering oblations to the ancestors and the Gods. Consequently, a man could not attain heaven if he did not have a son. However, according to the preaching of Buddhist and Jain philosophy a son was not required to attain Nirvana (or Salvation) but a person could reach that stage by severe penance and following strictly the religious orders and it made no difference whether he had a son or not - rather any offspring at all.

Unlike Brahmanic injunctions in Buddhist Society a wife

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except her barrenness was not superseded if she had only female children. Also "contrary to all previous legal tenets of ~~the~~ Dharma Shastras, the Buddhist canons hold the adoption of daughters as quite valid ... For the first time perhaps in Indian Literature female children were given such a creditable position. ... We hear of one Somvati who was adopted by the householder Mitta. Again a certain king is mentioned to have taken a girl named Kana and made her his own eldest daughter." <sup>48</sup>

That marriage was not imperative to a man or a woman was another striking feature of the preaching of Buddha and Mahavir. As in Christianity, celibacy was held in high esteem. A marriage was an impediment or a fetter in attaining Nirvana and it was advisable for a man and a woman to avoid it. A girl was allowed to lead a life of a celibate, devoting her life in higher pursuit of knowledge. Some restrictions, of course, were put on this, which also helped in extending the age of marriage. Buddha, though after a little reluctance, did allow women to establish their own religious order. The number of women ascetics was greatly increased in Buddhistic society. "Among the nuns of the Therigatha the majority consists of women ~~who~~ who have renounced the world during their maidenhood. The career of preaching and evangelising that was thus opened before

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48. Indra: op. cit., p.219-220.



before women by Jainism and Buddhism attracted a large number of talented ladies, who distinguished themselves as teachers and preachers. ... Such for instance, was the case of Gutta, Anopama and Sumedha, who eventually became very famous preachers. (Therigatha, 54,56,73).<sup>49</sup>

To the Sakya women goes the credit of founding the order of Buddhist nuns. Sanghmitra, also a royal princess, refusing a marriage joined the religious order and took pains to go abroad for the spread of Buddhism. Thus a new prospect ~~read~~ was open for the career of women which emancipated many ladies from the permanent tutelage of household drudgery and enabled them to reach the elevated position which was till then closed to them.

In spite of enlightened ideas and the recognition of a higher status <sup>for women,</sup> especially in religion, ~~for women,~~ the Buddhists and the Jains were in such a small minority that their ideas did not change very materially the social position of women in India as a whole. Besides, in civic life they adopted the Hindu Code and so it was not possible for their liberal views to modify to any considerable extent the prevailing influence of Hindu customs and traditions. Little as their influence was, it is interesting and worthwhile to note that such a change in attitude to women (though not even

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49. Altekar: op. cit., p.248-249.

a fraction of what was in Vedic times) was developing in India.

Of course no claim can be made that men and women were treated at par. Jainism as well as Buddhism both put more restrictions on nuns than monks. The nuns had to stay under the protection of monks. According to religious injunctions a nun could not preach the monks. The highest honour she was given was to preach before the congregation of nuns. But under no circumstances however learned she might be, a woman was not allowed to preside over the assembly of ascetics or men. Early Christianity shared the same view. A woman had no right to give sermon in the church. Since ancient times quite a number of women were famous for their philosophic attainments and yet no woman could hold highest position in religion. Perhaps, only Vedic and post-Vedic time could be taken as an exception to that as a few women seers and philosophers flourished during that time. It would not be incorrect to say that in spite of <sup>their</sup> ~~women's~~ progress in various spheres, even today, women are not allowed to take up career of a religious preacher in a church, all over the world.

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8. Original texts and translations of various religious books.

frequent foreign military invasions from the north. The invaders often departed after looting and plundering the country and even when they settled in India as conquerors they did not change the existing system of social institutions. As far as the study of Vedas is concerned the status of women continued to be as low as that of a Shudra, as both of them were not allowed to study them. Education of women especially of the middle and lower classes was very much neglected and it touched a very low level during the Muslim rule. The only enlightened class of women at that time was found among Brahminas and prostitutes. From 2nd century onwards the Sanyasa ceremony was completely in disuse and the education

1. This list is by Altekar.  
 2. Lowest caste - a caste of fourth order.



## CHAPTER II

A Socio-historical Survey of Status of Women from Medieval  
Times to the End of the Nineteenth Century.

Status of Women at the beginning of the Muslim Rule: A gradual deterioration in the position of women in every aspect of life took place during the period of early Smritis (500 B.C. to 500 A.D.<sup>x</sup>). From that time onwards especially in the middle ages freedom of women was more restricted owing to the frequent foreign military invasions from the north. The invaders ~~of~~ often departed after looting and plundering the country and even when they settled in India as conquerors they did not change the existing system of social institutions. So far as the study of Vedas is concerned the status of women continued to be as low as that of a Shudra<sup>xx</sup> as both of them were not allowed to study them. Education of women especially of the middle and lower classes was very much neglected and it touched a very low level during the Muslim rule. The only enlightened class of women at that time was found among Kshatriyas and prostitutes. From 2nd century onwards the Upanayana ceremony was completely in disuse and the education of

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x. Time fixed by Altekar.

xx. Lowest caste - a caste of fourth order.

of girls was only confined to the Royal families, and the rich and official classes. Such families alone had enough resources to appoint a special teacher for their daughters. Dancing, music, and singing were very popular in early times and most of the girls were encouraged to learn them as they were supposed to sing Vedic hymns. In post-Vedic (after 1500 B.C.)<sup>and</sup> Smriti periods cultured ladies were also supposed to know these arts. Many heroines in Sanskrit dramas (2000 B.C. to 1000 A.D.) could be seen engaged in various fine arts such as singing, dancing, painting etc. With the general deterioration of education among women these three arts were learnt only by the above mentioned classes. Rajput women were trained in the use of swords and spears and bows and arrows. Besides military training, they received administrative training as well, because many of them acted as regents during the minority of their sons. This training in the use of weapons enabled them to lead successfully their armies in the time of need and many a times they fought valiently side by side with their brothers or husbands in order to protect their hearths and country in the hour of danger. The age of marriage was not lowered among Kshatriyas and ruling classes mainly because of two factors (1) The parents naturally did not like child marriage because of the danger of their

daughters

1. Upanishads: The Position of Women, p. 1.

daughters becoming widows, as the custom of Sati<sup>x</sup> was in practice by that time especially among the fighting classes. (2) The necessity of military training and education prevalent among this class postponed the marriage to a somewhat later age. Consequently, the marriageable age of a girl in the fighting class was not much lowered but in other sections of society child marriage was a common practice. Widow marriage was not at all practised by the higher classes and was not so frequent even in the lower society where it had a social sanction because they tried to imitate the higher society in order to gain a superior status. Strict restrictions were put on the widows and they were supposed to lead an ascetic life if in the alternative an end to their lives was not put by burning themselves on the funeral pyres of their husbands. Lakshmi Menon very ably sums up the position of women thus:-

"From the tenth century onwards the condition of women steadily deteriorated as a result of foreign invasion. By the time of al-Biruni's visit to India (A.D.1017-30) the age of marriage for girls had become earlier, the custom of satee<sup>1</sup> were more usual and the remarriage of widows forbidden."

Divorce was not permitted among the higher classes, and high standard

x. Sati means voluntary self immolation of the widow on the funeral pyre of the husband.  
 1. Menon Lakshmi: The Position of Women, p.4.  
 The Position of Women in Hindu Civilization, p. 428-429.



standard of morality and pre-nuptial chastity was expected on the part of women. The social codes demanded strict fidelity during their married life and a life of penance and asceticism after the death of a husband. A woman was totally dependent on another. Most of her rights were curtailed at this time but the only advantage she gained was her proprietary rights which were not enjoyed by her sister in Vedic times. As Dr. Altekar points out "The right of the widow to inherit the share of her husband came to be recognised all over the country by C. 1200 A.D. In Bengal the position was further improved by conceding her this right even when her husband had not separated from the joint family at the time of his death. The scope of the Stridhana was further extended by the Mitakshara<sup>x</sup> school by including in it property acquired even by inheritance and partition. The widow's estate continued to be a limited one, but in some parts of South India she was allowed to gift it away for religious purposes without the consent of the reversioners."

In short, except her rights on Stridhana and a few changes in the property rights a general state of degradation in the status of women prevailed at the beginning of Muslim conquest.

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x. Two main systems or schools of thought viz Mitakshara and Dayabhag prevailed in different provinces of India which governed the property rights of Hindus.

2. Altekar: The Position of Women in Hindu Civilization, p. 428-429.

## 2.2 The Changing Status of Women During the Muslim Rule:

Prithviraj Chawan was the last Rajput king on the throne of Delhi and his defeat by Ghori put India under the Muslim regime. Till then there had been several invasions by foreigners which had no material influence on the life of the people but this particular conquest of Muslims brought India under the direct influence of the culture of the ruling kings. The progress of Hindu civilization especially in the field of women's status came to an end. The conquest of India by Islam and the Islamic zeal for conversion had increased the blind faith and austerities among the Hindus in practicing religious injunctions and traditional customs rigidly and great stress was laid upon the observance of those customs by women in particular. The Muslim contact in India did not bring any improvement in the status of women. On the contrary, the terror of Muslim rulers and the fear of interpollution with them, rigidified the social codes of Hindu society and its ill effects were noticed in the conditions of Hindu women. This historical development of Muslim authority did not as may be expected, release the Hindu women from certain bondage regarding marriage ties or proprietary rights which were enjoyed by their Muslim sisters. None of the good points of Islam were adopted by Hindu society. In respect of marriage, divorce, widow re-marriage and property rights a Muslim woman held

held a better position than a Hindu woman. On the contrary, the intimate contact of Muslims worsened the position of women in various fields and this period was considered as one of the darkest periods in the history of the progress of Hindu women. Purdah, Zenana and Polygamy were the obvious influences of Muslim rule while the increase in child marriages and wider prevalence of Sati were the indirect results of the Muslim conquest.

(1) Purdah (veil):- Purdah was not quite unknown in Hindu society uptill now but it was not in common use. There were references of purdah or veil in early literature of the Hindus; and its rare practice was found among the ruling classes<sup>or</sup> in higher society. Down to 12th century there are instances where purdah was resented by the queens of rulers and this custom was never generally appreciated. Thus the common feeling was against even the seclusion of women. But with the advent of Islam, Hindu population especially higher society adopted it with a twofold purpose. People, especially Rajputs wanted to guard their womenfolk and in order to hide them from the lustful eyes of the Muslims adopted purdah while some of them practised it in blind imitation of their rulers in order to raise their social prestige. A feeling of insecurity during the Muslim rule and the lower position of women helped conveniently the wider adoption of purdah among the Hindus.

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This definitely restricted their freedom of movements and prevented women playing their role in community as well as in society. It, consequently, diminished their rights in several aspects and purdah women became more dependent on and subordinate to their men relations. Universal observance of purdah was a very great evil among the Muslims which greatly affected the upper class Hindu women. The adoption of purdah was more in Northern India where their influence was greater and more among higher and middle class because of their close contact with Muslim Courts and royalties. Almost all classes in South India and lower classes of Hindu society throughout India were practically free from this evil. As stated before, another reason for the adoption of purdah was the imitative nature of the high caste society. The customs and manners of the court and their ruler were accepted by a certain class of society especially officers of the royal court and other noblemen and small ruling chiefs. Afterwards, not actual Purdah but the seclusion of women gradually became more common among the middle class as well.

(2) Zenana (Harem):- The zenana system of the Muslims also came to be adopted by members of Hindu families on a larger scale. This was the result of the imitation of their Muslim rulers and chiefs, who used to maintain a big zenana or harem. The practice was widely prevalent among the higher class

Muslim

Muslim society. Other Indian royalties and noblemen began to expand their zenana in order to show their power, and pomp and rise in social position. "Excessive addiction to wine and women was a very common vice among the aristocrats. We are told by Abul Fazl that the Emperor had a seraglio of 5,000 women, supervised by a separate staff of female officers." <sup>3</sup> The system of zenana was as harmful as purdah which restricted women's activities and ultimately led to the seclusion of women. It had also increased a feeling of suspicion towards the womenfolk and men guarded them and kept a watch over them like other valuables. Chitra Naik writing on Purdah and zenana summarises their effects thus:- "The evils of polygamy and the purdah were combined in this institution and had the most deleterious consequences on the minds of the women and children living in them." <sup>4</sup>

(3) Polygamy:- The practice of polygamy was sanctioned by Hindu religious authorities but monogamy was practised as a general rule. The Muslim influence was partially responsible for the increase in polygamy especially among the ruling chiefs and wealthy classes of society.

(4) Child marriages:- Kidnapping of married women was

3. Majumdar: An Advanced History of India, p. 568.

4. Naik Chitra: Education of Women in the Province of Bombay, p. 20.

forbidden by Islam. Hence child marriages were practised in large numbers among Hindus as an effective measure to protect their girls from embracing Islam. Child marriage was very common except among the fighting classes but during the Muslim rule marriageable age especially that of a Hindu girl was lowered from eight to zero due to the above mentioned reasons.

(5) Sati and Widowhood:- By this time widow re-marriage was strictly forbidden and custom of sati was popular among the fighting class. Even Jauhar<sup>x</sup> was practised in large numbers by Rajput women. Early Smritis did not sanction the custom of Sati on the grounds that self-immolation or a suicide could not bring salvation to a woman herself or her husband. "The most cruel custom of Sati was widely practised, the object being to prevent any mixing of blood by our women falling in the hands of Muhamedan conquerors." Much importance was given to the chastity of a Hindu woman. It was better to commit suicide in form of a Sati or Jauhar than to fall prey in the hands of Muslim conquerors. Moreover, most of the women in earlier times without the pressure of anybody

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x. Jauhar wholesale voluntary self immolation of Rajput women instead of being captured or falling prey in the hands of Muslim conquerors when there is an attack of no hope of victory against the powerful Muslim enemies.

5. Hate, C.: Hindu Woman and her Future, p.175.



anybody used ~~it~~ to be Sati as they could not bear permanent separation from their husbands. Widows from the higher classes also thought that it was better to burn and earn fame than to lead a life of an ascetic. For child widows it was even more difficult to observe the rigid and strict rules sanctioned by society. They would have thought that it was not easy to follow the path of chastity and severe penances and preferred to burn themselves as Satis. Most of them might have ended their lives in order to terminate the lifelong misery and degradation of widowhood or sometimes out of sheer love for their husbands.

(6) Education and the general condition of women in Society: The status of women in general, was so low that she was debarred from any kind of education. She had lost her previous right of studying religious scriptures and obedience to her husband was the only religion left for a woman to earn respect in this world and salvation in the next. Muslim influence could not widen the horizon of Hindu women's education. They were pushed backward in the zenana or purdah while their Muslim sisters enjoyed the right of elementary education. According to Muslim concepts every person either a man or a ~~woman~~ woman was supposed to read the Koran in order to get salvation. Hence elementary education of a Muslim woman never suffered.

On the contrary, this staunch religious aspect widened the horizon of a Muslim woman which was totally absent among Hindu women at that time. Education of a girl was not entirely neglected among the fighting class and higher society though it had undergone a swift decline. The advent of Islam brought political upheavals and many rich families were ruined and therefore failed in their high ideals of cultural activities as they could not provide for their daughter's education by special tutors. Education of an ordinary girl was out of the question as there did not prevail any special system for the education of Hindu girls and women. "The daughters in Rajput and Nair families could read and write; the same was the case with Jain nuns, who were generally in a position to read their own scriptures. These, however, were exceptional cases. Ordinarily only prostitutes and dancing girls could read and write. The decline of literacy among women was so marked and rapid that by the beginning of the 19th century hardly one woman in a hundred could read in Madras and Malva."<sup>6</sup>

Thus the state of female education and the position of women in general was greatly regrettable though there had remained a few glaring examples of Rajput and Maratha women like Jawahirbai, a queen of king Sanga or Kurmadevi, a queen of king Samarasi who won fame for their valour and administrative ability

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6. Altekar: op. cit., p, 27.

ability. Also Shivaji's mother Jijabai and several Maratha women were noted for their ability in governing their states and leading their armies.

The general education among Muslim women was better than that of their Hindu sisters and some of the women of the richer classes among Mahomedans were quite famous for their ability and interest in cultural activities. Many of them were also well-known as poetesses and good administrators. It is rightly remarked that "great women we hear of during this period are princesses and noblewomen" <sup>7</sup> - especially Mogul princesses. In the galaxy of illustrious names like Roshanara and Zebunissa in literature are also found the names of those women who distinguished themselves as warriors and administrators, the most striking among whom were Sultana Razzayat and Chand Bibi.

Under Muslim rule the position of Hindu women not only received a setback but underwent a state of greater degradation. If Hindus would have adopted the Islamic customs regarding marriage, divorce and property, Hindu women would have been definitely benefitted by more generous treatment from society. But unfortunately instead of adopting good features of Islamic culture Hindu society especially the members of the higher classes and the officials imitated blindly those features

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7. Panikkar, K.M.: A Survey of Indian History, p. 217.



which seriously affected the social status of women. As shown earlier the observance and the frequency of evil social customs like Purdah, Zenana, Polygamy and child marriage found deeper roots and were firmly established in Hindu Society.

2.3 Social Conditions Prevailing at the Beginning of the Nineteenth Century: At the beginning of the British rule women's position was at its lowest ebb. Unfortunately, the dependent position of women was much aggravated during the Muslim rule which was one of the darkest periods for women's progress in India. Wider prevalence of customs like Sati, child-marriage, Kulinism (wholesale polygamy), dowry system and purdah were the results of the influence of Muslim rule. In addition to these, evils like enforced widow-hood, ban on widow remarriage and divorce, female infanticide and devadasi were also prevalent at the beginning of the 19th century in some sections of society. Majority of the population coming from the lower castes was totally free from these evils but general dependence of women was common to all classes of Indian women. Another common factor which prevailed was illiteracy and general backwardness among all women except Muslim women, Jain nuns and a class of prostitutes. Moreover, women from the lower classes of society were forced to earn

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for their livelihood and though economically independent could not enjoy more freedom than an economically dependent woman, as she was ignorant and so overburdened with daily routine that she hardly thought about her personal liberty or feminine rights. Enlightenment among women was directly responsible for their higher status in society. Apparently it seemed that poor working women enjoyed greater freedom of movement as they were working outside the home and were free from purdah. However, her lot was not at all enviable compared to that of the women of middle and upper classes because she simply struggled for a meagre existence.

The 19th century presented a dismal picture of Indian womanhood in all stratas of society especially when their social status was concerned. Their position usually depended on the established social beliefs and traditions originating from the religious commands rigidly and narrowly interpreted. The society in general, and women in particular were so much overpowered by the influence of customary practices that each took special care in its observance. The slightest disregard towards social conventions which emerged from the misinterpretation of religious injunctions was looked down with contempt. In order to understand and evaluate the changing position of Indian women during the British rule especially from 1800 to 1900 it is necessary to scrutinize some harmful

customs

customs prevailing at that time which were mainly responsible for the lower and subordinate position of women. Mr. Majumdar describes it as follows:- "Prominent social practices of the period were Sati, child marriage, Kulinism and the dowry system. Akbar tried to regulate social usages in such a way as to make the consent of both the bride and the bridegroom and the permission of the parents necessary for marriage contracts. He also sought to check marriage before puberty by either party, marriages between near relatives, acceptance of high dowries, and polygamy. But his attempts do not seem to have been effective in practice. Social evils increased during the eighteenth century, particularly in Bengal. The Maratha society of the time did not, however, encourage acceptance of dowries. The Peshwas exercised an effective control over the social and religious affairs of Maharashtra ... widow marriage was prevalent among the non-Brahmanas of Maharashtra, as also among the Jats of the Punjab and the Jamna valley; and polyandry was not unknown among the latter." It may rightly be said that some of the social evils were the products of the Muslim influence during their rule, while some of them were repercussions of the rigidification in Hindu religious and social observances arising out of changing circumstances. Moreover, the main forces working

against

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8. Majumdar: op. cit., p. 568.



against the liberation of women were general illiteracy and superstitions of the people, especially of women. But during the 19th century several factors, such as the influence of western culture, the revival of national culture and the socio-religious reform movements evoked a new phase in the history of the emancipation of women.

2.4 New Era in the Progress of Women's Status in India: The period of 1800 to 1900 brought tremendous awakening among the people of India due to the introduction of several new factors in Indian life. "The period witnessed a remarkable outburst of intellectual activity in India and a radical transformation in her social and religious ideas. As a result of all these, India passed from the "medieval" to the "modern" age". Though the 'non-interference' policy of the British Government was not favourable to the introduction of various social reforms and consequently to progress in India however, the spirit of reformation and liberalism pervaded not only in India but throughout the world and it tended British authorities to modify their policy in certain aspects. Moreover, the acceptance of an attitude of liberalism and the growing consciousness of the importance of the individual in Britain did not fail to have its useful repercussions in India. During the fifteenth and subsequent centuries, not only Britain but

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the whole of Europe had undergone transformation in economic political, social and even cultural fields. But in the 18th century the industrial Revolution in Britain was the culminating point which brought a complete revolution in the above fields. From the sixteenth century onwards Europe had witnessed a series of new epoch-making and significant events which led to manifold changes in the structure of the society and the outlook of the people. New geographical discoveries resulted in the expansion of trade between Europe and other continents. The new inventions and the progress in the scientific knowledge and the growth of democratic ideas totally disintegrated the Feudal system and the power of the dominant class of the feudal lords in the social, economic and political fields was gradually loosing ground. "It was also the period when great scientists, philosophers and sociologists the pioneers of scientific rationalism and humanist modern culture, like Bacon, Locke, Hume, Rousseau, Voltaire, Helvetius, Diderot and others flourished. These were the leaders of the movement which transformed the European feudal society into modern society based on such progressive conceptions as democracy, nationalism, rationalism and others."

Thus democratic principles and ideals supplanted the old idea of the divine right of kings and democratic conceptions based

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10. Desai, Neera: The Impact of British Rule on the Position of Women, p.57.

based on government of the people, by the people for the people as well as the respect for individual liberty and equality came to be appreciated and demanded. The spirit of liberalism in the field of ideology revealed the basic principle of equality of all human beings and recognition of the right and personality of every individual.

The French Revolution put forth the doctrine of liberty equality and fraternity which brought a spirit of liberalism in all the advanced countries and these countries adopted the democratic type of political administration. Contact with the literature of these countries helped to develop liberalism among Indians. Great men and movements arose in various parts of the world. Among these men Bab and Baha Ullah in Persia, Cardinal Newman and General Booth in England, C<sup>at</sup> Leo Tolstoy in Russia, Emerson in America and Ram Mohan and Keshub Chandra Sen in India are some of the most prominent figures. The main impetus that liberalism received in India was from the contact and influence of the West and western education. "The liberal philosophy stood for the liberation of the individual from all shackles." As Laski describes "The essence of the revolution that occurred is thus in a real sense the emancipation of the individual." <sup>11</sup> A spirit of liberalism which brought reasoning instead of convictions, search

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11. The Rise of European Liberalism, p. 16. Quoted by Neera Desai in The Impact of the British Rule on the position of Women, p. 59.



search for knowledge instead of superstitions and progress instead of stagnation, prevailed among the intellectual Indian personalities. In India, during this century of general advance, two schools of thought - Reformers and Revivalists flourished side by side who studied and scrutinized religious injunctions very carefully which evolved new conceptions of morality and social codes by remodelling the customs and beliefs of society. This created a stir among the orthodox peoples of India, but socio-religious reformers enlightened with the new knowledge agitated a movement throughout India. The feeling of chivalry though not absent during the Rajput period was renovated among the cultured people of India owing to their contact with the Western people who developed a sense of chivalry towards their womenfolk. The democratic ideals and feminine movement in the West gave impetus to Indian social reformers to work towards the liberation of Indian womanhood which had suffered since ages.

The non-interference policy was adopted by the British administration at a very early stage in India in order to win the confidence of the people which was necessary for their protection of their rights of trade and ultimately for the consolidation of their empire. It was regrettable to note that due to this policy of the Government social progress in India was not rapid. "Social legislation undertaken by a benevolent  
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and progressive government is a great instrument of social reform. If the Government authorities in India had shown eagerness and zeal to ameliorate the condition of women, passed the necessary legislation and enforced it rigidly, the cause of women would have progressed far more satisfactorily than it actually did."<sup>12</sup>

In spite of the policy of neutrality the Government was compelled to modify their policy due to the progressive forces which worked at home as well as in India. The enlightened British rulers in India could not hold the non-intervention policy any longer, because of the prevailing inhuman customs during their rule.

Thus various forces were responsible for the new era in women's emancipation. The efforts of missionaries and the close contact of the people with the westerners, their religion and literature brought many changes in Indian outlook. Effect of the democratic and feminist ideals from the west inspired enlightened Indian people who agitated for social and religious reforms. The combined efforts of reformers and liberal views of the government ameliorated the status of Indian women considerably during this century of general progress.

Missionary

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12. Naik, Chitra: op. cit., p. 47.

2.5 Missionary Efforts in the Field of Social Reforms during the Period:- The real impact of the West came to India through Christian missionaries. Their work was limited in the beginning but in the second half of the century they succeeded fairly well for the betterment of Indian women in the field of education and health. During the eighteenth century, a few Englishmen were willing to undertake missionary work and there had been a few of them who had been able to carry out their mission only to a limited extent but by the end of the century a band of young men and women were ready to render their services. This was due to the preaching of John Wesley, Simenon, Hanry Martyn and others.

Besides this the Act of 1813 facilitated the work of missionaries in India thus:-

"With the Charter Act of 1813 the education of the Indian people was definitely included within the duties of the Company; a comparatively large amount was secured for educational activities; and missionaries began to land in India in large numbers and establish English schools, thereby laying the foundation of the modern educational system."

The Missionaries started expanding their movement not with a view to helping the ignorant masses or depressed classes or to making social reforms, but as mentioned before inspired



by the preaching of religious authorities they worked to ensure the spread of Christianity. They could best achieve their goal by means of improving the poor conditions of health and hygiene and equally deplorable state of education which, however, were not their major aim. The time was ripe for their work and many people from the lower strata of society accepted their faith as it was the only means by which these poverty-stricken, ill-treated people could get help. Untouchables and other depressed classes suffered great injustice and cruelty from the high caste people and so many of them attracted by the work and service of these missionaries, sought refuge in their faith. A few educated people from the upper classes also supported their efforts as they were influenced by western culture and literature and impressed by the work of the missionaries among women, and poor, illiterate people. The provinces of Bengal and Madras which were the most poverty stricken and under the rule of British officials from earlier times, were rapidly influenced by them and today, through their patient work of so many years and their compassion towards every human being without any consideration of sex, class or creed, they have established many institutions throughout India.

Not only have they succeeded in religious propaganda but most of them have rendered useful service in the fields

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of social work, female education and medical aid, which awakened and inspired the enlightened people of India for raising the general status of women. Most of the social reformers - men and women - had been much impressed by the success of the missionaries with their vast knowledge and training in special branches, their capacity for hard work, enthusiasm and good/organising power, they opened a new vista for social workers in the various fields of social service. "The destructive influence of Western contact is sometimes deplored, but in so far as women are concerned, it was an exclusive blessing because it broke up most of the conventional chains that bound them."<sup>14</sup>

The early missionaries who came to India were not free from the perils of voyage. But owing to their faith in Christ and their courage and adventurous spirit they could endure all the difficulties. Education and medical aid to women especially to those in purdah were first started by the Missionaries. Their daring spirit in working among the most illiterate and backward people in strange places in a foreign land gave strength and impetus to Indian women and other social workers to work among their illiterate sisters.

The earliest school for girls was started by missionaries in 1816. "According to a report made by the Rev. James Hough,

Mrs.

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14. Naik Chitra: op. cit., p. 40.

Mrs. Bailey (C.M.S.) had a few girls under instruction at her own charge and in her own house in Kottayam Travancore." <sup>15</sup>

Mrs. Rhenins conducted a girls' school in 1823 at Balamcottah.

In 1832 a girl's school was opened by Mrs. Drew. Mrs. Eckard of Madura Mission opened a day school for girls. In 1840 and

1841 two more schools were opened for the girls and Mrs. <sup>16</sup> Carver gave her attention to these schools. In short,

till 1857 education of girls and women was entirely in the hands of missionaries. Their personal contact with Indians as well as their cultural heritage and democratic viewpoint provided a new outlook for the Indian social reformers in their treatment of women. Their literature, behaviour, mode of living, manners and customs influenced the Indian people, gradually but immensely, and helped to speed the work of social reformers especially in the field of emancipation of women.

2.6 Socio-religious Reform Movements in India and the Work of the Reformers: Contact with English literature and culture opened a wider horizon for Indian scholars and reformers.

These Indians, dissatisfied with their orthodox social customs and evil practices and rigid superstitions justified under

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15. Brockway, Nora K.: A Larger Way for Women, p. 38.

16. Ibid, p. 38.



under a garb of religious sanction were attracted towards christianity. Raja Ram Mohan Roy, however, attempted to stop its spread by reforming the ancient Indian religious conventions and by establishing a sect known as Brahma Samaj. This faith was most popular among the middle classes of Bengal. Raja Ram Mohan Roy was the pioneer of the reform movement which started at the beginning of the 19th century. People were not quite ignorant of the social and religious evils existing in the society. The main branches of socio-religious the new movement formed the divergent groups namely reformists and revivalists, who inspired the Indian people for social reform in various fields. The former influenced by Christianity and marvelled by the Western ideals of liberalism, sought for radical changes while the latter believed in gradual modification through the revival in the principles of Vedic religion. These reformers believing in democratic principles desired to liberate Indian womanhood and society from the bondage of social convictions which sought refuge in the incorrect and narrow interpretation of religious tenets. While revivalists wanted to go back to Vedas for spiritual uplift and gradual social reform on Vedic tradition with the least provocation from the public. "Under the first head, the Brahma Samaj .... is the most striking product of a strong reform movement brought about by the impact of new ideals

ideals and beliefs that agitated men's minds early in the nineteenth century."<sup>17</sup>

Brahma Samaj: Inspired by Western thought, Raja Ram Mohan Roy founded the Brahma Samaj in the year 1828, August 20th. The main principle of Brahma Samaj was based on the unity of God and like Christianity discarded the worship of images. "This arrangement for the non-sectarian worship of the one true God is looked upon now-a-days as the foundation of Brahma Samaj."<sup>18</sup> Raja combined the old learning with the new, as he was a scholar of Indian philosophy, Sanskrit, Persian and Arabic. He was influenced by mixed Hindu Muslim culture. With the advent of British rule and the close contact with them he noticed their superiority in certain respects and was deeply impressed by their liberal views. Hence he started to learn English privately in order to study their cultural background. Not satisfied with English alone he further studied Greek and Latin. Being the supporter of ancient Indian culture he was eager to find a suitable method of casting ancient culture into a new mould. Though, influenced by western culture and Christianity he wanted to revive Hinduism. "To lead the Hindus back to the Vedanta which he called "Hindu Theism" was one of the main tasks of his life, and

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17. Majumdar: op. cit., p. 877.

18. Ibid, p. 877. *Life and letters of Raja Ram Mohan Roy* by Prof. Chandrasekhar, p. 242.

and he spared no pains to do it." <sup>19</sup>

He earnestly desired and made efforts to moderate ~~ate~~nise education and to take it out of the grip of orthodox Pandits. He, being a social reformer stood for the cause of women and tried to ameliorate their condition by social reforms and by the spread of education among them. His work in the political field was also noteworthy. "... The Raja was not only the father of political agitation, his fame was even greater as a social and religious reformer." <sup>20</sup> He protested against the false interpretation of scriptures by a group of religious Textual authorities. He tried to develop the public opinion by the Vernacular translation of religious law-books as he already translated religious scriptures in Bangali and English. He also agitated for social reformation and put a stop to consequent evil and barbaric practices. He himself being the victim of child marriage and polygamy strongly opposed these customs. First of all, his attention was drawn to the custom of Sati. He was much perturbed at this inhuman custom. He might have developed a hatred towards the custom of Sati, since childhood as he happened to witness his brother's widow immolating herself on the funeral pyre of her husband. This might have

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19. Parekh, M.C.: The Brahma Samaj, p. 21.

20. Collet, Sophia Dobson: Life and letters of Raja Ram Mohan Roy Edited by Hem Chandra Sarkar, p. 242.



created a painful impression on his young tender mind which led him to decide to uproot the evil from the society. He wrote the pamphlets quoting Sastric injunctions which prohibited Sati and appealed to the people to eradicate the custom of Sati. He also sent petitions to the Government to abolish the custom on humanitarian grounds and with the combined efforts of social reformers at last a law was passed in 1829 by the Government of Lord William Bentinck prohibiting the custom of Sati. Another point that he raised was the right of inheritance for a Hindu woman. Here, too he invoked the authority of Smritikaras (writers of Smritis) and put forth before the society that a mother had equal right with her son to share the property according to ancient law givers. Her right to property was restricted later on by later commentators "Only the later commentators like the authors of Dayabhag<sup>21</sup> restricted the right of the mother." A widow could not inherit property if she was without issue or share it with a son or a son's son who survived his father. She could get her share only at the will of those successors.

Even for a daughter's share Raja was of the opinion that she was entitled to get one-fourth portion of her brother's share. But later on the Smritikaras as well as Dayabhag ascertained that she could get only her marriage expenses

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21. Desai, Neera: op. cit., p. 82.

expenses. In this case selfish and greedy brothers would not hesitate to sell their sisters and thus prospering at their cost. Raja wanted to remove this practice by legal ban but he was not successful in doing so. He was strongly against Kulinism - a practice of wholesale polygamy prevailing at that time in Bengal. This practice led to several serious consequences, such as female infanticide, ruin of the family life, increase in dowry and worst of all an imposition of married duties on the wife without receiving the benefits of married life or maintenance from her husband which sometimes resulted into unchastity. Raja Ram Mohan Roy's work and achievements in other fields (whose mention is out of place at this juncture) were also remarkable. He was the pioneer leader to spread the spirit of liberalism and to introduce reform movements based on democratic ideals in the Society. He was impressed by the British and believed that their rule benefitted the Indian people. He strongly favoured English education and was the pioneer agitator for the establishment of English schools for Indians.

Raja Ram Mohan Roy's successor, Keshav Chandra Sen, was also an outstanding personality and his services in the field of social reform were noteworthy. He was more modern in his views about religion and the treatment of women than his predecessor had been and he was much influenced by Christianity.

Though

Though he was successful in popularising the movement and expansion of Samaj in the forms of various branches all over the country "Keshab held moderate views about female education and female emancipation, and he was not prepared to go to the extreme length proposed by the more advanced sections. In his opinion higher university education would not be suitable for women and free mingling of men and women, or the total abolition of the Purdah system, was fraught with grave danger to society." <sup>22</sup>

The advanced or progressive group protested against this attitude and they formed another organization named the "Sadharana Brahma Samaj". The constitution of this association was the same but it was more radical in the policy towards social reforms. "Most of these claimed to be reformers all round, but their reforming activities in the social sphere did not go beyond the advocacy of the abolition of Suttee, and in a few cases a certain amount of liberty or rather licence taken in secret in matters of eating and drinking with people of other castes and creeds." <sup>23</sup>

Looking to the above quotation it appeared that the social reform activities of Brahma Samaj were restricted and could not progress much in the field of women's freedom. However

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22. Majumdar: op. cit., p. 880.  
 23. Parekh, M.C.: op. cit., p. 8.



However, their activities gradually evoked liberal feelings towards the enlightenment of women and served as a basic foundation of women's emancipation in future. Moreover, though, Brahma Samaj was a mixture of new thought with the old religion, a strange tendency remained towards the philosophical ideals of Hinduism. The Brahma Samaj was not restricted to religious reforms only but gave women in the sect a higher status than those outside it. They were given opportunities for education and they took part in all public and social activities.

Besides the Brahma Samaj early in the 19th century there arose groups of reformers in various parts of the country which contributed a great deal to the uplift of women in different fields. It would be worthwhile to discuss the main movements in the following paragraphs.

Chaitanya was a pioneer who established a form of refined Vaishnavism based on faith and emotion. His influence in Bengal was very great and his sect, following the tradition of faith and service to humanity, was joined by many people. This tradition was represented by another remarkable man - Ramkrishna Paramhansa (1836-1886) who worked in Bengal for the spiritual advancement of the people. He had deep faith not only in Hinduism, but in Islam and Christianity and tried to find out the inherent truth from all the religions. A Mission was

was established in his name which is actively working even today not only in India but also abroad to help Indians and for the preaching of his religious principles.

Ram Krishna Mission:- The workers in the Mission have taken an active interest in carrying on relief and social work, together with educational activities. Its aim and activities were to refine religion and to represent the old Indian tradition in its true form. The main characteristic of the Ram Krishna Mission was a belief in the truth of all religions though it was inspired by the ancient culture of India. Its main activities are social and religious reforms without the consideration of any class or creed. The success and fame of the Mission outside India is mainly due to the efforts of Swami Vivekananda who was a social and religious reformer and the chief disciple of Ram Krishna Paramhansa. He was more modern in his approach to different problems of life and society. He travelled widely, not only in India but abroad especially in America to carry out the work of his mission. Thus, influenced by foreign culture he was more progressive in his ideas and formed a link between past and present at the same time not losing his faith in Hindu religion. Though impressed by Western culture he was not attracted by the manifestations of religion in the West. Thus his faith in

Indian

Indian philosophy became still more firm and his chief aim was to combine Western progress with the spiritual advance of India for the sake of the social welfare of the country.

"The most notable thing about him was his flaming patriotism, his zeal for Hinduism and the motherland. A tour in America and Europe gave him a greater sense of social values and his fervent declaration, 'I do not believe in a religion that cannot wipe out the widow's tears or bring a piece of bread to the orphan's mouth', is the recreation of what he saw in the West."<sup>24</sup>

By that time a few Indian reformers - religious and social - had begun to combat social and religious evils and injustices done to Indian women. They read, meditated and discussed religious books and tried to interpret religious injunctions in their real sense in order to improve the position of women. They attempted to rescue the ancient culture from the pollution and degradation into which it was again falling, and though they established different sects in accordance with their varying ideas, they shared a common aim of removing pollution from Hindu religion. There was another reform movement too which affected social customs and laws, religious beliefs and the position of women. The same tendencies were at work elsewhere in India and there was great dissatisfaction among

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24. Panikkar, K.M.: op. cit., p. 268.



among educated people in different places regarding the degraded position of women, rigid social customs and evil practices in religion. All these wrongs were condemned by a Gujarati-Swami Dayanand Sarasvati - and he started a movement against them among the Hindus of the Punjab.

Arya Samaj: Arya Samaj was founded in 1875 in Bombsy by Swami Dayanand as a protest against the doctrine of Islam and Christianity. But in 1877 the organisation was established at Lahore and then spread its activities over the Punjab.

"As a proselytising sect, with great urge for social service, (its educational effort in the Punjab is remarkable), Arya Samaj is still an important factor in the Hindu resurgence of <sup>25</sup> the North."

Thus a new sect was evolved which is known as Arya Samaj and is still working for the protection of the Hindu religion and for social reforms. Its main aim was 'back to the Vedas'. It was a form of refined Hinduism started to protect the Hindu religion from the influences of both Islam and Christianity. It was at first popular among middle class Hindus of the Punjab but now it has its branches in several parts of India. It has done good work in the direction of social welfare and for the spread of education among boys and girls. It has improved the status of women, giving them  
equal

equal treatment with men and more chances in the social field. It has also laboured hard to raise the status and to improve the standards of the depressed classes. Swami Dayanand Saraswati established the \$uddhi (conversion) movement, the conversion of non-Hindus into Hindus, thus demolishing the caste-system. This was the most remarkable feature of the religious reform movement. Another novel yet noteworthy feature introduced by him was in the field of the education of girls. He laid emphasis on the physical fitness of a woman, hence great importance was given to physical exercise and sports in girls' education. He also restarted the practice of Upanayana<sup>x</sup> for both the sexes as ~~the~~ wanted to shape the society on Vedic ideals thus giving equal status to women. He strongly opposed child marriages, restrictions of castes and ban on sea voyages. He also ~~encouraged the~~ encouraged the education of girls putting much stress on Sanskrit - the Vedic language - and re-marriage of a widow. 26

The above mentioned three main socio-religious movements were helped to a very large extent in bringing about a social revolution in favour of women by the untiring efforts of individual workers. A brief survey of their work would not be out of place.

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x. Upanayana - thread ceremony - for details refer Chapter I.  
26. Majumdar: op. cit., p. 883.

One of the most outstanding figures in the history of social reform in India during the 19th century was Pandit Ishwara Chandra Vidyasagara. It has been rightly remarked that "The Raja saved the widow from self-immolation on the funeral pyre of her husband, while Ishwara Chandra Vidyasagar released her from a living death, by legalising the widow re-marriage Act. Thus Vidyasagar became a link in the chain of liberal philosophers who worked for the emancipation of Indian women."<sup>27</sup>

He was born in a poor though respected family in 1820 in Calcutta. In his efforts of emancipation of women Vidyasagar got much encouragement and co-operation from his mother who possessed liberal views in spite of little academic education. She did not object <sup>to</sup> herself dining with re-married couple or with European friends of her son.

Another lady Raimani, also took keen interest in him and encouraged him specially in his work for the amelioration of women's status. Thus social environment helped him and gave impetus to him in his work for the cause of women. He did not believe in mere preaching but tried to put into practice, what he believed in. He chiefly worked for female education, child-marriage, widow re-marriage and abolition of polygamy. He himself made following decisions in order to implement in his own life what he preached. He would allow his

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27. Desai, Neera: op. cit., p. 91.



his daughters to study as long as they wished. He would not marry his daughters before eleven years and a son before ~~it~~ 18. Though he put eleven as a limit all his daughters married after the age of sixteen. While selecting a bride-groom he would not give importance to riches. He would allow his daughter to re-marry in case she became a widow. He would neither re-marry when his first wife was living nor give his daughter in marriage as a second wife. In order to pacify the orthodox people he, also, like his other predecessor took the help of the Shastric injunctions. He quoted Parashara Smriti which was to be followed in Kaliyuga. <sup>28 x</sup> He published a book on "Widow re-marriage" in 1883. Though Society was not ready for reforms and from an orthodox quarter an attempt was made in vain to murder him it was mainly by his efforts and the sympathy of the Government and the co-operation of the enlightened people and social workers that Widow Marriage Act of 1856 came into force. The Act was passed on 25th July, 1856, liberating Hindu widows from life long bondage and permitting them to remarry if they desired. It

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- x. The present era is known as Kaliyuga. As a matter of fact a Yuga or an era extends to thousands of years according to Hindu tenets.

was enacted as follows:- "No marriage contracted between Hindus shall be invalid, and the issue of no such marriage shall be illegitimate, by reason of the woman having been previously married or bethrothed to another person who was dead at the time of such marriage, any custom and any interpretation of Hindu law to the contrary notwithstanding." <sup>29</sup>

The Act though passed remained ineffective upto the present century because of conventions and social criticism and stigma attached to the idea of re-marriage ~~since~~ <sup>for</sup> ages. Vidyasagar's son on his own initiative married a widow. The right of a widow's son was not made clear in the Act hence again with the signature of thousands of people Vidyasagar appealed to the Government to reform the Act. He made an attempt to prepare a list of persons having more than one wife, as he was fully aware of the widespread practice of Kulinism in his province. The result was very shocking. The list only included persons with more than five wives otherwise it would have filled the whole pamphlet. It was found during his investigation that one polygamist had 80 wives. Sir Herbert Risely in his "The People of India" observes that "It is still in full form in East Bengal where such an abominable practice of having many wives still exists," and an actual case was mentioned to me recently of a Kulin Brahman living in the neighbourhood

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29. Nehru, Shyamkumari: Quoted in "Our Cause", p. 273.

neighbourhood of Calcutta who has more than fifty wives, duly entered in a register, when he visits for a consideration, ~~at~~<sup>30</sup> during the cold weather."

Another reform advocated by Vidyasagar was in the field of the age of consent. He agitated for the fixing of a minimum age of marriage and as a result the first step was taken by the legal authorities in the year 1860 in connection with the age of consent and of consummation of marriage.

"He was along with Raja one of the few, who emphasized<sup>31</sup> the necessity of dissemination of English education." He was deeply interested in female education and adopted various ways to promote and popularise female education. He once advertised the prize of a gold medal for the best essay on "the utility of Female education." He met Mr. Bethune, the chief guest for the first time on the occasion of the prize distribution of the above function and they became great friends. With the combined efforts of these two personalities a school was started for girls in 1849 which later on became the famous Bethune College. The strength of the school began to increase rapidly owing to the co-operative efforts of all social workers. In order to facilitate and assure the attendance of girls a bus was engaged for transport. Thus his faith in  
Indian

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30. Risley: The People of India, p. 167.

31. Desai, Neera: op. cit., p. 97.



Indian philosophy became still more firm and his chief aim was to combine western progress with the spiritual advance of India for the social welfare of the country. In addition to this monumental institution he established forty girls schools. In order to popularise female education he used to charge no fees and give materials required for study free. Vidyasagar was deeply moved by the condition of women at that time and he, with great zeal, carried on his social reform movements especially for the betterment of the condition of widows. In a tribute given to Raja his mission is well expressed. "In the matter of social reform sympathy for women was the key-note of his creed. That, too, was the guiding principle of Vidyasagar's efforts. It was sympathy for women that led Vidyasagar to agitate for the re-marriage of Hindu widows. It was sympathy for women that led Ram Mohan Roy to agitate for the abolition of Sati."

Beramji Malbari (1853-1912) a Parsi gentleman of Bombay was equally enthusiastic for the improvement in the condition of women especially of widows. He, also, like Ishwarchandra Vidyasagar agitated for widow re-marriage and abolition of child marriage. In the year 1884, B. M. Malbari wrote two pamphlets

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32. By Surendra Nath Banerjee in the course of his speech on the occasion of the celebration of the Anniversary of the death of Raja Ram Mohan Roy 27th September 1904.

pamphlets regarding evils of child marriage and enforced widowhood. In his note which was addressed to the Government he wrote, "To many it is a wonder that the world hears so little of the results of such social inequality. I believe this is so because woman is the sufferer ... Hindu parents deplore no misfortune so much as they deplore the widowhood of a young daughter." Speaking of the community he was very outrageous. "Has caste the power to punish an act which the State recognised as legal and natural ... Caste has no objection to the widower marrying again, as often as he likes, and more women than one at a time if he so wishes. Its cold-blooded philosophy is reserved only for the woman who has lost her husband, that is her all in life." 33

Twenty seven years after the passing of the Act Malbari could see its ineffectiveness and tried to ameliorate the position of Hindu widows. He wrote a note to the Government suggesting certain measures to improve the miserable plight of widows. It bore no result as public opinion was very much against it. Another social evil, child marriage, which was very common at that time received his prompt attention. He also struggled in vain to get legislation enacted against marriage of children below 12 years. The National Conference of Social Reforms also passed a resolution requesting

Government

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33. Nehru, Shyamkumari: op. cit., p. 276-277.

Government to give protection to young girls. Malbari struggled hard during his life time and worked enthusiastically for the social welfare of women. Malbari toured whole of India to propagate his views on this question. He advocated

- (a) the formation of National Association
- (b) the introduction of lessons dealing with the problems arising out of child marriages and widowhood in educational books.

Justice Ranade (1842-1901) was a great personality in the later half of the nineteenth century. He was born in 1842 at Nipad in Nasik District. He married at the age of 12 years. He was a great scholar and had a brilliant college career. "As Ranade began to advance from class to class his capacity for work began to increase till it reached a stage at which he did not lose even a minute of his time in other than essential duties ... even in the interval between examinations

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Ranade continued to read." From the above quotation his great capacity for work and love for education could easily be seen. Not only was he a very famous and an enthusiastic leader in political activities but his work also in social fields especially in the cause of women were noteworthy. His contribution related mainly to the following four fields:

Child

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34. Desai, Neera: op. cit., p. 103.  
 35. Karve, D. G.: Ranade: The Prophet of Liberated India, p. xiii.



(1) Child Marriage (2) Widow re-marriage (3) Education of women (4) National Social Conference.

Ranade based the right of re-marriage for a widow on the interpretations of religious texts because he could see that public opinion had not developed to an extent as to be able to adopt the liberal standards of behaviour and equal rights for both the sexes. He also tried to raise the age of marriage by means of propaganda, lecturing and writings. He considered twelve and eighteen as minimum marriageable ages for a girl and a boy respectively, and sixteen and twenty five for consummation of marriage. He also worked with Malbari to raise the age of consent. He was an active member of Widow Re-marriage Society though personally he did not practice widow re-marriage at the death of his first wife. This action provoked the most unfavourable comment from the supporters of widow re-marriage which he tried to answer on the following grounds. "It appears that weighting his duty to his family and above all to his father and other orthodox relations, and to the cause of the reformist movement by way of setting a personal example, Ranade chose the former." In 1869 he <sup>36</sup> ~~entered~~ <sup>attended</sup> the first widow re-marriage. At that time Society used to become very furious even towards the supporters of such marriage. Ranade was ex-communicated for his action, but he had

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36. Karve, D. G.: op. cit., p. xxvi.

had not to suffer social provocations and hardships to that extent as Vidyasagar and Karve had suffered.

He was a supporter of female education. He himself used to teach his second wife against the wishes and protest of all his family members. He used to take Ramabai (Mrs. Ranade) with him whenever he visited a girl's school. His wife also took active interest in all his activities and was one of the wellknown and outstanding women at the beginning of the 20th century. "Ranade's vision of social reform was so sweeping as to cover all the aspects of human progress, and he held that unless social reform in ~~its~~ its widest sense was brought about, no other channels of progress, such as political and economic, could be successfully pursued."<sup>37</sup>

He felt the need of a central body under whose auspices social reforms could be speedily undertaken. The origin of the Social Reform Conference was the result of his thoughts and efforts. As early as 1887 Hon. Justice Ranade had inaugurated a Social Conference in which he announced that all social reforms should be made by law through the joint efforts of all the social reformers throughout India. The Conference paid great attention to the women's problems and provided good services for their benefit. Special attention was given to problems like child marriage, widow re-marriage,

female

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37. Karve, D. G.: op. cit., p. 19.

female education and women's rights to property.

"Reform in the old ways, by absorption of the good elements in the new, was for Ranade the natural and the only possible method of progress in a healthy society." <sup>38</sup> To him Vedic age was a classical age where men and women enjoyed almost equal status.

Though a lover of good elements in the ancient society he did not believe in revival. In a fiery speech he says "What shall we revive ? .... shall we revive the eight forms of marriage which included capture and recognised mixed and illegitimate intercourse ? ... Shall we revive the Niyoga system of procreating sons on our brothers' wives when widowed? ... Shall we revive the Sati and infanticide customs, ... Shall we revive the custom of many husbands to one wife or many wives to one husband ? ... in a living organisation, as society is, no revival is possible ... be revived except by a reformation of the old materials into new organised beings. If revival is impossible, reformation is the only alternative open to sensible people." <sup>39</sup>

Thus he did not believe in revivalists, and equally discouraged the revolutionaries. He knew how to make progress in orthodox society. Consequently, in order to evoke the least

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38. Karve, D. G.: op. cit., p. 28.

39. Ibid, p. 28-29.



least resistance from them "he ever tried to fit in all new reforms as far as possible within the framework of an older practice."<sup>40</sup> But he did not stop or retreat whenever this method was not working or unsuitable. In such circumstances he always preached and worked for revolutionary acts. In short he was an inspiring spirit of his time as Raja was at the beginning of the century. Ranade's role as a pioneer in the movement for women's uplift is definitely great and unique. He rightly understood the Indian situation. He did not blind imitated the West blindly as "Young Bengal" in initial stages did. He was not the worshipper of India's past, as the revivalists were. "He believed in synthesising the best element of the two."<sup>41</sup>

The work of women reformers will be considered later on in chapter III as almost all of them though they started their work late in the nineteenth century made their main contribution at the beginning of the twentieth century. However, mention ~~must~~ must be made of Annie Besant, Pundita Ramabai and Mrs. Ranade who worked enthusiastically for the cause of women. From Raja Ram Mohan Roy to Ranade there flourished a band of social workers simultaneously in all parts of India working for the improvement in the social condition of the people especially that

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40. Karve, D. G.: op. cit., p. 39.

41. Desai, Neera: op. cit., p. 113.

that of women. The efforts of all the social reformers were distributed and divided, though they produced a general effect on the public which helped to further their mission in raising the social status of Indian women, and the present position of Indian women has been evolved from the combined efforts of all these reformers mostly in the nineteenth century.

Though, they could not achieve much success during the century, the fruits of their efforts were enjoyed by the future generation in the 20th century which was proved an era of rapid general progress especially in the field of women's status.

2.7 Main Social Evils during the Period: The socio-religious reformers crusaded against the evil practices prevailing in the society during the century. They also tried to develop public opinion for the eradication of those evils. Some of the evils were so obvious that the growing public opinion and agitations from social reformers against them compelled Government to take measure to stamp out those customs. The following problems, in the main, attracted the attention of the Government as well as the social and religious reformers: (1) female infanticide, (2) Sati, (3) kulinism (Wholesale Polygamy), (4) child marriage, (5) Widow re-marriage, and (6) divorce.

Female

Female Infanticide:- A feeling of dejection was ~~with~~ shown towards the birth of a daughter in ancient India, yet, female infanticide was totally absent in Aryan society. Later on, by the middle ages, a daughter was considered to be the root of all misery and unhappiness specially her marriage was an extra burden to the family. This might have tempted a small and backward section of society to do away with their unwanted daughters. The custom of infanticide was not practised throughout India. Afterwards it might have been adopted by a section of the higher society who could not pay heavy dowry to a bridegroom. Several factors could be attributed to female infanticide. (1) Superstition and conventional beliefs in taking vows of offering a female child. (2) Disparity in the treatment of the two sexes (3) compulsory marriage for a girl. (4) Heavy dowry (5) Elaborate expenses in a girl's marriage.

Female Infanticide was chiefly due to the above mentioned factors and influence of evil customs prevailing in various groups. It was more common among the Rajput Jats and Mewats in Northern and Central India and among the Kunbis in Western India. As Sir Herbert Risley describes this custom 'there are, unhappily, several ways of reducing the unequal proportions of the sexes and putting artificially straight what has been artificially made crooked.' The most common

way



way is for the parents to kill or to neglect all female infants except those for whom they can meet with all the expenses in finding husbands. <sup>42</sup> In addition to the problem of too many girls the practice of infanticide was due to social caste restrictions, such as the prohibition of intercaste marriages, prevalence of hypergamy and the economic difficulties involved in the dowry system. To give a girl in marriage was so expensive that some less educated people thought that it was not worth while to bring up a girl. The custom was not practised because of the parental affection but the rigidification of social customs and terror of caste criticism simply forced them to do so. With the spread of English education and efforts of social reformers in several fields lessened female infanticide <sup>yet,</sup> it had not totally disappeared by the end of 19th century. The Census Report of India, 1911 mentions that "the number of crimes might have reduced since the Act of 1870. But that infanticide continued long after 1870 is <sup>43</sup> certain."

Sati:- Another cruel custom which was widely spread during that time was Sati or self immolation of the wife on the funeral pyre of the husband. In pre-historic times several races believed that a person's requirements in the next world would

42. Risley: op. cit., p. 9.

43. Census of India 1911, Vol. I, p. 217.

would remain the same because their conception of the next world was similar to the existing world. In order to provide the dead with all the facilities people used to burn or bury his daily necessities with him. This happened widely in the case of a nobleman or a chief or a king and his usual paraphernalia was sent with him. A wife was considered the property of her husband and it was believed that he would need her in the next world. To this belief is due the practice of Sati.

The custom of Sati was not practised at all during the Vedic times. The only instance of Sati quoted in Epic literature was that of Madri. She too was dissuaded, though in vain, by all the sages around her. This led to a conclusion that in those times the practice of Sati was not prevalent and was disapproved of by the religion as well as the society. Later Smritikaras began to refer to instances of Sati but still it was not held as an ideal. Later on, law givers and commentators advocated the custom of Sati on the theory of karma (action) that in case of a husband not attaining heaven his wife could secure him heaven by becoming a Sati. So much importance was attached to Sati that even a husband could be purified from his worldly sins. This view gradually spread in the society. "During the period 700-1100 A.D. Satis became<sup>44</sup> more frequent in Northern India and quite common in Kashmir."

From

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44. Altekar: op. cit., p. 149.

From 12th century onwards although the custom was widely practised among the Kshatriyas and the royal families, the Brahmin caste was free from the evil. But due to the influence and imitative nature of men a few cases of Sati were found even among them in that century.

Mahomedans did not approve of this custom. Humayun ventured  $\frac{1}{2}$  in vain to stop the practice. Akbar, the greatest Mogul Emperor appointed inspectors to investigate the state of widows and efforts were made to remove any pressure on a widow compelling her to become a Sati. As a result of this, the incidents became fewer only in the vicinity of the capital. Later on, other Muslim rulers opposed it by making a law that no widow would be allowed to become a Sati without the permission of the local officer.

People began to hate the custom at the beginning of the 19th century. A greater frequency of Sati in Bengal not only attracted the attention of the social reformers but the Government officials as well. "Marquis of Hastings wrote in reply to Lord Bentinck's enquiry that in one of the years during his administration of Government in India above 800 widows sacrificed themselves within the Provinces comprised in the Presidency of Bengal, to which number, very many not notified to the magistrate, were not added. The average

number

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number of Sati for the ten years prior to 1828 always stood  
 46  
 above 600." Instances of sati have been noted. Public

As stated before, social reformers like Raja Ram Mohan Roy crusaded against this custom and converted public opinion by quoting Shastric injunctions. This attracted considerable attention of the government as well as enlightened peoples though an orthodox group of society was against it and became hostile at times to all these social reformers. The neutral policy of the Government till then did not help the individual effort of the social reformer. But the time was ripe. The spirit of liberality pervaded the Western countries as well as India. Consequently, efforts of Indian reformers were responded to by the Government of Lord Bentinck. He decided to put an end to this cruel custom on humanitarian grounds. He wrote in his minute: "Everyday's delay adds a victim to the dreadful list, which might perhaps have been prevented  
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 by a more early submission of the present question."

In spite of the opposition from his subordinate English officers he ventured to pass a law prohibiting Sati in 1829 throughout British India. It was still lingering in the states especially in Rajputana. Jaipur was the foremost in prohibiting the custom in 1846. Other Rajput States followed  
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46. Nehru, Shyamkumari: op. cit., p. 268.

47. Quoted by Chandravati Lakhanpal in "Our Cause", p. 170.

its example but Udaipur was found the most orthodox where upto 1860 instances of Sati have been noted. Public opinion gradually won the ground even in that State and after 1861 there was no official record of Sati.

Kulinism (The worst form of polygamy): Although monogamy was a general rule polygamy was practised among the wealthy class as from Vedic times in India. People were not much shocked at the practice as "Polygamy has been permitted among most of the Indo-European peoples. That it was practised among the Vedic Indians is clearly proved, but it was confined to kings and wealthy lords. None of the Hindu Law-books restricts the number of wives a man is permitted to marry." Rajputs of the West and Kshatriyas throughout India, used to marry as many wives as their status permitted and they used to support a big harem which added to their prestige. During the 19th century a peculiar institution of Kulinism terminating into wholesale polygamy was widely prevalent in Bengal. Since 18th century Kulinism, a mark of nobility was practised by a certain class of people. This system of Kulinism might have originated on account of hypergamy in certain classes, a practice very ancient in India. Hypergamy was a practice

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48. Altekar: op. cit., p. 167.

49. Westermarck: Short History of Marriage, p. 234.

where a girl could not marry a person out of her group and who was lower in social standing. The custom usually prevailed among a class of Brahmins in Bengal.

A Brahmin of Eastern India who practiced Kulinism when adding to the number of his wives, used to marry a girl, received presents from her father and relatives and afterwards returned home abandoning his wife for ever. In this type of marriage both parties reaped some advantage at the cost of the girl's happiness. The girl was not a great financial burden to her father as she continued to be <sup>us</sup>saeful in household work. Moreover, the parents had the satisfaction of getting her married, thus escaping social criticism.

Polygamy, as a rule, was not common among the majority of the people, and at present in provinces like Bombay and Madras it is prohibited by law. Its practice was generally found among wealthy people who could afford to support a big harem, also only among those who desired a son. Polygamy is recognised by the Mahomedan religion. It cannot be interpreted as an axiom that a Muslim must have more than one wife but if he <sup>is</sup>so inclined the maximum number allowed is four. Polygamy increased during the Muslim rule in India as mentioned earlier.

Attempts were made by social reformers to stamp out the evil but enough attention of the public was not drawn to it

because



because of its rare practice. Hence, much progress was not done in this field though Vidyasagar's efforts were quite well-known.

2.8 Legal Reforms: As stated earlier the British Government was reluctant to introduce legal reforms which would affect the religious and social beliefs and practices of the Indian people. Thus at the beginning of their rule the British did not dare to risk their increasing power and stable position. Consequently, their policy was that of non-interference in social and religious customs for fear of causing rebellion. This policy remained unchanged in that respect till the time when Bentinck who was proclaimed the Governor General of India on July 4th, 1824.

Legal reforms can only be based on the awakening of people and the intentions of a progressive government. Ranade and other social reformers from the very beginning held the view that one of the principal means of improving the status of women was legislation.

Sati Regulation Act was passed on December 4th, 1829. It declared the practice of Sati illegal and punishable by criminal courts. The custom therefore was discontinued on account of legal compulsion and the Government of Lord

Bentinck

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50. Desai, Neera: op. cit., p. 303.

Bentinck with the help of Raja Ram Mohan Roy and others were successful in rescuing the Hindu widow from the funeral pyre.

A Hindu widow, though rescued from being burnt alive had not her sorrowful tale ended as her property rights were practically nil and austerities imposed by society were very strict. Social reformers like Malbari and Vidyasagar began to work for improving her condition. Malbari could see that "Sati was one single act of martyrdom or heroism, as the victim conceived it, and the act of religious merit as popularly believed, while the life which caste imposed on an unwilling widow was a perpetual agony, a burning to death by slow fire."

Again it was Ishwarchandra Vidyasagar who agitated for widow re-marriage and advocated its validity by quoting Shastric tenets. In the year 1856 the work and criticism of the social reformers drew the attention of the Government and they introduced a bill in the Legislative Council to remove the legal ban on the marriage of Hindu widows. In spite of strong opposition from the public the bill was passed and is now known as the Widow Re-marriage Act of 1856.

But the law was very defective, as it did not protect the property rights of a widow. Such flaws were detected

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51. Nehru, Syamkumari: op. cit., p. 271.

by the Social Reform Conference and several attempts were made to amend the law. A Bill was drafted to change the Hindu Widow Re-marriage Act of 1856 by the Social Reform Association in Bombay Presidency.

The Christian Marriage Act (XV of 1872) was applicable to the Indian Christians in the whole of British India and to Christian subjects in native states. Christian marriage can be solemnised in two ways, either in a church or by a civil contract. In either case notice has to be given by one of the persons contemplating marriage. The consent of the guardian is required if one of them is a minor. For Indian Christians there is a special section of the Marriage Validation Act by which he or she may marry under the following conditions:-

- (1) That the male shall be above 16 and the female above 13.
- (2) That neither party has a spouse living.
- (3) That the declaration of marriage shall be made before two witnesses and a person licensed to perform the marriage.

The Parsee Marriage and Divorce Act (XV) of 1865 was passed for the Parsee community in order to define and amend the existing laws governing marriage and divorce. The ceremony of Asirwad by a Parsee priest in the presence of two witnesses is essential for a valid marriage. Parsee  
marriage



marriage can be dissolved and in that respect the nature of such a marriage is contractual.

Among Parsees and Indian Christians one party can obtain divorce on grounds of cruelty, adultery, incompatibility, and so on. The Parsee Marriage and Divorce Act of 1865 follows, with only slight changes, the English law of that time; so does the Native Converts' Marriage Dissolution Act (XXI) of 1866. There are some defects in the laws of Parsees and Christians but so far as women are concerned they have not to suffer as much as Hindu women.

Other laws, such as the Special Marriage Act (III) of 1872, and the Anand Marriage Act of 1909, are meant for persons other than Hindu, Mahomedan, Parsee or Indian Christian; that is for members of many different castes and sects.

The Age of Consent Act of 1891: In order to prevent young girls suffering from early consummation and its consequences the first step was taken in 1860. In Indian Penal Code it was considered an offence and the offender could be punished upto life transportation if his wife was below ten years of age. Still this age was very <sup>52</sup> low and several instances from Bengal causing death of a child wife by early consummation were reported. Malbari agitated to eradicate this practice.

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In spite of strong public opposition he was successful and in 1891 a law was passed in British India known as the Age of Consent Act which raised the age from ten years to twelve.

In short, various attempts were made by the social reformers with the help of the Government for the enactment of the more liberal laws and through them they were successful in ameliorating the legal status of women in theory but in actual practice the lot of Hindu women was not much improved mainly due to the lack of educated and enlightened public opinion.

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16. Kellook: M. G. Ranade, 1926.
17. Census of India 1911, Part I, Vol. I.
18. Westermarck: Short History of Marriage, 1926.



## CHAPTER III

The General Amelioration in the Position of Women  
and the Growth of Women's Institutions (1900-1950).

"In the twentieth century alone much more drastic changes have taken place in the status of Indian women than in the long centuries of Buddhist and Muslim domination."<sup>1</sup>

General Condition of Women at the beginning of the 20th Century: The 20th century was the starting point of a change in attitude towards a recognition of the individuality of women and the realisation of a need to improve the social status of women as an urgent necessity for national development. In India in the past, man ceaselessly attempted to mould his social environment according to his own ideals and needs. Under such arrangements women suffered suppression, inferiority and degradation in their general social position. As described in Chapter II, a group of reformers agitated and a number of reform movements were started against this general attitude of society towards women and to combat against the social evils which retarded their progress. Though they could not achieve full success in their efforts, their attempts caused vast social changes and brought about many social movements which made basic alterations in the ideals, structure and

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1. O'malley L.S.S.: Modern India and the West, p. 449.

and outlook of society as time passed. This did not affect the whole country uniformly but these efforts mainly remained attached generally to the people in the urban areas. However, the small beginnings of an enlightened attitude were only due to the individual efforts of social reformers of the previous century and not an account of any epoch making event which might have stirred the whole country. There was found lacking any considerable awakening among many sections of the population and there existed great disparity in attitudes and conduct in different parts of the country. It can, therefore, be concluded that the position of women at the beginning of the present century had remained more or less the same as in the past, of course with slight modifications and a few exceptions.

A slight progress was shown in the field of education. The people who were already in Government services and who were themselves educated began to realise the need for female education. They regarded it no longer as a social and moral danger, though it remained a privilege of certain groups only. The progress of education was greatly handicapped because of a dearth of facilities for female education in rural areas and a lack of interest shown by Government as well as private bodies. The recognition of female education and its spread in urban areas in certain Provinces Bombay, Madras, Bengal, and

and in Native States such as Baroda, Cochin and Travancore, was very wide. The progress in education in 1900 A.D. described by Mrs. Cousins runs as follows:- "The generation of students in 1900 showed some result in awakened national consciousness. This education though faulty, had made for unity."<sup>2</sup>

At the beginning of the 19th century women were suppressed not only in India but even in the Western countries. During the next hundred years in India, the work of the social reformers, social religious movements and educational efforts met with some success and at the beginning of the present century "India was able to produce a number of highly educated women of great ability, sterling character, and unswerving<sup>3</sup> perseverance to promote the well being of women." Women like Pandita Ramabai - Mrs. Ramabai Ranade, Francina Sorabji, Mrs. Parvatibai Athavle, and Mrs. Sarojini Naidu were the finest examples of womankind who were pioneers in bringing social and cultural awakening among women. Another woman - not Indian but working for the welfare of India and Indian women was Mrs. Annie Beasant - a powerful personality of that time. She followed Swami Vivekananda and wanted to make reforms on the moral and spiritual needs of India. "The needs of  
India

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2. Cousins, Margaret E.: Awakening of Indian Womanhood, p. 52.
  3. Naik, Chitra: Education of Women in the Province of Bombay, p. 45.



India" she wrote in 1905 "are among others, the development of national spirit, an education founded on Indian ideals, and enriched, not dominated by the thought and culture of the West."<sup>4</sup>

It must be admitted that these very highly educated, cultured and enlightened women were rather the very few exceptions than the common rule. The condition of the average ordinary woman was not improved at all. A woman was still held in subordination and she looked upon man as a superior being. Her religion was obedience to her husband. She was still ignorant of her social rights and had a lower status than a man in society. In the family she was important as the keeper of the house, but many times she was without any authority. Up till then marriage had been the only way open to her for becoming economically and socially secured. She was steeped in ignorance and was generally illiterate and these disabilities rendered her position helpless and ineffectual in society. Heavy pressure of household work and burden arising out of early matrimony and consequent weak physique did not allow her any opportunity for self-improvement. She was nominally the mistress of the home and the hearth but in reality she was merely a combination of cook, maid, menial and keeper of the house. However, most women did not crave for better position as they were satisfied with their lot as

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4. Buch, M. A.: Rise and Growth of Indian Militant Nationalism, p. 174.

a better ideal was not held before them. Besides they found strength to bear calmly the social injustices because they had behind them a strong tradition of duty, self-sacrifice and an unswerving faith in God which are all so fundamental in the Indian philosophy of life.

In the case of social customs a still more dismal picture was found at that time. Child-marriage was in full swing; and in consequence prevalence of child-widows was common. Seclusion of women, purdah, mass illiteracy, Devadasi, caste system, ban on widow remarriage, divorce and restriction on foreign travels were the main social evils of that time which retarded the amelioration of women.

In spite of this discouraging situation, there was a ray of hope because some women were already awakened and with the help of other social reformers were trying to help their unlucky sisters. The efforts of social reformers in the 19th century were not sown on fallow land and there was every reason to be hopeful to see the sprout coming out. Thus these pioneers laid the foundations of the movement for the emancipation of Indian women. They created among the people an intellectual conviction that women must be liberated and be educated so that they can perform their role effectively.

Individual

3.2 Individual Efforts of Social Workers in the Present

Century Especially in the First Two Decades: For the sake of simplification and clarification these social workers could be divided into two large groups: (i) Persons who actively worked for the cause of women and (ii) Persons who indirectly assisted the cause.

I. (i) Active Women workers were (a) Ramabai Sarasvati (Pandita) (b) Ramabai Ranade (c) Mrs. Annie Beasant.

(ii) Active men workers: This group contains persons who devoted their whole life for the uplift of women either in cultural or social fields. This includes (a) Maharshi (Prof.) Karve (b) G. K. Deodhar (c) Lala Devraj and others.

II. Persons who worked in the other fields but indirectly assisted the cause of women's emancipation were (a) Rabin-dranath Tagore, (b) Maharaja Sayaji Rao Gaikwad.

A brief note on the contribution of the above mentioned workers to the cause of the uplift and emancipation of women would be very helpful to understand and evaluate the whole reform movement which in the early years was solely dependent on individual efforts. This has been attempted in the following paragraphs.

i (a) Pandita Ramabai Sarswati (1858 - 1922)

Pandita Ramabai was one of the greatest pioneers and social reformers in the cause of the emancipation of Indian women



women and in the advocacy of their education as a means to raise their status. Born in a poor Brahmin family, she was fortunate to have as her father a great advocate of female education. Her father was so sincere in his beliefs that he elected to live in the forest and avoid public criticism against his educating his wife and daughter. With the help of her father Ramabai gained a rare mastery over the Sanskrit language and knowledge of religious texts and in recognition she was awarded the title of Pandita.<sup>5</sup>

The loss of her husband when she was only twenty accentuated her desire to work for the uplift of Hindu widows. Excessive vicissitudes and great physical hardships in her young age gave her strength of character and courage so essential for any success in social work in India. Her learning helped her to quote Shastric injunctions in support of her "condemnation of evil social customs like child marriages, illiteracy of girls and the suppression and ill treatment of widows.

"Her speeches created a great sensation in Calcutta, especially as every statement of hers was strengthened by quotations from the Hindu Shastras",<sup>6</sup> and her ability was recognised by leading social workers. Hence, she was invited to organise social work in Maharashtra specially in the field of education.

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5. Gupta, Padmini Sen, Pioneer Women of India, p. 5 to 7.

6. Ibid, p. 7.

She started the Arya Mahila Samaj - a centre for promoting female education. Her great belief in education is seen in her evidence before the Education Commission when she pleaded for the urgent and immediate need for the improvement of the education of Indian women. Impressed by the English and American methods of teaching on her return to India in 1889 from abroad she started Sharda Sadan (Home of learning) for widows.

Mukti Sadan the industrial centre which she had started was working satisfactorily at the end of the 19th century. To her is due the credit of starting Kripa Sadan - a rescue home for widows and destitute women - with the aid from America. Her aims were simple. She wanted to make girls and widows independent and useful members of society by giving them training in teaching, nursing and house-keeping etc. She thought very highly of Indian culture and wanted to preserve it and was opposed to totally unsuited adoption of Western ways in Indian homes. Though, a devout Christian she never tried to enforce Christianity and looked after her students with the affection and devotion of a mother. O'Malley rightly pays a tribute to her work in the following words. "Her faith was equal to that of Dr. Barnardo, her resources far more precarious, for her apostasy and had alienated all her Brahman friends

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7. Gupta, Padmini Sen: op. cit., p. 11.

friends. She was typically Indian and typically Christian. In her the West and East attained a rare synthesis." Her schools had attracted as many students as 580 in Mukti Sadan 60 in Kripa Sadan and 100 in Sharda Sadan.

Ramabai actually worked for the cause of women throughout her life and devoted her whole life in service of destitute women trying to emancipate them from social bondage and cruel customs. "As one of the great pioneers in the cause of Indian women, her name will occupy an important place in the history of India and never will her life of service be forgotten."

(b) Mrs. Ramabai Ranade:- (1860-1924) Ramabai's childhood was passed in an ordinary way and her life took a turn after her marriage to Justice Ranade who himself was a great social reformer. She married him at the age of thirteen and her real training started after that. Her husband wanted to educate his wife and he himself took great pain in teaching his young wife. It was her husband Justice Ranade who inspired her to expand her activities and made her keenly interested in women's problems. "He stimulated her with public speaking at the risk of censure from his orthodox relations, and made her take a lively part in the society of Girls'

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8. O'Malley, L. S. S.: op. cit., p. 457.  
 9. Gupta, Padmini Sen: op. cit., p. 12.  
 10. Ibid, p. 12.



Girls' High School in Poona." <sup>11</sup> She participated in her husband's activities for emancipation and education of Indian women but it was brave on her part that she continued independently the social work after her husband's death in 1901. Her Main Works:- Like Pandita her main aim was to alleviate the sufferings of Indian women and promote women's education on regular lines. She specially laid stress on economic independence of widows and other women. In order to reach this ideal she started Seva Sadan - Home of Service - which spread branches all over Bombay Presidency. "Mrs. Ranade realised the importance of women's education and in 1904 she outlined proposals for the Seva Sadan in Poona which serves and educates hundreds of needy Hindu women in and near Poona. <sup>12</sup> Her main object in starting Seva Sadan was to educate women in regular classes and to widen their knowledge by lectures and by means of libraries thus enabling them to participate <sup>13</sup> in all the domestic, social as well as national affairs.

In order to render social service she started Seva Sadan Nursing and Medical Association in which high-caste Hindu girls and women equally, responded to her efforts by volunteering to work. Thus she was the pioneer in this type of social service

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11. Gupta Padimini Sen: Some Indian Leaders, p. 87.  
 12. Brockway, Nora K.: A larger way for Women, p. 95.  
 13. Gupta, Padimini Sen.op. cit., p. 40.

service and with the help of other workers showed wonderful results.

In order to make women economically independent her industrial Home of Service trained many needy widows and destitute women. "The Industrial Home of Service, which she founded at Poona is a self-supporting and expanding organization conducted by capable Maratha women upon the business lines of its foundation and branching out to fulfil the growing needs of today."<sup>14</sup>

Other Activities: She also demanded women's franchise and worked herself actively into the campaign for woman's works and in order to develop public opinion she presided over a huge meeting at Seva Sadan. She also agitated for compulsion of primary education for girls in Poona. Her other activity which requires a special mention was to take initiative to raise the moral standard and to give human contacts to Hindu women prisoners by visiting them in Jail. She used to read before them religious books or sing sacred hymns. She had good aptitude for writing and served on various committees dealing with text-books. The most creditable thing on her part was that she did not waste her widowhood in mourning after her husband's death but rendered the most wonderful service to suffering humanity. Miss S. Sorabji writes about her death

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14. Sorabji, Cornelia: (Position of Hindu Women Fifty Years Ago) 'Our Cause' p. 11.

in 1924 and her popularity among the people in 'Woman in Modern India' as follows:- "The news of her passing soon spread and they came one and all - men women and children - an endless procession, to file in silent reverence, past her - Ramabai, the friend, the enthusiast, the worker. She had spent her years in the uplifting of her people - she had blazed the trail for them in a practically trackless wild." 15

(c) Annie Besant: (1847-1931) Annie Besant was not only an outstanding personality of Theosophic movement but she exercised a strong influence over the mind of the educated and cultured people and led them in Home Rule League which she started in 1905 for India's benefit. Her service in political fields was unique for a woman and she held spell bound many educated Indians by her lectures and agitations for the welfare of India. She was also aware of the lower status of Indian women owing to so many social restrictions and she tried her utmost to improve the position of Indian women. Of course, she was a great supporter of ancient Indian culture and she tried to interpret customs according to the ancient religious authority. She never failed to criticise Indian people who helplessly looked to the West for improvement. On the contrary, she tried to awaken national pride and love for Indian culture among the educated Indian people who blindly imitated Western culture



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culture which was not suitable to India in all its garb.

Her Contribution to Social Reforms:

Child Marriage: Besides Malbari and other social reformers at the end of the 19th century, she agitated against the child marriage by lectures and propaganda work. She remarked "As one who believes in the Hindu religion, I have always felt it my duty to base social reform on the Shastras." 17

She tackled the problem of child marriage from the psychological educational, national, moral as well as worldly and religious standpoints. Further she added that its evils are so far-reaching that all advanced Indians shall put an end to it. 18 She believed that in order to remedy the evils of child marriage firstly boys should not marry before a certain age, and secondly married boys should not be admitted in the schools. Thirdly, there should ~~not~~ be legal enactment for the age of consent. 19 In order to promote this idea she strictly restricted an admission of a married boy in a Hindu school conducted by her that was situated at the holy city-

Benares

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16. Pal, B. C.: Annie Besant a Psychological Study, p. 241.

17. Annie Besant: Wake up India, p. 43.

18. Ibid, p. 42.

19. Ibid, p. 52.

Benares started by her. Her belief that the great reason of early marriage was the gradual lowering of the position of Indian women was shared by other social reformers. She sincerely believed that "the future of India as a nation depends on the abolition of child-marriage amongst the people that as long as that persists, there are certain inevitable consequences of lowered vitality, of the spread of nervous diseases, of premature old age, all of which you can see going on in the India of today, standing in the way of her taking her place among the physically stronger nations of the world."<sup>20</sup>

Remarriage of a Widow: Mrs. Annie Besant favoured remarriage of a child-widow but at the same time she strongly opposed the remarriage of elderly widows. As she believed in ancient culture she considered marriage as a sacred tie and a widow continued to remain a part of her husband even after his death. "A second marriage of such a widow, she considered as "sacrilege. It is adultery, it makes marriage a commercial contract of an union of bodies only as well disintegrating the sacred life of the family ..."<sup>21</sup> But she tackled the problem of child widows very rationally as she condemned child marriage as being the root cause of this evil. She did not fail to notice the sad plight and treatment of child widows.

Marriage

20. Annie Besant: Op. cit., p. 50.

21. Annie Besant: Builder of New India, p. 330.

Marriage: - She held views on marriage based on the old Shastric injunctions but she interpreted them as learned Brahmins used to do in the 19th century. She supported the views of Devan Bahadur Raghunath Rao, According to him marriage was not obligatory at all for men or women. It should be optional provided they know how to control their senses.

A boy should not marry before the completion of his education. He should finish his education before the 24th year. Parents or guardians hold their right over a girl in giving her as a gift till her 16th year and they can exercise this right only after her eighth year.<sup>22</sup> According to Annie Besant the gift of a girl is not necessary in a marriage. Moreover, she believed that marriage is a sacramental contract and should be entered into by the parties concerned, that is, the bride and bridegroom. Only the consent and blessings of the parents or guardians are necessary. In short she approved of "sacramental marriage after the free choice by the bride who has completed her fifteenth year and by the bridegroom not less than twenty-four years of each other and with the consent and blessings of the parents of the bride."<sup>23</sup>

Education of Girls: - She fully supported the education of Indian girls but it should be based on national lines. If  
men

22. Annie Besant: op. cit., p. 46.

23. Ibid, p. 47, example of Savitri is the best and most appropriate form of marriage.



men wanted to solve the vital problems of national life and wished to progress they should educate their women and then only they ~~would~~ be able to tackle those problems with the support of their womenfolk. She believed that "every great problem or question in country in which the men are interested demands for the understanding of the Indian women .... As such may you try to make an Indian nation without the education of Indian women, as a bird might try to fly high in the air with one wing broken before it starts upon its flight." <sup>24</sup>

Annie Besant believed that special instruction should be given to widows in order to train them as teachers, doctors, nurses which made them economically independent. She opposed the western education for Indian girls as it was not suitable for them. There might be some exceptional cases where parents wanted to train their girls on the equal lines as that of their sons. They could secure for them what they desired. "But the national movement for the education of girls must be one which meets the national needs and India needs nobly trained wives and mothers .... rather than girl graduates, educated for the learned professions." <sup>25</sup> She put stress on five fundamental factors on which girls education should be based. These were religious and moral education (2) liberal education (3) Scientific

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24. Annie Besant: op. cit., p. 202.

25. Ibid, p. 77.

(3) Scientific education (4) Artistic education and (5) Physical education. In short she preached for an education which should be according to their ancient culture. This type of education only will turn them into the "lights of the home." 26

Another evil which Annie Besant combated was Devadasi. She strongly opposed the custom of Devadasi and appealed to people to terminate such a monstrous evil. She also believed that for national welfare women should cast aside their purdah and come out from their age-old seclusion. She could estimate the unlimited capacity of womanhood and said it should not be wasted. She took active interest in India's political problems and was elected President of the Indian National Congress, the first woman to get such an honoured position. She also agitated a women's movement for franchise. The Indian Home Rule League mainly started by her "did much to stimulate women in desiring their own enfranchisement and in the agitation for political freedom." 27 In short, she tackled almost all subjects which hindered the progress of India in political, social, as well as cultural fields. She, sometimes overpraised Indian culture because of her zeal to retain the national heritage and her worries regarding the blind imitation of Western culture by some educated Indians of that time. B. C. Pal

properly

26. Annie Besant:op. cit., p. 424.

27. Cousins, Margaret E:op. cit., p. 54.

properly evaluated her as he writes "She helped to rehabilitate our national religion to thousands of our English educated countrymen."<sup>28</sup> After the first World War she actively took part in Indian politics and as she participated in so many activities, social, cultural, philosophical and religious she could make propaganda through all these various instruments. "She had her machinery of religious propaganda - the press, and a number of local organizations all over India and a body of local leaders ready, which she could convert at any moment into a machinery for political propaganda."<sup>29</sup> Side by side she strongly condemned all the evil practices, manners and customs of Hindu Society and tried to ameliorate the position of women in order to improve the country's lot. Being herself a woman and having a good knowledge of national culture Mrs. Annie Besant was a great authority regarding women's problems and held respectable position in the eyes of the people of India, especially the intellectual class during the first two decades of the present century. After Gandhiji's active participation in politics she retired from the political field and devoted her whole attention to theosophic society and its activities.

ii (a) Maharshi Karve:- The early childhood of D. K. Karve of society. He writes in his book "Looking back" that was

28. Quoted by Mrs. Neera Desai in the Impact of the British rule on the position of Indian Woman, p. 150 from B.C.Pal:

Annie Besant A Psychological Study, p. 241.

29. Buch, M. A.: op. cit., p. 173.



was passed in many difficulties as his father was very poor and could not spend much after his education. Frederick J. Gould remarks "our D. K. Karve was the leading spirit, who tramped 110 miles from Murud by the sea to the examination room at Satara in a four days pilgrimage." <sup>30</sup> It was under such hardships that he had his education. He studied for sometime at Ratnagiri but owing to ill-health left the place. He went to Bombay for further studies and finally graduated there. He had to face many difficulties especially monetary in completing his studies. But his desire was so keen for education that he worked hard and by giving tuitions to others he succeeded in reaching his goal.

His public work started with his village Murud. There he collected funds for the repairs of an old temple and afterwards engaged in activities for a school building in the same village. Later he went to Bombay and worked in the Maratha High School very enthusiastically. After settling in Bombay he called his wife and used to teach her in his spare time.

His beliefs about widow re-marriage:- From the very beginning he was an active supporter of widow remarriage which was vehemently opposed at that time by a large section of society. He writes in his book "Looking back" that the

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30. Karve, D. K.: Looking Back, Preface, p. viii.

question of widow re-marriage had attracted his attention since he was a boy. First widow re-marriage was solemnised at Bombay in 1869 when he was only eleven. The whole incident was described in various newspapers and the marriage became a topic of conversation among people in Murud as the bride belonged to the same village. He himself did not consider the subject for platform talk but put into practice when his first wife died. He married a girl who had become a widow at the age of eight. She was Pundita's first pupil to join the Sharda Sadan. Of course, he had to face tremendous hardships and social boycott by his caste. At this time he felt the need of starting an organization through which widows could re-marry. How strong the public feeling was against widow re-marriage could be noticed in the following lines:- "In the year 1900 we delivered lectures and wanted to secure names of one hundred persons from among the Konkanastha, Deshastha, and Karhada Brahmins who were prepared to openly interdine with people who had married widows . . . . We were, however, enable to get two people from among three large Brahmin Communities."

His work in the Widow Re-Marrriage Association and contact with people made him feel that it was very hard to create public

31. Karve D. K.: op. cit., p. 43.

32. Ibid, p. 55.

33. Ibid, p. 55.

public opinion in favour of widow re-marriage. The other road open for the cause was to educate widows which would make them self supporting. Moreover, educated widows would think over the problem themselves and make themselves ready for the courageous step.<sup>33</sup>

Thus he started the Hindu Widows' Home in order to make them independent by educating them. He writes that, "I got my inspiration from Pandita Ramabai ... who was the pioneer in the cause of widow's education."<sup>34</sup> He was also engaged in several activities at that time but his main interest was education of girls and widows. As a result, he started Majhila Vidyalaya as well as Widows Home.

His activities in Field of Education: Firstly, Prof. D. K. Karve believed that high school and higher education for girls should be different from that of boys. Similar curriculum was not suitable for women as their field of work was quite different than that of men. Secondly, he believed that medium of education should be vernacular. Dr. Karve was of the opinion that Indian women are more truly educated and more serviceable to their own country, if they did their hardest thinking in their mother tongue.<sup>35</sup> It was, therefore, necessary to frame a new curriculum suitable for women and girls alike. While he was thinking over

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33. Karve, D. K.: op. cit., p. 59.

34. Ibid, p. 60.

35. O'Malley L.S.S.: op. cit., p. 457.



over the plan he received from Shri Prasad Gupta of Benaras, a pamphlet giving an account of Japanese Women's University. Mr. Naruse had founded that University in 1900 and the pamphlet described the splendid success within 12 years, that was upto 1912. Prof. Karve found that the reforms introduced by the Japanese University was very well suited to Indian University also as Mr. Naruse writes in that pamphlet as follows:- "Our aim in establishing the Women's university is neither to copy the higher institutions for women in America and Europe, nor to rival the men's university courses in this country. What we aim at is to so frame our schedules of study as to suit the mental and physical conditions of women at present, and to gradually raise the standard in accordance with general progress." <sup>36</sup> He clearly stated his aims in establishing the University in his presidential lecture at the National Social Conference Bombay, 1915. He said in educating women the following principles will govern us:- first to educate them as human beings; secondly, to educate them as women in order to fit them to become good wives and wise mothers; and thirdly, to educate them as members of the nation so that they may always remember that their lives at home are related in an important manner, however, hidden, to the

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36. Karve, D. K.: op. cit., p. 106.

the prosperity or decay of the nation." <sup>37</sup>

The first necessity was of funds and therefore he toured all over India lecturing on the need and the utility of an independent women's university. His appeal was responded to and the work of establishing the University started vigorously. On 3rd June 1916 the first meeting of Senate was held. The number of students in the beginning was very small and the first student graduated in 1919 and three in 1920. The University suffered financially until the large donation of a sum of Rs.15,00,000/- was received from Sir Vithaldas Thakersey under several conditions. But for the sincere efforts of Professor Karve the University for women would not have been established on a firm footing. Moreover, very recently in 1950-51 the University received the recognition of the Bombay Government and its degrees are equivalent to those of the Bombay University.

Estimation of his work: As shown before his main activities centred round the two main objects. In the early stage of his career he worked for the emancipation of women and widows. Next  
phase

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37. Karve, D. K.: op. cit., p. 108. Some viewpoints were expressed in the pamphlet of that Japanese University c.f. "There is a widespread tendency to regard a woman merely as a tool or a machine destined solely for service at home or for the propagation of family line; and in opposition to such extreme tendencies, we feel the necessity of educating women as human beings, that we may be able to call forth their conscibusiness as personalities with infinite aspiration and longings." (Ibid, p. 107).

phase was entirely devoted to education and after attaining the goal his abilities were directed in consolidating all his various activities. He himself writes that "there have been different marked stages in my work for the uplift of Indian women." <sup>38</sup> From 1893 till 1900 he worked for the cause of widow re-marriage and acted as the Secretary of the Widow Marriage Association. Through his contact with people and his experience in work he was led to believe that education of widows was vitally necessary. He, therefore, started to work in this line and as a Secretary of Hindu Widows Home Association continued the work of education of widows upto 1916. He writes in his autobiography that <sup>at</sup> the same time he devoted a part of his energy to the question of the education of women in general and worked for the Mahila Vidyalaya and <sup>39</sup> Nishkama Karma Matha.

In making an estimate of his work, it must be noted that his work indicated regular stages of evolution. ".... The widow re-marriage Association, Widows Home Mahila Vidyalaya, Nishkama Karma Matha, Mahilashram and finally the Women's <sup>40</sup> University are the successive steps in that evolution."

In the later years of his life he has acted as a guiding spirit for

38. Karve, D. K.: op. cit., p. 97.

39. Ibid, p. 97.

40. Karve, D. K.: A Sketch of His Life and Life Work, p. 45.



for all these institutions.

In short, the whole life of D. K. Karve was full of activities for the social uplift of the people. But his greatest contribution was in the field of women's collegiate education. At that time when everybody was imitating western education he boldly put forth his views on education for women and the necessity of Indianising it.<sup>41</sup> Not only this but he started immediately the work of Women's University and put before them a suitable type of education which helped Indian women to achieve the right ideal of womanhood.

(b) G. K. Deodhar (1849-1935) G. K. Deodhar's name was always associated with Servants of India Society and Seva Sadan of Poona as he was a great worker in the Servants of India Society and through his efforts Poona Seva Sadan was established. G. K. Deodhar, like Prof. Karve, was from a very poor family and he suffered great hardships to finish his education. But he was able to pass his M.A. examination of the Bombay University.

In 1927, he was elected President of Servants of India Society. He rendered active service to the cause of women's uplift through Seva Sadan and did great service to humanity through the Servants of India Society. For his work he had to travel wide but throughout his life he remained active as  
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41. O'Malley L. S. S.: op. cit., p. 458.

he believed in teaching through example rather than precept. He was the most sincere and able worker in Seva Sadan and Ramabai Ranade could not have found a more sincere and able worker than Mr. Deodhar for Seva Sadan. 42.

(c) Lala Devaraj (1860-1935):

Arya Samaj's activities have been already mentioned in Chapter II. Under the influence of Arya Samaj Lala Devraj started a Kanya Vidyalaya of Jalandhar in 1886. This was another novel experiment in the field of girls' education. They founded the institution on the basis of Gurukula in Vedic India. Girls were not taught to read and write but they were engaged in several other activities. Three main features of this Gurukul were as follows:-

- (1) The girls who studied there were residents of the Boarding School and were trained for their special Gurukul degrees.
- (2) Physical education was compulsory and much attention was given to regular exercise and games.
- (3) The medium of education was Hindi or Sanskrit.

Lala Devraj was the guiding spirit of this institution. He wrote many books to serve the purpose of propagating the type of education needed for girls. The main object of the institution was to train girls in building a strong character and strong

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42. Kirtikar, Padma: Education of Women during the British Period (1800-1947), p. 240.

physique. The institution has still an all-India fame.

Besides these three, there were several other personalities like Gopal Mahadev Chiplunkar, Bhandarkar, Chandavarkar Lady Abha Bose of Calcutta, Mrs. Sorabji of Poona, Miss Bose of Lahore, who worked in one field or another for the emancipation of Indian women.

A second distinct group of workers includes personalities of India wide fame who indirectly had a far reaching influence in ameliorating the social position of women and whose specific field of activity was not only women's emancipation but had a variety of aspects. Two outstanding figures of the period under review were Dr. Rabindranath Tagore and Shree Sayajirao Gaikwad of Baroda.

iii (a) Rabindranath Tagore: (1861-1941): In India as well as abroad no introduction is necessary for Tagore. He was famous as a gifted poet, a philosopher and lover of nature and a real artist. He was equally famous abroad as he was awarded the Nobel Prize for his collection of songs named Gitanjali.

His extremely kind nature and poetic heart made him think over the existing method of education in schools, where students were punished without understanding. He had his own enlightened views on education. He believed in the type of schools which prevailed

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43. Kirtikar, Padma: op. cit., p. 227.



prevailed in ancient India where students and teachers used to stay in forests in the surroundings of nature and learn in freedom.<sup>44</sup>

Tagore started an institution named Shantiniketan (abode of peace) at Belpur near Calcutta. He believed in equal treatment to girls and boys and framed a curriculum for them as "he felt that in all other respects the world required the service of both the sexes and they should be brought up alike."<sup>45</sup> This was his main contribution to education. He also brought a cultural revival by making arrangement for teaching various arts such as dancing, painting and music thus encouraging and reviving the ancient cultural activities at Visva Bharati - an international university. His institution became an abode of all the great artists of the day and even today the institution is famous for maintaining the high standard in all cultural arts..

Besides this, he was a great poet and novelist too. His novels are full of human touch and sympathy for crushed humanity. Many books depict the misery and deplorable condition of Indian womanhood. Brockway Nora K. gives a specimen of the same subject described in one of his novels as follows:-  
 \*Women repudiate the idea expressed in one of Rabindranath Tagore's novels: "The whole world is open to men. For man  
 because he believed that for the spiritual education of the  
 the

44. Kirtikar, Padma: op. cit., p. 227.

45. Ibid, p. 228.

the open air, the beauties of travel; for woman a corner of the house, the side of the sick bed, at best a peep through the window."<sup>46</sup>

(b) Maharaja Sayaji Rao Gaekwad: (1863-1938): He was one of the outstanding rulers of his time and he ruled over Baroda from 1881 to 1938. He was not born in the royal family but was adopted by the Maharani Jamanabai Gaekwad in 1875. He was trained and educated by an English teacher Mr. Elliot and an Indian Sir T. Madhavrao. At the young age of 18 he was able to rule his State well. He made several necessary reforms in his State. Besides his State activities his many travels abroad broadened his outlook and he became an ardent supporter of women's emancipation. He tried to liberate womanhood and ameliorate their position by amending certain laws in Baroda State.

Education: He was pioneer in introducing compulsory education first in one Taluka (county) Amreli, on a trial basis and later in 1906 throughout his State. This required opening of hundreds of schools for boys and girls. He also encouraged female education by offering scholarships in primary schools. He offered a number of scholarships for higher education and education abroad. He strongly recommended female education because he believed that "By the denial of education to women

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46. Quoted by Broackway Nora K. in A Larger Way for Women, p. 86 from Visva-Bharati Quarterly (Santiniketan, Bengal, November 1937)

we deprive ourselves of half the potential force of the nation deny to our children the advantage of having cultural mothers, and by stunting the facilities of the mother affect injuriously the heredity of the race."<sup>47</sup>

In order to make the wider circulation of knowledge and general awakening through books not only every village in his kingdom had a library but there were mobile circulating libraries in the State which provided books for women at home.

Legal Reforms: Other reforms introduced by him in his State were stopping of child marriage by enacting a law in 1904 thus putting a ban on child marriage and restricting the minimum age for marriage for a boy at 14 and that for a girl at 12.

He strongly opposed caste restrictions and encouraged inter-caste marriages. He says "the evils of caste cover the whole range of social life. It hampers the life of the individual with a vast number of petty rules and observances which have no meaning. It cripples him in his relations, with his family, in his marriage, in the education of his children and his life generally."<sup>48</sup> He also introduced widow re-marriages, and stopped polygamy by legal enactments. He was far in advance of the British Government as Divorce and certain rights of inheritance to property were given to women in his State

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47. Sources: (Selected and Edited) Speeches and Address of the Maharaja Gaekwar of Baroda, p. 93.

48. Ibid, p. 88.



State long before their enactments in British India. He sincerely wanted to abolish all the bad customs which hampered the progress of women and society at large. Speaking about such evil customs he says:- "The existence side by side of customs like polygamy and the prohibition of widow re-marriage similarly shows a bad organization of society. The one keeps up an unduly low standard of morality among men, the other demands an impossibly high standard from women." <sup>49</sup>

Conclusion: The Reforms he introduced for the betterment of society and especially for women can be concluded as follows:

- (1) Introduction of compulsory education ~~and~~ in order to promote female education and education in general and given through liberal scholarships.
- (2) Removal of Purdah system and untouchability for a wider promotion of education among women and depressed classes.
- (3) Enactment of several laws regarding widow re-marriage, divorce, bigamy and inheritance in order to ameliorate the status of women.

In short he was the most enlightened and popular ruler of his time. When the British Government was not ready to introduce certain reforms by legal enactment he boldly did it and stood by it. Thus he did his best for education and emancipation of women.

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49. Sources: op. cit., p. 94.

3.3 An Analysis of the Extent of Individual Efforts of Social Reformers and an Estimate of Their Success in Awakening Social Consciousness: Before attempting to analyse and estimate the work of various social reformers it is necessary to understand the cultural and social background in which they had to work. The ideas advocated by the social reformers were not foreign to the ancient tradition and culture of the country. Ancient Indian History reveals periods of great enlightenment when women occupied a position which would be envied even today, when they were allowed and expected to participate actively not only in the small social sphere but also in the larger religious and political spheres. It may be said without fear of contradiction that women made themselves an integral and useful members of society. Therefore it was not difficult for the people and especially for men to accept their women-folk as taking an interest in newer activities outside the narrow range of the home. Further more a wave of social awakening, enlightenment and liberalism had gripped the western world and it had its consequent repercussions on the educated and liberal minded Indians. These two factors made it easier for the reformers to put their ideas across without very serious opposition. Besides most of the reformers restricted their field of activity to the urban areas and so met with little opposition from the real orthodoxy which was found in rural

India. It is interesting to study the evolution in the aims and ideals of the reformers of this century. In the beginning the reformers aimed at the provision of educational facilities for women with a view to make them better wives and mothers and to enable them to take an active interest in their homes and their husband's work. Humanitarian motives were also responsible for much effort because a large number of reformers were moved by the sad plight of widows and deserted wives from families with moderate means and they worked for the amelioration of these women. It seems that the idea of equality of the two sexes was not given much thought to by the reformers. Neither did the women themselves agitate for any equality. Economic independence of women was equally lost sight of except in the case of widows and deserted wives who had no one to support them. Various methods used and the different fields in which the important social reformers worked have already been discussed in some detail in the preceding paragraphs and therefore to avoid repetition it would be sufficient to see how far they were successful in bringing about a change in attitude among the people and in improving the condition of women in general. First of all the number of reformers was very small compared



compared to the large population and the great extent of the country. Therefore, their work could not have the influence necessary to bring about marked social progress. For this the reformers cannot be blamed. Most of the reformers concentrated only on two fields of activity viz. spread of academic education and amelioration of the condition of the women especially widows. This was rather unfortunate because the type of academic education received by them was not the real need and did not succeed in giving the requisite training to enable the women receiving such education to fight against deep-rooted orthodoxy and to hold their own in the face of social criticism. Instead of such academic education it would have been better to have given them training that would have made them economically independent and giving them a consciousness of their rights and duties as useful members of society. Another reason for a smaller success on the part of the reformers in achieving social progress was that they mainly restricted their activities to urban areas while the majority lived in villages and abounded in exasperating orthodoxy. For all these and many other reasons the desired social awakening was not possible and the position of women did not improve to any appreciable extent. Credit, however, must be given to the courage, zeal and the capacity for suffering hardships of these few brave men and women who

dedicated

dedicated their lives for the betterment of their womenfolk. Fighting against acute opposition at times, debarred from social intercourse on many occasions, subjected to scathing criticism, accused of evil designs least contemplated by them, these reformers incessantly worked with untiring zeal all through their lives for a cause, the success of which was not for them to see but for the future generations to reap. They could not be expected to achieve miracles but they did succeed in laying a foundation for future progress and did the thankless spadework which is always the most difficult in every task.

#### 3.4 National Political Movements and its Effects on Status

of Indian Women: Besides these individual efforts there was another important factor which helped a great deal in quickening the pace of social reform. This was an unprecedented awakening of political consciousness and a strong and persistent demand for self-government since the latter half of the nineteenth century. Indian people began to feel the need of political power for India's advancement. The easy <sup>ac</sup>cess to English literature through their education awakened their consciousness which kindled the spirit of patriotism in them. They were acquainted with the history of other countries like America, Italy, Ireland whose countrymen struggled for the liberation and independence of their motherlands. No doubt the first  
fruitless

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fruitless attempt was made in 1857. The educated class felt the need of better co-operation and formulation of creative programme. "Due to their efforts" "Sarvajanik Sabha" of Poona and "the Indian Association" of Bengal, two political organizations which aimed at the beginning together of 50 politically conscious Indians, came into existence.

In 1885, the Indian National Congress, the first all Indian political organization was founded by Indian liberals in co-operation with Hume and supported by non-official liberal Britishers and intellectual patriotic Indians. The main object of the Congress was "to enable all the most earnest labourers in the cause of national progress to be personally known to each other." 51

Another notable feature of the Congress was that most of the social reforms also were made through it as majority of the social reformers were also its co-founders. But at its second meeting the Congress officially declared that the Indian National Congress was mainly a political body and it had no concern with social reforms. This decision of the Congress led to the formation of National Social Conference in 1887 which held its sessions at the same time and used the same pandal. The main object of the National Social Conference

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50. Desai, Neera: op. cit., p. 205.

51. Sittaramaiya, Pattabhai: The History of Congress (1946) p. 16.



Conference was reforming of Indian Society.

The year 1905 was a landmark in the history of India as well as the Congress. The partition of Bengal due to the policy of Curzon gave rise to militant nationalism. There was a rift in the Congress party regarding the methods of struggle adopted by it. "The political strength of the left wing within the Congress led by Tilak, Pal and other militant nationalist leaders increased within and outside the Congress." <sup>52</sup> As a consequence, a few features developed out of it, which enabled the extension of the nationalist movement from the upper intellectual class to middle classes. "The Bengal nationalism in its very characteristic form swept the whole province in 1905, as a result of the Curzonian autocracy. It soon connected itself with the neo-Vedantic movement of Swami Vivekananda on the one hand the revival of popular Hinduism which <sup>53</sup> is also, to some extent associated with the same school." The old method of struggle such as petition and appeals to the British Government was replaced by boycott and Swadeshi movements. Under the leadership of Bal, Pal and Lal the new schools of militant nationalism were evolved and outside the official Congress movement a sort of terrorism also developed. They wanted to establish the superiority of ancient culture

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52. Desai, Neera: op. cit., p. 207.

53. Buch, M. A.: op. cit., p. 182.

culture and civilization over that of the modern West. The new trend of that time was described by Pandit Jawaharlal as follows:- "Socially speaking the revival of Indian nationalism in 1907 was definitely reactionary."<sup>54</sup>

The programme of the Swadeshi movement and boycott of ~~forei~~ foreign goods led women automatically in the struggle. Women were requested to boycott foreign cloth and to use Swadeshi clothes and goods. A few women from the advanced class joined the programme which enabled them to participate in the struggle for country's freedom.

The policy of the Congress has remained unchanged from the very beginning in its treatment of women. Membership of Congress was open to all, without any restriction of class, creed or sex. Before Gandhiji became the undisputed leader of the Congress two women with outstanding personality impressed other women by their work in the movement and gave impetus to them to join the Congress and its activities. Both of them - Mrs. Annie Besant and the other Mrs. Sarojini Naidu held responsible posts as Congress presidents. Mrs. Annie Besant with her militant demand of Home Rule League for India said as follows in 1917:- "The strength of the Home Rule Movement was rendered tenfold greater by the addition to it of a large number of women who brought to its helping the uncalculating  
heroism

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54. Mukerjee, Hirendranath: India Struggles for Freedom, p. 80.

heroism the endurance, the self sacrifice of the feminine nature." <sup>55</sup>

World War I (1914-1918) brought great changes in the social, economic and political life of the people in India, too. Of course it had no profound effect on Indian women as it had on European women particularly English women. Indian industries began to expand and many workers, men and women were employed in factories. At the termination of the War due to the industrial crisis unemployment occurred on a large scale. A great decline in the prices of agricultural commodities also developed a feeling of unrest and resulted into great hardships for an agrarian population. The economic crisis brought discontent among industrial as well as agriculturists due to economic suffering. This created a foreground to launch a political movement on a larger scale as a mass upheaval.

Upto 1921 many outstanding personalities, such as Banade, Tilak, Gokhale, Dadabhai Navaraji, Surendranath, Lala Lajpatrai, C. R. Das though they belonged to different provinces and had differences of opinion all shared a common ideal to drive the foreigners out of India. They worked together through the Indian National Congress, but could not raise the movement to a mass scale. "Gandhi made nationalism a practical and intelligent creed to the masses and converted

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55. Sittaramaiya: op. cit., p. 130.



a movement which has been confined to the intelligentsia into a mass movement." <sup>56</sup> in 1921, M. K. Gandhi entered the political arena and attracted many men and women to join the struggle for freedom of India. "Gandhi's profound knowledge of the heart of his people was never better shown than in his special appeal for women to come and serve. I knew that the strength of India lies in its women because of their great power over their sons, and because of their idealization of the mother." <sup>57</sup> Moreover Gandhiji evolved a programme for mass movement and successfully led it in the first phase during 1919-1923. M. A. Buch in writing about this new movement writes that "It inspires men, women and children, classes and masses, the orthodox and the educated alike. It <sup>58</sup> has given birth to a new literature, a new art, a new industry!"

Uptil now women and masses could not participate in the political movement because of the lack of suitable programme for them. It is Gandhiji who could draw masses and women into the nationalist movement for political emancipation because he evolved a suitable programme for them. Not only the programme but the method of participation was not militant yet required a great strength of will which made it not possible

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56. O'Malley, L.S.S.: op. cit., p. 750.  
 57. Hauswirth Frieda: Purdah: The Status of Indian Women, p.231  
 58. Buch, M. A.: op. cit., p. 125.

possible but even necessary for women to join the struggle.

"Gandhiji's preaching of non-violence was taken very seriously by his female followers, but although they could not retaliate violence did not daunt them."<sup>59</sup>

A wave of national awakening, not confined to the women's movement spread throughout the country during the first quarter of the 20th century. Apart from legal reforms and the social services of men and women several political movements led by Mahatma Gandhi awakened women and made them still more conscious of their position in society. After taking part in non-co-operation movement of 1921 women realised their abilities for work outside the home. Their self confidence and awareness of their own capacity were increased by their work in various fields. They found that they could unite with men for their country's freedom and thus "in struggling for the country's freedom women achieved their own freedom to an extent hardly credible."<sup>60</sup>

The whole period was of unrest. Speaking of that time Mukerjee describes it thus:- "In those hectic months of early 1921 masses <sup>of</sup> and students left the Government controlled educational institutions, and lawyers of the eminence of C. R.

Das

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59. Hauswirth, Freida: op. cit., p. 234

60. Cousins, Margaret E.: op. cit., p. 53.

Das and Motilal Nehru gave up their practice."

Mahatma Gandhi realised that without women's equal interest and help in public activities the desired aim of national self government could never be achieved. So he encouraged women to discard purdah, to come out of their homes and to take part in propaganda work of boycotting foreign goods and burning of them in public. He also invited them for picketting foreign goods shops and liquor shops. The call of Gandhiji was responded to by a large number of women as "for the boycott of goods, women who had before been secluded, went unattended to all parts of town, at all hours unhindered. It is significant that cases of molestation by men were exceedingly rare. Though they had often to go into the most disreputable and dangerous quarters, the only risk they ran was from the police." Thus women from noble families and the educated class, laying aside their natural timidity, joined with men in picketting foreign goods shops especially shops of foreign cloth.

In the great Civil Disobedience Movement of (1929-1933) a still greater number of women of all classes and communities both rich and poor, joined hand in hand with men in responding to the country's call, forgetting old precedents, of seclusion and

61. Mukerjee, Hirendranath: op. cit., p. 117.

62. Hauswirth, Freida: op. cit., p. 234.



and sex separation. Many were imprisoned. 2000 women aging <sup>63</sup> from 18 to 70 were arrested during the national movement. Many suffered from 'lathi' (meaning a strong bamboo stick) charges, from loss of property, from personal bereavement from cruelty and sometimes from the loss of their means of livelihood. "The official historian of the Congress records that in 1930-31, within a short interval of ten months 90,000 men, women and children were sentenced. On July 14, 1930 it was admitted by the Government spokesman in the Legislative Assembly that from April 1 to that date there had been 29 cases of firing on the public which killed 103 and injured <sup>64</sup> 420 persons." Women from urban as well as rural areas <sup>65</sup> faced all these hardships and aggression from the Government. The response of the women to Gandhiji's call to take part in in the Dandi ( a small village on sea-coast near Surat) Satyagraha, in defiance of the salt law was great. They played

63. O'Malley L. S.S.: op. cit., p. 225.

64. Mukerjee, Hirendranath: op. cit., p. 147.

65. Hauswirth Freida gives an instance of such bravery as follows:- "In Borsad for instance 1500 women were going quietly along a street in a peaceful procession. The police met them with 'Lathi' charge. The woman leader was wounded, but with blood stained sari, passed on again until disabled by further beating." Another instance of women's passive resistance against police provocation is described by Freida Hauswirth. In Bombay under the leadership of Mrs. Hansa Mehta ( a well-known social and educational leader, later member of an advisory committee of the

played their part creditably in the new venture of public life. The instance of Sarojini Naidu calmly opposing the police provocation is worth noting here. Mrs. Sarojini Naidu was leading a party during a raid on Dharasana Salt works, Police stopped her and all her followers from going further. They sat there on the dust but refused to move backward. "Without water or food they sat there throughout the long burning hours of the day in the scorching dust calmly twirling the thread on hand spindles ..."

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In 1940-41 the Civil Disobedience movement was launched again with still more vigour and enthusiasm. This time Mahatma Gandhi challenged the British Government to leave the country. "Quit India" was the slogan. The whole nation was prepared

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Round Table Conference in London) women - a band of five hundred - moved in a procession on Tilak day the 1st August 1930. It was the heavy monsoon season and women of all ages - castes and conditions though majority of them young and educated made their way with songs and banners along the streets of Bombay. Nearly two hours the women paraded under the heavy rain until the police received the orders to stop the procession. Suddenly police stopped them proceeding further but the women did not retreat. Their leader sat quietly on the muddy road and all the followers imitated her. They sat there for the whole night in order to force the issue of either acknowledgement of the right to hold peaceful procession or arrest. "Meanwhile police received the orders to disperse them by force .... a series of 'Lathi' charges followed, lasting for two whole hours, in which the surging, shifting crowd of spectators also came in for its share. There were numerous wounded and hundreds of arrests." op. cit. p. 3.

66. Ibid, p. 235.

prepared for the struggle to gain freedom. Young girls and boys left the schools and colleges in order to work in the national interests. "Politics was the first movement from the wider world which affected Indian women students; the second was the call to social reform."<sup>67</sup> Many men and women actively took part in the movement. The British Government was also active in suppressing it. All the prominent Indian leaders were suddenly rounded up and nearly thirty thousand leading men and women were sent to prison during that year. More and more persons were ready to go to prison in spite of inconveniences and hardships they had to suffer during their imprisonment. Mrs. Hansa Mehta described it thus: "The women were often kept overnight in lockups level with the ground, without beds or beddings on stone-flagged floors, behind ~~sh~~ shutterless iron-barred windows where people from the streets could see in all hours. When ~~she~~ and two others went to jail, there were eight women in an 18 by 18 feet room in the first class. In the next cell of the same size there were 10<sup>68</sup> women in the third 12".

In spite of all these difficulties hundreds of women went to jail, most of them for a night or two as Government could not provide for them as thousands of them ready to

court

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67. Brockway, Nora K.: op. cit., p. 125.

68. Hauswirth Freida: op. cit., p. 237.



court the jail. Many of them were sentenced for longer terms as first second or third class prisoners. <sup>69</sup>

As a result of provocations and suppression by the Government a militant movement smouldered more strongly by a group of people who did not believe in the principle of non-violence. Quite a large number of men and women were engaged in underground activities. One of the prominent workers and leaders of these activities was a woman - Mrs. Aruna Asafali who attracted many women to join underground organisations to work for the freedom of India.

The period of India's political struggle was a period of great strife and women proved worthy of themselves suffering all the kinds of tortures in the form of rigorous punishment or loss of their dear ones under military fire, in the cause of the nation.

Thus, "millions of women broke in one short year fetters which normally it would have taken generations to shake off they broke them not in rebellion against their own guilty menfolk who had forged them but against the alien Government."<sup>70</sup>

Women joined the national political movement because of the powerful influence of Gandhiji over masses of India. His appeal was responded by majority of the Indians, and women

also

69. Hauswirth Freida: op. cit., p. 236.

70. Ibid, p. 243.

also joined it sacrificing their caste, privacy and comforts at home. "The cause of swaraj swept all taboos and customs before it. The revered leader Gandhiji was sufficient guarantee of the righteousness of whatever new actions had to be taken."<sup>71</sup>

3.5 Gandhiji and his Special Contribution to Emancipation of Women: (a) His attitude towards women in general: From 1921 onwards upto the independence of India Gandhiji was the most towering personality of the time - unique in his philosophy of life. Throughout his life he was a seeker after truth, and truth and non-violence (Ahimsa) were the powerful weapons in his hands. His simplicity of life and his virtuous life based on truth and non-violence attracted both the classes and the masses. His method of struggling for India's freedom with non-violence as a weapon in his hand was unique and of his own invention in the age of scientific invention of atom bomb. Achievement of freedom through peaceful measures astonished the world and finally his realisation of efforts appeared on 15th August 1947 when India won her freedom. He was famous as a political leader but his work of social reform was none the less important. Gandhiji believed in five great ideals viz. the removal of untouchability, prohibition of alcohol, home spinning, Hindu-Muslim unity and last but not the least equality between sexes.<sup>72</sup>

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71. Cousins, Margaret E.; op. cit., p. 56.

72. Gupta, Padmini Sen: op. cit., p. 66.

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 First of all he brought in women to join the cause thus making them conscious about their role and ability in public field. He believed in equality of women and the treatment of a girl should not be different from that of a boy. 76  
 He writes about women as follows: "But I am uncompromising in the matter of women's rights. In my opinion she should labour under no legal disability not suffered by man. I should treat the daughters and sons on a footing of perfect equality." 73 He repeatedly expressed his views in his newspapers Young India and Harijan which he conducted. His speeches always appealed to the masses and were a powerful instrument for making any reform possible. He believed that "Woman is the companion of man gifted with equal mental capacities. She has the right to participate in the minutest detail of the activities of man and she has the same right of freedom and liberty as he." 74 He held women in great respect and repeatedly discussed and criticised the problems which hindered their progress. He used to receive many letters from the public concerning various problems and he considerably drew public attention by discussing such problems in his articles. To him a woman is not the better half of men but "the mother,

maker

75. Gandhi, M. K.: To the Women, p. 29.

73. Gandhi, M. K.: Women and Social Injustice, p. 15.

74. Ibid, p. 15. The wife lakho (Gujarati), pp. 148, 226. Quoted by Mrs. Desai in the Thesis - The Impact of British Rule on the Position of Indian Women.



maker and silent leader of men." <sup>75</sup> He regarded her as the  
 "noblest creature of God's creation." <sup>76</sup>

(b) His Views on Social Reforms:

Marriage:- He considered marriage as a sacrament and only for the progeny of race. Sex had no place in marriage and sexual intercourse was only to be carried on for the sake of progeny and not for sensual pleasure. If there was no desire for a child, marriage should not be performed. <sup>77</sup> Unlike other religious leaders in the past he did not condemn a woman as a temptress, the cause of ruin. He preached celibacy for a man as well as a woman on equal term. He condemned child marriage as it led to early motherhood which ruined the health of a mother and caused the degeneration of race.

Dr. Hirschfeld took note of his views on child marriage as follows: "This curse consumes the vitality of incalculable numbers of promising boys and girls upon whom rests the future of our nation - year after year it calls into being thousands of sickly children of both sexes born of immature mothers. It is one of the most important causes of the gradual but steady decline of the Hindu race in size as well as in physical and  
 moral

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75. Gandhi, M. K.: To the Women, p. 29.

76. Ibid, p. 15.

77. Tyagmurti ane bija lekho (Gujarati) pp. 148, 226. Quoted by Mrs. Desai in the Thesis - The Impact of British Rule on the Position of Indian Women.

moral strength." <sup>78</sup> Moreover child marriage was the main cause of child widows. He prescribed twenty years of age as minimum marriageable age for a girl as he thought child marriage <sup>79</sup> led to degeneration of body as well as mind.

He favoured widow re-marriage as he argued that "If a fifty years old widower may re-marry with impunity it should <sup>80</sup> be open to the widow of that age to do likewise.."

Enforced widowhood was a curse on Hinduism and he considered it sinful and illogical. He made several suggestions <sup>5</sup> in his writings and speeches regarding the problems of widows.

1. A widow before the age of fifteen should be got re-married by her parents.
2. Child marriage should be entirely prohibited.
3. The women who had not consummated marriage had a right to marry.
4. Widowhood should be considered sacred and should not be considered as a sign of bad luck.
5. Widows who did not want to re-marry should be provided with employment. Efforts on a wider scale should be made to ameliorate the position of women through their education and employment.

Devadasi:

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78. Hirschfeld, Magnus: Women East & West, p. 151.

79. Gandhi M. K.: op. cit., p. 63.

80. Ibid, p. 151.





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for women as it is for men." Here he meant education in its widest connotation. He declared in one of his speeches that without the knowledge of three R's also much useful work could be carried on. A woman who followed the path of Ahimsa (non-violence) and truth can become the leader in 'Satyagraha' (meaning insistence and struggle for truth) which does not require the learning that books give, but does require the stout heart that comes from suffering and faith." All the same he realised the importance of liberal education.

He remarked on writing about women's education that a woman had every right to get herself educated as education "develops and sharpens one's intellect and it increases one's capacity for doing good." Thus he considered education equally necessary for woman in order to sharpen their intellect and he further believed that as men and women were not identical the education to be imparted to them should be the right type of education which enabled them to perform their duties efficiently in their own spheres.

The above brief outline on the contribution of Gandhiji to social progress in general and the emancipation of women in particular shows the far reaching effect not only of the political

83. Gandhi, M. K.: op. cit., p. 6.

84. Gandhi, M. K.: op. cit., p. 29.

85. Gandhi, M. K.: op. cit., p. 5.

political struggle but of the inspiration given by this great leader to the awakening of social consciousness among the vast rural population of the country.

The Effect of the Political Struggle for Independence on the Position of Women: As seen earlier the social reformers had succeeded only to a small extent in improving the position of women but it was the political struggle for independence as well as the influence of the Gandhian way of life that was responsible for educating public opinion and making not only men but women as well conscious of their duties, as worth while members of the state.

An advance was made in the direction of the betterment of the status of women as well as in lessening the burden of social customs and orthodox usages. The main changes evolved as a result of the political struggle and the efforts of Gandhiji and his associates are briefly the following: Prior to the work of Gandhiji the field of activity of the social reformers was mainly the urban areas but now the stress was slowly shifted to the villages. This increased the contact between the classes and the masses and helped to prepare the ground for better understanding between these two very widely segregated sections. Dignity of labour was impressed in the minds of the people because of the high ideal of plain living and

and high thinking placed by Gandhiji before the country. Simple habits and self-sufficiency encouraged the cottage industries and the call of Gandhiji to one and all to use goods made in the country itself gave further impetus to the villages to start small handicrafts and indirectly helped women and widows in particular to earn something on their own. Another factor which very materially altered the status of women was due to the increasing cost of living after the first World War. Rise in the cost of living compelled the women to work in order to add to the slender income of the men thus enabling the family to make both ends meet. And having thus started working the women themselves realised the importance of economic independence and at the same time men got used to the idea of women working. Women in the course of their work came in contact with many people and such contacts broadened their vision and they came to appreciate the importance of education and learning. Furthermore, a considerable change in attitude took place because of the social uplift in the rural areas which made rapid progress possible and gave courage to the enlightened as well as the socially conscious people to do away with many age old customs and caste restrictions which had no significance in modern life. It was not the spread of academic education that brought about these changes rather it was the influence of the philosophy of life based on simplicity propounded and practised



practised by one of the greatest leaders of modern times, Mahatma Gandhi. However, much still remains to be done especially in the field of women's education and economic independence of women and there is a great need for raising the status of women at a par with men by giving them equal opportunities and facilities for learning and for work.

### 3.6 Other Factors in moulding the Position of Indian Women:

World War Second, partition of India and finally the New Constitution brought forth other considerable changes in framing the character of Indian women. It also liberated Indian womanhood to a greater extent owing to the economic situation arising during the Post-war period; and the New Constitution also officially conferred upon them equal rights. With the onset of the second World War Women's Associations were very active in contributing many articles made and prepared by them for the soldiers. Several new women's organisations were also established to work for soldiers in action abroad. The women of India were inspired by the marvellous work and service done by the women of the countries at war. Some of them were even prepared to fight against enemies if they attacked India. Many women joined the National Army for the defence of India, secretly founded by S. C. Bose. Willingness to undergo military training under Captain Laxmi - a woman from a noble family, illustrated women's enthusiasm, courage

were divided into two parts, each coming under a different ruling authority. People, especially women and children, suffered greatly as a consequence of mass riots. Children were cruelly killed and women were kidnapped by the terrorists, mad with religious fanaticism. Women suffered the greatest wrongs of all, physical as well as mental, as no woman was safe and all were forced to lead a very unstable life. In order to help these women and other sufferers women like Sucheta Kripalani, Rameshwari Nehru, Mridula Sarabhai, Kamaladevi, Hannah, Sen, Rasha Saran and hundreds of others, united and volunteered to help to bring about peace and security as well as rescue and settle abducted women. Government officials also did their best and added their efforts to those of the volunteer workers. The nation was suffering from the poison of the communal spirit, yet this chaos and tyranny aroused a spirit of co-operation and an inclination to serve suffering humanity among women who worked for their refugee fellow women in order to lessen their woes and miseries. These refugee women had developed a sort of courage and fearlessness out of sheer necessity and they struggled to preserve their freedom, chastity and religious faith. They had fled for their lives without paying any attention to caste prejudice or social antagonism. Many women who were the victims of the terrorists were rescued afterwards by

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courage and patriotism. This does not mean that every woman was prepared to take part in war and politics; but a large number of enlightened women seized the opportunity to demand their civil liberty and political rights, and to fulfil their duty to their motherland and take their proper place beside the women of other civilised countries.

The World War second raised the cost of living so high that middle class families were forced to supplement their income by allowing their womenfolk to work outside the home. This fact is more responsible for the changed status of women in their class than any other single factor. What the reformist movement and literature could not do in a century this movement in the direction of natural families, combined with the need for supplementary income has done.

These circumstances automatically emancipated women by compelling them to work in the offices, but this change came only in urban areas and among middle class families.

On 15th August, 1947, India officially achieved her national freedom. But with this came a heart-breaking blow, for she was divided into two parts - India and Pakistan. This partition was followed by confusion and bloodshed, and it created a feeling of enmity between the two important communities, Hindus and Mahomedans. The greatest tyranny and chaos prevailed in the Punjab and Bengal for both provinces  
were



the combined efforts of government officials and the praiseworthy work of women workers. The total number of abducted women recovered upto April 1950 was, India - 13,001, plus Pakistan-6532 amounting to 19,353.<sup>86</sup> The social workers tried to persuade the relatives of these refugees to take them back into their homes, without attaching any social stigma to them. Some of these women workers were successful in restoring these victims to their former happy, peaceful home life. But there were left many women and girls who were denied protection by their relatives. These were given shelter in refugee camps and in social institutions, where they were trained to earn their living and lead a respectable life.

Several problems were created by the great influx of refugees but the enlightened women workers of the towns and cities where refugee camps were established helped voluntarily a great deal in conducting various classes for teaching handicrafts and other cottage industries etc. to the displaced people. The branches of the Women's Conference have played a notable part in the work of rehabilitation of refugees. The Government also has put forward many schemes for the employment of these persons.

New

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86. Desai, Neera: op. cit., p. 260.

87. Durgabai: Legal Status of Women in India, p.1. Unesco Seminar on the Status of Women in South Asia, New Delhi.

88. Joshi, G. V.: The Constitution of India, p. 72.

New Constitution and Rights of Women: Finally a new constitution has been framed which is very important to all women and is liberal in recognising their rights. This new Constitution of 1949 has introduced many changes, but the laws improving women's status are most noteworthy.

"The constitution of India enjoins absolute equality of the sexes. Article 14 of the Constitution lays down that the state shall not deny to any person equality before the law and Article 15 provides that the State shall not discriminate among other things on grounds of sex."<sup>87</sup>

Women are officially given equal status with men; they may now hold any government post whatever their creed. Fundamental rights conferred by the new Constitution imparts equal opportunity and it clearly states that "... it is provided that no citizen shall on grounds only of religion, race, caste, sex, descent, place of birth, residence or any of them, be ineligible for, or discriminated against in respect of any employment or office under the state."<sup>88</sup> A clause for compulsory primary education has also been introduced.

### 3.7 Growth of Women's Organizations and their main activities

for the emancipation of women: The effect of various

socio-religious

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87. Durgabai: Legal Status of Women in India, p.1. Unesco: Seminar on the Status of Women in South Asia, New Delhi,  
88. Joshi, G. N.: The Constitution of India, p. 72.

socio-religious movements in the previous century, the contact and influence of the missionaries, the gradual spread of education among women, rise of social institutions and women's movements in other countries, all drew the attention of Indian women to the wisdom of organising themselves. It is a well known fact that women's movement in India owed its inception to the contribution of Raja Ram Mohan Roy and other reformers in the 19th century who agitated for the amelioration of women. The religious and social movements in the previous century was started by men who inspired educated women to form themselves in an association for the betterment of their backward sisters. "Those women, who received education have done credit to their sex and have led the movements for social reforms."

The pioneer among women to lead the movement started by men was Pandita Ramabai Sarasvati who worked throughout her life for the cause of women. As a result several institutions emerged through the individual efforts of people in different provinces, all having a common aim in the field of social work. The Arya Mahila Samaj, an institution for women, was started by Pundita Ramabai as early as 1882. This was the only institution then working for the welfare of women. The success of her work inspired other social workers to open similar types of institutions for



From 1908 onwards there began the real movement to create associations of Indian women. Through the efforts of Pundita Ramabai, Sharda Sadan - which means the "Abode of the Goddess of Education - was opened in Bombay to improve the lot of widows and to educate adult women. Sharda Sadan educated many young widows and high-caste girls. Pundita Ramabai in 1912 established another institution, Mukti Sadan the "House of Salvation" at Khedgao, near Poona, for out-caste women and orphan girls. It was afterwards expanded into a big institution with a training school for teachers attached to it were also kindergarten school and an industrial school which imparted knowledge in several handicrafts and cottage industries to needy women. It was a wonderful piece of organization sponsored by Pundita Ramabai herself. The growing number of students and the monetary needs of the institution called for even greater efforts from workers in addition to propaganda work among the public for financial help. The institution welcomed every needy woman and gave shelter to all women without distinction of class or creed. Pundita herself worked hard upto her death in 1922. She stood for the cause of women and worked among her backward sisters to bring the light of knowledge the joy of self respect and freedom to them. The success of her work inspired other social workers to open similar types of institutions for women. This has now added to itself many other institutions for women.

women.

Another institution, Seva Sadan, was founded at Bombay in 1908 by two social reformers, Mr. Malbari and Dayaram Gidumal. The former was the ardent supporter of female education and both had agitated long before our social reforms. In 1887 Mr. Malbari had published a paper protesting against child marriage and enforced widowhood. The work of Seva Sadan was very similar to that of the institutions founded by Pundita Ramabai. It had many department\_s for teaching small industries and handicrafts to poor women and for providing for the education of married women and older girls who could not study on account of social prejudices or personal difficulties. They were given instruction in the subjects useful to them in their home life, such as English, the vernacular, singing, needle work and embroidery hygiene, home nursing and the care of infants. A home was also established for sheltering orphan girls and destitute women. They were trained in nursing and midwifery, also in branches of teaching. Ramabai Ranade and several other well known ladies were associated with the work of the institution and were inspired to establish other organisation in Bombay to work among the women of different communities. Mrs. Ramabai Rande started a similar institution named Seva Sadan in Poona for the purpose of educating older girls and young widows. This has now added to itself many other institutions for different purposes

purposes and has developed several branches in various other places. During the first decade of 20th century several communal organisations were started among which following were the foremost. A Gujarati Women's Association for social work was established by a Gujarati lady, Jannabai Sakkai. The Muslim Girls Orphanage was founded by a member of the well-known Taiyabaji family who were among the first to educate their girls and who took active steps to discard purdah themselves. The Zoroastrian Women's Association and the Maharashtra Women's Co-operative Credit Society were also founded by women from their respective communities. These in Bombay, and several other institutions founded in other provinces, were each working individually for the welfare of women. But few attempts had been made upto that time to establish a united body of All India Womanhood to demand their rights and to fight against social evils. In 1910 an attempt of this kind had been made in the form of Bharat Stri Maha Mandal, to unite the women of all India into one association; but the effort was not successful as enlightened women in large proportion in the country were not yet conscious of the need for demanding their natural rights either in the social or political sphere. Within a few years, however, the women of most provinces were prepared to fight against



against social evils. The services of the provincial associations awoke women to their rights and later united them in a large body to demand those rights.

In 1925 the National Council of women in India was established in Bombay as a branch of the International Council of Women. This was one of the important organizations affiliated to the International Council for Women and which had 40 representative national councils all over the world. In

India it had branches in all provinces and another important association - All India Nurses Association was affiliated to it. The main aim of the National Council of Women was to promote the education of girls and women. It also assisted the women's cause in order to ameliorate their condition.

"The membership of the Association is largely confined to English-knowing women and women from the richer and official classes. Although it is extremely vigilant in its own sphere and watches women's interests, it has not been able to capture the imagination of Indian women as the conference has done."

In 1917 Mrs. Annie Besant and Mrs. Dorothy Jinrajdas started the Indian Association of Women at Madras. This was the first large union of women and it worked for their progress

90. Kirtikar, Padma: op. cit., p. 327.

91. Menon Lakshmi: The Position of Women, p. 30.

93. Ref: to Women's Indian Association Souvenir, 1947.

94. Cousins, Margaret E.: op. cit. p. 53.

progress in different fields such as social, educational and political.

"Its character of liberties aimed at the educational advancement of women, the abolition of social evils and the securing of equal political rights with men." 92

The aim of this association was to co-ordinate the activities of the other organizations working in the same direction. This was first of its kind in Madras and worked on an all India basis. Afterwards the organization was expanded in several branches and in 1947 it had 29 branches and the number of women benefitted by it was nearly 8,000. 93

The first and foremost object of this association was follows:-  
 "to present to women their responsibilities as daughters of India; as wives and mothers they have the task of training, guiding and forming the character of the future rulers of India." 94

This and several other institutions in different provinces - The Bharat Stree Mandal, The Poona Seva Sadan, The Sarojini Dutt Mahila Samaj and the Women's Brahmo Samaj - were successful in uniting women of the educated classes and in rousing public opinion. The work of these institutions was planned to improve the conditions of women, to fight against social tyranny

92. Menon, Lakshmi: op. cit., p. 29.

93. Ref: tp Women's Indian Association Souvenir, 1947.

94. Cousins, Margaret E.: op. cit. p. 53.

tyranny, to raise women's status in society and to make them aware of their political rights. The result of the movement was felt in 1919, when a deputation of women, headed by Mrs. Sarojini Naidu, waited on Mr. Montague to demand the right of women to vote.

Thus other provincial organisations started growing in India in the first quarter of the present century. Several such organizations were running on communal basis working throughout India in big cities and towns and their main aim was to work for women's cause. The main activities and objects of such associations can be shortly described as follows:-

- (1) to co-ordinate all women's organizations in the province.
- (2) to give shelter to women and orphans.
- (3) to spread education among women by conducting schools, adult classes etc.
- (4) to supply medical aid and to run child welfare centres.
- (5) to help women to become self-reliant by teaching them handicraft or giving them training in nursing or teaching.
- (6) to help the people during epidemics and famine.
- (7) to serve humanity irrespective of their caste creed religion or race or serve the people community-wise.
- (8) to protect and give shelter to unmarried mothers, and illegitimate and deserted children.

(9) to



- (9) to reclaim, reform and rehabilitate erring girls and to protect young girls and children from the evils of poverty and destitution, and
- (10) to work for the social, cultural and economic uplift of women and children.

All the above mentioned institutions and organizations, communal as well as otherwise tried to contribute whatever they could to bring about social awakening specially among the women of the lower middle and the poor classes. It must however be admitted that the field of activity of the communal organisation was limited not only to the small minority of the population because of its communal character but also on account of the fact that they were mainly established in the large cities and towns. The latter factor was true also of the non-communal organisations. Since, these organisations were dependent on voluntary effort not only for their finance but for their workers they failed to have a very far-reaching influence because of a persistent shortage of funds and honorary workers. Besides, they mainly provided facilities for social intercourse to well-to-do middle classes. No doubt some of the communal organisations, in spite of limited activities, did a good service to the community by running classes for teaching various academic as well as practical subjects

subjects together with arrangements for intensive training in different village crafts and handicrafts. This enabled the poorer women to make some money to add to the family income. It was, indeed, a great help because a false idea of social prestige precluded many women to take up employment outside their homes. In spite of limited activity these organisations big or small helped to further the cause of women by building a moral support whenever the need arose for social reform.

But by far the most important women's organisation of the present century was the All India Women's Conference with branches throughout the country and it wielded quite an influence in <sup>the</sup> arresting women's rights.

3.8 History of All India Women's Conference: and a brief outline of its present activities: In spite of the general awakening among women, and although many women served on local and Municipal bodies as honorary magistrates, women had not yet organised any definite movement in the field of educational reforms. Individual efforts by several men and women and by institutions had been made but these did not bear any fruit for lack of organisation and co-ordination.

The idea of uniting Indian womanhood in one central body was probably inspired by the indirect influence of the Indian National Congress which was an all India political body

working

working since 1885. Most of the women working in the Congress or attached to it developed a talent for co-ordination of women's organisations through which they could demand their rights more effectively. The late Mrs. Sarojini Naidu, Mrs. Kamaladevi Chhattapodhyaya, Mrs. Vijayalakshmi, Pandit, Rajkumari Amrit Kaur, Rameshwari Nehru, Mrs. Renuka Ray, Mrs. Margaret Cousins and many others were engaged in Congress activities and some of them held responsible posts in it; Thus women greatly influenced and inspired by the Congress were able to work effectively in All India Women's Conference.

The first suggestion for starting an organisation came from Mr. Oaten the Director of Public Instruction. At the Prize distribution of Bethume College, Calcutta in 1926, he said in his address to the public that "I would urge that, women, who alone can help us adequately should tell us in one voice what they want and keep on telling us till they get it."<sup>96</sup>

The above passage was quoted by Mrs. A. L. Huide Köper, ex-principal of Bethume college in her article which appeared in Stri Dharma a woman's magazine conducted by Women's Indian Association. This gave impetus to educated women to organise themselves.

Mrs. Cousins, who had been working for many years in the Women's cause took the initiative and as a result of her efforts

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96. Given in All India Women's Conference on Educational Reforms, 1927, p.3.



efforts the All-India Women's Conference came into being. In the autumn of 1926 Mrs. Cousins made an appeal to the womanhood of all India to combine their efforts by uniting in a single body to discuss this vital problem of education. Nearly 22 conferences were held in different provinces to study the problem and at last in 1927 it was decided to join and work unitedly. From January 5th to 8th 1927, a big gathering of all India womanhood, entirely free from religious bias for the first time in history was held in Poona under the presidentship of Her Highness the Maharani of Baroda. Though this was the first attempt of its kind, the Conference proved a great success. Its success lay not only in the union of the women of British India but in the cooperation of women of the native states, Baroda and Travancore, which had long been advancing in social and educational reforms.

The resolutions passed at the first Conference were almost entirely devoted to the basic question of women's education, the only exception being a resolution condemning child-marriage and supporting Sir H. S. Gour's law of Consent Bill. Even this subject was touched only because it was felt that early marriage was a very serious impediment to the progress of girls' education. As a result of the Conference it was decided to start a countrywide educational campaign.

To carry out the work effectively the country was

divided

divided into different constituencies on a linguistic basis so that each could hold discussions in its vernacular and put forward its demands regarding its particular problems. An all-India Standing Committee was elected which consisted of representatives from each constituency. During the course of the year nearly 30 educational conferences of women were held all over India. They presented their views from many different angles at the second session of the Conference which was held at Delhi in 1928 under the Presidentship of Her Highness the Begum Mother of Bhopal. It proved a great success as the delegates included women holding official posts as well as unofficial ones. It was a gathering of women of all castes and creeds, not only Hindus, Muslims, Parsees, Indian Christians and Jews but Europeans as well. There were women representatives from social institutions, public workers and women students. Thus all India womanhood represented India strongly and unitedly in its efforts to find the solution to the vital problem of women's advancement through education.

Such a narrow programme could not, however, be expected to satisfy the leaders of the women's movement and it was not surprising that at the third session of the Conference in 1929 its scope was definitely widened. It now included the questions of the abolition of child-marriage and its consequent evils, child-widowhood and early parentage; the removal of untouchability

bility and caste restrictions, moral uplift and reform of the laws of inheritance as they affected women.

Various resolutions were passed at the Conference to carry out social reforms. It also supported all the Bills which affected the women's position e.g. Sarda Bill on Age at marriage, Jayakar's Bill regarding women's property rights etc. It furthered the efforts to secure political rights and to abolish evil customs like Devdasi and undertook the publication of various useful books and pamphlets and established connection with overseas organisations.

The conference supported almost all the progressive bills in the Assembly intended to elevate the position of Indian women socially, economically and politically. Without going into much detail the Bills supported by this Conference were mostly regarding the age at marriage, dissolution of marriage and property rights. In later sessions the conference gradually came to handle many other problems

affecting the position of women. Thus the seed of the All India Women's Conference, sown in Poona to discuss the problem of education, has grown into the vast All India Women's

Institution which tackles not only the problem of education but now covers all the fields - social, legal, political and economic affecting the position of women. It is the largest women's organisation in India and unique in its working. All the grievances of women are put forward and their demands secured almost through it alone.

In order to understand the progress and working of the Conference see Resolutions passed by the Conference at its various sessions in the Appendix B.



The Conference agitated and protested against so many evils customs and passed resolutions in order to eradicate the social evils such as child marriage, polygamy, traffic in women and children and Devdasi. The conference has also drawn the attention of the government as well as the public by demanding equal rights for women in the field of politics, and property. Family planning was the latest move started by the conference as it was quite aware of the facts of over-population and poverty of India - which required immediate attention.

Estimate of its Work: Looking at the aims and objects of this organisation which claimed to work for a society based on the principles of equal rights and opportunities for all, social injustice and integrity as well as the work for the general progress and welfare of women and children it has failed to reach the expected goal. There is much disparity between the inaugurated programme of work in various fields and actual efforts and achievement on the part of the All-India Women's Conference. It would not be incorrect to say that a large proportion of their energies was devoted to passing of various resolutions in different spheres social, economical, political and educational reforms rather than to achieving the better result by endeavoring for the work undertaken

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97. In order to understand the progress and working of the Conference see Resolutions passed by the Conference at its various sessions in the Appendix B.

undertaken to implement the resolutions passed. The demands made in the resolutions for the betterment of the women many times remained on paper. It also did not bring any pressure on Government bodies by organising militant activities to secure their demands. In spite of its more than twenty five years of existence A. I. W. C. has failed to reach to the masses.

It is quite evident from the foregoing history that membership of A. I. W. C. or other all-India organisations before it were only confined to the well to do classes or to educated ladies. In spite of having a common ideal before them - mostly in the field of social, educational and economic progress of women and children and to secure equal rights and opportunities for all - they could not progress much owing to their restricted programme in urban areas. The Conference has failed in bringing awakening in the rural areas as very few workers are prepared to work among the villagers where they have to face all kinds of hardships and discomforts. If its branches can be extended to villages more useful work can be carried out which may bring social awakening among backward women which is most essential. Majority of women who live in the villages do not know about such an organisation. However, its purpose of co-ordination of all the provincial organisations in one central body has been carried out

out successfully. The central body has considerable influence and weight in the Government too as their demand for the rights for women and removal of social injustices suffered by women by legislation are given thought to.

The work of the A.I.W.C can be conveniently compared with that of Indian National Congress before Gandhiji's leadership. It has failed to secure its demands without the active participation and support of women from all classes throughout the country. No doubt it has become successful in securing leading positions for a few educated women in the political executive or administrative fields, and these women have succeeded in promoting women's cause to some extent by holding such posts but unless and until a countrywide agitation is carried out awakening among the women residing in villages is not possible. Resolutions followed by extensive work among the rural population and consequently securing their co-operation will alone succeed in bringing general awakening among all classes of women which is essential for the removal of social hinderances still hampering the progress of women. In spite of limited activities of A.I.W.C which is restricted to urban areas and though representing all India womanhood it mainly consists of members from the rich and upper middle class. There is nothing wrong in saying that the present position enjoyed by Indian women is partly due to the efforts and activities of this organisation since its origin in 1927. Credit must be given for the fact that

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the various resolutions passed by the Conference from time to time have brought to the notice of not only the Government but the legislatures the disabilities suffered by women.

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Upto the beginning of the present century, women in India as in the past, had to face certain problems which mainly concerned the family and the home. Marriage, which no woman could easily avoid, guided the whole course of her life. The fundamentals of the marriage system remained unchanged and somewhat one-sided; a woman's life was still generally full of household duties. This was incidentally responsible for keeping her in poverty and economically dependent on men. Marriage was usually thrust upon her before she could realise its responsibilities, and she could seldom avoid it. No freedom was, until very recently, and that

1. Thwing, The Family, p. 22.



## CHAPTER IV

Marriage and Family.

"The first step in the formation of the family, whose duty is to perpetuate the ancestral worship, is marriage."<sup>1</sup>

Women and Marriage: Marriage is considered to be a very important event in the life of a human being especially among the Hindus as it was made obligatory for them since Vedic times. Marriage was considered a religious duty the main objective in which was the propagation of the race. And, therefore the religious books held the view that for achievement of salvation every individual must have a son.

Upto the beginning of the present century, women in India as in the past, had to face certain common problems which mainly concerned the family and the home. Marriage, which no woman could easily avoid, guided the whole course of her life. The fundamentals of the marriage system remained unchanged and somewhat one-sided; a woman's life was still generally full of household duties. This was incidentally responsible for keeping her in constant bondage and economically dependent on man. Marriage was usually thrust upon her before she could realise its responsibilities, and she could seldom avoid it. No freedom was, until very recently, and that

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1. Thwing: The Family, p. 23.

that too only in cultural society, allowed in the choice of partners; social prestige, economic status, monetary advantages and domestic conveniences were inevitably taken into consideration. The marriage was arranged by the parents or guardians of both parties and it had to be accepted by them with a staunch belief in its religious sanctity. They were enjoined to strive to fulfil their duties in a spirit of companionship though often times it was difficult as both of them practically started as strangers to each other. The question of mutual feelings or a period of courtship which one finds so common at present in the West was entirely unknown. The wife was more strictly bound to her duties especially on account of the social inequalities and great backwardness of the community and therefore, marriage was to be all and end all of her existence as she had no interests outside the home and the family. As Dr. Altekar has rightly remarked "Marriage, therefore, determines the fate of a woman to a much greater extent than it does the destiny of a man. A good marriage is a welcome protection for the woman, a bad one is worse than a painful chain."

As stated before a marriage was a sacrament to Hindus since Vedic times and even upto modern times it is more or less considered to be a religious duty of every Hindu. But

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2. Altekar: op. cit., p. 34.  
 3. Risley, Herbert: The people of India, p. 154.

unlike Vedic Aryans and Hindus a small class of people viz., Jains and Buddhists held a different view of marriage. Celibacy was praised by them and marriage was to them an impediment to salvation. Even Hebrews looked upon marriage as impure and the source of misery. "St. Paul considered celibacy to be preferable to marriage. ... He that giveth her (his virgin) in marriage doeth well, but he that giveth her not in marriage doeth better."<sup>4</sup>

According to religious command a virgin has no place in Heaven.<sup>5</sup> This is still accepted and an unmarried woman therefore becomes the object of criticism if she does not get married after a certain age.<sup>6</sup> As the majority of the people are orthodox and poorly educated they attach great importance to such authority. It is such beliefs that makes a Hindu woman consider her husband next to god. This view is now definitely changing as quite a number of girls from the upper or upper middle class normally marry late or do not marry at all, in spite of the fact that "the unmarried woman is the exception rather than the rule, especially among Hindus and Muslims."<sup>7</sup> Their percentage is still the lowest on the average

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4. Westermarck: Short History of Marriage, p. 44-45.

5. For details see Ch. 1.

6. Risley, Herbert: Cf. The People of India, p. 154.

7. Altekar: op. cit., p. 23.

8. Westermarck: op. cit., p. 43.



average yet higher in urban areas than in rural ones. An unmarried girl has little social status and economic security unless she is a career woman or is self-supporting.

Not only among ancient Aryans was marriage considered an act of religion but the same view was held by Zoroastrian and Islamic books. Among Greeks too the same ideas about marriage prevailed. They regarded marriage as a matter of public and private importance. "Plato remarks that every individual is bound to provide for a continuance of representatives to succeed himself as ministers of the Divinity."<sup>8</sup>

In earlier later times and in the present century the religious significance of marriage has lost some of its importance. However, marriage still retains the same stronghold over the people because the social and economic dependence of women on their husbands since ages could not be erased in a short time. There is an interesting distinction in the economic status of women of the two main stratas in the society - the upper classes where the women are more or less economically dependent on men and the lower classes where the women have to work in order to add to the meagre income of their husbands or families.

In India marriage customs vary according to different  
castes

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8. Westermarck: op. cit., p. 43.

castes and there are practically as many forms of marriage rituals as there are castes and creeds. Yet the chief ceremony at marriage remains the same amongst all the Hindus.

4.2 Different Practices prevalent in Marriages: As stated in the first chapter there are eight forms of marriage according to Hindu Sastras but they have considerably changed since that time. Only four of them though named differently are in practice at present. In India the greatest importance is attached to marriage by Hindus because it is the last of the ten sacraments for purifying the body and it is the only sacrament for the women today. According to their philosophy a marriage therefore, is a holy union for performing the religious duties. Hindus attached much importance to rituals and marriage being one of important events in life certain ceremonies are performed at that time. Two of them have always been considered essential<sup>a</sup> to a valid Hindu marriage..<sup>9</sup> 10 These are invocation before the sacred fire, and 'Saptapadi' in the presence of priest, who utters 'mantras' (sacred verses) and unites the young couple in the presence of relatives and friends.

Generally, the practice of marriage in the present century comes under four headings which have mostly developed from the

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10. Seven steps taken by the couple before the holy fire.

the original forms mentioned before. They are as follows:-  
 (1) Brahma (2) Bride-groom price (3) Asura or Bride-price  
 and (4) a fixed amount of money given to either party according  
 to the custom of the caste.

Brahma: The gift of a daughter to a worthy man is called a Brahma form of marriage and involves no financial agreement. But the number practising this form of marriage is very small. This undoubtedly is the best type of arrangement, in which neither party has to suffer and where there is no unfair competition among the parents of both parties.

Also the main purpose of marriage can only be served by this type of marriage as "the divine purpose of marriage appears to be the continuance of the race, the protection and the training of children and the development of the character of the husband and wife."<sup>11</sup>

Bridegroom Price and Dowry: The second form is the worst type of marriage, in which a bride's father or guardian has to pay a large sum to the bridegroom or bridegroom's father or guardian, and which is known as bridegroom-price.

In early days the dowry system was totally absent amongst the ancient Aryans. On the contrary there were some instances of bride-price where a father or a bride was paid a compensation for depriving him of the services of his daughter. Hence in  
 early

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11. Thwing: op. cit., p. 123.



early times the dowry system was not a prominent feature and it did not arise as a hindrance in a daughter's marriage. The practice of giving presents at the time of a daughter's marriage was found among the rich families and royalties. This was made voluntarily and only out of affection. As a system it was not practised very extensively upto medieval times and was confined to the Rajputs in Rajputana and the richer classes throughout India. Amongst the ordinary people the dowry was nominal or nil as it was only a small voluntary gift given at the time of their daughters' marriage as a token of love. Thus dowry system was not common in the pre-British times when the great majority of the people were agriculturists. During recent times especially in this century the amount of dowry has been raised immensely in certain communities though it was not totally absent in the 19th century. The social reformers in the later half of the 19th century tried to stop this evil by passing resolutions through the Social Reform Conference and such other reform committees. But in course of time instead of declining this evil has greatly increased. How deep-rooted the evil is, can be seen from the letters written by a correspondent to Mahatmaji. "The more a man is educated, the higher the degrees he has received, the more is the worth

worth in the matrimonial market." <sup>12</sup> This state of affairs prevailed throughout India mostly in upper class society where hypergamy was practised.

In Mysore bridegroom price varied with the academic qualifications, wealth, age and looks of the bridegroom. A foreign-returned bridegroom could demand almost as much as Rs. 5000. In determining the amount of the bridegroom price the important criteria were education and wealth of the

<sup>13</sup> bridegroom. In Bombay Province amongst Patidars and Anavils the bridegroom price is considered according to the status of the family, in addition to the above factors. In these communities during the last twenty years the price of a bridegroom has varied from Rs. 5000 to Rs. 100,000 in middle and upper middle class society. The bridegroom price is also high amongst certain castes in Bengal, Hyderabad and Amil community

<sup>14</sup> in Sindh.

Gandhiji

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12. Gandhi, M. K.: Women and Social Injustice, p. 69. Also The Position of Women in Hindu Civilization p. 85. Also in the Young India of 6-10-1927 correspondent gives an account which indicates the large sum of money given in dowry. He writes: "A few months back the marriage took place in Bombay of a well-educated gentleman who is a high government official, and it is said that a dowry of nearly Rs. 20,000 was presented to him.
13. Marriage and Family in Mysore, p. 57. Also Westermarck's Short History of Marriage, p. 183.
14. Under the heading of "A Shame upon Young Men" Mahatmaji writes: "A correspondent sends me a newspaper cutting showing that recently in Hyderabad, Sindh, the demand for bridegrooms has been increasing at an alarming rate. An employee of the Imperial Telegraph, Engineering service having exacted Rs. 20,000 as cash dowry during betrothal

Gandhiji was educating public opinion against the dowry system through the columns of Young India and Harijan. Other progressive newspapers also criticised the evil. In 1936 the Statesman wrote in its columns about the wider prevalence of dowry system amongst many castes all over India and published an editorial on the subject discussing the evils of this practice. Gandhiji in Harijan of 23-5-1936 expressed his views once more on the subject as he used to write on the unhappy custom often. "The Statesman has carried on a crusade against the custom in general. ... Enough educated Sindhis are found who exacted large sum of money from parents who were anxious to see their daughters well married." <sup>15</sup>

The educated and enlightened Indian women protested against the practice. A thoughtful understanding and reflection on the problem as well as a clear picture of a young girl's mind is visible in a letter which was written to Gandhiji and later published by him, in which she expresses "her desire to be self-supported by proper education instead of marriage by purchase." <sup>16</sup>

Today

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and promises of heavy payments on the wedding day and on special occasions thereafter. Any young man who makes dowry a condition of marriage discredits his education and his country and dishonours womanhood." Young India, 21-6-1928.

15. Gandhi, M. K.: Women and Social Injustice, p. 76.  
 16. Ibid, p. 81.



Today a bridegroom may demand a larger amount from his future father-in-law because the standard of living as well as earning capacity have risen considerably in India during the second World War. Apart from this sum the father is supposed to give his daughter jewels and gold ornaments, silver rich dresses and so on, which require an equally large amount. It is really shameful of educated youths who try to squeeze as much money as possible out of the bride's father. Such a form of marriage is not a happy union of two souls but merely a bargain. The quarrels arising from the custom of high bridegroom price are described by many writers. The bride's party, in addition to bearing the expenses of the marriage, have to be submissive and eager to please the bridegroom's relatives. The entire atmosphere of the marriage is strained. The custom of bridegroom price is more common amongst the richer classes and the higher castes where the women are not supposed to work outside their homes and are economically more dependent than the lower class women.

In order to eradicate this evil Mahatmaji and other social reformers have made a few suggestions and guided the public from time to time through speeches and articles as they all held the same views on the subject. Once more, Gandhiji expressed his views thus: "A strong public opinion should be created in condemnation of the degrading practice

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of dowry, and young men who soil their fingers with such illgotten gold should be excommunicated from society. Parents of girls should cease to be dazzled by English degrees, and should not hesitate to travel outside their little castes and provinces to secure true gallant young men for their daughters." <sup>17</sup> Also "an example set by a monied-man by <sup>18</sup> simplifying his daughter's marriage is a good guide to society!"

Bride-price or Asura Marriage: In the Asura form of marriage a bride-groom gives as much wealth as he can afford to the father of a bride and even to the bride herself. This is generally common among the non-Brahmin classes and among the lower classes of society. In a community in which a female is an earning member and there is a smaller proportion of girls there is always a demand for the bride-price, while where woman is an unproductive factor there is generally a demand for the bridegroom price. It is common among certain South Indian communities as well as among the lower strata of the society, to pay bride-price. This amount varies from one sub-caste to another and from village to village. All one can say is that for all communities in India practising this form of marriage, a virgin gets full price while a widow is worth only half the price. A widower always has to pay more than

17. Gandhi, M. K.: op. cit., p. 75.

18. Ibid, p. 82-83.

than the ordinary bride-price.

No doubt, in the present age of increasing equality, it is very unfair to demand a sum on either side but it is less objectionable on the bride's side as normally a marriage is compulsory for a girl and she, being dependent on her father or guardian, becomes a cause of great anxiety to them if not easily given in marriage. The majority of Indian girls cannot live independently owing to social prejudices and customs. Even educated girls are found lacking in courage, obeying their parents blindly; partly, of course, because of their love for them, and partly because they have no other alternative. The Asura form of marriage does not always bring much happiness as often the husbands rebuke their wives with harsh words and try to extract work from them, sometimes beyond their capacity, in order to compensate them for the price which they have paid for the marriage. Many men have to go unmarried as they cannot afford to pay bride-price.

Besides the economic reason, there is also another reason for their situation, well expressed by Folsom thus:- "In the many groups and classes in which there is a poor balance of sexes, many persons greatly desiring marriage, and well fitted for marriage, are deprived of it. On the other hand there are many persons ill-fitted for marriage, or relatively indifferent to it, who have nevertheless had it thrust upon them by their



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their situation."

Two hindrances therefore are mainly experienced in a marriage by the group where bride-price is the custom. Economical condition and the fewer number of females in the community are the chief reasons which forced some men in particular community to remain unmarried.

Fixed Customary Payment: In the fourth form of marriage a certain fixed sum is given to either party according to the custom of the community. But generally the bridegroom's side is responsible. There are certain communities, such as Nagar and Vaishya, which follow similar customs, in which practically nothing is given by the girl's parents, or anything in the form of gift ornaments or clothes is voluntary; on the contrary, she receives a certain amount of money, known as 'Stridhan' or ornaments equivalent to that sum, from the bridegroom's side, over which she can exercise her legal right. This seems the second best form of marriage, for a girl gets some assurance of her future provision however meagre, in case of an accidental death of her husband. Among certain communities nothing is given in the form of money or gifts in marriage but exchange of girls is the general practice. In short, this type of marriage includes some kind of compensation given to either party according to the community rules. But mostly it can be concluded that "some consideration has to be offered to

to the father or other relatives of the bride, either in the form of the exchange of bride for bride or of service or of the giving of property of some kind or other." <sup>20</sup>

4.3 Expenses at Marriage: Besides dowry system, heavy expenditure at marriage celebrations was another great evil which often worried Hindu parents. "The presents of clothes, jewels and money; the feasting and feeding, the elaborate processions, and the necessary hiring of bearers and musicians and dancing girls; together with the fireworks and lights, - all these things swallow up large sums of money and after all the chief supply comes from the bags of the money lenders." <sup>21</sup>

Before fixing the marriage usually a list of demands is forwarded by a son's father or guardian to the other party, sometimes personally or sometimes through a middleman, and if the girl's family agrees to them both parties fix the marriage and declare the engagement. If the boy is from the lower middle class and the girl from the upper middle class within the same caste the marriage expenditure, or the sum to be given to the boy's father is not very large or is sometimes nil; but if it is the reverse the girl's father has to accept all the terms dictated by the opposite party. When both the parties are on equal footing the father of the prospective bridegroom

20. Westermarck: op. cit., p. 156.

21. Padfield, (Rev.) J. E.: The Hindu at Home, p. 118.

bridegroom cannot demand more than the customary amount fixed by the caste regulations. This sum might vary from Rs. 11 to Rs. 5,000 according to the caste. But generally in ordinary circumstances the bridegroom's father might demand the following from the bride's father or guardian:

- (1) a certain sum in cash to be given to the bridegroom, varying from Rs. 100 to Rs. 5,000/-.
  - (2) Some gifts to the bridegroom varying from Rs. 100 to Rs. 1000.
  - (3) Clothes and ornaments to the bride worth Rs. 200 to Rs.1000.
  - (4) Two or three dinners to the bridegroom's party which sometimes includes more than hundred persons consisting of relatives, friends and acquaintances, costing upto Rs.1000.
- Moreover, the bride's father has to spend approximately Rs. 500 more on dinners to his friends and relatives.

The present cost of marriage has however increased four or five times because of the higher cost of living during and after the World War II. In addition a further demand is made (especially since the Second World War) for provision for further education of the bridegroom preferably abroad. This is more often the case where the bride's father is known to have a large income. The problem is common to both the Brahmins and non-Brahmins, though the party spending in each case is different



different. "Everybody knows that marriage is excessively costly, yet no organised group effort has been forthcoming to tackle the problem."<sup>23</sup> The main hindrance to cutting down the expenses is vanity and a tendency to preserve the family traditions. Obstinacy on the part of the bridegroom's party is also the cause of heavy expenses. This self-created custom of huge expenditure is not so harmful to the rich, but has ruined the poor who are imitating the upper classes in order to stand with them on an equal footing in society. Shrinivas mentions that the most frequent excuse for asking loans from co-operative societies is a son's or a daughter's marriage.<sup>24</sup>

One remedy for escaping excessive costs is found in resorting to one-day instead of two or three-days' marriage ceremony as well as feasting. The majority of the people, at present, are resorting to this owing to circumstances but they have not reduced marriage expenses. Mass marriages or performing two or three marriages together is another solution for cutting down marriage expenses though this practice is not common in India. Civil marriage is the least expensive form of ceremony, but it is not practised by the majority of the people and only a few educated people have civil marriages but

23. Srinivas: op. cit., p. 61.

24. Ibid, p. 61.

but even they sometimes combine this with the religious ceremony.

A reform movement has been started by social workers to reduce the expense at marriage so ~~that~~ its grave consequences such as female infanticide or <sup>25</sup>ill-treatment of girls may come to an end. Walterkrit Rajput Hitkarini Sabha and other reform movements like Arya Samaj and the Social Reform Conference simplified the marriage ceremony in order to curtail the heavy expenses.

The different forms of marriage except one (Brahma form) involve heavy expenditure which is quite often far beyond the capacity of a girl's parents. This indicates that marriage has lost its original religious significance and instead it has developed a somewhat commercial aspect where the brides and the bridegrooms can be had according to the money one can pay. Various arguments are advanced by orthodox people in favour of dowry but when considered in a rational way one can find no justification for such a custom. It is all a vicious circle; the sooner it is done away with the better. But one must admit that no amount of legislation can bring about the change. Transformation is possible by educating the people

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25. According to a speech delivered by Dr. Muthulakshmi Reddi on March 27, 1928 before the Madras Legislative Council (of which she was the deputy President). Given in "The Indian Minotaur", p. 71.

people and making them socially conscious.

4.4 Age at Marriage: The marriageable age of a Hindu girl specially amongst Brahmins was fixed between eight to ten years by the religious authority during the Smriti Period. 26 As stated in the second chapter child-marriages were in common practice after the advent of Islam. "The later custom of Swayamvar which prevailed amongst the Rajputs and the Kshatriyas proves that till as late as the tenth or twelfth century A.D. girls were free to choose their husbands." 27

This evidently, therefore, leads to the conclusion that early marriage was not in general vogue among fighting classes upto that period as a girl cannot choose her partner if she is not mature.

With reference to the marriageable age of a girl in early part of the present century the population can be conveniently divided into three groups. In the first group girls were generally married between the age of eight and twelve or any time from one to twelve. All orthodox Hindus, Mohmedans and lower classes of society form this group. There are exceptions too in this group where a girl marries after twelve.

The second group comprises of middle class the Hindus and the girls in this group were generally married between

26. For details see Ch. 1.

27. Nehru, Shyamkumari: (ed) Our Cause, p. 256.



the age of twelve and twenty years. But the Sarda Act of 1929 has raised the marriageable age of a girl as well as a boy and it is applicable throughout India. There are also exceptions to it but unmarried women after twenty are not common unless they are career women or engaged in higher studies.

In the third group women marry generally after eighteen and not before fifteen. Of course, a new trend of late marriage is developing among educated girls. All the educated high class Hindus and other communities such as Parsees, Christians, Jains and educated Muslims belong to this group.

The census Reports of 1911, 1921 and 1931 (1931 being the latest available Report at present though a new census has been taken in 1951 but the Report is not as yet published) give statistical data for the civil condition of women. A study of these figures shows the truth of the above statements regarding the marriageable age of girls. Figures are also available for the number of married and unmarried women for the different important communities in India. In Appendix D

Tables

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27. According to the investigation of Mrs. Hate she found it as follows: "Calculating the average age of 263 unmarried girls, it comes to 24 and of those matriculated and above comes to 29". Hindu Woman and her future, p. 186. This shows the modern tendency towards marriage among educated class.

Tables I, II, III and IV percentages of married and unmarried women for all India as well as for different communities are given classified according to five year age groups. Besides statistical representation of the percentage of married and unmarried women for the total population in India for the years 1911, 1921 and 1931 a separate graph showing the civil condition of women in different communities is included. <sup>28</sup> A cursory glance at the statistical table immediately brings to one's notice the marked difference in the marriageable age in the various communities e.g. there were 35.6 p.c. marriages amongst Hindus in the age group 10-15 years in 1911 as against 32.18 p.c. amongst Muslims and 9.8 p.c. amongst Christians in the same age group in the same year. This has been true of the years 1921 and 1931 as well. It is very creditable for the Parsi community to have had as low a percentage as .64 of marriages between the same age group. Similar differences are noticeable in the age groups lower than 10. Consequently, in the age groups above 15 the percentages of marriages are very low amongst the Hindus while they are at the maximum in the age group 25 to 30 years amongst the Parsis. Another interesting fact which emerges is that marriage is the general rule amongst the Hindus and the Muslims which were the communities which

to 183,957 in 1921, but 564,194 marriages in 1931 as formed

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28. See Appendix D. Graphs A and B.

formed nearly 90 per cent of the population. Percentage of unmarried women above the age of 25 years amongst these two communities was never more than 1.9. Out of these 1.9 p.c. quite a few could not find men to marry because of physical or mental disabilities.

To estimate the amount of progress achieved between 1911 and 1931 an absolutely fair idea would not be obtained by studying the graphical representations in the Appendix because these show percentages and though the improvement is small when percentages are worked out yet the actual numbers are very large because of the fact that there was a rise in population between 1911 and 1931 to the extent of about 20 p.c. and further more, out of this rise a major proportion was amongst the uneducated and the orthodox. Another important factor to be borne in mind when studying the period between 1911 and 1931 is that owing to the delay in bringing into effect the Sarda Act which was passed in 1929 but brought into force after six months, innumerable marriages were performed in the lower age groups in order to escape the law. This peculiar fact raised the percentage of early marriages among girls thus nullifying the progress made between 1921 and 1929. There were 271,739 marriages amongst the Hindus between 0 to 5 years in 1911 as compared to 183,957 in 1921, but 564,194 marriages in 1931 shows a

definite



increase in child marriages due to the fact stated before.

A similar difference of 154,186 between 1911 and 1921 in the next age group of 5 to 10 years. This shows that though the progress was very gradual the efforts of the social workers to raise the marriage age were succeeding and their enlightened ideas were beginning to be appreciated by an increasing number of people.

As discussed earlier the two religious orders Arya Samaj and Brahma Samaj which were founded by the two social reformers of the 19th century showed praiseworthy progress in raising the age of marriage. Whereas 10.1 p.c. marriages were found in the age group of 5 to 10 years amongst the Hindus in 1921 it was only 4.22 and 2.4 amongst the Aryas and the Brahmas respectively. It is surprising how the influence of the social reformers could alter so materially the attitude to early marriages of the Aryas and the Brahmas who originally belonged to the Hindu community. It certainly makes one optimistic about the possibility of changing these deep-rooted social customs if one has patience, perseverance and devotion for the cause.

There is no legal or social restrictions on the difference between the ages of a husband and a wife. The husband is usually older than the wife by three to five years. When the husband is much older than the wife, the marriage

becomes

29. Risley, Herbert: op. cit., p. 155.  
30. Harijan, Dated 29-5-1937.

becomes an object of social criticism.

4.5 Field of Seclection for Marriage: "In the West the field from which a man can choose his wife is practically unlimited. The restrictions based on consanguinity are few, and all but an insignificant number of marriages are determined by the free choice of persons who have attained physical maturity, and believe that they know their own minds."<sup>29</sup>

In India the field of choice in marriage has become very limited among certain communities owing to certain caste restrictions. Such restrictions are however not universal and are largely based on social usage. The usage varies from province to province and as between different divisions."<sup>30</sup>

When these caste restrictions originated they aimed at preserving the cultural and specific traits of each caste which then happened to be very marked. But today there is a greater blending of traits and there are a few peculiarities special to each caste yet the age old customary restrictions prevail. In spite of this the differences remain and this makes it rather difficult to generalise on the subject.

Broadly speaking they can be formed in three divisions.

(a) Endogamy (b) Exogamy and (c) Hypergamy. Endogamy, in brief, means 'marrying in the group' - that is, a member of a particular

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29. Risley, Herbert: op. cit., p. 155.

30. Harijan, Dated 29-5-1937.

particular class or clan cannot marry out of the group.

Looking at the history of the nations of the world from ancient times it appears that endogamy has been practised due to the racial, national or cultural differences. In India, especially among Hindus, caste system is the root of this regulation while among Mahomedans, the Koran ordered in specific terms "marry not a woman of the Polytheists until she embraces Islam," . . . . and as a result in no circumstances is a Mahomedan woman permitted to marry non-Muslim.

Exogamy means 'marrying out of the circle'. It also prohibits <sup>marriage</sup> upto certain generations on maternal side. In exogamous group a man is not only forbidden to marry a girl of his own clan but also from his mother's or grandmother's clan. Unless it is customary no marriage is valid between persons within prohibited degrees. Broadly speaking two rules have been mainly observed by a clan following exogamy. A person cannot marry in his own 'gotra' and he should refrain from marrying his 'sapinda' which is "usually considered to be relationship upto the seventh degree through males or females of the paternal family and upto the fifth degree of the maternal side." This Sapinda relationship has now undergone

31. See Westermarck's Short History of Marriage, p. 53-54.

32. Ibid, p. 59.

33. A unit in a community claiming common ancestry.

34. Ibid, p. 73.



undergone some changes and a marriage is not valid if two persons are as near as fourth in descent from a common ancestor on paternal side and third in descent on maternal side.<sup>35</sup>

Incest marriage is non-existent throughout the world and even first cousin marriage is not practised among Hindus, though Mahomedans look upon with favour on such type of marriage. Cross cousin marriage is performed amongst certain communities in India. Moreover, "among certain castes in India a man has a special right, or is even expected or obliged to marry his sister's daughter, his brother's daughter, his father's sister or his mother's sister."<sup>36</sup>

Hypergamy is another practice followed by high caste people. The custom of hypergamy is very old and even today it is spread over a vast area in India. Looking at the four varnas<sup>37</sup> inferior divisions cannot marry a girl from a superior section e.g. a Vaishya's son cannot marry a Brahmin's daughter and so on, but a Vaishya's daughter can marry a Brahmin. This practice of hypergamy has created many problems for a girl's father. The high cost of marriage and female infanticide can also be attributed to it.

The

35. Westermarck: op. cit., p. 73.

36. Ibid, p. 67.

37. Four main divisions.

The natural outcome of this in India is heavy bridegroom-price. Only rich people can stand in the competition and poor people may suffer. They try to borrow money but failing in that sometimes resort to some other means in order to avoid social criticism.

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4.6 Choice of the Partner and Fixing of a Marriage: There

are two broad divisions, so far as choice of the mate is concerned. Some castes, (generally in the higher ones) go in search of bridegrooms while the other section go in search of brides. "Among the ancient Romans ... the consent of the pater families was indispensable to the marriage of children

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sons and daughters alike." Even in most of the Western countries - England, France, Italy, Austria, Germany, Switzerland and Sweden - parental authority can exercise their right over their minor children's marriage.

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Only in the United States a marriage of minors without the consent of their parents is valid. In Scotland also marriage after obtaining puberty can be performed without the consent of the parents or a guardian.

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As a general rule these communities that follow a

system

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38. See Kulinism in Ch. II.  
39. Westermarck: op. cit., p. 137.  
40. Ibid, p. 145.  
41. Ibid. p. 146. old man of 70 as described by Mrs. Jate in her book Hindu Women and her Fathers, p. 124. Moreover, in her survey of 119 girls she found that eight were married to old men, p. 118.

system of hypergamy or those having a greater number of girls than that of boys have to go in search of bridegrooms while the reverse is quite possible for the remaining groups. However, where the dowry system is in vogue the father of a daughter in a middle class family is always worried at the thought of a fixing of his daughter's marriage. In such a state of mind he does not wholly look to the personal happiness of his daughter but only thinks of how to give her away in marriage in order to escape social criticism. In some cases he hastily gives his daughter to any person, however unsuitable, though of course within the limit of the caste regulations. Sometimes he dares to give his daughter of sixteen to a man of sixty, <sup>42</sup> who is a widower but wealthy; he knows that the bridegroom will not demand <sup>any</sup> money from him, but, on the contrary, he would benefit financially by securing an old but wealthy and respected man as his son-in-law. He hardly thinks of the inequality of the match but gets satisfaction from the idea that he has secured much wealth for his daughter and that she can now enjoy any comfort she likes. He dismisses the idea of any misfortune with the view that if his daughter becomes a widow it is her fate and nobody

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42. Instances are not lacking of this type. A girl of 14 was married to a man of 45 and a Sikh girl of 14 was married to an old man of 70 as described by Mrs. Hate in her book *Hindu Woman and her future*, p. 124. Moreover, in her survey of 119 girls she found that eight were married to old men, p. 118.



nobody can avoid it and moreover, she would be the owner of her deceased husband's property and there will not be much sorrow or unpleasantness for the young widow.

In most cases in India parents or guardians arrange marriages and the persons marrying have very little voice in the choice of a partner. It is not so much the interest of the couple as that of the family that is mainly kept in view. Normally, a girl cannot take any part in arranging her marriage and a boy in his early teens has no discrimination regarding marriage. On the other hand, when he is fully matured and independent, he can refuse or accept any marriage proposal against his elder's wishes. A girl is more dependent upon somebody else's will in the choice of a partner than is a boy. In certain castes though marriage takes place when both the partners are fully grown up their engagement is arranged in their infancy or childhood and they cannot break. If a man is marrying a second time he is free to choose a wife. Generally, however, parents select the bride or bridegroom, and a daughter or a son has to agree, whether willingly or unwillingly but parents usually see to their interests. Under present customs any unsuitable man may marry even a very decent girl, if he has a parent or uncle to arrange the match. A desirable husband or wife is a matter of accident but the way of rearing children in India helps them to adjust them

themselves to one another. Before the final decision an astrologer is always consulted among orthodox families and if stars disagree the engagement never takes place. There are a few exceptions nowadays where there is scope for choice in marriage. Today, for example, parents may recognise the right of the bridegroom to consent or choose but few acknowledge the girl's right to consent. She has no courage to revolt or express her unwillingness as she has been dominated from her very childhood. She takes it simply as bad luck if the marriage proves a failure and in the course of time gets reconciled to it.

Like Roman families in ancient times in all Eastern countries reverence for parents was considered a filial duty of children. Hence the right of parental authority was automatically exercised by them. Following factors help to support their right in selecting a partner for their children. Being the originators and supporters of their children parents enjoy natural rights over them. Their age, experience and superior ~~experience~~ allow them to rule over their young helpless children. Besides this, respect for old age and natural feelings of affection towards parents, filial duties and the desire to satisfy the wish of parents who are nearing death gain a ground for parental rights.

Impediments

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46. From the article "The Marriage Ideal" Harijan, 5-6-1937.

Even modern social reformer like Mahatmaji expressed his views on the ideal of marriage as follows: "Spiritual development ought to be given the first place in the choice for marriage. Service should come next, family considerations and the interest of the social order should have the third place, and mutual attraction or 'love' the fourth and the last place."<sup>44</sup> He also gives importance to eugenic fitness as procreation is the sole purpose of marriage. To a westerner this may sound very strange but in India a marriage was considered as an act of pious duty and the main purpose of it was procreation. Though Mahatma Gandhi's marriage ideology differed from the views of modern writers in as much as he gave fourth place to 'love' or mutual affection he was not at all against love marriage. According to the changing views on marriage at present among young people the ideal of marrying is quite different. Highly influenced by western culture, attitude to marriage and life has greatly changed in favour of individuality and love. In India an ideal marriage is being understood today as one in which there is mutual understanding and respect for each other, combined with a sense of duty and deep affection which leads to a life-long happy companionship.

Impediments

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44. From the article "The Marriage Ideal" Harijan, 5-6-1937.

45. Thomas: op. cit., p. 133.



4.7 Impediments in the way of Love Marriages: This ideal can be achieved with less difficulty in a love marriage than in an arranged marriage. While expressing the views on love marriage Thomas thinks that besides personal happiness love marriage will improve the quality of race. <sup>45</sup> Love marriage can take place only if there is ample opportunity of social intercourse for the choice of a partner. But in Indian society customs are a great hindrance in the way of social progress. In certain castes especially among orthodox middle classes and backward classes it is customary not to see the partner before marriage. It is also considered a sign of good manners for the young couple not even to see each other before betrothal or sometimes even before marriage.

In the lower stratas of society the majority of the people married at the age of five or seven, before they could understand the responsibilities arising out of marriage. However, at present most of them marry in their late teens and they may get a chance of seeing each other as the majority of them have to work outside their homes to earn their living. In rural areas both boys and girls are generally engaged in agricultural labour, while in urban areas the majority of them work in factories. These young people get greater opportunities of coming into contact with each other than mixing with the opposite sex should be available if their

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45. Thomas: op. cit., p. 138.

their morecultured counter parts from middle class society. Generally, in the middle as well as the upper middle classes, the majority of the girls are not allowed to go out after a certain age. Most of the people in rural areas disapprove of co-education at adolescent stage and there is little chance of mixing with the opposite sex. If by any chance they wish to choose their partners as is the custom in the West there is no possibility for it as there is no means of social intercourse owing to the segregation of the two sexes. At present the situation has somewhat improved. Parents with progressive views take into consideration the consent of the boy and in most cases that of the girl too. Of all the prevailing ways of fixing a marriage in present Indian society a marriage settled by the parents with the sincere consent of the parties concerned is the best arrangement; but the ideal state can only be reached if a daughter or a son is given full liberty in the choice of her or his partner. Of course, opinion of parents based on wisdom and worldly experience may prove valuable in guiding the young couple, but it should not be forced upon them.

In spite of growing acceptance of co-education and freedom in urban areas there are still few chances of social intercourse in Hindu society. Greater opportunities of mixing with the opposite sex should be available if young  
people

people want to establish the custom of choice marriage or love marriage. The majority of Indian and especially Hindu girls, are shy, sentimental and bashful by nature; they have less chance of settling their marriage for themselves. Unless they develop a spirit of courage, self-confidence and self-consciousness there is not much hope of settling their marriage question. Even in Western countries girls who have shy temperaments and suffer from an inferiority complex have fewer chances of marrying in spite of their sincere desire for it. Even those who are successful in getting a mate, do not necessarily achieve happiness. Sometimes their selection of a mate is so hasty and is the result of temporary infatuation and attraction that it either ends on account of a lack of tolerance with broken homes or unhappiness throughout life, which also casts shadows on future generation. Really speaking, the success of a marriage lies in mutual understanding, tolerance and sincerity to one another rather than a claim for equality or assertion of one's rights.

Another obstacle which hinders the practice of love marriage is caste barrier. There were a number of social restrictions among different classes in the previous century, especially against eating together and intermarrying; though the former is vanishing quickly at present, the latter still

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46. Nehru, Jawaharlal: The Discovery of India, p. 208.



still persists. Caste barrier is also removed by the new constitution of India but public opinion is still holding fast to past tradition. There are few instances here and there of intercaste marriages among progressive groups but it is not quite approved of by the society. Though they cannot excommunicate such couples now the general mentality of the common people in selecting their children's mates has remained more or less the same.

4.8 Various Practices of Marriage and Divorce: (1) Monogamy and Polygamy (2) Polyandry.

(1) Marriage in India, especially among Hindus, Muslims, Parsis and Christians is generally monogamous and it is the only form approved by the cultured society of today. But polygamy was allowed in certain castes of Hindus as well as of Mahomedans. Though both the communities had religious sanction for polygamy the percentage of polygamous marriages was very small. Ordinarily a Hindu married again if his wife was barren. It was also practised among the royal families and Rajputs not because of the same reason but sometimes in order to exhibit their pomp and power.

C. Hate in her investigation found that a number of Hindu women were ill-treated by their co-wives and they tried to commit suicide. Polygamy, therefore, should be considered as an offence against the female sex. Further

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she remarks that "When we come across such cases, we are forced to admit the failures of polygamous marriages. This statement is confirmed by the reports of the Shradhanand Rescue Home, which repeatedly request overdue legislation to prevent bigamous marriages."<sup>47</sup>

Several attempts were made to prohibit it by legal enactment. A bill for the abolition of polygamy was introduced in the Central Assembly by Radhabai Subbarayan in 1938. Some effort was made by Seth Govindas Motilal too. A bill was introduced by him in the Council of State. This did not bear any fruit immediately but after the independence of India some provinces e.g. Bombay and Madras were successful in passing a law prohibiting polygamy.<sup>48</sup> Also several advanced native States have prohibited polygamy for a long time.

Polyandry as a pattern of legal marriage is rare in India and its traces are found only among certain hill tribes and backward classes. It is restricted to certain non-Aryan tribes such as Dravidian and Tibetan.<sup>49</sup> It is not worthwhile to enter into the causes as it is of rare usage today.

A different type of polyandry was also practised by Nayars

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47. Hate, C.: Hindu Woman and Her Future, p. 119.

48. For details see Chapter "Legislation affecting Status of Women."

49. Westermarck: op. cit., p. 254. Also "Women East & West" by Magnus Hirschfeld, Preface, p. xiii.

but it is out of use at present.

Divorce: Divorce is unknown in Hindu Law in general though the most authentic law giver, Manu, has allowed divorce on certain grounds. "In the case of Hindus, marriage is regarded as a sacrament and there is no right of divorce although amongst low caste Hindus, divorce, usually of a most informal character is recognised by custom." <sup>50</sup> Divorce was not in vogue among high caste society in India because of the marriage ideal that a Hindu marriage is a sacrament and marriage ties cannot be dissolved by human actions. But with legislation coming into existence, prohibiting polygamy the problem of divorce becomes a very major issue even for the husbands who all through out had enjoyed privileges. It becomes absolutely necessary to allow divorce in all classes of society and at the same time to simplify the procedure to obtain it. It is no use allowing divorce under absolutely impossible conditions but sensible considerations like adultery, cruelty etc. should be the sufficient grounds for divorce. Legislation in this field has been discussed in detail later on in Chapter IX.

Another problem that arises is that with deep-rooted social customs it is extremely difficult for a divorced woman to remarry as a sort of a stigma is attached to divorce. As

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50. Nehru, Shyamkumari (ed.) op. cit., p. 287.



a matter of fact, her case would be equally difficult as that of a widow remarrying. It would be decades before women themselves would demand divorce on grounds which appear quite reasonable to the Western democracies. A woman in India would only ask for a divorce when her life becomes absolutely impossible and unbearable. Besides, in India, especially in high caste Hindu society where marriage is held in such a high esteem that women hardly ever dream of getting a divorce. Once marriage is effected death is the only alternative to end it. Before 1949, when the Hindu Divorce Act was <sup>not</sup> enacted in some parts of the country legal provision for divorce for high caste Hindus existed only in a few native states. A divorce was condemned on social as well as on religious grounds. Furthermore, Hindu marriage is basically a religious one, resulting in a life-long union of the two partners. This union is considered so pious and holy, that although legally recognised, divorce is difficult in most of the high caste Hindu families. Only certain castes and communities and most of the lower classes of society enjoy the right of divorce on both sides, but it is mainly advantageous to males.

Even today it is feared that divorce is the enemy of married and peaceful domestic life. If it is easily effected it will prove destructive to the institution of family.

Looking

Looking to the present condition of some of the high-caste Hindu wives divorce is the only remedy to terminate their unhappy marriages. What is the use of binding two persons in lifelong misery when a marriage has proved unsuccessful or a wife has been deserted by the husband? "When a marriage is unhappy and beyond repair, dissolution is, I believe, the only moral cause. If the quality of home life and the enrichment of human personality are held to be matters of value, it cannot be right for two people to live together whose im temperaments jar to such an extent that they are never at their best with each other."

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Efforts have been made in this direction by educated men and women. They have begun to advocate the legal recognition of divorce in high caste Hindu society. This is a very natural outcome of what they have suffered up till now. The husband has always enjoyed the right of re-marriage neglecting his wife totally or making her a family drudge.

Today divorce is legally permitted in certain states but it is still not popular in urban areas and even less popular in rural areas and among orthodox groups. However, quite a number of people in big cities where divorce is legally permitted have taken advantage of the Divorce Act and society is beginning to take a view and condone such cases.

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51. (Mrs.) Pollock, Dighton: Women of Today, p. 18.

#### 4.9 The Position of a Daughter-in-law in a Joint Family

and an Individual Family: The joint family system is rigidly followed in villages. The family according to Indian definition, does not mean parents and children only, but it is a unit consisting of members related to each other by blood and marriage. This unit varies from place to place. A comparison of rural and urban families reveals that there are more small unit families and fewer joint families in the cities than in the country. The reason is twofold. In villages all the family members pursue the same occupation, mainly agriculture or animal husbandry. The districts are thinly populated, so the families have plenty of space for residence. In cities, however, a person has a limited space for his residence. He cannot afford to keep dependents, and since members of a family have different occupations it is not so convenient for them to live together. Considering the problem from the economic and social points of view, it will be found that the custom of the joint family is the most prevalent among wage earners in the cities and agriculturists in the villages, irrespective of their economic position. In olden times the family did not only mean an institution for regularization of sex relations and for upbringing the future generation but also a complete economic system, a training ground for all the family members and a means of observing

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the religion. Under the present circumstances the joint family is losing its original significance and functions. There is definite tendency for individual or unit family among the educated and people residing in urban areas which in spite of its advantages has created a small world of wife, husband and children which has definite effect on the interpretation of family life.

The size of the family has been much affected in the cities than in the countryside by the influence of western civilization. The present younger generation craves for more independence in its personal as well as social life. The head of the family in a joint family is always the eldest male member. It is true that law has never barred women or younger people from assuming the position of a family head but it is not customary. There are quite a few families where women by their skill, wisdom and cleverness have attained a dominating position; but as a general rule youngsters and womenfolk are held in subordination like a semitic family in ancient times. "The husband and father in the semitic family was a king and lord".<sup>52</sup> In such joint families, as remain, a newly married wife has no individuality whatsoever. Even her husband cannot make a stand against the family-head in the interests of his wife. Youngsters, and especially daughters

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52. Thwing, Charles Franklin: op. cit., p. 180.

daughters-in-law, are supposed to work for the elderly members of the family. In return, most of the time she gets reproches or harsh words. Thus the position of a girl as a daughter-in-law is very irksome in Hindu Society. <sup>53</sup> The wife has to give priority in obeying the orders of her mother-in-law and sister-in-law to what she herself or her husband feels. Where relations are strained the mother-in-law always finds faults with her and treats her in a way even worse than a servant, in spite of her intelligence or willingness to work. Next to the family head the mother-in-law is the supreme authority and, owing to the seclusion of women, rules over all the younger womenfolk in the house. The tyranny of the mothers-in-law sometimes go so far that there are not a few examples of daughters-in-law committing suicide. This is more frequent in a community where the bridegroom-price is very heavy. Under such circumstances every action of the daughter-in-law ~~er-sis~~ - even the way she talks, the way she dresses is criticised by her mother-in-law or sisters-in-law. Naturally, there arise unnecessary quarrels and the poor daughter-in-law becomes the victim. It is generally accepted that a girl must exercise greater care in performing the function of a daughter-in-law than that of a wife. As

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53. See the evidences in Joshi Report.

observed by Sister Nivedita in 'The Web of Indian Life' "unlike Western Society, according to Hindu notion, the eyes of the bride and bride-groom are to be directed towards the welfare of a family and not of themselves as basis of society!"<sup>54</sup>

Dr. Muthulaxmi Reddi describes the lot of young daughters-in-law thus: "In the middle-class and poor families with an unsympathetic husband and an illiterate, cruel hearted mother-in-law, the lot of the poor young, inexperienced daughter-in-law is very hard indeed. She has to serve as a cook, as a nurse to her children, as the wife and a general servant in the house and in addition has to observe all the foolish 'acharams'<sup>55</sup> prescribed by the elders of the house..."<sup>56</sup>

However, times are changing and with the spread of education and awakening of social consciousness and the growth of the unit family system the subjugation and the hardships that a daughter-in-law has to suffer are slowly diminishing. There are many examples of joint families living in peace and harmony and these make one realise the good points in this ancient joint family system.

At present, industrialization has limited the scope of the joint family. New and enlightened tendencies are visible. They form separate families of their own, sometimes with

54. Sister Nivedita: The Web of Indian Life, p. 38.

55. Duties.

56. Rathbane, E.F.: Child Marriage, p. 36.

57. Desai, Meera: The Impact of the British on the Position of Indian Women, p. 403.



with the spread of education among men and women. In the modern times small groups of people crave for personal freedom, but society as a whole is as yet very far from an attitude in which a woman's right to develop herself and to live her own life is recognised. An educated girl does not like to work under her mother-in-law. The intellectual and ideological gap between the two is so wide that any attempt to keep them in one house is nothing but an invitation to daily quarrels. Further due to the influence of the democratic and individualistic concept the educated class begins to disfavour the life in the joint family."<sup>57</sup>

The joint family, in its real sense, is slowly disappearing today. It has a direct relation to human behaviour as well as to economic factors. Now-a-days, many families, though they seem to be a single joint family, in reality are not so, because married brothers who stay for convenience in one common house, have separate apartments, separate kitchen and separate expenses. Sometimes the joint family is split up because some of the members migrate to cities to earn their living. Technically speaking they are still considered members of the joint family, but in fact they are not. They form separate families of their own, sometimes having with them one brother or a widow sister or a dependent.

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57. Desai, Neera: The Impact of the British Rule on the Position of Indian Women, p. 403.

However, at present the problem of shortage of housing is very acute in urban areas especially in big industrial cities. Today a new contradiction has appeared. Ideologically, the educated strata support separate individual family while due to economic difficulties and scarcity of space, they are forced to live a joint family life.\*

The individual family pattern has broken up the family ties. Grand parents, <sup>etc</sup> unless, aunts or other dependents have less chance of living with the family. A new attitude has developed among the young people; they do not consider it desirable to live with a parental family or to support old or dependent relatives. This was quite unknown in the joint family and among the previous generation. "The wife who refused to share her husband's obligation to a ~~di~~ widowed sister and her children was never known in India." <sup>58</sup> At present partially the young people have been forced away from all those dependents by mere circumstances and they also look upon the complications of a large household as something to be avoided rather than welcomed as a duty.

However, the break up of the joint family, though improving certain aspects of the marital relation has discarded some benefits of "the old-time household where grandfather or aunt often had a personality which held the group together in a rich and beautiful social life." <sup>59</sup> It must also be admitted

58. Sister Nivedita: op. cit., p. 37.

59. Folsom: op. cit., p. 186.

admitted that certain problems of present-day child-rearing are partially accounted for by the disappearance of the elderly people from the family. Young mothers have practically no knowledge of childrearing, either in practice or theory. These old people, especially aunts, grandmothers and other dependents rendered a valuable service. They brought up and instructed the children with less difficulty because of their long experience. Thus, while assisting the young mothers, they occupied themselves and proved worthy of being family members without becoming an extra burden to the family. For peace and solidarity of homes, "four qualities are essential - sympathy, compatibility, confidence and mutual aid. There must be sympathy between all the members of the family; compatibility between the parents, confidence in their children and mutual aid from all to all."

Thus both systems of family life prevailing in India have their advantages and disadvantages, and with slight alteration one could reap the advantages only of both the system.

Whether the individualistic trend on the part of younger generation is good or bad one cannot say at the present, nor is it possible to say that the individual family is better than the joint family. Still for the peace in the family the older generation is expected to be more generous towards the

individualistic



individualistic spirit of the younger generation. Only a spirit of understanding and tolerance will bring more peace and harmony between husband and wife and between a daughter-in-law, and a mother-in law.

4.10 Relation between a Husband and a Wife: "A woman in twentieth-century America, is looked upon as a complete physical and mental organism, which can exist and function without the active aid of man;"<sup>61</sup> while in India such an idea is foreign to the great bulk of society. In spite of a steady increase in education and growing appreciation of liberal views in society the majority of women are still held in subordination. Their individuality is not respected like that of American women, especially if they happen to be members of joint families.

But the relation between a husband and a wife in an individual family is better than that in a joint family. Here they get a chance of developing their individuality and accept marriage as a partnership and not condemnation or subordination of a wife. According to the favourite Indian metaphor the wife is a minister and the husband a king of the family kingdom. It is the king's duty to rule and the minister's duty to administer and to maintain the kingdom.

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61. Nearing Scott: op. cit., p. 2.

Their field of work is different as one attends to work outside home while the other works in the home. "Man and woman are equal in status; but are not identical. They are a peerless pair being complementary to one another." Hence this division of duty is beneficial to them on average as "feminine individuality is essentially distinct from the masculine and the great organic distinctions between men and women will always tend to produce different characteristics in each." However, it is quite correct to say as the proverb reads "Man works from rise to set of sun changes owing But woman's work is never done." Barring a few well-placed women coming from the aristocratic classes the majority of women in India have to toil hard for the maintenance of their homes. A woman works from morning till night doing all sorts of odd jobs and during night also she cannot sleep peacefully as she has to nurse and look after her children. Under the domestic system even in the middle class family, besides household management and daily work in the home, a wife's duty is to bring up the children, to look after them, to educate them and to train them to become the best possible citizens of the country.

peculiar distinct characteristics, as "Nature intended Upto

62. Gandhi, M. K.: op. cit., p. 6.

63. Mitra, S. M.: The Position of Women in Indian Life, Preface, p. xv.

64. Quoted by Scott Nearing in Women and Social Progress, p. 52.

Upto the dawn of the present century women's place was evidently in homes and their duty towards their husbands and elderly people was to obey and serve them. A wife did not have separate identity other than her husband and her intercourse in social activities outside the home limited to marriages, and festivals. It has been rightly remarked that "The domination of males over females has always been considered so natural, logical and inevitable that not until recent times has, it even been seriously questioned." 65

During the present century society has undergone so many changes owing to social, political and economic upheavals that woman's right to engage herself in outside activities has been automatically recognised. According to the writing of Gandhiji "Woman is the companion of man gifted with equal mental capacities. She has the right to participate in minutest detail of the activities of man and she has the same right of freedom and liberty as he." 66

A woman's activity is much restricted by frequent pregnancy which makes her helpless and many a times weak. Besides this, her temperament is different; hence a woman should not imitate a man but make the best use of her most peculiar distinct characteristics, as "Nature intended the

sexes

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65. Schenfeld, Amram: Women and Men, p. 289. Also Nearing Scott Women and Social Progress, p. 30.  
 66. Gandhi, M. K.: op. cit., p. 5.



sexes not to be competitors but to complement one another."

The only thing that is required is that a woman's work and service to the family should be recognised so that she may also realise its true value and develop self confidence and real interest in her home activities. Generally speaking in India as well as in other countries many of the modern writers have concluded that the work of a wife and a mother is in

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a home. Yet nobody can deny their right for outside activities. "There are also women who are born scientists, artists, administrators, teachers, statesmen and so forth. There will be always suffering if the state or public opinion tries to force these women into a domesticity that does not suit them, and real loss to us all of their services in what does suit them."

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The advantages of division of labour and her main activities in home are quite apparent yet it does not mean that women with gifted ability should not partake in politics and other outside activities if circumstances permit them. Women have every right to share in every aspect of the outside world - whether it be politics, economics or social work, provided they do not neglect their duties in the home. Yet

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67. Scheinfeld, Amram: op. cit., p. 329.

68. Royden Maude: Women's partnership in the New World, p.114

69. Ibid, p. 115.

an average housewife of a Hindu or a Muslim family knows hardly anything about the outside world, being mostly engaged in household work. A woman of the typical Hindu family organises the household with the consent of the supreme authority that is her husband, plans meals and looks after the needs and comforts of the family members. Also, so far as social relation with friends and relatives are concerned, it is the wife who plays the most important role, with the occasional support or co-operation of her husband. Further, it is not uncommon for the husband to hand over the necessary sum for the household expenses to her. But the Indian custodian of the family purse does not have the same economic rights as the western one.

An average Hindu woman in the married state is happy if there is mutual understanding and affection between herself and her husband. The dominating spirit of the husband has begun to abate now-a-days and the educated wife enjoys, though not equal, at least a better status than before. Though woman's position has greatly improved, men still retain the first place in the family. Thus father and mother are considered equally responsible for the bringing up of the children and even for the running of the whole family, still if a disagreement does arise it is the father's opinion which becomes decisive.

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To some extent the relation of husband and wife depends upon the personal qualities of the couple. When the husband is weak or stupid, and the wife able and energetic, she often plays an important role in a unit family. There are a number of examples where the ablest wives have handled the family affairs cleverly and sometimes have been even played prominent part in public life and enhanced the prestige of their families. But these are exceptions. Generally, the husband is a more dominant figure and a henpecked husband is a subject of ridicule in Indian society. The status of a wife remains subordinate, though it is true that to some extent that status is improved when she becomes a mother especially a mother of a son.

4.11 A Woman as a Mother: "The apotheosis of the mother has reached a greater height in India than anywhere else. The son could never abandon his mother, even if she was boycotted socially and religiously." Thus a woman's position as a mother is highly honoured in India since Vedic times. Indian writers, philosophers and poets have praised the mother so highly that she is treated with greater reverence than Heaven itself. "What lived deep in every human soul and what the people of India cherish ardently, Tagore expresses so beautifully when he sings: "Mother, I shall weave a chain

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70. Altekar: The Position of Women in Hindu Civilization, p. 118.



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of pearls for thy neck with my tears of sorrow."

An Indian mother is in greater intimate contact with her children than the father is. The mother is a symbol of kindness and affection, and the father of dignity and sternness. "While the father cares more for the purely physical welfare, while he gives gifts which are transitory, the mother through her educational gifts in the domestic and religious spheres, is working for eternity."

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A father may grade his affection for his children according to their abilities, but for a mother all of them stand on an equal footing. She loves equally the weakest and the ablest, or sometimes the flow of affection goes more strongly to the former. Her love for her children is self-less. She shares their joys and sorrows and tries to comfort them in any state of unhappiness. A mother's love is in the truest sense revealed in the Indian family. When the father dies, leaving no property behind, it is the mother who, by spinning or doing even menial work, manages to add penny, in order to bring up her children, always at the cost of her own comfort. The mother's position was well described in the laws of Manu: "the mother is a thousand times more venerable than the father". Ideally, the mother in Indian society

71. Mrs. Ketkar (trans): Quoted from Gitanjali, p. 77 by Mrs. Ketkar in her translation of the Book on the Soul of the Indian Women," p. 39.  
72. Ibid, p. 17.

society is a unique example, of the spirit of tolerance, patience and sacrifice. But today the relations between mother and son are often embittered by the mother's attitude towards her daughter-in-law. A mother may refuse to forego the position of supreme authority over her and in the resulting tug-of-war not only the daughter-in-law but the son himself is involved, and the couple may leave the home because of strained relations. The feeling of reverence towards the mother and elders has been less prominent recently among youngsters; hence in extreme cases a mother may be totally neglected. In general it would be quite correct to say that the mother's position in a joint family is higher than all other women members which in line with the changing trends of modern society her position in an individual family system comes after the wife's.

4.11 Barrenness of Women: The greatest hindrance in the path of a happy or successful marriage is the barrenness of a Hindu woman. "Barrenness is the greatest possible curse to a woman in India and the most dreaded of all the misfortunes that can befall a Hindu family."<sup>73</sup>

The desire for a child exists in almost every human heart. Even extreme poverty does not stop the desire for children. This notion has its root in certain socio-religious

73. Abbe, J. A. Dubois: Hindu Manners, Customs and Ceremonies. p. 591.

gious beliefs of society. There may be other social reasons for it, but there is a natural instinct in every human being to beget this progeny.

In Hindu society a barren woman is not respected and her disability is considered a logical excuse for her husband to remarry. As a result, a fear of barrenness is so innate in a Hindu woman that she takes any quack remedy to cure it. The attitude of society towards a barren woman has been very well reflected in the following words:

It is better to be a stone than a barren woman because the first can be utilised in washing clothes. What is the use of a barren woman ?  
74

Pandita Ramabai in her 'High-caste Hindu woman' gives a picturesque description of some practices to remove barrenness as follows:- Herbs and roots known for their virtue of son-giving are eagerly swallowed; also son-giving gods and trees are regularly worshipped, even rosaries used by mothers or sons are procured to pray with.  
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Women practised all such 'vratas' not only, because the chance of their personal happiness depends on it. Dr. Magnus describes his experience during his tour to India  
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thus:

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74. A common Indian proverb.

75. Pandita, Ramabai: The High-caste Hindu Woman, p. 16.

76. Religious vows.



thus:- "an equally deep impression was made upon me by the women in Bombay, who laid siege to my room at the hotel from early morning till late at night, asking me for advice about how to prevent - not pregnancy - but sterility." <sup>77</sup> According to Manu "a barren wife may be superseded in the eighth year". However, in practice the husband does not generally wait upto period prescribed by the religious law-books but marries again after three or four years. Then, the childless wife is made to drudge of the whole house. There seems no hope for her in this world, since her husband is displeased with her on account of her misfortune. Gradually, however, enlightened people have come to understand that it is not the woman's fault alone but the husband may be equally responsible for childlessness.

4.12 Importance of a Son: Indian society has placed an exaggerated value not only on progeny but on sons and belittled daughters. The desire for a son remains strongly in every Indian, especially in every Hindu. Such an attitude has its origin in the particular social habits and religious beliefs which result in tears instead of joy at a girl's birth.

Among high-caste Hindus it is a common belief supported by religion that only a son has the capacity to perform the duties according to "Hindu Manu, Customs and Ceremonies" parents'

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77. Hirschfeld Magnus: Women East and West, preface, p. xi.

parents' 'Shradha'<sup>78</sup> by which one attains Heaven. Moreover only a son is capable of freeing the parents from the Hell named 'Put'.<sup>79</sup> Such is the importance given to a son that in India when a married woman salutes a Brahmin (priest) or any elderly person, he says "May you have seven sons" as a blessing. It can be reasoned that all such beliefs had their root in the particular patriarchal structure of society in general, because among the Nayars of South India where matriarchy prevailed it is quite the contrary.

Twenty-five years ago, under certain circumstances, the birth of a girl brought calamity to her mother. If unfortunately a wife happened to have all daughters and no son, Manu authorised the man to marry again after the eleventh year of their marriage. The law, being one-sided, favoured the man and not only neglected but suppressed the woman; so the majority of Hindu women were overpowered with fear at the approach of each child-birth, her husband might marry again if she produced all daughters and no son. In most cases her hopes of holding the affection of her husband and other relatives

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78. A religious ceremony performed by the son on the tenth day after the death of a person.

79. Sanskrit word for Son, putru, means literally 'one who saves from hell named 'Put' into which sonless parents fall according to "Hindu Manners, Customs and Ceremonies," p. 205.

relatives depended on her bearing a son. The women of the poorest class perhaps had less rear in this respect than the richest who were almost invariably subject to this trial. Among all classes the wish for a son still prevails but its intensity is felt less at the two extremes of society among the most refined because of their education and understanding and among the lowest class where a girl is not an economic burden.

In addition to religious beliefs, the following are the main reasons for preferring sons to daughters.

- (1) Patrilocal Residence of a son.
- (2) Social status.
- (3) Psychological and traditional influence.
- (4) Economic pressure.

Patrilocal residence of a son is to some extent responsible for the parents' looking down upon a daughter. A son remains in the parental home till his death, while a daughter goes away as soon as she is married. Thus a son becomes the only comfort of his parents as he looks after them in their old age.

A father may attain a higher social status only through his son. Whatever he may not have done or achieved can be accomplished by his son or sons. Thus he fulfils himself through his son or even his grandson. In a joint

family



family society, the individual has not much scope to flourish separately; thus the sons fame or prosperity is the highest satisfaction and pride of the family.

In every human being there is a desire for the continuance of his race. In patriarchal society this is only possible through the birth of a son, which gives much mental joy to the parents as well as adds to their social prestige. Most people believe in religious conventions and so the craving for a son is the product of tradition~~al~~.

Everyone in Indian society ardently desires an heir to his property if he is rich, or, if he is poor, a son to lessen his burden by lending a helping hand in the family. Normally, the common belief is that a girl cannot earn; also she is by convention not supposed to earn, whatever the talent and capacity for work that she may possess. The times are changing and many parents do find that girls are as helpful as boys, but their number is not large since the daughters are not given opportunities to work unless they are forced by the circumstances.

Another objection to having daughters is that they are generally supposed to be the property ~~of~~ others. They do not help to add to their father's property; on the contrary the father has to spend some amount after their marriage. In some communities a daughter is a burden to the father throughout  
his

his lifetime. The father is not supposed to provide for her only; but he is compelled to provide for her children too. If a poor father has one or more daughters he is doomed. Most of the middle class people have to incur debts in order to celebrate a daughter's marriage. Thus the monetary condition of a father influences his willingness to accept a daughter and plays an important part in determining the treatment given to her.

There is nothing wrong if many people think that the birth of a daughter therefore "is considered to be the penalty of sins committed in a former state of existence." People in Hindu society do not desire for a girl where fathers have to sell or mortgage their residential houses; thousands of girl wives have to suffer in patience maltreatment like prisoners under their fathers-in-laws' roofs in consequence of their fathers' inability to meet unjust demands.<sup>80</sup>

Among the working class, since girls generally work less than a boy, they have proved to be a poor economic factor. Therefore with so many advantages in having a son and so many disadvantages in having a daughter, who would wish for a daughter? "Sons are earnestly longed for, while daughters are not wanted. This feeling exists everywhere, but

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80. Risley, Herbert: op. cit., p. 169. I, p. 215.

but it varies greatly in intensity"<sup>81</sup> according to dowry and the cost of the marriage prevailed in that particular caste. The whole blame goes to the social structure of society, to religious beliefs and social convictions. All these factors may have been good in ancient society but they should be changed with the times. In Indian society generally it seems that girls are only needed for the continuation of the community, hence they are much respected as mothers.

4.13 Treatment of a girl and a boy: A girl born in a house shadowed by superstition, prejudice and ignorance did not bring any joy to the family. If accidentally somebody died in the family or a boy's death was immediately preceded by her birth all thought her to be the cause of disaster. As a result she became sullen and self-centered which affected her mentally. Moreover, a girl might not only be neglected but was abused and was considered an unwelcome guest in the family. As, all girls were born into a world of subjection"<sup>82</sup> not only her parents but even a brother asserts his superiority. In the absence of the parents a brother became her guardian and advised even his elder sister as to what she should do and what she should not.

The history of any country earlier than the later half of the

81. Census of India, 1911, Vol. I, Part I, p. 215.

82. Nearing Scott: op. cit., p. 30.



the 19th century shows that it is not an exaggeration to say that, "Females, in all countries are too much under the domination even today of their parents."<sup>83</sup> But an average Indian girl is not free from the subordination even today to the same extent as a modern girl in America where "her father does not own her ... her husband does not beat her."<sup>84</sup>

Humiliation greatly affects the formation of a girl's character and most of the girls are found lacking in self-confidence. Consequently, she becomes sad, dull, unhappy and easily dominated by others. It is true for an average Hindu girl that she "is never really made to feel that she ~~must~~ must stand on her own feet. She is brought up to expect that her father will support her until she can find a husband."<sup>85</sup>

There was not much difference between the treatment of a girl in a poor family and in a rich one, but there was a marked difference between the treatment of a girl and a boy, except in educated and enlightened families. A boy was educated even at the cost of ~~starvation~~ <sup>the ~~hat~~ comforts</sup> of the family. A girl was under-educated or not educated at all, even if the family was in a good financial position, in the belief that she has not to earn her bread, so what is the use of ~~improving, and they themselves are ready to~~ education

83. Wollstonecraft, Mury: A Vindication of the Rights of Women p. 161.

84. Nearing Scott: op. cit., p. ix.

85. Nearing Scott: Ibid, p. 95.

education to her ?

It is believed that the daughter must speak submissively and in a low voice, as she was intended to be a wife, when she would have to obey the orders of all the husband's family without any hesitation or question. She must be trained thoroughly so that she might not bring disgrace to her parents family. The culture of her father's family was measured by the daughter's behaviour. A girl was always taught how to cook; how to clean the house and to manage it, how to carry out orders, how to behave and speak with elderly people and to show due respect to them and so on. It is true that there is nothing wrong in performing the duties of a housewife but when a girl is not allowed to work outside the home and her freedom restricted, there is much harm done. This whole attitude has now gradually changed in educated families and intelligent co-operation is preferred to blind obedience. Discipline in daily life and respectful behaviour towards elders is and always will be appreciated but a semi-military type of obedience is not welcomed in modern society by the younger generation, either at home or in the schools.

The position of girls in certain societies is gradually improving, and they themselves are ready to adopt enlightened ideas. Parsees are recognised as the highly advanced and cultured community in India and marriage as already stated

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is not compulsory for their girls. Yet traditionally they are supposed to know and do all domestic work; hence they do not yet enjoy so much freedom as boys, nor have they found an equal opportunity of competing with them. At present, the status and importance of the girl varies in all societies according to the prevalent beliefs and the degree of adaption to progressive education and culture which are known only among urban people. The vast majority of the people who reside in rural India are only beginning to get a glimpse of it. But the revival of ancient Indian culture, properly adapted to modern conditions, has brought progress among the majority of people in India. Thus the degree of variation in treatment between a daughter and son depends upon how far a person has socially and educationally advanced and how far he has grasped the true ancient Indian culture.

In the last few years there has been a slow but marked changes in the attitude of the people, regarding the treatment of girls. Mass mentality, however, cannot be changed within a short period. It may take years and years to uproot the deep-rooted habits of neglect towards girls. During the last twenty years more girls have been educated and this has raised them to consciousness. In towns and villages, among the educated and less educated, among the rich and the poor, girls are having greater freedom than  
what

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what was given to their mothers. There is less difference between the treatment of a girl and that of a boy. Now-a-days girls are not so much belittled as they used to be. In cultured and enlightened families girls are treated on an equal footing with boys.

For the general betterment of Indian girls some practical steps should be taken by young India and if the following suggestions were taken into consideration the final achievement or the improvement of position of girls would not be very far:-

- (1) Development of respect for females without any difference of class, caste or age.
- (2) Enough opportunity and freedom to help them to attain more knowledge and to develop their character.
- (3) Removal of harmful social restrictions which hamper their progress.
- (4) Education and training in the creation of self-confidence and their ultimate economic independence.
- (5) Removal of all disparity in the treatment and upbringing of the two sexes by developing the public opinion.

The majority of the people who talk of equal rights for boys and girls forget to treat them equally but there are exceptions and it would be unjust to some of the parents who sincerely believe in equal rights and equal treatment of girls

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and boys, if one made too sweeping a statement. They try to provide facilities for them with whatever means they have, irrespective of their sex. However, the general treatment of the girl in an average Indian family is not very enlightened and a majority of the males have not yet developed a feeling of respect towards females. This hinders the girls' progress in later life both in the home and in the society.

#### 4.14 Marital Status and rights enjoyed by non-Hindu Women:

The marital status of other Indian women differed very little from that of Hindu women, yet it did vary with different groups, according to the social and religious beliefs of each community. A Mahomedan woman did not suffer many ~~adv~~ disadvantages in marital relationship as her Hindu sister used to suffer. The Muslim concept of marriage was quite different from that of the Hindu one and it was more favourable to a Muslim woman compared to her Hindu sister. A marriage is a civil contract according to Mahomedan law, however, its spiritual value is none the less recognised. "It enjoins it as a religious duty 'incumbent on all who possess the ability' <sup>86</sup>. Moreover according to Ashabah, "It is a sacrament in so much that, in this world, it is an act of worship, for it preserves mankind free from pollution. It is instituted by divine command among members of the human species."

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86. Westermarck: op. cit., p. 40.

species." <sup>87</sup> Thus it is ordered in Islamic law that a marriage is an act of worship and everybody who is capable to contract it should marry. The girls were not allowed freely to mix with boys after a certain age as it was considered by society to be indecent. In Northern India, as well as in most of the Moslem communities, girls, after the age of ten or twelve, were not allowed to go out in the day time without a purdah or a veil. They were forbidden to see any male except their brothers, fathers and nearest relatives and to go to school for study. Most of the time they had to confine themselves to the inner part of the house - known as zanana specially set aside for the female members. Due to the custom of Purdah, therefore, a Muslim woman was restricted in her movement and upto the civil Disobedience Movement ~~an~~ of 1930 many of them were more secluded than Hindu women. Early marriage was very common among them as majority of them were illiterate and backward. The choice of mate is generally the province of the parents or guardians. A woman's consent is not required if she is minor and under her father's protection. But a Muslim woman enjoys certain privileges in selection of a partner after attaining puberty. This right varies with different sects of Mahomedans. "Among the Hanafis and the Shiahhs the father's right to marry his daughter

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87. Quoted in "Our Cause", p. 230.



daughter without her consent comes to an end when she arrives at puberty, but this is not the case among Maliki School of Mahomedans, where she ceases to be his property by death only.<sup>88</sup> mutual consent of both parties. In the third type,

In the majority of cases after attaining puberty the law required her consent to the marriage and nobody can force her to contract a marriage disapproved by her. Child marriage was frequent but such marriages arranged by a guardian could be dissolved by the person on attaining puberty. Only such marriage could not be repudiated, if it was arranged by a father or father's father except when it could be proved that the girl's guardian had acted negligently or fraudulently, or to the disadvantage of the girl. Polygamy is practised among Mahomedans and their prophet allowed them to marry not more than four wives at a time. According to Koranic injunctions "If ye fear that ye cannot do justice between orphans, then marry what seems good to you of women, by twos, or threes, or fours;...."<sup>89</sup> received only at the time of dissolution of

the Islamic law permits divorce to both the parties yet certain terms favour the male party. Three types of divorce are practised among Mahomedans. Talak, Mubarat and Khula. In the first type a Mahomedan woman is sometimes divorced women less than that of the Hindus. The main disadvantage at

88. Westermarck: op. cit., p. 136.

89. Quoted by Shyam Kumari Nehru in "Our Cause", p. 232.

90. Mason, Lalchand: The Position of Women, p. 24.

at the whim of her husband which is unfair to women; he can even divorce her in her absence only by speaking the word 'Talak' three times. In Mubarat, a marriage can be dissolved by the mutual consent of both parties. In the third type, Khula, a wife can secure divorce through the intervention of the court on certain grounds. But she has to forego her dower if she asks for divorce. In short "divorce" by mutual consent and also by judicial decree has always been recognised in Islamic law. But the husband still has the right of pronouncing 'talak' (divorce) whenever he pleases without assigning any cause." <sup>90</sup>

Thus, a Mahomedan woman does not however, hold a high position as a wife and women are usually held in low esteem, except in a few cultured families. It is customary for the husbands party to give dower and it is fixed at the time of marriage. The dower consists of money or property and is divided into two kinds - (1) prompt and (2) deferred. The prompt dower is payable at the demand of a wife but the latter can be received only at the time of dissolution of the marriage. The main purpose of the custom was to provide for her in case of neglect by the husband, on his death or divorce at the desire of the husband.

Thus, in general Islamic laws are more favourable to women than that of the Hindus. The main disadvantages suffered

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90. Menon, Lakshmi: The Position of Women, p. 24.

by Islamic women are seclusion, custom of polygamy and ~~Parsee~~ Talak. Besides these the general trend of society is not progressive as most of their customs which are not suited to the present times still persist and are based on religious injunctions. Marriage of a Muslim woman cannot be contracted with a person other than Muslim hence intercommunal marriage is not at all practised. The status of a Muslim woman is not not higher than that of a Hindu woman. "The Mahomedan religion, by its original concept, ascribes to women a status not<sup>91</sup> much higher than that of a slave to man." In short, there-  
<sup>much</sup>fore the general status of a Muslim woman is not<sup>91</sup> higher than ~~that~~ that of a Hindu woman.

As given in Religious books of the Parsees, marriage was a religious duty according to Zoroaster. Marriage was<sup>92</sup> monogamous and there is no mention of polygamy in Avesta texts. Of all the major communities in India Parsee is the most advanced community at present so far as the treatment of and attitude towards women is concerned. They marry comparatively late and in most cases marriage is settled by the mutual consent of two partners. Though, parents have rights over their minor children, educated parents do not interfere much and give their consent if there is basically nothing unsuitable  
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91. Scheinfeld, Amram: op. cit., p. 297.

92. Dalal, F. M.: Social Life and Manners of the Parsis in Iran and in India, p. 335.



in the match. The Parsee marriage is governed by the Parsee Marriage and Divorce Act. The nature of marriage ceremony among them is religious and the requisites of a Parsee Marriage is based upon two main factors: "No marriage can be valid if it is between parties related to each other in any of the degrees of consanguinity or affinity prohibited among Parsees, and unless it is solemnised according to the Parsee form of ceremony called Asirvad by a Parsee priest in the presence of two independent Parsee witnesses." The consent of the guardian is necessary if a party undergoing marriage is below twenty one years. A marriage certificate is provided by the Parsee priest duly signed by the witnesses as well as guardian and then the marriage is registered. Though a Parsee marriage is a religious binding yet divorce is allowed and to that extent it is a contract. Religious authority does not sanction celibacy. "In the Zoroastrian books, as in the sacred books of India we meet with the idea that a man should marry and get progeny."

After their migration to India and having settled at various places in Bombay province their dress, customs, religious practices, marriage and other aspects of social life

93. Blessing.

94. Nehru, Shyamkumari (ed.): op. cit., p. 242. required

95. Westermarck: op. cit., p. 43.

96. See Appendix B Table no. III and IV.

97. Basnon, Lakshmi: op. cit., p. 24.

life were highly influenced by Hindu culture. With the advent of the English the Parsee came under their influence. This contact with Western culture, literature and people led them to treat their womenfolk on a basis of equality.. Today if the status of their women is not quite equal to that of men it is definitely higher than in any other main Indian community. Amongst Parsees marriage is not compulsory today and no stigma or social criticism is attached to a spinster. <sup>96</sup> The prevalence of child marriage is almost absent among them. For women, the field of work is not restricted to home only but they enjoy almost equal privileges as men. An average Parsee woman is more educated and can easily compete with men in each and every sphere if necessity arises. The joint family system among this community is not rigidly followed; it is found more in villages than in cities and towns. Women who work outside the home have more opportunities for social intercourse and even for those who do not work outside there is no social restrictions against mixing with men.

Christians, though in a minority, are governed by separate laws. The Christian marriage is also a sacrament and cannot be dissolved particularly in the case of a Roman Catholic. Other Christians are governed by the Indian Divorce <sup>97</sup> Act. Polygamy is forbidden and consent of the guardian is required

96. See Appendix D Table no. III and IV.

97. Menon, Lakshmi: op. cit., p. 24.

required in the case of a minor. Majority of the Christians in India are converted Christians hence they mostly follow their original caste customs and so the position of women is not better than that of women of that particular caste. Due to the efforts of missionaries their women stand better chances for liberal education yet many a times they do not hold a better position than a Hindu wife. A person may change his religion quite easily but his social habits, outlook and attitude to life cannot be altered within a short period. This change mainly depends upon the cultural environment in which he or she lives and his or her social contact with enlightened progressive society.

Inter-caste marriages are valid if registered under the Special Marriage Act, of 1923 which applies to Hindus, Sikhs, Jains and Buddhists. A provision in this Act is made for dissolution of marriage. Sikhs, Jains and other communities perform marriage according to their religious tenets and give more or less the same treatment to women as a Hindu woman gets. The amelioration in the status of women mostly depends upon the culture and the nature of views held by that particular community.

4.15 Social Position of Women in General: The women of today have

98. Menon, Lakshmi: op. cit. p. 24.



today have won a position in the family and in the society far superior to that of their grandmothers, who continue to live under the old customs. The degree of equality which the modern wife has won is the outcome of understanding and love rather than that of legislation. Today women have more influence over their children and they are less often subjected to the wishes of their mothers-in-law. In some provinces viz. Bombay and Madras polygamy has been prohibited by law. It is due to their serious co-operation of women with the efforts of social reformers that they have been able to develop their own freedom. The seclusion of women and the rules concerning the separation of the sexes are beginning to disappear in the cities. Women today are seen in all public places, streets, markets and theatres. They have begun to compete with men in every field of life, especially in education. Still owing to the great influence of age-old customs, many modern educated women who are ardent supporters of equality in theory, yet in fact choose to become the humble and obedient wives of their husbands. It seems that the greatest advance has been made by those women who combine modern ideology with economic independence.

Although the majority of Indian marriages are not love matches in the real sense of the word, there are many happy and loving couples to be found in India. When their relation  
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with their husbands is strengthened by mutual affection such happy wives are not conscious of any bondage in thought or action. Sometimes 'ignorance is bliss' and this may apply to most Indian women who are happy in their married state, because they do not crave for and are unaware of their rights to claim equality. The success of the marriage system may thus either be attributed to their ignorance together with submissive nature or to the spirit of tolerance and patience cultivated by them.

Generally speaking, the position of Indian women has greatly improved during the present century; They have secured more rights and more freedom in the home as well as in society. Women will be able to take their rightful position quickly in the family if all the harmful social customs such as child marriage or enforced widowhood would be abolished.

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2. Sir Ripley Herbert: The People of India, 1915.
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1. Buch, M. A.: Rise and Growth of Indian Nationalism, p. 37.  
2. See Ch. I Pre-puberty marriage.  
3. e.g. Bhobadra, Okna, Mukhimani, Danyanti.  
4. Neeru, Laxankumari: Our Cause, p. 255.

## CHAPTER V.

Child Marriage and Widowhood.

"The child-marriage and the ban on widow remarriage<sup>1</sup> have been typical institution in Hinduism."

Origin and Prevalence of Child Marriage:

Early History: It is difficult to point out the actual date of the origin of the custom of child marriage, yet, one can locate its origin to a particular period in History. From the evidence of ancient religious Vedic literature it can<sup>2</sup> be concluded that it did not exist in Vedic times and there were examples of Kshatriya girls marrying husbands of their choice by Swayamwara<sup>3</sup> in Epic literature and Purans. Instances from those religious books, of young men and women ~~particu~~ marrying sometimes against the wish of their parents or guardians indicated that they were grown up people who could understand the seriousness of marriage and use their discrimination in the selection of a partner. It seems that early marriage was not generally practised<sup>4</sup> during those times. But looking to the other evidences this

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1. Buch, M. A.: Rise and Growth of Indian Nationalism, p. 57.
  2. See Ch. I Pre-puberty marriage.
  3. E.G. Subhadra, Okha, Rukhimani, Danyanti.
  4. Nehru, Snyamkumari: Our Cause, p. 256.

this cannot be taken as a general rule because the custom of Swayamwara was mostly common <sup>among</sup> Kshatriya people. According to the religious injunctions of Manu and other Smriti writers and down to 17th century A.D. it has been observed that mostly <sup>5</sup> the Kshatriyas did not follow it.

The writers of the Dharmasutras <sup>6</sup> (400 B.C. to 100 A.D.) began to advocate that a girl's marriage should not be delayed after her puberty. <sup>7</sup> Thus, early but not pre-pub<sup>e</sup>escent marriage was advocated by early Smriti-writers and the marriageable age of the girl was generally lowered during that time. It seems that people developed a tendency to marry their girls at about the time of their puberty. From about 200 A.D. the widespread prevalence of the custom<sup>8</sup> of lowering the marriageable age of a girl has been gradually increased and pre-puberty marriage became the general practice. From the writing and records of foreign travellers and traders it was quite evident that the popularity of child marriages went on increasing during the medieval times upto the advent of British rule. No, doubt the custom of child marriages became common among the Brahmins in the beginning

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5. Altekar: op. cit., p. 73.  
 6. Religious injunctions.  
 7. Ibid, p. 63.  
 8. Ibid, p. 67.



beginning and afterwards it spread gradually among other classes. A group of scholars believed that widespread custom of early marriage came into vogue during the foreign invasions. In those days of insecurity, due to political upheavals which also affected their social structure especially during the Moghul invasion and Mahomedan rule, the custom was practised as a measure of security.

As late as the first <sup>quarter</sup> thirties of the present century, many girls of ten or under were married because of the tradition mostly in rural areas. Many young girls in villages and from the backward classes ardently wished for marriage, without realising its responsibilities but simply for the sake of having fun at the marriage. Usually they saw their sisters or friends married and remembered the pleasure and fun arising out of it. The poorest, as well as the richest, tried to make it as pleasant and magnificent as possible and this was the only occasion when children could enjoy themselves to the full. There were beautiful dresses, fireworks, music, songs and plenty of sweet things to eat without any restriction. The house was illuminated and decorated with artificial flowers, banners and green leaves. Ordinarily children were neglected, especially girls, but marriage was the only good occasion when, as a bride the girl received attention and was made much of. Thus unconsciously there was created in

Report in Pathana's Child Marriage, p. 31.

the

the mind of the girls an association of marriage with pleasant things. Sometimes too, a girl desired to marry, when she was ill-treated in her home and wanted to escape misery at the hands of her relatives. Except for these two apparent reasons, no child would have wished to marry. She had no idea of what would happen to her in the future through such a marriage. In certain communities the boy took the bride away immediately after marriage and handed her over to his mother who put all the domestic duties on her shoulders and treated her as a grown up person. In spite of many disadvantages she used to get good training befitting to the family, under the able guidance of elderly women.

Besides these two obvious factors - religious injunction, and security-and several others, child marriage has its origin in other social practices. Disparity in sex and the rules of endogamy

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9. c.f. A similar thought is expressed in "a larger way for women" where one Brahmin enthusiast discussed various hindrances in the way of women's education with a woman missionary teacher and she writes about it as follows: "He said that the chief hindrance was the child marriage custom. Little girls grew up in an atmosphere of wedding excitements. In the conversation of their mothers and grandmothers the importance of weddings figured largely. They took part in the prolonged marriage festivities of their young friends and it was natural that they should look forward to the time when they too would be the recipients of magnificent series and would sit in state under a pandal adorned with flowers." p. 96.
10. Similar accounts are quoted from the Joshi Committee's Report in Rathbane's Child Marriage, p. 31.

endogamy and especially hypergamy made it difficult to find a suitable husband for a girl fairly advanced in age. Moreover, in arranging a marriage it was the family interest that was counted first hence parents arranged their daughter's marriage when they were children in order to avoid the complications arising at later age when a question of choice marriage might arise. In order to guard a woman's chastity practice of child marriage might have existed.<sup>11</sup> The wider prevalence of the custom was also responsible for the imitative nature of the people from the lower strata in order to raise their social position, as the custom was most strictly followed by high-caste people especially Brahmins. Thus "hypergamy, paucity of women, impact between the Aryan and Dravidian civilization,<sup>12</sup> disturbed civil conditions during medieval ages and lower age of puberty are advanced as various explanations to the custom."<sup>13</sup> Besides in certain sections ~~ee~~ early marriages were common on account of the custom of bride-price. Another reason for early marriages of girls was the joint family system in which all members of the family had to be supported and so an incoming young bride was not much of a burden.

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11. Risley: The People of India, p. 190.
  12. Census Report of 1911, Vol. I, Part I, p. 269.
  13. Nehru, Shyamkumari: op. cit., p. 79.



Whatever may be the reason for the origin of Child marriage it is certain that child marriage is undesirable in the present age of peace and security. Since the time of Raja Ram Mohan Roy the attention of all the social reformers was drawn to this grave problem and its drastic result. By the introduction of western thoughts and literature and revival of ancient Vedic culture, an advanced section of society began to realise the need for raising the age of consent, as well as marriage. "Social conferences began to advocate the causes of post-puberty marriages during the nineties of the last century, but their efforts were not appreciably successful till the beginning of the 20th century. The terrible havoc caused by the plague advanced the marriage-<sup>14</sup>able age of girls from 8 to 12 or 13."<sup>15</sup>

The evil of child marriage was mostly prevalent throughout India and its practice was found among Muslims as well as Hindus. Statistical data on the number of married men and women in the years 1921 and 1931 amongst the two major communities

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14. The first attempt was made in 1846, "Hindu and Muslim ancient law severely punished the offence of rape outside marriage, but the idea of making intercourse between husband and wife below a certain age illegal seems to have originated with the Law Commissioners who drafted the Indian Penal code in 1846. The code, finally enacted in 1860, prescribed a punishment which might extend to transportation for life for the husband who consummated his marriage when the wife was under ten years old." Given by Rathbane in "Child Marriage", p. 17.
  15. Altekar: op. cit., p. 73.

communities the Hindus and the Muslims clearly shows the incidence of child marriage. Unfortunately no reliable figures are available for years later than 1931. A quick glance at tables v and vi in Appendix D reveals a disparity in the number of female child marriages as compared to that in male child marriages in both the years 1921 and 1931. For instance in 1921 there were 183,957 Hindu girls married between the ages of 0 to 5 years while there were only 92,482 boys married in the same age group. Similar was the case amongst the Muslims as well. At first sight such a phenomenon seems ambiguous but a more careful study of the number of marriages in the different age groups for both the sexes shows that there is a larger number of marriages amongst men at higher age levels. This is a consequence of a large difference in age between the husband and the wife. It can be seen that the percentage of child marriages amongst Hindus was about double of that amongst Muslims in the lower age groups. It is indeed shocking that infants should have been married in such large numbers as late as in 1931. Of course, its incidence was highest among the Hindus and the Muslims and was practically absent in enlightened communities like Parsis, Brahmos and Aryans. As mentioned before, the custom of child-marriage continued among Brahmins since Smriti period upto the present day. There was still a strong religious belief among

16. Census of India, 1911, Vol. 1, p. 269.

17. See Appendix D Tables III and IV.

most of the cultured and educated Brahmins that a girl should be given in marriage before she attained puberty. According to their ideas, the marriage ceremony should be performed before that period so that they might receive the reward for it in the next world, but the consummation of marriage took place after she was fully matured. The custom was, therefore, not harmful physically but it was unfair to the Hindu girl. As she married in her childhood she neither gained the advantage of her own consent nor could she exert her personal right of choice in marriage. The same disadvantages were suffered by the boy who married her but in the majority of cases a boy did not marry in childhood. The custom of child marriage generally observed by almost all the higher castes was most rigidly practised in Bengal and Bombay. It was less common in Southern India. "The custom originated with high caste Hindus and spread gradually from them to lower castes!"<sup>16</sup> Thus it is seen that the incidence of child marriage varied<sup>17</sup> from caste to caste and from province to province.

Two types of infant marriages were prevalent in the society. Among certain section pre-puberty marriage was performed but consummation took place after maturity. While in certain communities marriage was consummated immediately after

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16. Census of India, 1911, Vol. I, p. 269.

17. See Appendix D Tables III and IV.



after marriage ceremony. Among certain castes there was a separate ceremony performed before a consummation of marriage and upto that time a bride used to stay in her father's home as a virgin. While criticising the two forms of marriage Sir Herbert Risley has rightly remarked that "one of which is at least free from physiological objections while the other deserves, from every point of view, strongest condemnation."<sup>18</sup> In United Provinces, three high castes - the Brahmins, the Rajputs and the Kayasth, allowed a girl to go to her husband's house immediately after marriage but they always thought better and usually in almost all cases performed the second ceremony whenever the girl had attained full<sup>19</sup> physical development.

5.2 Ill-Effects of Child Marriage: The system of child-marriage has brought three serious consequences to women of India. These were (1) early motherhood, (2) Degradation in health - mental and physical injury, and (3) Child widowhood.

The custom of child marriage, which was widely prevalent among the backward groups of society as well as among high caste Hindus and Muslim had brought about a gradual degradation of the race owing to the heavy death rate of women and frequent

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18. Risley: op. cit., p. 193.

19. Ibid, p. 194.

frequent pregnancy in their early teens "because associated<sup>20</sup> with early maternity is another evil of frequent maternity." Moreover the early marriages resulted in early motherhood and statistics showed that in cases of mothers below sixteen the percentage of still birth and neonated deaths is 14.8; while in the cases of mothers those of twenty to thirty, it is 4.3. In a comparison of child-mothers with grown-up mothers it has been found that infant mortality and maternal mortality are always greater in the case of child mothers. The first child generally becomes a victim of ignorance of<sup>21</sup> child mothers.

Not only did early marriage create ill-effects on the young mother's health but it sometimes leaves permanent damage to mind and body. "Its psychological effects are harmful to<sup>22</sup> the moral and intellectual growth of the race." The<sup>23</sup> damage done by early maternity is quite obvious from the various interviews taken by Joshi Committee of eminent doctors, lawyers and social workers. The cases which came to their notice were mostly of early maternity and frequent maternity resulting

20. Nehru, Shyamkumari: op. cit., p. 80.

21. Ibid, p. 214-215.

22. Ibid, p. 260.

23. Examples given in the Volumes of Evidence issued with the Joshi Report. Vol. I, p. 443 Vol. VI, p. 287 Vol. IX p. 53.

24. Ibid, Vol. I, p. 20.

25. Rathbone: Child Marriage, p. 31.

resulting in death due to bad physique of mother, permanent<sup>24</sup> ill health or partial damage to mind or sometimes insanity. It was not very difficult for the young mother to bring up her child or children in joint family but today when a definite trend for individual family is found early motherhood invites many more responsibilities on her part. Besides household duty, to rear a child requires special skill on the part of a young mother. While interviewing Sister Subbalakshmi - Head Mistress, Lady Willingdon Training College, the Age of Consent Committee found from her talk that there are "many such cases, it seems to be a general rule\* of women who are not able to look after their babies." So young themselves, they cannot keep awake, at night with the babies<sup>25</sup> crying all the time." In a country like India where methods of birth control are mostly unknown to the common public or religiously forbidden as in the Roman Catholic religion, there was every possibility of rapidly increasing the number of children in the family which greatly affected the economic position of the father, who was always worried at the idea of providing them with their requirements. The mothers nerves were always strained by overwork. She had to face

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24. Example given in the Vol. of evidence issued with the Joshi Report Vol. I, p. 25.

25. Rathbone: Child Marriage, p. 31.



face so many problems that as a result she grew untimely old, sullen and dull. She lived and worked mechanically, practically losing all interest in life. This, in turn, hindered the progress of children and created a bad effect on their minds as they were rebuked and neglected. Moreover, it is well expressed by Kamaladevi Chhattopadhyaya in her article "Education and child marriage" that "Early marriage has many more and very far-reaching evil consequences apart from this physical disaster. It cuts short the period of childhood, deprives the girl of all budding joys of girlhood .... snaps across their school-career, shattering their intellectual growth, imposing responsibilities prematurely on their shoulders." In short, sometimes, early marriage brought unhappiness to the whole family which disturbed the peace and harmony in the home.

In the higher castes where widow marriages were not permitted child marriage was still a great menace to ~~early widowhood~~ which drew many a child wives into permanent drudge and misery. Looking to the statistical data of the year 1931 it is quite obvious that its consequent result is a large number of child widows in the country.

(a) Industrialisation

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26. Chhatopadhyaya, K.: The Awakening of Indian Women, p. 17.

27. See Appendix D, Table VI.

28. Nehru, Jawaharlal: Child Marriage, (Our Cause) p. 257.

5.3 Various Factors which helped to decrease Child Marriages:

As stated before upto the beginning of the present century in spite of the efforts of social reformers and other institutions started by them, child marriage was practised without many exceptions; but the percentage went on decreasing after that as a result of the gradual effect of other factors besides the work done by them. These factors were mostly responsible for cultural, economic and legal changes undergone by Indian society in general. It is stated by Rameshwari Nehru in her article "Early Marriage" that "with the spread of women's education and the rapid change in economic and social conditions the rigour of the practice is toning down and among the educated classes the marriage age of girls all over India is steadily rising."

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The main factors, therefore, that were responsible for lessening the evil are as follows:-

- (1) The work of the reformers in 20th century.
- (2) Cultural advance.
  - (a) Beginning of the spread of female education.
  - (b) Women's awakening.
- (3) Economical and environmental changes
  - (a) Industrialisation
  - (b) Urbanization

(4)

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28. Nehru, Rameshwari: Child Marriage, (Our Cause) p. 257.

(4) Legislation.

The crusade against child marriage was continued by Arya Samaj, Brahma Samaj and other organisations started by other advanced communities. The work of the Arya Samaj is noted in the Punjab which gradually spread its branches throughout India. They did succeed to a considerable extent as is evident from a study of columns 6, 7, 8, and 9 in Appendix D as compared to the numbers in other columns for Hindus.<sup>29</sup> Several other reformers worked locally also. For example in the Punjab they started several organisations such as Deva, Arya, Brahma, and Dharma Samaj. Their chief agitation was for raising the age of marriage. Other reform societies such as the Rajput Sabha, the Khatri Conference, the Aror Baner Sabha were inaugurated by several castes of Hindus who worked in the direction of abolition of child marriage. These societies have passed several resolutions fixing the minimum age of marriage 14 for a girl and 18 for a boy.<sup>30</sup> These efforts it seems remained restricted to that particular group, as they did not bring appreciable changes in diminishing the number of child marriages.

With the spread of education people began to realise the disadvantages of child-marriage and social reformers after

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29. See Appendix D, Tables III and IV.

30. Report of the Age of Consent Committee, 1928-29, p. 28.



their long experience came to a conclusion that legislation was not an effective measure <sup>31</sup> to eradicate social evils because, followers of Arya and Brahma Samaj did not require the law to keep them from child marriage and the orthodox Hindus would not care for the law. Some of the social reformers like Malbari, Ranade, Karve, Agarkar Pundita Ramabai Mrs. Ranade, Francina Sorabji and Subbhalaxmi therefore, took great pains to spread education among women which helped them to become conscious of their position and rights. The beginning of the century was not a period of social consciousness amongst the people at large but there were many instances of individual enlightenment. These people with advanced ideas held meetings for women only, and spoke with great vigour and zeal. They worked hard and tried to establish and maintain individual contacts. <sup>32</sup> As a consequence the efforts of these individual reformers brought social awakening to both sexes, especially to women who began to demand their rights. Educated couples were average to marrying their children in their early teens in spite of the pressure from their early guardians or elderly relatives as the system of joint family had started to disintegrate. Since its very caste authority they were not overruled by them at beginning

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31. The ineffectiveness of the Widow re-marriage Act of 1856 upto the present century led to believe that unless and until social outlook is changed, rapid progress is not possible.

32. Nehru, Shyamkumari: op. cit., p. 9.

beginning the All India Women's Conference inaugurated in 1926 dealt with social problems especially child marriage as it was one of the greatest hindrances to female education. This and other provincial bodies were partly successful in creating a feeling of distaste for early marriage in society, by passing resolutions and by creating the public opinion so that enough attention was drawn of the government to codify certain rules relating to early marriages.

In spite of its many disadvantages urbanization due to industrialization speeded up the progress of women especially in the field of education. No doubt, "There was a disruption of the old economic structure and disorganization of the social order." Compulsory education in two native states automatically extended the marriageable age in those areas as parents did not like to send their girls to school after their marriage which also had a tonic effect on others residing in the vicinity. The facilities of female education were greatly increased in big cities and towns. The tendency towards life had taken a definite change. People's ability in earning and the development of their individuality broadened their general outlook. Being away from the joint family and caste authority they were **not** overruled by them and did not fear the excommunication from the caste.

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Census of India, 1931, Vol. I, Part I, p. 218. Statistics for later years are not available. More detail Besides

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// .33. Introduction to our cause by Shyam Kumari Nehru, p. xi.

Besides the work of the social and religious reformers with the wider spread of education, influence of Western literature and revival of ancient Indian culture, the movements started by various sects brought awakening among modern youths on a larger scale. During the two decades of the present century, a decrease was found in the number of child marriages but it had suddenly increased in 1930 due to a sudden rise in marriages performed in a rush before the coming into force of the Sarda Act. The statistics showing the civil condition of the people during those thirty years are as follows:-

Sex	1901	1911	1921	1931
Males	59	54	51	77
Females	162	156	144	188

Not only compulsory education in two native states automatically extended the marriageable age of a girl, but, those two Hindu native states, Mysore and Baroda whose rulers were deeply interested in ameliorating the position of women were pioneers in putting a legal ban on the custom of child marriage

34. Census of India, 1931, Vol. I, Part I, p. 215. Statistics for later years are not available. More detailed figures are given in Appendix D.

35. Census of India, 1911, Vol. I, Part I, p. 272.



marriage. In Mysore the marriage of a girl below eight and in Baroda below twelve was considered a legal crime, which also raised the age of consent from ten to twelve for married as well as unmarried girls. The public attention was drawn to several cases reported in Bengal of pre-puberty consummation of marriage, resulting into the death of or serious injury to the young brides. <sup>35</sup> As a result, the first step taken in British India after the Penal Code in 1860 was the passing of the Age of Consent Act in 1891 which makes it penal for a man to have intercourse with his wife before she is twelve years old. <sup>36</sup> Again the Act remained practically a dead letter for nearly thirty years. The failure was due to the various causes. The Act was practically unknown to almost all the people of India except judges, lawyers and a few educated people. The failure was also due to ~~th~~ several other factors such as imperfect or no registration of births which further raised the difficulty of ascertaining the age, the inadequacy of medical tests and the reluctance on the part of wives and their relatives to complain. On the other hand, by the time public attention was sufficiently drawn to the drastic results arising out of pre-puberty marriage and early consummation a need was felt for further raising the

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35. Refer Ch. II, last page.

36. Census of India, 1911, Vol. 1, Part 1, p. 272.

the Age of Consent. After the Reforms of 1919, it was generally felt that strong action should be taken by the Government in order to stop the early consummation of marriage. Consequently, an Act was passed in 1925 which raised the age to thirteen years. This did not stop the miseries and woes of young child wife. As late as 1926, deaths due to early consummation of marriage were reported. Gandhiji writes in Young India that "cases have been reported of girls death or suicide caused by their husbands in the attempt of drawing them in early consummation of marriage."<sup>37</sup>

Enlightened section of society was not averse to such mishappenings. There was, however, a group of people in politics, who persistently introduced Bills relating to child marriage in the Legislative Assembly<sup>38</sup> and who created an opinion and considerable stir in the public in favour of such enactment. After a great deal of discussion Rao Bahadur Harabilas Sarda introduced the child Marriage Restraint Bill in the Legislative Assembly prohibiting even the celebration of child marriage. The Government decided to investigate into the matter and appointed a Committee in June 1928 - The Age of Consent Committee or Joshi Committee as known by the name

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37. Several cases were reported from Madras and Bengal, where the custom of child marriage was highly in vogue. Young India, 26-8-1926 and 7-10-1929.

38. Joshi Report, p. 14-15.

name of its Chairman Sir Moropant Joshi to inquire into the matter. The Committee made the following two recommendations to Government: (1) The Age of Consent should be raised to fifteen and eighteen for married and unmarried girls respectively and (2) to prohibit and penalise the marriage of a girl and a boy below 14 and 18 respectively. In 1929, the Assembly passed the Child Marriage Restraint Act on 28th September which came into force on the 1st April 1930. ~~The Act provided that~~ The marriage of a girl below fourteen and that of a boy below eighteen was penalised by this Act and those concerned with the marriage such as the parents or guardians on either side and the priest who performed the marriage ceremony, were liable to punishment, ~~or~~ fine or imprisonment or both. The Census authority of 1931 remarks about the Act as follows:

"Generally speaking, the Act met with wide approval among educated Hindus interested in social reform and advantage was taken of the great Kumbh Mela at Allahabad in February just before the Act was to become operative to undertake propaganda on its behalf." <sup>39</sup> <sup>40</sup> Although Sanatana Dharma Sabha and some of the orthodox Hindus resented the distribution

39. Census Report 1931, Vol. I, Part I, p. 230.

39. 'Kumbha Mela' is one of the largest Hindu festivals held in the holy city of Allahbad once in every 12 years.



distribution of vernacular translation of the Act and showed their disapproval of the Act by demonstration. The Muslims opposed the Act on the ground of religion and a committee was appointed in order to protect religion. Thus, there was a still wide gulf between the people from various classes and communities.

5.4 Actual Result of the efforts of social reformers and the influence of other factors in leading to a decline in child marriage: Before this Act came into force a greater number of child marriages had taken place in the lapse of six months time. E. F. Rathbone gives an interesting account of it thus: "All over India there was a veritable spate of marriages, of children of all ages, from infancy upwards, so that the night in many districts was made hideous with the sounds of the processions and festivities."<sup>41</sup> While the 1921 census Report gave the figure for girls married between the ages of five and ten years as 9.2 per 100, that of 1931 revealed a rise to 19.3 in the intervening ten years. "The total population has been increased by only 10.6 per cent, the number of acknowledged wives under fifteen has increased from roughly  $8\frac{1}{2}$  to  $12\frac{1}{2}$  millions and the number of husbands under fifteen from  $3\frac{1}{4}$  to over  $5\frac{1}{2}$  millions while wives under five years

41. Rathbone: op. cit., p. 45.

years old have nearly quadrupled.

Consequently, it led to early consummation of marriage for females and as compared to the percentage of male marriages become <sup>aus</sup> a larger proportion of them might have married to very younger child wives. As mentioned before this was mostly due to a rush of child marriages <sup>43</sup> before the Sarada Act became effective.

Moreover, the law itself was more honoured in theory than in actual observance. There was strong opposition from the Muslims, whose prophet Mohmed married his last wife when she was twelve and from the Brahmins and other orthodox people of the sect, to this law. In addition, the Government refrained from inviting more troubles which were likely to result from the rigorous application of the law owing to the Civil Disobedience Movement at that time. Yet this Act was  
not

42. Rathbone: op. cit., p. 46.

43. "The rush of marriages in Gujarat went on in December, and 1,000 were reported to have taken place in Surat on December 12th alone. Similar scenes were enacted in Bengal in the following February and March. ... in Bankura child marriages were reported to be taking place at the rate of 1,000 a day on propitious days in February; in Dinajpur ~~see~~ some 10,000 marriages were reported to have taken place, mostly in order to anticipate the Act, between the middle of January and the middle of March. ... Same State of things prevailed in Allahabad, Manbhum in Bihar, Madura, Bombay" given in the Census Report of 1931, p. 231-232. The 'Liberty' (13th March 1930) describes the state of affairs in somewhat hyperbolic wordings thus:- "A matrimonial wave is just passing over the country. Bride in embryo is being mated to groom in the dradle."

not an absolute dead letter. Certain groups as well as individual social reformers took up the task of reporting cases of violation of the Act and saw that the persons concerned were properly punished. The Social Reform Association in Gujarat and Youth League in Bombay worked efficiently for the observance of the Sarada Act. Rathbone writes on the measures taken by individuals and other reformers during two years and five months just after the passing of the Act as follows:- "There were 473 prosecutions, of which only 167 were successful. There were 207 acquittals, and 98 cases were pending. Of the successful prosecutions in only 17 did imprisonment from whole or part of the sentence. ...the largest number of cases were in the Punjab and the United Provinces, with 146 and 110 respectively.."<sup>44</sup> Thus action taken was not on a large scale for the effective implementation of the law.

A number of persons were prosecuted everyday and the proceedings were reported in the daily press. Many people who did not favour the Act tried to put hindrances in the path of these reformers, who worked without the support of both-people and Government. They faced all the opposition bravely for the fulfilment of their aim and for the welfare of society. The social conscience of the people had not  
yet

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44. Rathbone: op. cit., p. 44.



yet been sufficiently awakened. Besides increasing public opposition the Law itself was found defective in certain aspects which required immediate amendment. For instance, the law was not cognisable <sup>since</sup> it could not stop child marriages.. It ~~did~~ not help the already married couple in any way.

In Harijan dated 16-11-1935 Gandhiji writes that "the evil of child-marriage is at least as extensive in the villages as in the cities. It is pre-eminently women's work" ...Moreover he suggested to the All India Women's Conference to work in the villages in order to root out this evil completely. Undoubtedly, the Sarada Act with all its drawbacks has proved effective. <sup>high-caste</sup> K. Nora Broackway writing on Sarda Act in **A Larger Way for Women** expressed a similar view. <sup>45</sup> The number of child marriages performed every year is, therefore, definitely decreasing. Besides legal prohibition, the social environments in India has undergone a sweeping change. Although no statistics are available after 1931, regarding the number of child marriages it may be said that general awakening among people, especially among women for wider spread of education, more liberal treatment to women and to some extent the emancipation of women have brought a gradual decrease in child-marriages.

she is still in married state. The Hindu doctrine of 5.5

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45. Brockway, Nora K.: p. 130.

46. Bate, C.: Hindu woman and her future, p. 180.

5.5 General condition of widows prevailing at the beginning of the present century: During the last hundred years the attitude to widowhood has been undergoing some changes, but almost upto the last twenty five years these changes were so slow that they were hardly noticeable. The dread of widowhood was always practically absent from the lower castes of Hindus where the social custom of enforced widowhood was not so strict and where widow remarriage was customarily approved without any stigma being attached to it. Even among communities other than Hindus, it was not actually forbidden, although, generally it was criticised in the higher strata of society in such communities. Among <sup>high-caste</sup> Hindus, however, it was socially prohibited; hence widowhood was the greatest dread of any high-caste Hindu woman. "Among the Hindus it is widely believed that a woman is fortunate if she dies during the life time of her husband. So women actually pray to God for the fulfilment of this wish. <sup>46</sup> "May thy husband survive thee" is therefore the familiar and common blessing on a Hindu married woman from an elderly person or a Brahmin priest. For a Hindu woman, her husband is her only salvation and if she survives her husband her life beomes generally wretched. So the happiest state for a woman is to die when she is still in married state. The Hindu doctrine of <sup>reincarnation</sup>

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46. Hate, C.: Hindu woman and her future, p. 190.

Reincarnation teaches that one's present life reflects one's good or bad deeds in a former life. In particular the state of widowhood is regarded as a woman's punishment for a crime committed in some previous life. Hence "it was a remarkable amount of fortitude and resignation, strengthened by the solace of religion and the belief in Karma, which enabled the Hindu widow to pass through her dreary life."<sup>47</sup>

The custom of tonsure of a Hindu widow might have originated from the same practice followed by monks and nuns. A widow is supposed to lead an ascetic life; so in order to keep her appearance in harmony with her spiritual ideal of renunciation of the world the widow, young or old, is deprived of her hair as well as her beautiful brightly coloured clothes.<sup>48</sup> In order to make her less attractive the custom of the tonsure of widows might have been introduced by sophisticated society. It is not a custom for widows to wear ornaments and very colourful clothes. They are generally in white or brown plain apparel which is with a view, to impress a simple life for them. They do not take a very leading part in gay festivities like marriage celebrations and religious ceremonies.

Society greatly influenced by conventions had become prejudiced against woman. A high-caste Hindu widow in her

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47. Altekar: op. cit., p. 195.

48. Ibid, p. 188.



teens or even in childhood was forbidden to re-marry but a widower nearing his grave, could marry a girl of fifteen or twenty. The large number of widows therefore, especially amongst the Hindus in India is mainly due to three factors. They are child marriages, disparity which often exists between the ages of husband and wife, and ban on widow remarriage of high caste Hindu widows.

The Act of 1856 removed the ban on widow re-marriage but customarily it was not approved by majority of the high caste Hindus till modern times. On the contrary as mentioned in the chapter II "she was rescued from the flames and was condemned to undergo her life sentence of rigorous imprisonment. .... In the words of Behramji Mulbari Sati was a single Act of martyrdom or heroism as the victim conceived it.. while the life which caste imposed on an unwilling widow was a perpetual agony, a burning to death by slow fire."

In short the position of a high caste Hindu widow was not at all better at the beginning of the present century compared to that in the previous one.

5.6 The Plight of a widow in the present century: Throughout India, except in the North, widows in general and those in the the higher castes in particular have to undergo a kind of

penance

50. Hata, G. op. cit., p. 51.

51. Legislative Assembly Debates, 15th Sept. 1947.

49. Nehru, Shyankumari: op. cit., p. 271.

penance, observing strict rules formed by society. The same ideal of an ascetic and simple life as was prevalent in the earlier period was held even in the present century. However, it must be admitted that the women's movements, the efforts of reformers and the spread of education had helped to modify to a small extent the idea of penance prescribed by usage. Such modifications were of a considerable nature in some communities. "She is considered inauspicious and usually elders taunt her as a woman bringing bad luck to the family."<sup>50</sup> As stated by Kumar Ganganand Sinha in the Legislative Assembly 1927 a widow's life was full of hardships sufferings and austerity. It is a life which has been inflicted not so much by providence, not so much by the Sastras as by social customs.<sup>51</sup>

At present the plight of a Hindu widow is gradually improving owing to the resultant effect of the movement started by reformers of the present century like Maharshi Karve and Mahatma Gandhi. Now-a-days widows have not to observe strict rules regarding their dress and even tonsure of a Hindu widow is out of practice among educated people.

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50. Hate, C.: op. cit., p. 51.

51. Legislative Assembly Debates, 15th Sept. 1927.

This change is found in big cities and among the enlightened cultured people but the miseries and restrictions are not at all appreciably lessened in the case of widows in rural areas and illiterate women among some high-caste Hindus. No doubt the revival of vedic culture and research in religious injunctions which have been found to permit widow re-marriage as well as the influence of educated people are the main forces responsible for changing public opinion. Reformers like Agarkar, Dr. Karve tried to enlist the sympathy of people for widows by working among them. Widow re-marriage is not so very widely practised but today a person has not to suffer caste austerities as it was fifty years back.

Child-Widows: The rules for child widows or young widows are still more strict than for aged ones. A life with ascetic ideals in clothes, food, speech and action is expected by social customs to be followed by a widow, especially a young one. Her husband's relatives, as well as her own parents constantly watch her, fearing she may bring disgrace to the family by some improper action. Temptations on the path of a young widow are many and a lapse from the righteous path of chastity means severe public criticism. Mrs. Hate found that "70 out of 188 widows from the Rescue Homes were subjected to seduction."<sup>52</sup>

Really speaking widows especially child-

widows

52. Even today examples are not lacking in society where a young widow is seduced by her near relative or neighbour.



widows if they so desire should be re-married by their parents or relatives so she may not fall prey to temptations. Mahatmaji has written and preached various times on the subject. "I have repeatedly said that every widow has as much right to re-marry as every widower. Voluntary widowhood is a priceless boon in Hinduism, enforced widowhood is a curse." 53.

Then as now, if a widow's husband has no relatives, or if they are unable to take care of her, she has to live with her own parents. As a rule, a Hindu woman does not inherit any ancestral property if any, either from the husband's family or from her father and has no economic independence. When her husband dies she gets a certain income, a very insignificant amount and hardly sufficient for her bare maintenance from her husband's property. Mostly 'as soon as the husband passes away the wife loses her status in the family.' Moreover, in a joint family she becomes the subordinate person in <sup>the</sup> family. Under such circumstances a child widow mostly takes shelter in her parent's house. 54

Further

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They have to take shelter in the widow Rescue Homes or Ashrams. Looking to the Report of such institutes these widows came from advanced as well as backward castes. Cases of such women are given by Mrs. Hate in Hindu Woman And Her Future, p. 149. Also p. 147.

53. Gandhi M. K.: To the Woman.

54. Hate, C.: op. cit., p. 5.

Further, if her husband dies in youth leaving no property on which his widow can be supported she is treated indifferently in the family, which furnishes her only with food and a few cheap garments. Her only consolation lies in prayers; she is expected to spend her leisure time in this exercise, and in reading or listening to religious books, or in singing sacred hymns. In short, she should renounce the world, its pleasures and comforts, thus leading the life of an ascetic as well as she ought to work hard in the family.

Widows with Children: A widow having one or more sons is not so much condemned by society and has not to undergo a very strict observance of social customs. However, orthodox people certainly look upon her as a sinner in her previous life, but socially she is quite secure. As the mother of a son, she finds consolation in him, thinking that she is not left quite alone in this world. Moreover, she lives in the hope that in future she may attain higher position, since a mother is generally venerable<sup>ता</sup> in the East and that the son will support her in her old age. She takes great care of her son as he is the only hope left for her survival in this world.

The position of a widow with daughters is the worst of these three categories especially when she cannot manage to find husbands for them at the proper age. As mentioned earlier

earlier, the marriage customs of Hindus in some higher castes raise difficulties for a penniless widow to get her daughters married. In addition to her economic hardships she is very minutely observed by the caste people and if they find any shortcomings in her behaviour she is severely criticised and then it becomes really a hard task in some communities for such a widow to marry her daughters.

But it is always the child-widow or the young widow who has more pitfalls on her way and who suffers the most. Her life, as already described, becomes a drudgery, without interest of any kind or even a ray of hope for joy. Speaking in the Madras Provincial Council, 1927 on the evil of child widows, Dr. Muthulakshmi Reddi summarises the plight of a Hindu widow as follows:- "We are too painfully conscious that the child widows for no fault of their own, are subjected to such indignities and ill-treatment in a Hindu household that their life is rendered very miserable indeed."

5.7 Statistics of young widows in society in general and Hindus in particular: Child marriage was commonly practised in many communities in India but the hardships and miseries of

55. For details see Ch. IV.

56. Rathbone: op. cit., p. 130.

57. Figures taken from the Bulletin Anti Child Marriage Committee, quoted in Women and Social Injustice, p. 53.



of widows amongst the high-caste Hindus in particular are much greater as compared to those in other communities. Some may be led to believe that Hindu widows are a microscopic fraction of the whole population but the urgency and the immensity of the problem overwhelms one when the actual number of widows suffering hardships is reckoned. And it is difficult to neglect so serious a problem which requires special and immediate attention. The total number of widows was 25,496,660 in 1931. "Even if the number of child widows revealed in these figures is one hundredth of the actual figures, no humanitarian public or Government will wait a moment before preventing the source of this misery."

The actual number of widows aged 1 to 5 years in 1931 were:

Age group	Hindus	Actual number of widows.
0 to 1	1,081	1,515
1 to 2	1,342	1,785
2 to 3	2,695	3,485
3 to 4	7,078	9,076
4 to 5	11,471	15,019

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57. Gandhi, M. K.: To the Women, p. 135.  
 58. Census Report of 1931 Vol. I, Part I, p. 228.  
 59. Figures taken from the Bulletin Anti Child Marriage Committee, quoted in Women and Social Injustice, p. 53.

The custom of child marriage leaves many a girl a widow and it is a tragically large number of young women who suffer under the curse of enforced widowhood as the disparity in numbers between male and female widows in the following table shows.

Province or Agency	Number per 1000 aged 15-40 who are widowed					
	Males			Females		
India	56	44	47	138	124	137
Bengal	36	31	31	232	224	240
Bihar & Orissa	57	49	41	138	125	120
Bombay	59	40	63	136	117	148
C.P. & Berar	59	39	61	104	78	125
Madras	27	21	24	131	120	131
Punjab	77	72	50	98	106	88
United Provinces	79	64	51	111	104	102
Rajputana (Agency)	86	50	83	141	108	152

The number of young widows in Indian society with special reference to Hindus and Jains where the proportion of child-widows is greater is seen from the statistics below:

x. Census of India, 1921, Vol. I, Part I, p. 161

inferred. Widows per 10,000 of the female population of all  
in the 0 to 5 years and 5 to ages.

Community	0 to 5 years		5 to 10 years		10 to 15 years	
	1921	1931	1921	1931	1921	1931
Hindu	6	12	48	55	163	129
Jain	8	11	40	33	119	81
All Religion	6	12	44	52	148	123

With the gradual spread of education throughout India and the women's movement for their own education and emancipation child marriage became less popular in the second quarter of the present century. Consequently, it can be said without fear of contradiction that the number of child marriages gradually decreased since 1901 upto 1929 and this had direct effect on the number of child widows. However, the above statistics tell a different tale because they show a rise in the number of child widows in the age range of 0 to 10 years but this can be explained by an important factor. There was a great spurt in the number of child marriages between 1929 and 1930 just prior to the coming into effect of the Sarda Act, as those parents who were orthodox and wanted to avoid legal disability got their children married in a rush. Therefore, two facts can be safely

inferred

61. See Appendix D, Table No. II.

60. Census of India 1931 Part I Vol. I, p. 228.



inferred. (1) The number of child widows had increased in the 0 to 5 years and 5 to 10 years age groups while the (2) number of child widows had decreased in the age group of 10 to 15 years. As described before, the percentage of child marriage was gradually decreasing upto three decades of the 20th century but it had eventually increased in the year 1931, especially for the age group of 0 to 10 years.<sup>61</sup> The census Report of 1931 adds however:- "there has been a very increase in child widows, particularly under the age of 5 years, which can only be attributed to the rush of marriages anticipatory to the Sarada Act, a rush which it is to be feared will contribute large numbers of young widows to the figures of the 1941 census unless there is before then a very pronounced change of attitude towards widow re-marriage in Hindu society generally."<sup>62</sup>

Unfortunately, the Census Report of 1941 does not supply the necessary information regarding child widows. Yet one can assume that their number did not have much decreased; since there has been little change in attitude among Hindus towards the re-marriage of widows. Even as late as 1937 the practice of re-marriage was not common. In Harijan of March 20, 1937 Gandhiji while writing on "Enforced widowhood" declares

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61. See Appendix D, Table No. II.

62. Census Report of 1931 Part I, Vol. I, p. 228.

declares "No outside imposition can cure Hindu society of the enforced widowhood of girls, who do not even know what marriage is. The reform can come firstly by the force of enlightened public opinion among Hindus, secondly by parents recognising the duty of marrying their girl widows." <sup>63</sup>

Besides this a widow who does not want to remarry still finds herself an economic dependent, helpless and observing the same rules of enforced widowhood in general.

5.8 Re-marriage of a widow and how far it has proved successful: "The least that a parent, who has so abused his trust as to give in marriage an infant to an old man in his dotage or to a boy hardly out of his teens, can do, is to purge himself of his sin by re-marrying the daughter when she becomes widowed." <sup>64</sup>

For improving the lot of suffering widows and decreasing their number the obvious solution lay in social approval of widow re-marriage." <sup>65</sup> In order to bring about this result

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63. Harijan March 20, 1937.
64. Young India Nov. 11, 1926, "Prostitution of Ideals".
65. Most of the widows are not ready to re-marry because it is not customarily approved by society. Mrs. Hate found in her inquiry as late as 1948 that "this apathy towards remarriage would go only when the outlook of the society is changed and re-married women are equally respected and associated with like other women.

a movement was started nearly a hundred years ago. In 1855, Ishwarchandra Vidyasagar, whose name has been already mentioned earlier, published a pamphlet on the marriage of Hindu widows. He proved the validity of such marriage on religious grounds by quoting authentic texts and from Parashara Samhita, the code which is to be followed in Kali Yuga. Thus, by the sincere efforts of Ishwarchandra Vidyasagar and other social reformers, an Act, known as the Hindu Widow Remarriage Act was passed in 1856. In theory it removed all legal obstacles to the marriage of Hindu widows. Public opinion was against the Act. Sixty thousand people opposed it through a petition and only five thousand gave their approval.

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It is true that this Act did not have much effect, as the condition of widows has remained more or less the same ever since. Hindu widows do not take advantage of the Act, not because all of them feel satisfied with the idea of the glorification and purity of life attached to widowhood but for other reasons. First of all, a widow is usually ignorant of the existence of this Act. An average Hindu girl is born and bred in such an atmosphere that she never thinks of remarriage and to her mind the very thought is disgraceful because she knows only the social custom and is always guided by it. If the thought of remarriage comes into her mind,

conventions

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66. Nehru, Shyamkumari: op. cit., p. 272



conventions and ignorance make her afraid to put it into action. Social restrictions and caste prejudice thus prohibit an average widow to remarry because she is generally anxious to show her superiority in the caste by strictly observing the social customs. It must be noted that a remarriage of a widow from a noble family always gives rise to severe criticism from the orthodox public which formed major part of the population. In a really democratic society, however, it is the simple right of every widow or of every human being to be allowed to remarry if <sup>she</sup> they so desired. But in Hindu society generally very few women in higher classes have shared such an equal right to marriage with that of men.

As stated before, among Hindus, the forbidding of re-marriage is confined to certain high-castes where the women are economically dependent on men. Women from the lower strata of Hindu society, and nearly all other communities, enjoy the right of remarriage. The Census Report of Mysore, 1911 states that "the marriage of widows is prohibited only among the Brahmins and in a very few other castes. Among the rest such marriage is allowed. In a few castes like Besta and Uppara, a fine has to be paid for the benefit of the caste people if a man marries a widow."

Thus

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67. Census of Mysore 1911 Vol. I, p. 100.

Thus one can gather that there was a customary prohibition against re-marriage in certain castes only. The Census Report of 1931 states the same thing but adds that there is a strong dislike in all castes for remarriage. <sup>68</sup>

As mentioned before, the social restrictions for widows were not, for certain reasons, so strict among low caste people. A widow from a low caste is compelled to go out in search of work for her maintenance, hence she cannot afford to confine herself in the house after her husband's death. Obviously, she is economically more independent than a high caste widow, therefore she is not suppressed by society to the same extent. Some social rules have been based on the economic strength of the caste. Thus a woman from a low caste gets more personal freedom but in order to attain a higher position socially she may prefer to follow the customs of a higher caste. Up to the end of the first quarter of the present century the social position of a person was generally based on his caste. If a person, even though he was incompetent, poor and uneducated, belonged to a higher caste, he was held in high esteem, while a learned man from a lower caste, howsoever clever and capable he might be, did not gain a socially higher position. So the castes belonging to the lower orders tried to imitate the social customs of the upper

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68. Census of Mysore 1911 Vol. I, p. 460.

upper castes; so that they might get the social prestige. Thus they practised customs other than their own when widow marriage had been allowed in their castes in the past they condemned it socially and prohibited it.<sup>69</sup>

Thus, originally remarriage of widows was not totally prohibited in the lower strata of society, but non-Brahmins desired to imitate Brahmanic customs in order to rise in the social scale and of their own accord accepted this social custom for their communities.<sup>70</sup> It is true that, while imitating the Brahmins they absorbed good as well as bad customs.

In the majority of widow marriages the person marrying a widow has to pay a certain fixed amount to the nearest relative of her deceased husband or to her parents according to

69. Some of the members of the Kadva Patidar of Charotar (Bombay Province) began to practise some of the rules of a higher caste; hence with the course of time, they now belong to a different class of patidar, the Leva, who originally belonged to same group of Kadva Patidar, and have attained a socially higher status than their original class. A similar example can be found among the Mysore tribes: "Widow marriage originally prevailed among the Devangas, but now they prohibit it. The Nayindas are now strongly condemning widow marriage and it seems as though the sterner moralists among them might succeed in putting an end to it." (Marriage and Family in Mysore, p. 112). In this case it has always happened that one section of a caste who is ambitious to raise its social status has followed the customs of an upper caste and they have therefore ceased social intercourse with the other class of the from which they come.

70. Shrinivas: Marriage and Family in Mysore, p. 111-112.



to the custom of the caste. This type of marriage is not very expensive, hence, where widow marriage is allowed, it is easier for a widower to marry a widow than a virgin. Yet, re-marriage is not so highly regarded in any Indian community as a first marriage. There is little or practically no ceremony at the re-marriage of a widow. Such a marriage is performed at night and sometimes even in darkness. No social celebrations or dinners take place.

Every community has diverse fixed rules as to whom a widow may marry. In certain castes such as Banjara, and Bahiya, traces of levirate exist; <sup>71</sup> the younger brother of the deceased husband is looked upon as the most suitable husband for the widow. In certain other communities, on the contrary, even a person from the same village as her husband is not allowed to marry her, or marriage or remarriage with a person in her father's village may be prohibited as stated earlier in the chapter IV.

It will take a long time, however, before widow re-marriage becomes an approved custom among high-caste Hindus. Moreover, there are not many people who are bold enough to face public criticism while advocating the right of remarriage for widows. "Re-marriage of a widow was an impossibility and so great was the feeling of society against it that even

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71. The root of this right can be found in Vedic custom of Niyog.

to this day the re-marriage Act is merely a legal enactment validating such a marriage, but nothing has been done to make such marriages more frequent and widespread." <sup>72</sup>

To talk of reform is easy, to enact a law is difficult, to put it into practice is the most difficult task of all. The movement in favour of widow remarriage goes back to a century but its results, few and scattered as they are, are just beginning to appear whereas it remains a fact that very few examples of widow remarriages can even today after a struggle for nearly hundred years be pointed out.

5.9 Efforts and Work of the Social Reformers: Efforts were made in the twentieth century by Pundita Ramabai, Mrs. Ramabai Ranade and other social workers to improve the condition of widows and to reform public opinion. They established widow Homes to shelter them and to educate them so that they could stand on their own feet. Pundita Ramabai who found a village Home near Poona for nearly two thousand destitute women and widows was a remarkable personality. "There is no more startling achievement in the annals of philanthropy. Her village became largely self-supporting. No widow was ever rejected and, as became the home of so learned a woman, work for the advancement of learning, e.g. translation and difficult

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72. Nehru, Shyamkumari: op. cit., p. 315.

73. Gray, H.: The Key of Progress, ed. A.R. Gaiton, p. 31-32.

difficult printing in several languages was part of the village output." <sup>73</sup> The writings and speeches of Mahatma Gandhi proved very effective in allowing a widow to live as h a human being in society. Public opinion in urban areas has developed much within the last twenty five years, and social cruelty and prejudice against widows has lessened. Yet society has not approved widow re-marriage. Men like Dr. Karve and a few others have challenged society by marrying widows, thus opening a new vista for this suppressed class. Some writers have been moved by the personal misery of their daughters or sisters; and though they have had insufficient courage to fight openly against society, the plight of the widow has remained an important subject of their writings. They have been inspired to describe the miserable state of widows in their poems, dramas and novels which have made a great appeal to their readers.

In the beginning of the present century, the spread of education made it possible for people to think rationally. Hence they began to realise the cruelty shown in the treatment of widows. Putting aside religious sentiment they saw that there was no logic behind enforced widowhood and they asked themselves why a widow should suffer for what was not her own fault. As has been shown earlier the custom of enforced widowhood

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73. Gray, H.: The Key of Progress, ed. A.R.Canton, p. 31-32.



widowhood is more rigid among high castes, both in the cities and rural areas. With the spread of industry and the decay of villages, people migrated to urban areas and the caste lost its hold on them. Their contact with other enlightened communities created in them a sentiment in favour of widow remarriage, which is not banned among Parsees, Christians, Moslems, and the lower classes of Hindu society. People coming in contact with European were influenced by their views and culture which inspired them to favour widow remarriage. Moreover, the awakened womanhood of India helped to develop public opinion in the interest of widows. Hindrances were placed in their way by the more orthodox people, but their spirit was not suppressed by public opposition and with the advance of education, modern college girls and boys have begun to show their sympathy for the condition of widows by discussion and wide circulation of views on the subject. The development of public opinion during the last hundred years, missionary efforts of social reformers, intensive work of public workers and educated youth, all combined to lessen the miseries of widowhood very greatly during the last twenty years.

In order to make rapid progress some additional practicable means are necessary for improving the lot of widows. Some reformers think that remarriage alone will put an end to

to the miseries and helplessness of widows. But more than this is needed to solve this problem of child widows may be benefitted by remarriage as they can remarry after reaching maturity, but there are those widows who do not wish to remarry. The attitude of society should be reconditioned; a widow, should be allowed to live without being subjected to the contempt or persecution by the social group. Further, when a woman is self-supporting, as she should be in a truly democratic society, artificial social restrictions are not able to harm her. Hence, besides remarriage, the social stigma of widowhood can gradually be banished if the following steps are taken:-

- (1) Changing the outlook of society i.e. a social awakening to a human and rational attitude to women in general and widows in particular.
- (2) Removal of the tyrannical treatment of widows especially in the high-caste Hindu society.
- (3) Improving the economic condition of a widow by making her self-supporting.
- (4) Removal of social stigma attached to widowhood and remarriage,
- (5) Active state interference by enactment of laws giving protection to widows.
- (6) Arousing self consciousness among the widows themselves

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and making them conscious and giving them strength and courage to demand what are their natural rights.

(7) Establishment of <sup>more</sup> widow rescue homes and similar institutions giving educational facilities to widows.

To bring about a change in the outlook of society requires great patience and sincere effort on the part of public workers. To achieve this is not easy and it is a slow and elaborate process which needs the co-operation of one and all concerned especially of women. So long as a woman is not given equality with a man, there is little hope of a widow's receiving fair treatment. It is simple logic that a widow receives inferior treatment to that given to a widower, because her position is subordinate to that of a man; she is ignorant of her personal rights; and she is weak and dependent. Both sexes are equally necessary for the welfare of society and general progress of the country. When this becomes an accepted fact then will the sufferings of women and of widows in particular come to an end. In this age of equality women should be given equal rights with men if any society wants to progress. A mature woman should have liberty to do what she believes best for her personal happiness, without in any way harming the social structure. It is the duty of every Indian to work for this change in the social attitude by means of propaganda and instruction to the ignorant and illiterate

masses



masses. Social customs and conventions interpreted in the right spirit. This requires special attention of the social reformers and Panditas so that human sympathies may be released from the bondage of dark, blind custom.

Women are mostly illiterate or less educated than men, and their condition very greatly deteriorates on account of this disparity when they become widows. In that state, as has already been shown, they are usually exploited by members of the family. If the deceased has left some property it is mostly swallowed up by his relatives and is wasted after the caste dinner. The widow gets a small sum which is hardly sufficient to meet her needs. When a husband dies without leaving any property, the situation becomes even more serious for her. She owing to lack of education, has not the necessary qualification and capacity too, to earn her livelihood, or to support her children, if any. To remove the hardships and difficulties arising from widowhood every girl should before marriage, be given a training to fit her to earn her own living if necessity arose. The problem of economic independence and of education often go together. Courage, too, which can be developed by proper education, is essential in a person who wants to be independent.

"No outside imposition can cure Hindu society of the

enforced

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74. C.f. Examples of this type found every where in Hindu society. Hindu Women and Her Future, p. 52-53.

enforced widowhood of girls, who don't even know what marriage is. The reform can come first by the force of enlightened public opinion among Hindus, secondly by parents recognising the duty of marrying their girl wives." <sup>75</sup> It is, of course, a difficult task to remould public opinion. It is harder in the rural areas where people are mostly ignorant and superstitious. Religious beliefs are greatly twisted in their interpretations in course of time and certain customs and simple rituals which arose out of the peculiar environment of a particular period slowly got so deep rooted in the traditions that their observance was given a religious sanctity by the orthodoxy, in spite of the fact that to any rational observer they would appear absolutely unnecessary and out of date. An example of such religious sanction given to very ordinary and even meaningless rituals is seen when an average villager is found to be afraid of punishment in the next world if he transgressed any tenet or religious command or failed to observe small rituals. Conventions and public opinion have a very strong hold on these ignorant villagers. All these can be changed in three ways: by more enlightened religious interpretation by the efforts of the social reformers, and by the active steps of the community leaders. Religious authorities can have a strong general effect on the masses

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75. Gandhi, M. K.: op. cit., p. 135.

and their preaching will help to remove the cruel attitude towards widows that is believed to be based on religious grounds. Such a sermon will prove most influential among women, as they are ignorant and backward and do not think for themselves but totally accept the verdict of the religious preachers. The social reformers by writings, speeches and public meetings can lessen the miseries of widows by developing the sympathy of the public for them. The leaders of the community, by pioneering reform activities against harmful social customs, can open a further vista for a brighter life for widows. They can even set an example by marrying themselves a widow or allowing a widow relative to re-marry or helping to transgress all social taboos imposed upon widows. In addition, educated youths in each community can carry on the mission of educating the widows, by rendering social service to the community and humanity at large. Hindus themselves should make up their minds to remove the stigma of widowhood, which is an age-old sin in Hindu society.

Mahatmaji has written and spoken on this subject repeatedly before the public, before the educated students and before the class of women themselves. On one of such occasions he made an appeal to the students of Pachiappa's College, Madras saying, "You are not going to marry, a girl who is not a widow you will seek out a widow-girl" ... Moreover, he has questioned

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the same audience: "Do you suppose that we can possibly call ourselves men, worthy of wuling ourselves or other or shaping the destiny of a nation containing 30 crores, so long as there is one single widow who wishes to fulfil her fundamental wants but is violently prevented from doing so ? It is not religion but irreligion."<sup>76</sup>

Widows should come to be respected by society and treated as normal human beings. There should not be any special regulations for widows; on the contrary the Hindus should be the first to awaken public opinion in favour of widow-remarriage and openly condemn any one believing in the ill-treatment of widows. All these efforts require many years' laborious and patient work before they bear fruit.

It is for the government, too, to provide some aid for widows in the form of grants and to encourage the efforts of private enterprise.<sup>77</sup> It should also make certain measures more effective by giving them legal status. All the social customs relating to the disfigurement of a widow should be made illegal. The Widow Re-marriage Act should be given wide circulation, through translation into privincial languages and distribution throughout the country and by bringing it to the notice of widows. Girls, in the schools, should be taught the existence and meaning of certain Acts regarding women's status

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76. Gandhi, M. K.: op. cit., p. 147.

77. Nehru, Shyamkumari: op. cit., p. 283.

status which would help them to develop initiative if necessity arises. Even fairly well-educated girls have no knowledge of the regulations affecting a woman's position; they are lacking in courage to oppose evil social customs as they are mostly guided by the prejudices of caste and social conventions. Some people may feel that state interference in social customs is not desirable. This is mostly right for an ideal society or for a progressive one where every individual has maintained his rights and personal freedom, but where the society has not yet reached a higher level of social progress, it is the duty of the state which can partially help with the co-operation of social reformers and public and public workers to preserve the rights of individuals and to release all the victims of social tyranny.

But the most effective measure would be the increase of self consciousness among widows themselves. They could be made aware of their personal rights and their duties towards society and the nation. This can be partly achieved by economic independence. There are a great number of widows and child widows in particular who might wish to become economically independent of their relatives. Mrs. Hate in Hindu Woman and her Future writes that "the only practical method to ameliorate the lot of widows appears to be to find

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78. Hate, *Op. cit.*, p. 54.

79. Arceley, *Bora K.* *Op. cit.*, p. 101.

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out ways and means to make them independent." These widows could be instructed in useful handicrafts. India suffers a great shortage of teachers; and as this profession is very suitable for women, some of the widows could be educated so that they could earn their living by teaching. Efforts in this direction made by Subbulakshmi in South India are noteworthy.

K. Nora Brockway expresses her appreciation as follows: "It was a great step forward when some Brahmin families were persuaded to permit Hindu widows to join the Hostel in Triplicane and to be trained as teachers." <sup>79</sup>

Nursing is equally well-suited and beneficial to them. Widows could also run small stores or organise nursery schools if they were properly trained. There is, therefore, a still greater need today, for such organisations or Widow Rescue Homes and Associations.

As mentioned before, the pioneers of such institutions, Mrs. Romabai Ranade, Pundita Ramabai and other women workers started the work of organisations for widows towards the end of their efforts, resulted in the beginning of the twentieth century in a few Rescue Homes and institutions for widows which were founded at several places in India by social reformers. They began with restricted accommodation and few activities but today they have widened their scope immensely.

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78. Hate, C: op. cit., p. 54.

79. Brockway, Nora K.: op. cit., p. 101.



At present, a widow Home is generally to be found in every big city. One of the first institution of this kind in Bombay Province was started at Poona in 1909 and was known as "The Poona Seva Sadan Society", which is today one of the best in India. Its aim was to teach widows and deserted wives to read and write and thus prepare them to stand on their own feet and develop a spirit of missionary zeal so that they could help other women who were neglected by their families. It was opened with five or six widows and deserted wives. Today the total strength of the institution has reached almost one thousand five hundred. It has also developed many more activities. The original institution in Poona now has three branches in Bombay Province at Baramati, Sholapur and Alibag and other at Nagpur. Besides educational activities they do much work in the field of medical relief through establishment of Maternity Homes, Dispensaries and Welfare centres. A similar institution near Poona was started with four or five widows by Prof. Karve. Today it has opened its doors to married and unmarried women and has expanded into a University - the only Women's University in the whole of India. whose activities are now purely educational. There are many similar institutions today imparting education and giving training to widows, deserted wives and destitute women. The curriculum of all these institutions has remained almost the same

same as that of Seva Sadan in Poona. Besides widow Homes all these institutions provide for orphan children. All these institutions have their activities to cover various fields and they are found in almost all the big cities and towns in every province in India. They have added certain modern features by providing wider facilities for the education of widows. They also arrange marriages of widows and orphans living in such institutions and perform marriage ceremonies for widows who ask their protection for re-marriage. Widows not contemplating remarriage can serve in the institution after undergoing the full training or may live and work independently if they prefer to do so. In short, one can conclude that the purpose of such institutions is to give protection to widows and other destitute women and orphans and to educate and train them so that they can become self supporting and assert themselves and demand their rights as individuals.

Most of these institutions are private enterprises and generally dependent on public funds and donations. The latent power of widows could be utilised in many ways if the institutions were financially stable and well-organised. To overcome this difficulty big funds and sufficient social workers are required. In order to train them as teachers, governesses, nurses and in different branches of small scale industries, provision should be made by public institutions, government aid and

and private funds. The workers can devote more time to organising the work of the institution if they have not to wrestle with financial difficulties. The inmates of such institutions, as are financially sound and well organised, would bring countless blessings to their country by finding more opportunities for work and by devoting more time to constructive undertakings.

5.10 Result of these Efforts: In spite of such efforts the condition of widows has not appreciably changed even till the present day. Progress is not uniform as efforts have been restricted to urban areas only. Undoubtedly, progress is visible but there are certain hindrances which still hamper a quick pace of advance. Being superstitious on account of environmental and social reasons, widows always curse their fate but submit to it, and, as yet, there is no broad pathway to lead them to the light. Efforts have been made in this direction, however, and there is every cause to be hopeful for the future. An average Hindu woman being intensely religious minded believes in destiny and luck; hence she resigns to fate and is afraid to make any attempt to avert her misfortune by remarriage or by any other means. There have been a few instances of widow remarriage, among the cultured classes and that too in the urban areas. Mrs. Hate writes about the

subject

80. Hate, B. J. op. cit., p. 50.

81. Parikh, K. op. cit., p. 140.



subject as under: "Out of 111 widows that I inquired about, only two have married. When I ventured somehow or other to ask if the others at all desired to re-marry, only two answered in the affirmative and nine showed some inclination in that direction."<sup>80</sup> It can be seen therefore, that the general tendency towards remarriage is not gaining ground because of various reasons specified before. Many more have turned to the professions of teaching and nursing to ~~to~~ secure economic independence. Nevertheless, the greatest proportion of widows still remain in the same state as their sisters in the past, except for the slightly more liberal treatment by society. Writing about widows who are dutiful, Mahatmaji said: "I do believe that a real Hindu widow is a treasure. She is one of the gifts of Hinduism to humanity."<sup>81</sup> These widows are a great potential source of human power and intelligence and if given proper training and freedom ~~there would~~ their energy could be easily directed towards creative work. Once the women are allowed their natural human rights, once they know their duties, once they are conscious of their abilities then they will overcome their helplessness and timidity and live and live for their own benefit and for the welfare of society. This will only not improve the lot of women in general but eventually improve the lot of widows too. ~~eventually~~

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80. Hate, C.: op. cit., p. 50.

81. Gandhi, M. K.: op. cit., p. 145.

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1. Nehru, Shyamkumari: Our Cause, p. 205.

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at the end of the CHAPTER VI

Two Social Evils - Purdah and Prostitution.

"In a country where people demand democracy  
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purdah is an anachronism."

The Origin of Purdah: Until the early years of this century purdah and seclusion were the main factors which obstructed Indian women's progress in general and prevented their securing a rightful place in the society. Purdah has remained a subject of controversy upto the present century, sanctioned as it was by social custom.

Looking to the status and freedom of Vedic Women, there was hardly any trace of purdah or seclusion of women in those times.<sup>2</sup> The earliest evidence of purdah can be found in the present version of the Epics. There too it is not uniform or universally practised by all the royal ladies. Even in Sanskrit dramas there are hardly any traces of purdah. There is a reference to veil (Avagunthan) but that cannot be taken as a general rule. In Sanskrit dramas heroines like Shakuntala, Malti and Kadambari are not found to be observing any Purdah. The courtesan Vasantsena (in Mrichchha Katika) uses a veil  
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1. Habibullah: Our Cause, p. 206. Progress, p. 257.
  2. Altekar: The Position of Women in Hindu Civilization, p. 197.



at the end of the drama when she was raised to a higher and respectable status of a lady.<sup>3</sup> This and other evidences lead one to believe that down to the 10th century<sup>4</sup> purdah was not generally observed and only a microscopic section of royal families might have adopted it as a sign of nobility.

6.2 Seclusion of Women in Various Countries: The seclusion of women was not only practised in India but was prevalent though in the form of restriction of movement in most countries in the world. According to Christianity in the early times a woman was forbidden to come and speak in public places by St. Paul.<sup>5</sup> This was applied too literally and "the christenizing of the Roman World therefore, involved the re-subjection of women."<sup>6</sup>

In the same way or even more strictly women from noble families were secluded in Russia as is seen in Fannina Halles' "Woman in Soviet Russia" where she says "In the sixteenth century the wives and daughters of noble Russians with the exception

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3. Altekar: op. cit., p. 201.  
 4. Dr. Altekar in the Position of Women in Hindu Civilization (p. 203) describes that "Yuan Chuang has given an intimate picture of the Hindu Society of the 7th century A.D., but he nowhere refers to the purda system. Abu Zaid, an Arabian traveller of the early 10th century, has noted that in most of the courts in India queens appeared in public without any veils.  
 5. Nearing Scott: Women and Social Progress, p. 257.  
 6. Ibid, p. 257.

7. Halles Fannina: Women in Soviet Russia, p. 21.  
 8. Altekar: op. cit., p. 210.  
 9. Ibid, p. 206.

exceptions of widowed mothers, ... might not be seen even by their brothers and near relatives, much less by strangers." <sup>7</sup>

Women in Persia, Greece, Turkey, Assyria, and Sparta did not enjoy freedom of movement in ancient times. Even as late as the middle of the 19th century freedom of women was restricted by veil or partial seclusion in western countries. <sup>8</sup> This leads one to conclude that the seclusion of women was common in the East as well as in the West till quite recent times.

At a certain stage in Indian history women wanted to guard their womenfolk from the country's mighty invaders, and seclusion may have come into vogue for this purpose. From ancient literature and other sculptural evidences still present, one can definitely conclude that before the Mahomedan invasions strong rules of confinement or of purdah did not prevail and Indian women enjoyed the same freedom as women in the time of the Vedas and Puranas. They were known to have mixed freely in men's society and there are even several examples of famous learned women having taken part in politics, public affairs and cultural activities. "The general adoption of the purda system by the ruling and aristocratic families of Hindu community is subsequent to the advent of the Muslim <sup>9</sup> Rule."

Yet

7. Halles Fannina: Woman in Soviet Russia, p. 11.

8. Altekar: op. cit., p. 210.

9. Ibid, p. 206.

Yet at a later stage along with the free movement of women there are indications of 'Zenana' or the maintenance of a large harem, by royalty or wealthy persons from which one may be tempted to conclude that the seclusion of women must have been common at least among royal houses and in upper class society. But as mentioned earlier there are other historical evidences as well which do not prove that purdah was common even among the royal families. Mahatmaji while writing on purdah remarked: "I am of opinion that the purdah in India is a recent institution and was adopted during the period of Hindu decline." <sup>10</sup> Thus, the more general adoption <sup>11</sup> of purdah and seclusion dates back to the Mahomedan invasions some seven or eight centuries ago.

Purdah According to Muslims: As has already been shown the custom of purdah was adopted from the Muslims. If they believe in Purdah on religious grounds let it be purdah as ordained

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10. Gandhi, M. K.: Women and Social Injustice, p. 133.  
 11. Mahomedan invasions introduced two main evils in India among Hindus, Child Marriage and Purdah. First as a means of protection Hindus practised child or sometimes infant marriages in order to prevent their daughters from kidnaping by Mahomedans as Mahomedan religion forbids the carrying off of married women but afterwards they did not even hesitate to break the religious injunction. Therefore, Hindus might have adopted purdah for their women and girls as a second measure in order to hide them from their evil eyes.

12. Hille, Gustav: (The Hindu System) Our Cause, p. 201  
 13. Abdullah Atia: (Seclusion of Women) Our Cause, p. 205.  
 14. Deane & Chatterjee: Women in Modern India, p. 124.



ordained by their religion. A woman "decently dressed" should have every right to move freely in society with her face uncovered, which helps to widen her horizon and her mind, a sure step towards progress.<sup>12</sup>

The religious injunction of Islam may at some time have been socially justified. Social rules, however should be interpreted according to the spirit of the times as whatever may have been good in the past need not necessarily be so in the present or future. Various people have drawn numerous and contradictory conclusions from the same injunction. The most extreme view interprets purdah as an absolute segregation of the sexes and the complete seclusion of women in the zanana and forbids them to go out unless they are completely covered by a veil. Others, again, believing in the freedom of women, allow them to move out in a "decent dress" without covering their face.

In Medieval society the recognition of purdah may have had its merits, when women were not considered part of the body politic. But in this age of democracy when women are organising a campaign for equal rights Purdah is nothing but an anachronism.<sup>13</sup>

It is a sad thing to mark that after the invasions were

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12. Hilla, Rustomji: (Ed. Nehru Shyymkumari) Our Cause, p. 204  
 13. Habibullah Attia: (Seclusion of Women): Our Cause, p. 206.  
 14. Gedge & Choksey: Women in Modern India, p. 144.

over there was no corresponding decrease in seclusion of women when the country was at peace. However, during those troubled times women in seclusion had lost their freedom, importance and right to education and afterwards failed to regain their rightful place.

6.3 Prevalence of Purdah in 20th Century: Purdah is by no means a universal custom, although it has been commonly practised among Mahomedans. It has not prevailed at all among South Indian Hindus or among the women of Maharashtra and a large section of Gujarat, except in royal families, and among Jagirdars and noble women. In short, it is more strictly observed in Bihar, Bengal and United Provinces than in the South, and it has been frequently adopted by the Hindus especially in Marwar and Rajputana. It is not possible to procure statistics about its incidence at different periods among different people.

Looking to the purdah system in general it may be said that it was not very widely prevalent throughout India. Estimating the number of purdah women, Freida Hausworth writes as follows: "Though a close estimate is impossible it is doubtful if ever at the height of the purdah period more than

14. Gedge & Choksey: Women in Modern India, p. 144.  
15. See Gandhi's observation "Whenever I have gone to Bengal, Bihar or the United Provinces I have observed the purdah system more strictly followed than in the other provinces. Young India, 3-2-1927.

15 per cent of adult women were ever in seclusion." <sup>16</sup> This situation cannot have changed much during the first quarter of the present century as the majority of Muslim women were still found in purdah. But it might have declined after the thirties of the present century due to various cultural and political upheavels. It would, however, be difficult to estimate the present figure. Owing to the partition of India the majority of Muslim women are now in Pakistan. Among those remaining in India and among Hindus belonging to the more enlightened and advanced groups the practice of purdah has, for educational and political reasons, almost disappeared. A false sense of respect became at one time attached to seclusion of women and the idea grew to such an extent that even a poor man felt that he and his family would not be considered respectable if his wife had to fetch water from a tap outside his house. Dr. Rukhamabai speaking on the rigid values attached to purdah by Rajputs, says: "It has been said that a Rajputani (wife of a Rajput) may not leave her house to fetch water though the house may be in a jungle and the well in front of it." <sup>17</sup> Women in orthodox families also were not supposed to work outside the house as men considered that it endangered their prestige. The higher and lower middle class

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16. Hauswirth, Freida: Purdah - The Status of Indian Women, p. 85.
17. Rukhamabai: Women in Modern India, p. 145.



class imitated the upper class in order to raise their social status whether it was suitable to them or not. A powerful factor operated in favour of introducing purdah quite generally, ... and in Hindu society the assertion of world-wide tendency to imitate an upper or ruling class was witnessed.<sup>18</sup> Luckily the number of those who have recently fallen a prey to this social evil is negligible.

No attempt has been made up till now to abolish the custom of purdah by codifying a law. In the last century, only a few women had developed a feeling or resentment towards it. This was either because of their ignorance or the strength of tradition, or on account of their personal timidity. Even today among many high caste Hindu families the seclusion of women is considered a part of their duty and modesty. They do not have to observe purdah when going out, but they still have to cover their face with their upper garment or with the fringe of their 'saree' in the presence of strangers or elders, in order to show respect to them. Sundrabai Suktankar while writing on purdah describes its different forms on different occasions thus: "The Rajputs had a thin netted Gosha (veil) and the Marwadis and the Marathas placed their upper garment over the head and pulled it in front so as to cover the face completely."<sup>19</sup> Progressive women, however, had

18. Hauswirth Freida: op. cit., p. 8.

19. Nehru, Shyamkumari: Our Cause, p. 216.

had waged war against this practice and there were quite a number of women who discarded purdah and seclusion altogether following the example of women from the royal and noble families. The first and most prominent among these women were H.H. the Maharani of Baroda and their Highnesses the Begums of Bhopal; the one was the queen of a first class Hindu state, the others were Royal ladies of the Muslim community. H.H. the Maharani of Baroda said to the All India Women's Educational Conference in 1927 "if women are to take their part in the raising of the tone of social life, if they are to understand the duties and responsibilities for which their sons must be trained, the purdah must go. If women are to have that freedom of mind and variety of interests without which there can be no joyous life, the purdah must go."

It cannot be said that rapid progress was being made at that time because upto 1929 there were instances of several social activities actually held under purdah. A girl guide Rally was held under purdah at Secunderabad, so was a Woman's Conference on Educational reform in Ajmer Merwara in Rajputana, and Purdah clubs with facilities for games and social intercourse were founded.

20. All India Women's Educational Conference 1927 (Presidential Address).

21. Gedge and Choksey: op. cit., p. 147.

6.4 A General Agitation against the Custom: One can, however, definitely say that during the last thirty years feeling against purdah has been widely expressed by women in public. Several instances of women's disapproval of purdah have been noted in different provinces. The women in Bihar took a direct line<sup>22</sup> of protest against it, by casting off the heavy veil. Also the Women's Political conference held at Meerut was active in this direction; they resented the purdah arrangements<sup>23</sup> provided for them and ultimately all the screens were removed.

Mahatmaji writing on "The Doom of Purdah" stated that<sup>24</sup> much propaganda work was going on in Bihar. Men as well

purdah must go, if we want our girls and women to get on as

22. Gedge & Choksey: op. cit., p. 10.

23. Ibid, p. 146.

24. The origin of this movement was described by Mahatmaji as follows: "The movement has a curious origin. Babu Ramanandan Mishra, a Khadi worker was desirous of rescuing his wife from the oppression of the Purdah. As his people would not let the girl come to the Ashram (Sabarmati) he took two girls from the Ashram to be companions to his wife. One of them, Radhabehn, Maganlal Gandhi's daughter, was to be the tutor. She was accompanied by the late Dalbahadur Giri's daughter, Durgadevi. The parents of the girl-wife resented the attempt of Ashram girls to wean young Mrs. Mishra from the purdah. The girls braved all difficulties. Meanwhile Maganlal Gandhi went to see his daughter and steel her against all odds to persist in her efforts. He took ill in the village where Radhabehn was doing her work and died at Patna. The Bihar friends, therefore, made it a point of honour to wage war against the purdah. Radhabehn brought her charge to the Ashram. Her coming to the Ashram created an additional stir and obliged the husband, who was already prepared for it, to throw herself in the struggle with great zeal. Thus the movement having a personal touch promises to be carried on with energy. At its head is that seasoned soldier of Bihar, the hero of many battles, Babu Brijkishore Prasad. I do not remember his having headed a movement that has been allowed to die. (Gandhi, M.K.: Women and Social Injustice, p. 217.)



as women agitated against the evil custom and in opposition to it almost equal number of men and women (nearly fifty ladies signed an appeal demanding the total abolition of purdah from Bihar. Mahatmaji writes remarking about this incident that "It is worthy of note that the ladies who have signed the appeal are not of the anglicised type, but orthodox Hindus. It (the appeal of Bihari women) definitely states: 'We want that the women of our province should be as free to move about and take their legitimate part in the life of the community in all particulars as their sisters in Karnatak, Maharashtra and Madras do in an essentially Indian way..... we feel that purdah must go, if we want our grace and beauty to our social life and raise its moral tone if we want them to be excellent managers at home, helpful companions of their husband and useful members of the community, then the purdah as it now exists must go.'"

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Public opinion has been gradually growing towards the abolition of the system of purdah. Besides political movement and economic forces this changing attitude is due to the advance in female education especially co-education at higher stage and the agitation by women workers and great leaders of India - Gandhiji in particular - who have openly declared their distaste for this harmful custom of secluding women. The  
political

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25. Gandhi, M. K.: op. cit., p. 216.

political struggle for India's independence contributed largely in speeding up the progress of women themselves in this direction. Moreover greater facilities for transport helped to lessen the seclusion of women. Whatever modifications the custom might have undergone during the last fifty years it should be continued to be treated as a social problem and cannot be expected to vanish completely without greater social awakening.

6.5 The Ill-effects of Purdah: Seclusion of women and purdah have to a large extent been responsible for the low standard of living among the middle classes in India and this is true of the lower middle class of Muslims<sup>26</sup> in particular. It has made a large section of the women unproductive and they have proved an additional burden on the productive section. The middle class women have no choice of work and the majority of them cannot work outside their homes because of the shackles of tradition. Purdah has thus remained a hindrance to free economic competition. Some would strongly oppose such economic competition of women with men, pointing to the resulting unemployment prevalent in some western countries, but in India the problem is not so acute, as the fields of employment of women and men generally do not come in conflict.

Thus

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26. Chhatopadhyaya, Kamaladevi: The Awakening of Indian Women, p. 20.

Thus it is believed that the practice of purdah has affected most adversely on the economic condition of middle class women, while it has done the least harm to the extremely rich or the poor. The rich enjoy the blessings of light and fresh air while comfortably preserving their modesty by purdah as they can afford big houses with gardens and the zenana may be spacious and luxurious, and all the comforts that riches can give. <sup>27</sup> Fresh air, and light are not denied to poor people as well since they are forced to work out of doors, though less often in the north of India than the south. The boat women of Kashmir have more freedom of movement than their sisters from the middle class.

Besides economic backwardness these women in purdah become the victims of the many diseases caused by lack of sunshine and fresh air. In a report, submitted by the Medical Officer of Health of Calcutta, as early as 1917 Dr. Magnus finds that so long as the people in large cities do not acknowledge the fact that strict observance of purdah system except a few rich who can afford to have large houses with gardens - is the immediate cause of ill-health and pre-mature death of a great number of women. This permanent reproach will weigh <sup>28</sup> heavily upon Calcutta. What is true of one industrial city

27. Rathbone, E.F.: Child Marriage, p. 125.

28. Hirschfeld Magnus: Women East and West, p. 160.



is true of every big city in India. Several troubles during pregnancy can be directly attributed to purdah. The lack of sunlight may become the cause of "osteomalacia", gross pelvic deformity and the deaths of thousands of mothers and children in childbirth." <sup>29</sup> Dr. Leonard Hills in the preface <sup>30</sup> to "The Purdah system and its Effect on Motherhood" describes the importance of fresh air and sunlight as well as the ill effects of purdah thus: "The purdah system condemns young girls to a hideous life of confinement, separated from all contact with sunlight and open air, and, illfed, the atrophy in mind and body. The osteomalacia produced by want of light leads to crippling and pelvic deformities which cause great suffering <sup>31</sup> and loss of life in childbirth."

Many doctors in charge of Zenana Hospitals have noticed that majority of the Purdah women suffered from ill health such as anaemia, neurosis tuberculosis and osteomalacia, Dr. Arthur Lankester says in 'Tuberculosis in India' that "In the house without an egress and a well to cover the the

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29. Dr. Rukhmabai states the same thing in Women in Modern India.
30. O'Malley, L.S.S.: (Ed.) Modern India and the West, p. 450 foot note.
31. Dr. Vaughan, K.: The Purdah system and its effects on Motherhood, Preface, 1928. Dr. Vaughan further states that boat women and peasant women are fine examples of healthy womanhood, but the women from the upper class are deformed by purdah. It is worth noting that middle class Indian women are at least beginning to realise the importance of sunshine and fresh air.

the whole of my tour through the cities of India no single fact was more constantly brought to my notice by ceaseless iteration than the direct dependence of consumption upon the system of purdah seclusion of women."

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To purdah can be attributed a major reason for the deplorable condition of backwardness amongst Indian women. A woman in purdah or seclusion gets less opportunities for coming in contact with progressive movements. She almost knows nothing of the world's progress and she herself seldom thinks of freeing herself from the four walls of the house, or from the bondage of evil custom as a better ideal has never been presented to her. Thus a "purdah abolished all possibility of the high-caste women's participating in the social life of the community, visits, feasts, discussions musical parties; ..."

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Being constantly confined within the house a purdah woman has lost all courage, she is not capable of moving outside the house without an escort and a veil to cover her whole body, both of which ultimately create an inferiority and develop a slavish mentality, not only in herself but also in her children. Naturally, a girl brought up in such an environment is likely to become nervous, timid and dependent. Again

32. Rathbone, E.F.: op. cit., p. 125.  
33. Hauswirth Freida: op. cit., p. 96.

Again, she in turn, living in unhealthy conditions, is likely to breed unhealthy children physically weak and lacking in stamina. Freida Hauswirth rightly remarks that "children are bound to suffer in other ways from the mental starvation of their mothers."<sup>34</sup>

The purdah women have remained ignorant of many facts, which hindered the progress of their domestic life and the development of their mind. They could not enjoy the company of highly enlightened persons; nor since they had not much education, could they enlarge their knowledge with the help of books. In many cases it has been found that some of the ladies in the wealthy families were influenced by their uneducated maid servants who were sometimes responsible for the quarrels among the ladies in the zanana. The life of the zanana women of middle class is full of monotonous routine. Small children as well are not at all free from this effect.

Purdah has not only obstructed the economical, physical and social progress of Indian women but it has also been a hindrance to their political progress. Under the Act of 1935 they were given a greater degree of political power than they enjoyed in the past; and under the present Constitution of 1949 women have been given equal rights of franchise with men. But these rights can be of no value if women are still rotting

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34. Hauswirth Freida: op. cit., p. 98.



rotting inside the four walls under the false pressure of rigid social custom. Such living conditions have provided women with less opportunities for partaking in politics or have left them with little knowledge of their political rights. Women should become aware of their power to use their vote rightly as an unhindered expression of free and independent thought. Purdah is one of the main causes which have prevented women from presenting their own interests and from taking their place in legislatures and other public organisations in larger numbers. Democracy in the true sense demands a political consciousness among all classes and both sexes which the practice of purdah has denied to women.

5.6 An urgent need for Swift Change in the System: The main argument against purdah is that it deprives the women of their fundamental human right of free movement in society. It leads to the starvation of mind, as well as of body, owing to restricted education and lack of good company. <sup>35</sup> The example of the freedom enjoyed by other Indian women not observing purdah and of the Western women has had a tonic effect on some Indian women in purdah which made them conscious of their restricted activities in every social matter. All the progressive countries today have accepted the rights of women

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35. O'Malley L.S.S.: (ed.) op. cit., p. 450.

women, and India in her new constitution of 1949 has liberated her womenfolk from the bondage of submissiveness and subordination and has raised them to an equal footing with men. By giving them equal status in all social fields the government has provided more facilities for the womenfolk to march towards progress. Educated Indian women now claim their right of free movement and put forward the argument that Indian women outside purdah have freedom of movement and have ~~without~~ never been secluded at any time without in anyway having missed their freedom. If this did no harm to their character why should it harm purdah women? Thus progressive women in India do not see any point in being secluded and have become ardent supporters of the movement for discarding purdah. They have come to realise that during their seclusion period they had become weaker physically as well as mentally and that in order to build a stronger and healthier India they must lay aside the veil.

Such an opinion has gradually spread among educated women and has passed slowly on to middle class and less educated women. Lady Tata, in her opening address to the 1930 session of the All India Women's Educational and Social Conference, maintained that 'there are a hundred reasons why Burma, Bombay, Madras, Baroda, Mysore and Travancore have the largest proportion

proportion of literate women in the Indian Empire. But the most important of them, to my mind is that women in these provinces are largely free from the hindrances of purdah." 37  
The forced inactivity of women is as serious a handicap for a society as for the individual. "Voluntary social enterprise has lagged behind in India as compared with other countries and in India itself those provinces where purdah prevails are behind those where women have been able to do organised social work." 38

As already stated, Madrasi, Maharastriyan and Gujarati women, except for royalty and the nobility, have never observed purdah; hence their progress is greater in every social and cultural activity compared with the women of the rest of India. The purdah is more strict and popular among the people who have been greatly influenced by Mahomedans. The constant contact of the latter with Shikhs, Punjabi, Kashmiri, Behari and Bengali led these people to adopt the custom of purdah which is responsible for their clinging to social custom, cultural backwardness and illiteracy

As mentioned before, in olden times and even upto the second half of the last century all over the world, the majority of women were patient sufferers but the sufferings of Indian women have been greater than any. There have been numerous evil

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37. Report of All India Women's Educational and Social Conference, 1930 (opening speech).

38. Gedge and Choksi: op. cit., p. 146.



evil customs that have hindered their social progress, but purdah is one of them that has done irreparable harm; it has affected not only the women themselves but the future generations of both sexes.

Considering from the moral side, also, purdah should be condemned as an evil. Morality cannot be preserved through oppression. "Chastity is not a hot house growth. It cannot be superimposed. It cannot be protected by the surrounding wall of the purdah. It must grow from within." <sup>39</sup> On the contrary, the suppression of women does much harm mentally and obstructs the care and upbringing of children; it also leads to lack of harmony and beauty in home. Women became the prey of convention and orthodoxy, while men, with their greater economic and social independence, could easily escape. Bertrand Russel describes in Marriage and Morals that social emancipation of women is important when marriage and morals are considered. While differentiating the opportunities of committing sin in East and West he states that in order to preserve virtue of women in the East segregation or seclusion was practised hence not providing any opportunity to them for sin while in the West the method of segregation was not adopted whole-heartedly but 'they were educated from their earliest years so as to have a horror of sexual intercourse outside marriage

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39. Gandhi, M.K.: op. cit., p. 131.

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marriage." Thus the system of purdah is conveniently upheld by men in order to retain the so-called standards of false morality. True morality must be born of positive belief combined with understanding, and its standards should be binding on both sexes.

Whatever may be the reasons for the adoption of purdah in the past, it has not served any real purpose or justified its existence by solving the moral problem. On the contrary, it has restricted the progress of society, especially of women. It may be true that where purdah has existed a few individuals among the wealthy class have shown some general progress owing to the personal facilities enjoyed by them, but progress of women on a larger scale is only possible through freedom of movement.

6.7 Direct influence of Political Movement for freedom of India on Purdah: The most powerful impetus which liberated women from the purdah had come from the national struggle for freedom. During the two political movements for India's freedom there was a swift change in attitude towards purdah. Many illiterate orthodox women who were staunch enough not to show their faces in the presence of their husband's friends, discarded purdah immediately and joined in the non-co-operation movement

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40. Russel Bertrand: Marriage and Morals., p. 22.

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movement and even went to jail.

An interesting account of revolution has been given by H. Gray in Modern India and the West as follows: "A certain young man, emancipated himself but belonging to an orthodox family, was married by his mother's wish to a purdah girl whose face he had never seen. Though he would have liked to introduce her to his friend's, respect for family tradition made this impossible. Then came the National Movement and Mahatma Gandhi's call to the women of India. In 1930 eleven years after their marriage, X's friend called and found the husband returning home, after a hard day's work, to feed and wash the babies of the family because his wife, mother and sister were all serving sentences in prison...."

The various political movements had done much to weaken the stronghold of purdah among women. The change of attitude was not radical but during the non-co-operation movement a large number of women left purdah in order to stand side by side with their men for the cause of their country. They organised public meetings and processions, also picketed liquor shops and foreign cloth shops. They showed their ability and proved that women could be of equal importance in political movements.

While describing the effect of political movement on

purdah

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41. Gray, H.: "The Progress of Women" - in Modern India and the West, p. 446.



purdah Freida Hauswirth writes as follows: "Of the unprecedented numbers who broke purdah because of the Gandhi movement one figure will have an indication. In Meerut alone, 5,000 women came simultaneously out of purdah as a protest against Gandhi's arrest and never returned to it."<sup>42</sup>

6.8 Modern Trends Towards Purdah: The civilised world has condemned purdah and the general tendencies within the country itself are against it. The very sight of purdah is very hideous to an enlightened person. At present, no progressive country can isolate her womenfolk, confining them to the house. The minds of Indian men have become more open to the influence of world movements than have those of Indian women as a class, hence these men have been the indirect cause of the movement for women's freedom helped by the ardent support of some foremost women who have fought for human rights of their sisters in purdah. The tendency among educated men to liberate women from purdah is already marked. They would like women to share in external activities though such activities must be those selected by the men.

In the progress from purdah to freedom there has remained a difficult problem of proper adjustment. In every reform there is likely to occur a struggle for adjustment  
between

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42. Hauswirth Freida: op. cit., p. 238.

between the old and the new. Men and women adjusted to the old situation find themselves thrown into new conditions, and it may take them time to readjust themselves to the new situation. Side by side with this difficulty however they will have the compensation of new freedom in their life. <sup>43</sup>

Another question that arises is whether the present economic pressure and rise in the cost of living, will force women to give up purdah. It seems that <sup>except</sup> in urban areas it is not likely among middle class women, since habits and social customs have acquired the force of tradition. On the other hand, although purdah has been more rigid among illiterate women, custom has released them to some extent under present strong economic pressure in towns and cities. It seems that purdah or seclusion is already totally absent in the south among Hindus, except in a few noble families. The less rigid observance of purdah among Muslim ladies in the south may be due to economic pressure, together with its absence amongst the Hindus.

It is likely that the widespread of education and the self awakening of women will ultimately remove the purdah from the remaining sections of society in spite of the public's unwillingness. Things are undoubtedly changing; progress is not very rapid, yet it gives grounds for hope and, in order to

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43. Habibullah Attia: (Seclusion of Women) - Our Cause, p.211

to speed it up, men and women should make a joint effort. They should carry on an intensive propaganda for compulsory education, specially among Muslim girls who are in the habit of observing purdah. Purdah women should be encouraged to overcome their natural timidity and shyness so that they may be able to have their proper share in the progress and development of the family, the society and the country. Some orthodox people issue propaganda to the effect that purdah women themselves do not want to come out; but this cannot be true. The majority of the purdah women want to throw away the purdah and to move as freely as men. If such reluctance exists in some cases, the reason is ignorance, fear and force of habit.

The swift change that has taken place after the political movement some people are very hopeful about the total extinction of purdah. "The Head of the Education Department in Hyderabad<sup>45</sup> for one, estimates that it will be dead in another decade."<sup>46</sup>

There is a conflict of opinion as to the means of dealing with the evils created by purdah. Some reformers are impatient of the slow and laborious methods of education which they think are an ineffective measure for dealing with the conservative.

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44. Rustomji, Hilla: (Ed. Nehru, Shyamkumari) Our Cause, p.203  
45. Hyderabad being a Moslem state there is strict observance of purdah.  
46. Quoted in O'Malley L.S.S.(ed) Modern India and the West, p. 693 from Mathews I.B. India reveals herself (1937) p. 130.



vative influence of the older women in the house, who are a great hindrance to this reform. They believe that there should be a sweeping change brought about by legislation. "Those women who have abandoned it are eager advocates of reform, and some would not wait for the gradual education of opinion, but point to the object lesson of state action in Turkey and would have the legislature abolish it by a stroke of the pen."<sup>47</sup> But it is quite clear that a better and more permanent result would be achieved by real cooperation and understanding, that is through the wider spread of education rather than by force. People educated and well trained will automatically come to change their opinion and totally abolish this evil custom.

Whatever the methods employed, purdah must inevitably be wiped out with the advance of time. The modern world is progressive and India's progress must be encouraged by the removal of such harmful customs if she wants to stand on an equal footing with other civilised countries. This is not the tyrannical period of the Muslim invaders. Hence people should change their social customs in keeping with the state of social security and the stability of Government found at present. It is the duty of the younger generation especially to help their backward sisters and stand by them. They have  
their

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47. O'Malley, L.S.S.: op. cit., p. 693.

their backward lives before them and should shape and guide the purdah women towards light and personal freedom. Nothing in the way of freedom can simply be taken, one has to strive for it and achieve it oneself.

6.9 Prostitution in General: Besides purdah, prostitution or traffic in women and young girls is another grave universal social evil which is most harmful to society and requires serious consideration. Mahatma Gandhi while expressing his views on the social evil of prostitution writes in Young India of 15th September 1921, as follows:

"Of all the evils for which man has made himself responsible, none is so degrading, so shocking or so brutal as this abuse of the better half of humanity, to me the female sex, not the weaker sex."<sup>48</sup>

Consequently, in any progressive country, striving to reach an ideal state, it should be abolished as early as possible. It is pitiable for the woman, but more disgraceful for the society in which a woman has to sell her body, mostly because of her economic position and her inability to secure work suitable to her. But the profession which she is forced to adopt, seriously ruins her moral sense as well as her body. For a beginner it is a great mental torture but with the course

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48. Gandhi, M.K.: Young India, 15th Sept. 1921.

course of time when she has lost hope of any acceptance by her people, she gets used to new surroundings and circumstances. Moreover, as time passes her mind gets benumbed and hardened to her situation, she who has herself suffered the pangs of misery, attracts other girls to the profession and in turn causes their ruin because of their ignorance of circumstances.

6.10 Origin of Prostitution: It is obvious from history that in Vedic India, when women enjoyed a high social status and were economically independent, traffic in women was totally absent.<sup>49</sup> The earliest reference one can find is from Mahabharata where Duryodhana's and Yudhishthira's armies were accompanied by prostitutes along with other persons such as shopkeepers, physicians, surgeons etc.<sup>50</sup> Later on, more evidences of prostitution could be found in Kautilya's Arthashastra, Sanskrit dramas and Puranas. Indra in his book "Status of Women in Ancient India" tends to believe that "the Arthashastra of Kautilya is interspersed with references which clearly support us in the belief that the nearer we come to our own times, the greater is the laxity of moral ideals and the commoner the evil of prostitution."<sup>51</sup> From evidences

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49. Menon, Lakshmi: (Traffic in Women and Children) Our Cause, p. 186.

50. Quoted by Indra from Mahabharata Udyoga Parva, 195, 149 in the Status of Women in Ancient India, p. 111.

51. Indra: op. cit., p. 112.



evidences of prostitution, from later religious books and Sanskrit literature one can still conclude that there did not exist a class of women who were forced to sell their bodies for money; yet there did exist a class known for their proficiency in dancing and singing called 'Gunika' who selected prostitution as a career. They were supported by the king, lords or rich merchants and wealthy people. It was in answer to the demand created by the leisured wealthy class. These women were protected and supported because of their talents and their proficiency in the arts of singing and dancing. Kautilya has described in the Arthashastra in detail their maintenance - rules and regulations, their position in the states and the gradation of this class of women. They enjoyed full personal liberty and were many times attached to only one man and mostly entertained their supporters with fine arts. Moreover, these women served as intellectual companions as most of them were intelligent and even learned. They were also able to render service to the king and the state by working as spies of in the enemy's camp and were

was very popular in 5th, 6th and 8th century. used

52. Kautilya used the words Ganika, Veshya, dasi, devadasi, Pumskali, silpkarika, kausikastri and Rupadasi in the meaning of a special kind of prostitute as given in the Journal of the American Oriental Society Vol. 71, March 10, 1951.

53. Chattopadhyaya Kamladevi: op. cit., p. 22.

54. Indra: op. cit., p. 113.

used to secure valuable information through their personal  
<sup>55</sup>  
 and charm <sup>55</sup> cleverness. Many of them took part in politics and  
 became famous and respected for their courage, wisdom and  
 ability. During the time of Buddha two famous courtesans  
 Amrapali and Bindumati were held in very high esteem. <sup>56</sup> This  
 class of prostitutes was very wealthy and many of them even  
 helped the state when financial aid was required or gave up  
 their wealth in charity in their old age. Though, this class  
 was, then, totally separable from the average women in society  
 no social stigma or condemnation in the present sense was  
 attached to them.

With the building of new and magnificent temples some  
 people thought of engaging some dancing girls to play music  
 on the various occasion before the diety. The custom of  
 associating dancing girls with temples is not found in  
 Jataka literature. It is mentioned first in Megha dutta  
 1,35, by Kalidasa. He refers to the presence of dancing girls  
 in Mahakala temple of Ujjaini during the evening worship. <sup>57</sup>  
 The custom became quite common since this early reference and  
 was very popular in 6th,7th and 8th century. <sup>58</sup> Thus at a  
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55. Altekar: The position of Women in Hindu Civilization, p.214.  
 56. Indra: The Status of Women in Ancient India, p. 293-294.  
 57. Altekar: The Position of Women in Hindu Civilization,  
 p. 214-215.  
 58. Ibid, p. 215. Dr. Altekar writes that "about the 8th  
 century A.D. the famous temple of Somanatha is said to have  
 employed 500 dancing girls in order to provide music before  
 the deity continuously throughout the day and night.

certain stage two classes of prostitutes existed in India

(1) Religious and (2) Professional.

6.11 Religious Prostitution or Devadasis: This type of prostitution had its origin in religious custom and the practice was also found outside India. "It was first secularised by the Greeks in the Sea-coast towns, when the priestess in the temple turned from offering herself to the pilgrim for procuring the favour of a God, to selling her body for monetary gain."<sup>59</sup>

As mentioned earlier, prostitution came into existence after the degeneration of the status of women. "In Athens a sumptuous temple was dedicated to the Goddess Hetaera. In the time of Plato 400 years B.C., there were no less than one thousand prostitutes in the temple of Aphrodite in Corinth."<sup>60</sup>

Thus, the girls were dedicated to temples in ancient times and even modern practice of Devadasi (Maiden of God) is based on the old tradition.

Thus the prostitution based on religious belief is a very old institution in India though it was not identical with the present prostitution on religious grounds, except in

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59. Nehru, Shyamkumari: (ed) Introduction, p. XIII.

60. Quoted by Nearing Scott in *Woman and Social Progress*, p.73 from "Woman" A Babel, London W.M.Reeves, Tr. by B.A. Walther, 3rd edition, p. 19-20.



in the matter of singing and dancing. There were and still are certain groups in India who dedicate a girl to God. They are known as 'Devadasis' in Madras, and Bengal; 'Murlis' in Maharashtra and 'Basvis' in Mysore.<sup>61</sup> The custom of Devadasi was confined to certain families.<sup>62</sup> In 1927 the number of such girls in Madras only were estimated at more than two thousand.<sup>63</sup> Originally the dedication of the girl to God had a purely religious significance but afterwards some secular characteristics were added. A devdasi, meaning a "maiden of God" was given to God for his service only. She was supposed to lead a chaste life and was mostly engaged in the study of the arts of dancing and singing, as she was to dance before God in public, on auspicious occasions and religious festivals. Her aim usually was to master the art of dancing so that she could please the deity by her skill in the profession which was supposed to bring prosperity not only to herself or her family but to the whole village. With the course of time institution became corrupted and the pollution of the priesthood changed her role in life.

Gradually

61. Nehru, Shyamkumari: (ed.) Our Cause, p. 219.

62. O'Malley L.S.S.: Modern India and the West Weavers in South used to make a gift of their first born girl to the temples, p. 453.

63. Quoted by O'Malley L.S.S. in Modern India and the West, p. 453 from Manifesto of the Devadasi Association (Madras 1927), p. 8.

64. Gandhi, M.K.: Women and Social Injustices, p. 156.

65. The efforts of Dr. Reddy are well-known for legal abolition in Madras.

Gradually she came to be considered not only the maiden of God but of the priest of the temple, travellers and pilgrims. This clearly indicates that she has reached such stage of degradation that today the position of a devadasi is in no way better than that of an ordinary prostitute and both systems deserve equal condemnation. Gandhiji, therefore, has rightly said that 'Devadasi is an euphemism for prostitutes.

Some of the Devadasis were absolutely free to live either with a single person of their choice or with several persons if they desired. This mostly applied to Basvis, and their children were all considered legitimate. In the case of devadasi poverty was not the cause of their degradation as it has been in the case of commercial prostitution. The agitation of the public and social reformers is responsible for being legal prohibition against this custom of devadasi and this class is now fast disappearing.

6.12 Commercial or Professional Prostitution: There remained commercial prostitutes of three kinds in India. A class of prostitute very similar to devadasi has received the heritage of the arts of dancing and singing. This class attaches itself to

64. Naik, Chitrarekha: Education of Women in Bombay Province, p. 35.

65. Gandhi, M.K.: Women and Social Injustice, p. 166.

66. The efforts of Dr. Reddy are well known for legal enactment in Madras.

to a single person, and mostly exhibit their art as dancers before select audiences. A second group is available to any person for a sum of money. The third is presented to select patrons by the middlemen or women traffickers and they are not open to all. Anyhow the continuance of prostitution in any form is a blot on humanity and reflects on the morality of the public.

6.13 Universal Prevalence of Prostitutions: Prostitution is not only found in India but it prevails throughout the world in one form or another. Hence it remains an international problem and every country has to find a solution for the traffic in women and young girls according to the social circumstances of the country involved. No nation or race can claim to be without the blot of prostitution. "In Europe, too, the present attitude towards the problem is a modern one and the interest is keen because of the growing menace of venereal diseases carried from country to country by means of prostitution." After the freedom of India much attention was given to eradication of drink in some provinces but nobody has yet seriously raised the problem of the prohibition of traffic in women which is graver than the drink evil.

Maude

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67. Nehru, Shyamkumari: Our Cause, p. 219.

68. Menon, Lakshmi: Traffic in Women and Children, p. 186.



Maude Royden while writing on equality in sex relationship expresses her views thus: "It seems obvious now, but it did not seem obvious to many excellent people in the past, that to insist on physical chastity for one sex and not the other compelled the existence of prostitutes...." <sup>69</sup> Their false sense of morality prohibit their discussing the problem in public. It is a pity that even some educated people do not see the danger of this institution to the public.

**6.14 Regulation System:** The British Government had tried to deal with the problem by the Regulation System. They thought that prostitution should be carried on in order to supply the inevitable sex needs of certain groups of people, especially the military. The new government of India has already put a ban on the immoral trade but not on licensed prostitutes. These are generally compelled to live in a segregated area in a certain part of a city or town. Medical examination is compulsory at certain intervals and they are sent to hospitals for treatment if found diseased. They returned to the same segregated area after their recovery to carry on the same profession. A woman may become the victim of venereal disease several times and may ruin her health

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<sup>69</sup> Royden, Maude: Women's Partnership in the New World, p. 131.

health, but as long as she observes the Government rules she does not suffer any obstruction from the police. It seems strange that society and the Government can ignore such a wastage of human life.

Origin of the System: The Regulation system was first started by Napoleon in Europe in 1802. It was accepted in many forms by forty seven nations. It had its immediate ill-effects as the traffic in women and girls increased to meet the demand of clients. Police were corrupted with money and they connived at this trade in women. The doors of society were shut against the victim and she could never return to her people."

The first protest raised against the Regulation System was by Mrs. Josephine Butler in England. She with the help of her fellow workers brought a social awakening not only in England but in Europe too. There had been before 1870 one or two thoughtful men and women to whom this practice seemed repellent .... But on 1st of January 1870 .... the members of the House of Commons received without warning, a protest against the existing laws concerning the regulation control of prostitutes. They made a wide publication of

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70. Traffic in Women and Children: Aspects of Moral and Social Hygiene in India, p. 5.
71. Strachey, Ray: The Cause, p. 190.

ill-effects of the Regulating System and as a result out of 47 nations, 41 have abandoned the system. It was also because of Mrs. Butler's and her supporters' efforts after 1870, that the League of Nations Traffic in Women Committee came into existence.

It is a matter of regret that India has not yet abandoned the Regulation System. It is true that traffic in women and children has been prohibited by law but the evil has not totally vanished, as the houses of immoral trade are flourishing, without any fear of detection by the police, in the guise of Boarding and Lodging houses, Nursing Homes, Massage Clinics, Entertainment clubs and even as women's Rescue Homes.

6.15 Consequences arising from the system: There have been many complaints against the Regulation System in India too.

Another grave danger to society arising out of the Regulation system is a wider spread of venereal disease. The system was originally adopted to check the spread of such diseases but it has not proved effective; on the contrary, it has increased their spread, not only in towns and cities but in rural areas too. According to the rules, a prostitute's daughter was presumed to follow the same trade as her mother, whether she was willing to or not. As the girl is branded as a prostitute's daughter she is

looked



looked down by society with indignation and she has no chance of either mixing in good company or of receiving education. She is socially outcaste and to utter even her name is a matter for disgrace. The attitude of young men and modern writers has greatly changed, however, and today quite a number of them are not afraid of society and openly discuss the prostitute's sad plight and misery. Many writers have earned fame by fully revealing the prostitute's sorrows and pleasures, their feelings and sentiments, the injustices they suffer through society and so on, thus treating them as a class of destitute women, a prey to circumstances and the lust of men. But the sympathy shown in such writings is only theoretical as nobody is yet courageous enough to help them to leave their drab life, even when sometimes they themselves wish to take up some other occupation.

Another grave danger to society arising out of the Regulation system is a wider spread of venereal disease. The system was originally adopted to check the spread of such diseases but it has not proved effective; on the contrary, it has increased their spread, not only in towns and cities but in rural areas too. According to the rules, a prostitute is forced to undergo medical treatment if she is found diseased, but there is no such regulation or medical examination for males who come in contact with her. It is often

often they who spread the disease in towns as well as in villages. This is quite evident from Sir Jhon Megaw's survey of village life upto 1934 in eight provinces of India. The average number suffering from venereal diseases out of the total rural population of those provinces was calculated as follows:

Syphilis	15.6 per mile	72
Gonorrhoea	21.5 per mile.	

Sir John Megaw also surveyed the other main diseases in the same area in those provinces. The percentage of venereal diseases was greater than that of other diseases, as the victims of syphilis and gonorrhoea were 37.1 per mile while those of others were 32.5 per mile.

6.16 Causes of traffic in Women: Without dealing with the causes or roots of the system as it stands today it is impossible to abolish the system; hence the importance of the study of these factors is obvious. The following are the main causes of the traffic in women and young girls:

- (1) The attitude of society.
- (2) Economic conditions.
- (3) Social customs and prohibitions.
- (4) Ignorance.
- (5) Industrialization.

(6)

(6) Richmen and landed aristocracy. *The state of livelihood.*

(7) Attitude to cinema, film-industry, actresses, dancers.

Total blame goes to the present attitude of society where women are still looked down as inferior and subordinate. They are treated as a plaything and a victim of man's desires. A woman who has fallen is condemned and sometimes punished by society <sup>if</sup> detected. The unsympathetic attitude towards girls at home may kindle a desire to run away, which may a time lead them into the hands of traffickers. <sup>73</sup> Once they have fallen very few relatives are ready to accept them back owing to social restrictions.

Either they continue the same occupation or sometimes they may take shelter in Women's Resche Homes. <sup>74</sup>

Poverty is the prime cause of this evil, not only in India but in other countries as well. "Poverty is the cause in at least 80% of the cases, is shown by the enquiries made by the League of Nations in different countries. This is also the considered opinion of those connected with the Vigilance Association in India." <sup>75</sup> The same Vigilance Association while giving the account in the Madras Regional Conference clearly stated that "the profession of prostitution *is fewer prostitutes in India.*" tion

73. Menon, Lakshmi N.: Traffic in Women and Children, Our Cause, p. 190.

74. Mrs. Hate in Hindu Women and her future describes this type of incidents, p. 105.

75. Chhattopadhyaya, Kamaladevi: The Awakening of Indian Women, p. 21.



tion is carried on in most cases for the sake of livelihood."<sup>76</sup>  
 The same state of affairs was found in Soviet Russia. Gandhiji was first shocked to know the existence of such class when they went to see him. In his interview with those women he found out that "they were over 350 in the midst of a population of about 20,000 men, women and children. They represent the shame of Barisal, and the sooner Barisal gets rid of it the better for its great name. And what is true of Barisal is true, I fear of every city." Further he estimates that "the lowest figure for all India would, therefore, be 10,50,000 women living on the sale of their own honour."<sup>77</sup>

Nearly eight girls out of ten join the profession because of starvation. Under the present economic pressure, where a husband or a mother or some relative forces a girl to live an immoral life only because of poverty if she is unable to earn money by some other means. Of course, it is not right to conclude that prostitution would not have existed if there were no poverty. So long as there are men to buy and women to sell the total disappearance of the trade is out of question; but with less poverty there would be fewer prostitutes in India.

Innocent girls sometimes become the victim of Social

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76. Menon, Lakshmi N.: Traffic in Women and Children, Our Cause, p. 188.  
 77. Gandhi, M. K.: Women and Social Injustice, p. 163-165.

Social customs and restrictions throw a girl into the hands of traffickers. An unhappy married life due to the cruel treatment given to her by her husband or his relative have made many a girl commit suicide or go astray. Enforced widowhood, and the prohibition of widow re-marriage among certain castes and in high-caste society, are also responsible to certain extent for the spread of this evil. Negligence shown to deserted wives, or the strict attitude of society towards misled girls and widows, often forced them to take shelter in the Rescue Homes or Mahila Ashrams. But even here a few of them have been found to be abodes of vice and immorality. Being ignorant of the purpose of such Homes they become fresh victims. They are dead to their families and in the majority of cases they are forced to remain where they are. Ill-breeding, child marriage, disparity in sex and inability to get married owing to social restrictions or caste systems, are indirect causes of the increase in traffic of women and young girls. Persons dissatisfied in their lives owing to child marriage seek pleasure and enjoyment outside their home. Girls who are married to impotent men are likely to go astray or become the tools of any wicked person who can take advantage of them.

Innocent girls sometimes become the victim of unscrupulous men owing to their ignorance of sex knowledge. The

girl

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78. Menon, Lakshmi N.: Traffic in Women and Children, p. 190.

girl once fallen does not know where to go and being afraid of the consequences has to obey the orders of the man and fulfil his desires. The man eventually employs her in the immoral trade or sells her to a prostitute for money. Many ignorant girls thus become the victim of such people without realising the danger into which their action has plunged them.<sup>79</sup>

Industrialization and urbanization which has caused the shortage of houses, have been responsible for the increase in prostitution. Many labourers went to the cities in search of work, leaving their womenfolk behind in the villages. Hence the number of women in industrial areas is small, especially where there is no provision for family residential quarters. This fact attracts the persons interested in immoral traffic and they camp in the vicinity of such industrial centres. This in turn leads to an increase in prostitution resulting in a wider spread of venereal diseases. The person infected with the disease carries it to his family when he returns home. The atmosphere of the industrial areas has become so immoral that the workers untouched by the vice are afraid to bring their wives and family into contact with it. Sometimes the women indulge in immoral practices is severely condemned and criticised by society. while for

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79. Hate C. Notes various examples who had fallen in the hands of Traffickers or other reasons - Social or economic, p. 102-103-104.

80. Henson, Isabel H.: Traffic in Women & Children, for Cause, p. 120-121.



for want of enough income. The shortage of houses and the housing conditions contribute to the increase in immoral habits. Twenty people living in a small room can hardly observe any rule of decency as without privacy, women cannot preserve their modesty. The low income of their husbands or relatives indirectly forces them to throng together which many times leads them astray and there is no reason for surprise when immoral traffic is carried on through the inmates of such a house.

Finally, a few among the wealthy and the influential people are to be blamed. They condemn or openly express hatred of the immoral action of any other person but often they themselves have indulged in the same immoral act. The immoral behaviour of wealthy or influential persons can hardly be detected and if detected, society connives at it, being influenced by their wealth, position and power. The standard of social behaviour and morality among these people is different outside their own family and with strange women. The general treatment given to women and girls is not praiseworthy as it is based on unequal standards. The sense of morality is one-sided. A fallen woman or unmarried mother is severely condemned and criticised by society, while the crime of the real culprit is ignored by the same. The

ideals

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80. Menon, Lakshmi N.: Traffic in Women & Children, Our Cause, p. 190-191.

ideals of morality should be applicable to both sexes. Society should give an opportunity for the improvement of a person fallen from such standards. Given less demand, the supply will automatically dwindle, hence it is the duty of every citizen to help in the eradication of immoral traffic and any other activities allied to it by helping the government as well as social workers in their efforts to restrict it.

6.17 Measures taken in order to restrict the traffic: In order to prohibit the traffic in women and young girls certain measures were taken by International Conferences. The measures specially applicable to India were those in respect of the raising the age of consent, protecting the unmarried mothers and orphans, spread of education, welfare work and establishment of rescue homes; but these did not prove very effective. Mere legislation against traffic in women and children will not root out the evil unless something more can be done for the people by changing their whole outlook towards this evil and removing the social causes of traffic in women.

As mentioned earlier in most of the cases poverty is the main cause and in order to combat the evil successfully it should be removed. Russia could tackle the problem effectively

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effectively "by providing work, decent homes, a living wage, more humane conditions not only to those who are caught in the net but for all workers and potential prostitutes." <sup>81</sup>

~~Up till now~~ The League of Nations Committee on Traffic in Women and children, International Conferences, the work of the genuine women's rescue Homes and especially that of the All India Women's Conferences, have gradually made progress in lessening the traffic in women and children. The three important resolutions passed by the All India Conference of Social Work held in Bombay in 1947 are steps in the right direction. It first requested the Central and Provincial Governments to establish more welfare organizations in every province and to provide them with "Vigilance workers of both sexes with police powers." It also demanded Rehabilitation Centres and Homes in every district and town with a provision of trained workers. The second resolution demanded that "the public should be educated to look upon men who visit brothels as equally guilty with women, and procurers of both sexes should be dealt with severely." The third stressed the importance of sex education in schools <sup>82</sup> for children of both sexes over 14."

cannot be entirely abolished by legal enactment alone. Traffic

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81. Menon, Lakshmi N.: Traffic in Women and Children, Our Cause, p. 191.

82. Report of All India Conference of Social Work, 1947.



Traffic in women can be combated more successfully by giving more attention to the following points:

- (1) Strict enforcement of laws.
- (2) Medical care.
- (3) Education.
- (4) Change in public outlook.
- (5) Vigilance Associations - Rescue Homes, etc.,
  - (a) Provision of work for unemployed women.
  - (b) Rescue work.
  - (c) Propaganda.

Although in India, licensed prostitution is not prohibited, attempts to suppress it by the Immoral Traffic Act in various provinces was found as early as twenty eight years ago. Mrs. Muthulakshmi Reddi was a very active worker in Madras in creating a public opinion for passing an Act which prohibited traffic in women and children. She also agitated against the religious prostitution and the system of Devadasis. "By an Act passed in 1925, which extended Sections of the Penal Code which made traffic in minors a criminal offence. Dr. Reddi sought to make their dedication as minors illegal. But it was not successful since now the parents began to wait until the girl was of age. Prostitution cannot be entirely abolished by legal enactment alone but its commercial

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83. Taken from the Key of Progress (1932), p. 182. and given in O'Malley L.S.S.'s Modern India and the West, p. 454.

commercial aspects can be checked by effective laws based on preventive lines. There is a section of society which justifies the existence of prostitution on the ground of morality and asserts that this institution is necessary to preserve the purity of women in society. Such an argument is based on the exploitation of the weaker and poorer sex. The equality of any woman either poor or rich is important in a democratic country. Women in a better position should not be guarded at the expense of other women who find themselves in unfavourable circumstances. If the people of India want to progress morally there must be a total absence of any form of prostitution and this can be particularly achieved by legal ban and public support. The Madras Suppression of Immoral Traffic Act was also passed by Dr. Reddi's efforts in 1930.<sup>84</sup> and her work was carried on further by V.T.Lakshmi, Women's Welfare officer, Madras and her other colleague,<sup>85</sup> Shrimati Rajgopal with the same zeal and spirit. Uniformity of law is equally important. The public should be awakened to such an extent that they may take an active interest in the operation of the laws which suppress immoral traffic, and report all cases to the authorities. Without the people's co-operation

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84. As given by K. Nora Brockway in the Book A Larger way for Women. This Act is in force (in 1948) in sixty-five towns in the Madras Province.

85. Brockway, K. Nora: A Larger way for Women, p. 127.

co-operation the laws will remain inoperative. The higher officials should keep a watch over their subordinates so that they may not be corrupted by gangs and ensure a strict application of laws. Further, not only is commercialised traffic allowed in many cities but the third party is not liable to punishment. If the Government of the province is inactive the people should start a movement to stop this third party gain through immoral traffic.

Another grave problem arising from prostitution is how to check the spread of venereal diseases through it. Confidential free medical treatment in India will prevent the spread of such diseases. This comes under the preventive methods. The opening of V.D. clinics in big cities and towns and in industrial areas will not only cure many victims of the disease but stop the spread of the disease in rural areas also. It is the duty of the Government to provide such clinics and Infant Welfare clinics so that many children can be saved who are infected with the disease from their birth. People should come forward to support such clinics financially. Diseased persons who do not take medical aid should be punished as they are a danger to the whole society.

The wider spread of general education among women will definitely decrease the percentage of victims of immoral trade

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87. Menon, Lakshmi N.: Traffic in Women & Children, p. 195.



trade. Many women and young girls are persuaded or kidnaped while they are travelling alone or stranded in a strange city because of their ignorance and illiteracy. The introduction of sex education in schools for children over fourteen years of age is equally important in combating this evil. Many a girl has become the prey of women traffickers because of her ignorance of sex knowledge. Once fallen in the eyes of society the girls have to obey these procuresses who only bring them ruin, sufferings and disease. <sup>88</sup> Character formation and proper training of school children in general sex habaviour are vitally necessary to stop this menace.

Better social laws for the protection of these fallen girls and unmarried mothers, as well as liberal divorce laws are necessary throughout India to eradicate this evil. The support of the public in helping such destitute women and girls who are merely the victims of social tyranny is also important. Moral rules should be equally applicable to both sexes and if a fallen women is considered guilty by society the man who seduces her should be similarly judged. There should be one moral law for military and civilians, for men and women if one wants to raise the standard of morality. Public opinion should be developed enough to be liberal to the victims of vice by giving them a chance to return to  
their

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88. Mrs. Hate: Hindu woman and her future, p. 108.

their normal life for improvement. Every person should feel a duty towards this group of people and enlighten their lives by setting a good example in general morality and behaviour in public.

#### 6.18 Need for more Rescue Homes and Vigilance Association:

The greatest needs today in India are the extension of Vigilance Associations to prevent the traffic in women and young girls, and Rescue Homes to shelter the victims of this trade. These associations undertake the additional duties of propaganda and provision of work for women who have no other means of livelihood. They also try to protect orphans and unmarried mothers and young girls who are open to danger. Further, these institutes carry on investigations in suspected houses and help the police in raids and round ups.

Considering the great bulk of women engaged in this immoral trade and that of women likely to be affected by traffickers, the number of such organisations in India is not sufficient to cope with the necessary work. They were mostly started in the second quarter of the present century and, with the help of voluntary workers and financial aid from the Government and from the people, they can expand their activities to fulfil the needs of the destitute women. The public is still not prepared to accept the problems as one of vital necessity

necessity, and the policy of the Government as well as of the people in general is that of sympathetic indifference. Two outstanding institutions working in India are the Hindu Women's Rescue Home Society in Matunga, Bombay, and the Madras Vigilance Association and its Stri Sadan. Both have branches in various other places and carry on good work in several fields. The main aim of all such institutions is to help the suppression of traffic in girls and young women and to give them relief, especially to those under eighteen and to train them in Rescue Homes so that they can lead an economically independent life. They also carry on propaganda work in towns and rural areas by arranging conferences, meetings and active field work and by organising women's groups in cities and provincial areas. Traffic in women and children is a thousand headed octopus and cannot be combated only by Rescue Homes or such other organizations but full support should also be given by the public. It is hoped that all these efforts will bring a great social awakening among people of both sexes. Their personal contact and efforts of the workers may persuade many relatives to receive the victims back into their homes. As stated before another grave cause of the traffic in women and young girls is economic. Industrial centres are

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89. Chattopadhyaya Kamaladevi: Awakening of Indian Womanhood, p. 21.



often the abodes of prostitution not only because of disparity in sex or the absence of residential quarters, but also because of insufficient income and unemployment especially for women. It remains the duty of every industrialist to pay every worker decent wages and to provide his family and womenfolk with some cottage industry. The wages of such women workers should be raised sufficiently for the maintenance of her family, and special care should be taken to employ deserted wives, widows and unmarried girls so that they may not be tempted to indulge in an immoral traffic.

Over and above all the efforts of workers in such institutions and of social reformers, the Government should provide a uniform policy and programme of work for the suppression of this traffic. As mentioned before, certain provinces have a Suppression Act, but it is not applicable in all its sections to the entire province. This legal flaw protects women traffickers and encourages the trade in every province. It should be amended as early as possible so that it may facilitate the work of public workers.

Sound economic development of the country is the remedy for the removal of extreme poverty. Cases have been found of some labourers' carrying on the traffic not for money but simply for clothes and food. This often occurs in famine stricken areas or in the extremely poor provinces.

automatically cease.

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The Government should open public works in such areas to provide work for these people so that they may not indulge in immoral trade. Wealthy people, with the aid of the Government, should open cheap grain and clothing centres to prevent the growth of this evil.

The Regulating System should be gradually banished from India by refusing licenses to new persons. The licensed prostitutes then would disappear within a few years by occupying themselves in other work. The public also should be liberal and willing to co-operate in order to absorb these women into society without attaching any degradation or infamy to them. Like the present drink eradication in certain provinces of India this evil can be wiped out through the whole-hearted efforts of the public and the Government. Nothing can be more inhuman than the traffic in women in which many men and women indulge for monetary gain. Yet this must become a nightmare of the past, for it should be the aim of free India that every citizen should enjoy more freedom, happiness and health and higher standard of morality. This can be achieved only by demolishing one of the greatest social evils. It will remain the duty of every Indian to preserve and work for a moral uplift in every field, both within and outside marriage and without any distinction of sex or creed; then the traffic in women and young girls will automatically cease. automatically

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girls there were ...  
No system of organized education ...  
from 1000 to 1800 A.D. The progress of ...  
education

1. Quoted by Hauswirth Freida in her book "Purdah - the Status of Indian Women" on p. 147.
2. O'Malley L.S.S., Modern India and the West, p. 454.
3. UNESCO: Women and Education, p. 87.

## CHAPTER VII

Women And Education

"Educate a girl and you educate an  
entire family."<sup>1</sup>

A Short History of Women's Education in India: Some hundred years ago and before that, it was a common belief among people that girls should receive education only inside their homes. It was equally true of England at the beginning of the 19th century where girls could acquire all that was then necessary in the way of education in their home surroundings. Scarcely any education was provided for girls in India outside their homes and <sup>n</sup>they<sup>L</sup> it was only the privilege of <sup>2</sup>some princely and rich noble families.

The History of women's education greatly differs from that of men's. In pre-British days boys had opportunities for higher as well as elementary studies; while in the case of girls there were neither such opportunities nor such demand. No system of organised education for girls has been found from 1000 to 1800 A.D. <sup>3</sup> The pioneers of modern female education

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1. Quoted by Hauswirth Freida in her book "Purdah - the Status of Indian Women on p. 147.
  2. O'Malley L.S.S.: Modern India and the West, p. 454.
  3. UNESCO: Women and Education, p. 87.

education in India were missionaries, Company's officers in their individual capacity, non-official men and women and some progressive Indians. It was they who had taken the first tentative steps in this direction and until the close of the first half of the nineteenth century female education was nursed and nourished mainly by the missionaries. As it is remarked by Nurullah and Naik in History of Education during the British Period, ".... missionaries began to land in India in large numbers and establish English schools, thereby laying the foundation of the modern educational system."<sup>4</sup>

India with her past glory of culture and art had the lowest percentage of literacy at that time. She had the fewest schools and spent the least money on education. Moreover, she had practically lost her national system of education and had evolved a wrong attitude towards female education which retarded female education and greatly hampered the progress.

In 1826 Sir Thomas Munroe placed his scheme of education for boys in Madras Presidency before the Court of Directors. He also suggested that improvement of the whole country was necessary. It was not only the duty of the Government but it was a sound investment too. As a result

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4. Nurullah and Naik: A History of Education in India, p. 82.



of this move, therefore, in 1835, Lord William Bentinck deputed William Adam to inquire into the condition of schools run by local authorities. In his enquiry he found the existence of scholastic and vocational types of schools for boys but he could not find any girls' school of any kind in the surveyed areas.

"In fact", wrote William Adam, "a feeling is alleged to exist in the majority of Hindu females, principally cherished by the women and not discouraged by the men, that a girl taught to read and write will soon after marriage become a widow. .... and the belief is also generally entertained that intrigue is facilitated by a knowledge of letters on the part of females .... the Mahomedans participate in all the prejudices of the Hindus against the instruction of their female offspring." In his inquiry, Adam found that roundabout 1830, in the total population of Bengal 4 women were literate against 21,971 men.

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5. O'Malley L.S.S.: Modern India and the West, p. 454.
6. This popular belief is also supported by several other educationalists and writers upto 1926. It was mentioned in 1838 by Adam in his report on Vernacular education in Bengal and Bihar, in 1860 by Joguth Chunder Gangooly in "Life and Religion of the Hindoos" (p. 26); in 1878 by Mr. Monier Williams in "Modern India and the Indians" (p.316); in 1883 by Shib Chunder Bose in "the Hindoos as they are" (p.222); and in 1926 by Mrs. Urguhart in "Women of Bengal" (p.117).
7. O'Malley L.S.S.: op. cit., p.455.
8. Basu, A.: (ed.) Report on the State of Education in Bengal by Adam, p. 578.

The Report stated that there was roughly one village school for every 400 inhabitants in Bengal and Bihar. The schools were essentially religious in character and regarded knowledge as a spiritual growth. There was no provision in these schools for girls. All these schools were affected by Macaulay's well known Minute of 1835 which established English as the court language and medium of instruction in high schools. Macaulay and his supporters were strongly opposed by the local people but in spite of this, they condemned the old methods of teaching and started a new experiment of educating people through the medium of a foreign language.

As the new system came into existence the old system gradually vanished. The country suffered a great loss so far as cultural and spiritual learning was concerned. The new system of education was mainly utilitarian and aimed chiefly at providing the clerks for the running of a bureaucratic machinery. This did not help female education at all; on the contrary it proved a stumbling block to girls education, and led to a distaste for higher education.

Another attempt was made to correct this state of affairs in 1854. Sir Charles Wood's "Despatch of 1854", marks a notable step in the history of Indian education.

10. Chhatrapodkanya, Amaladevi and others: The Awakening of Indian Women, p. 19.

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11. Quoted by Syed Nurullah & J.P. Naik in A Students History of Education, p. 55.

9. Nehru, Shyamkumari: (ed.) Our Cause, p. 95.

The main feature of this Despatch was its stress on primary education and encouragement of female education. The policy was boldly "to combat the ignorance of the toiling millions which is the greatest curse to the country."<sup>10</sup>

<sup>13</sup> There were several other proposals in the Despatch which were for the encouragement of female education. Wood's Despatch of 1854 had explicitly mentioned that "the importance of female education in India cannot be overrated .... and we have observed with pleasure the evidence which is now afforded of an increased desire on the part of many of the natives of India to give a good education to their daughters. By this means a far greater proportional impulse is imparted to the educational and moral tone of the people than by the education of men."<sup>11</sup>

There were other social reformers from Raja Ram Mohun Roy to Gandhiji who stressed several times in their writings the need for educating Indian women to ensure the progress of the country. At the end of the nineteenth century educationist and social reformer, G. K. Gokhale, "deplored the ignorance of women as being a powerful obstacle in the way of progress."<sup>12</sup> Western missionaries had already played an

interest in female education by building and equipping schools

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10. Chhattapodhyaya, Kamaladevi: and others: The Awakening of Indian Women, p. 14.
  11. Quoted by Syed Nurullah & J.P.Naik in A Students History of Education, p. 85.
  12. Brockway, Nora K.: A Larger Way for Women, p. 89.



important role in the advance of female education. As a staunch advocate of self-government for India, Dr. Muthulakshmi Reddi did not fail to show her gratitude to them. She said in an address to the All India Women's Conference in 1931:<sup>13</sup>

"The female population of this country has been placed under a deep debt of gratitude to the several missionary agencies for their valuable contribution to the educational uplift of Indian women. I honestly think they have done more for women's education in this country than the government itself. Of course, at present India can boast of several other religious bodies such as the Brahmo Samaj, the Ramkrishna Mission, Arya Samaj etc. doing work in the field of women's education, but in the past the Christian missionaries were the only agencies in the field....Even at this day in every province, we find the women missionary teachers working hard, in the spirit of love and faith, in out of the way willages, where the Hindu and Muslim women dare not penetrate."

The Parsees were foremost among Indian communities in adopting western ideas. From 1860 they showed their sincere interest in female education by building and equipping schools with their own money. They promoted English education by running

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13. Report of All India Women's Conference, 1931.

running eight out of ten high schools for girls in Bombay in 1913. At the same date Calcutta had only two Brahmo High Schools, while Madras had none. Up to the present day Western India is foremost in female education but in the earliest stages praise must go to the Parsees for the courageous lead given by them in adapting western ideas to suit Eastern standards.

Thus, the first Indians to take an active interest in women's education were naturally the most Europeanised communities in India - the Brahmo Samaj in Bengal and the Parsis in Bombay. There was slow progress of female education during the 19th century in spite of the efforts of the missionaries, the Parsees and other social reformers owing to several causes, social as well as political. As pointed out by Nora Brockway "there were few signs at the opening of the twentieth century of the remarkable developments that were to take place in the education of women in the next few decades." <sup>14</sup> Even at the end of the first decade in the present century, the total number of girls under instruction was very insignificant in proportion to the female population.

Thus, before 1913, there were a few learned ladies in the education of women as well as of men; then and whole

14. Brockway, Nora K.: op. cit., p. 93.

15. For details see Ch. III.

whole of India among whom Pandita Ramabai was prominent (1858-1922). She belonged to the great galaxy of India's learned women. She was learning Sanskrit when she was only eight, and in her teens completed the study of the Puranas and Upanishads. In spite of her Sanskrit learning she did not escape western influence. Another well known social worker was Ramabai Ranade who was educated by her husband.

Under the Montague Chelmsford Reforms in 1919 education became a "transferred" subject under the separate charge of an Indian minister. This was the beginning of the introduction of compulsory education for men and women by local option.

In the beginning of the 20th century people began to understand the importance of female education. There came a dawn of social reforms. The early 20th century witnessed the breaking up of the old social order. Caste divisions, purdah and early marriages began to disappear gradually and a new era of freedom and of self expression was emerging. The old attitude towards girls education was slowly changing and the people then began to understand its urgency and importance. All the leading men and women of India came to realise that national prosperity and the status of the country among other civilised nations of the world depended on the education of women as well as of men; then and then

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14. The Hunter Committee Report (Interim Report of the Indian Statutory Commission 1929), p. 104.

15. For details see Ch. III.



alone would India be able to hold a prominent place among the advanced nations of the world.

Among members, including the three Indians of the Hartog Committee (1928-29) unanimously decided to give priority to girls education. The Report stated that, "the importance of the education of girls and women in India cannot be overrated" .... "the education of the girl is the education of the mother and through her of her children..... It is only through education that Indian women will be able to contribute in increasing measure to the culture, ideals and activities of the country."

A consideration of other statements of opinions given at this time throws light on the slowly changing attitude of the masses and on the growth of female education.

"We are definitely of the opinion that in the interest of the advance of Indian education as a whole priority should now be given to the claims of girls education in every scheme of expansion."

The progress made after the first world war in the matter of women's education was steadily increasing. Owing to the economic stress after the War (I) the progress of men's education was retarded but a steady though slow progress was

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16. The Hartog Committee Report (Interim Report of the Indian Statutory Commission 1929), p. 184.
  17. Ibid, p. 183.

was continued with womens' education. There was 30 p.c. increase in the number of female students between 1920 and 1930 against 16 per cent in the previous decade i.e. 1910-1920. Even among the backward community like the Mahomedan the enrolment of girls in the United Provinces alone increased by 53 per cent during the same period. Amongst the high caste Hindus the increase was 28 per cent but the highest of all was the depressed classes where the figure of increased percentage was 379.<sup>18</sup>

The progress made in the collegiate stage after the second decade of the twentieth century was striking. In 1921, the number of women studying in colleges in British India was 1529, "In 1935 over 5000 women were studying for degrees."<sup>19</sup> An eminent Rani spoke at the All India Women's Conference in 1927 this:

"There was a time when the education of girls had not only no supporters but open enemies in India. Female education has by now gone through all the stages of total apathy and indifference, ridicule, criticism, and acceptance." This attitude was mainly found in the cities while thousands of

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18. Hauswirth Freida: Purdah - the Status of Indian Women, p. p. 161.
19. O'Malley L.S.S.: Modern India and the West, p. 459.
20. Rani Sahib of Sangli Report of All India Women's Conference 1927, p. 13.

of girls still remained illiterate in rural areas because for want of facilities for education, lack of interest and last but not the least because of their economic condition. If there would have been uniform progress throughout India the literacy percentage of girls would have been much higher.

Education has been one of the most powerful influences which have gradually changed India but it has affected men far more than women. Until the beginning of the 20th century few men wanted education for their wives and daughters and still fewer women wanted it for themselves.

Before discussing the progress of women's education with facts and figures during the fifty years (i.e. 1900-1950) it would be proper to discuss, at this stage, some of the factors which were responsible for the slow growth and retarded education of girls and some of the consequences which still remain to be corrected.

7.2 Main Impediments in the Rapid Growth of female education during the present century: There were three main obstacles besides others to women's education at the beginning of the 20th century - apathy, early marriage and lack of funds. The first obstacle, apathy, has been vigorously attacked by public propaganda and various other means during the first three decades of the present century and now it has totally vanished  
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in the cities. People living in the cities understand the importance of female education. Public opinion has begun to develop in favour of female education since 1921, and Padma Kirtikar notes the changing attitude of men as follows: "The demand for educated wives was increased and educated men were learning to tolerate or even respected the educated women who were trying to follow careers either with a view to achieving economic independence or to do social service to the community."<sup>21</sup> Thus, educated people, mostly living in urban areas realised the importance of female education and the extension of their ideas to rural areas began to reach speedily. The old popular Brahmanic saying "Educate a woman and you put a knife into the hands of a monkey" was rapidly losing ground and instead of that "Educate a girl, and you educate an entire family" has been realised by the people. The Sarada Act, has combated the second obstacle, early marriage, by more or less putting a restriction on the marriageable age. The third obstacle - lack of funds - still remains to be properly solved even by the present popular government. There have been several other hindrances girls' education and the general backwardness of the too

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21. Kirtikar, Padma: Education of Women in India during the British Period, p. 262.

22. Quoted by Freida Hauswirth in Purdah : the Status of Indian Women, p. 147.

too, arising out of the (i) restrictions of the caste system and the unsloved language problem, (ii) the prevalence of the purdah system, (iii) Poverty and ignorance of the people and (iv) Absence of free compulsory education.

Now-a-days the first of these problems is not as grave as it used to be in the past. The caste restrictions are gradually disappearing in the big towns and cities. A law for removing untouchability has been passed by the present Government which with the enlightened public opinion will automatically solve the problem of separate schools for low castes and untouchables. The language problem has to be faced by big cities; having a cosmopolitan population. In a city like Bombay there are said to be 68 living languages used by various groups. The only solution to this problem is the unification of language throughout the country in addition to the provincial languages.

It is a well known fact that the education of girls has been restrained by social customs and prejudices, especially the system of purdah and the seclusion of girls after the age of puberty. These have resulted in the neglect of girls' education and the general backwardness of the backward groups, which in turn are responsible for the low literacy figures for women. Almost all the provinces in Northern India had the Purdah system among their women and there was

no scope for girls education unless there were separate girls schools. These are always expensive and do not maintain the same standard as boys' schools. The recent political awakening among women has, however, weakened the forces of purdah. To-day the importance of girls education has been accepted everywhere even by Muslims, and with the advance of female education this uncivilised custom is automatically giving way.

India is a land of villages and about 87% of Indian population live in these villages. In these villagers two main obstacles in the way of the education of their girls are finance and ignorance. They are too poor to support a school with even one well-paid teacher or to forgo the earnings and the incur incidental expenditure involved in sending their girls to school. The financial solution is now in the hands of the government. The problem of ignorance can be solved by public propaganda.

Up till then, female education was compulsory only in very few districts, although everybody now seems to realise the great need for it. In addition to financial difficulties the main difficulty in handling the problem was the lack of sufficient trained teachers. The Interim Report of the Indian Statutory Commission broadly summed up the problem in the following way:- 'Owing to social and other causes,  
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the compulsion for girls to attend schools presents very special difficulties, and in consequence only in five provinces, have girls been included in the scope of compulsory legislation.<sup>23</sup> (of these five, only two have actually applied compulsion, i.e. Madras, in all the city wards, and Bombay in four wards.) Today, the popular government of India has taken a progressive step towards education by passing a law to make primary education nationally compulsory without any distinction of sex. Policy 1913. It stated, "The educa-

### 7.3 A General Survey of the Development of Female Education

during the Present Century: The need for expansion and improvement of female education has been continuously stressed in most of the Government Resolutions and Committee recommendations. The first part of the period under review may be said to end in 1921 when education became a transferred subject. The second part of the period between 1921 and 1947 witnessed unprecedented zeal in women's education, the impact of two World Wars, and the national awakening of the people which led to social and educational progress.

Lord Curzon in the Government Resolution on Educational Policy of 11th March 1904, <sup>stated</sup> "In their efforts to promote female education the Government have always encountered peculiar

23. Report of the Indian Statutory Commission, p. 171.

24. WILSON: Women and Education, p. 111.

peculiar difficulties arising from the social customs of the people; but they have acted on the view that through female education a far greater proportional impulse is imparted to the educational and moral tone of the people than by the education of men." <sup>24</sup>

Female education, in spite of some progress in the last century, was still in a very backward state. The next important pronouncement was made by the Government Resolution on Education Policy 1913. It stated, "The education of girls remains to be organized. Peculiar difficulties were encountered in the branch of education owing to the social customs of the people." <sup>25</sup>

The Government Resolution also laid stress on the need for differentiation of the curriculum to suit social needs, and the full enlisting of women as teachers and inspectors. The difficulty in obtaining competent primary teachers was mentioned and it was suggested that women should be specially trained for the purpose.

A steady progress was made in the spread of female education upto 1922 but it was insignificant in proportion to the vastness of the problem. The percentage of literacy was only 1.8 in 1921.

The

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24. Quoted by P. Kirtikar in a thesis - Education of Women in India during the British Period, p. 255.  
25. UNESCO: Women and Education, p. 111.

The following table will show the female literacy percentage provincewise in 1911 and 1921:

Province and Female population in Millions in 1921	1911		1921		
	Men	Women	Men	Women	
Madras	21	13.8	1.35	15.2	2.1
Bombay	9	12.1	1.5	14.1	2.5
Bengal	22	14.0	1.1	15.9	1.8
U. P.	21.	6.1	0.5	6.5	0.6
Punjab	9	6.5	0.6	6.7	0.8
Bihar & Orissa	17	8.0	0.4	8.8	0.6
C. P.	7	6.8	0.3	8.4	0.7
Assam	3	8.8	0.6	11.0	1.3
British India	120	11.3	1.1	13.0	1.8

The following conclusions can be drawn from the above table:

- (1) The growth of female education was not in proportion to that of men during the period.
- (2) Some of the provinces which suffered more social

26. This table is taken from Padma Kirtikar's Thesis - Education of Women in India during the British Period, p. 297.

27. Table giving figures for literacy in different provinces among men and women in 1921, From the Interim Report of the Indian Statutory Commission, p. 1929, p. 145.



restrictions such as purdah, early marriage, apathy towards female education, the increase in female education was not rapid.

(3) Bombay lead all so far speed and percentage is concerned.

(a) Looking to the general progress of the country in 1921 even less than two women out of hundred were able to read and write in British India.

(b) The gap in literacy between the two sexes had increased during the decade.

(c) The progress between 1911 and 1921 was very slow.

The increase in male literacy was only 1.7 and in that of female literacy was 0.7.

The period from 1922 to 1947 is full of remarkable developments as a result of the Montague-Chelmsford Reforms as well as economic and political strides. In 1921 education became a 'transferred' subject under Indian minister. It had a great historical significance because for the first time during British rule education was transferred to Indian control.

So far female education had been developed in a haphazard manner. By this time All India womanhood was awakening and in order to give impetus to female education they started a countrywide movement. A central body of all India Womanhood was organised in 1926 and in 1927 under the

the Presidentship of H.H. The Maharani of Baroda the first session of All India Women's Educational Conference was inaugurated with a motive to begin a new and rapid drive for the spread of female education and it made a demand for equality of educational opportunity for women and the amelioration of their social position. The conference soon realised the difficulty in girls' education due to child-marriage and, therefore a vigorous campaign against child-marriage was launched. This agitation drew the attention of several official and non-official persons, and a move was started in the Government in order to restrain child-marriages. The Age of Consent Committee after touring over the country and deploring the state especially of child-wives recommended for further reform and as a result Child Marriage Restraint Act or Sarada Act of 1929 came into force which raised the marriageable age of a girl to 14 and that of a boy to 18. The age of marriage and education have a direct relation as it can be clearly seen from the percentage of female literacy communitywise which is low or high according to the lower or higher marriage age in a community.

an inevitable policy of retrenchment since 1921. Percentage  
Sargent Committee proposed to place it under the direct  
control

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28. Census Report of 1931.

29. According to the figures given in general Education Tables for British India, 1942-43.

Percentage of Male and Female Literacy Communitywise  
Arranged in Descending Order of Incidence of Child marriages.

Community	1931 Male	1931 Female	29 Female (1942-43)
1. Hindus	14.4	2.1	2.5
2. Muslims	10.7	1.5	2.3
3. Sikhs	13.8	2.9	2.8
4. Jains	58.2	10.6	-
5. Christians	35.2	20.3	11.2 Indian Christians.
6. Parsis	84.5	73.4	-
All India	23.8	2.3	2.5

The main cause of the disparity in attainment between men and women among the first four sects mentioned is due to the social<sup>and</sup> customs, the unequal treatment given to girls in the matter of education, The girls' schools were not well equipped; they lacked good teachers and the amount spent on these institutions was inadequate. They were inferior to boys' schools both in quality and quantity. Primary education which was in local hands did not thrive as well as it was expected owing to the depression of the World War and an inevitable policy of retrenchment since 1922. The Sargent Committee proposed to place it under the direct control

28. Census Report of 1931.  
29. According to the figures given in general Education Tables for British India, 1942-43.



control of the Government boards and to institute the same measure for all provinces. However, there was an awakening of public interest in the sphere of women's education.

A review of the educational position was made by the Hartog Committee in 1928. They stressed that the total education of women was still very backward, that the number of girls at school was only 2.38 p.c. of the total population and that the literacy of women was only 3 p.c. They too were of the opinion that the education of women was not properly planned and that a large scale comprehensive drive was absolutely necessary. Their findings and recommendations with respect to disparity between the education of boys and girls; smaller public expenditure on girls' education compared to that of boys'; social customs like purdah and early marriages causing obstruction to the progress of education; the need for women teachers and inspectors, the backwardness of professional education of women at the collegiate level and the necessity for the strict enforcement of compulsion together with intensive measures to lessen wastage and stagnation were very useful. In spite of several above mentioned defects the period from 1922-33 has been noted as the most inspiring period in the annals of Indian education. "A burst of enthusiasm swept children into school with unparalleled rapidity; an almost childlike faith in the value

value of education was implanted in the minds of the people.  
..... enlightened women began to storm the citadel of old  
time prejudices against the education of Indian girls." 30

This period of rapid progress was adversely affected  
from 1930 onwards by financial and other conditions. Several  
committees were appointed by the government for the reorg-  
anization and reconstruction of education as there was a  
wide spread dissatisfaction in the prevailing system.

However, there was a significant increase in the number of  
girls under instruction as compared to the increase in boys.

"During the quinquennium 1932-37, while there had been an  
increase of 7.1 per cent in the enrolment of boys, there was  
an increase of 20.9 per cent in the enrolment of girls." 31

The creditable achievements, in the expansion of women's  
education during 1937 - 1948 from the point of view of growth  
of number <sup>of</sup> students at different levels of education can be  
seen from the following figures. 32

1937-38

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30. UNESCO: Women and Education, p. 117. British India could  
31. Progress of Education in India, Quinquennial Review,  
1927-32, p. 3.  
32. Nurmulah and Naik: A Student's History of Education,  
p. 233.

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33. The Indian and Pakistan Year Book, 1950, p. 39.  
34. This includes all secondary schools together with middle  
schools and vernacular middle schools.

	1937-38	1939-40	1948-49 <sup>33</sup>
1. No. of Universities	15	15	24
2. No. of Arts Colleges.			
(a) For males	246	266	398
(b) For females	33	38	58
3. No. of Professional Colleges.			
(a) For males	67	73	178
(b) For females	7	8	19
4. No. of High Schools <sup>34</sup>			
(a) For males	11,902	12,581	16,087
(b) For females	1,403	1,633	2,494
5. No. of Primary Schools.			
(a) For males	1,58,602	1,61,810	1,77,253
(b) For females	30,999	27,941	13,558
6. No. of Special Schools.			
(a) For males	5,508	10,402	14,559
(b) For females	432	685	1,658.

The condition of female education was same in the Native States except a few progressive states. British India could learn much from <sup>those</sup> Native States at the very beginning of the  
<
20th

33. The Indian and Pakistan Year Book, 1950, p. 39.

34. This includes all secondary schools together with middle schools and vernacular middle schools.



20th century. As stated by Nurullah and Naik "Baroda introduced compulsory elementary education throughout the State in 1906; Travancore and Cochin are the most advanced parts of India in so far as mass education is concerned." 35 Travancore spends larger amount of 25 p.c. on education and its remarkable progress could be seen from the table below:

36

Literate among Women over Five Years of Age.

	per cent
Travancore State	17.3
Cochin State	11.5
Baroda State	4.7
British India	2.0

Another reason for the progress is due to the greater freedom enjoyed by women in those states owing to legislation as well as social customs.

The only effective measure, therefore, to remove illiteracy is a system of free compulsory education for a minimum period of four to five years. This would stop the wastage of money, and would increase the percentage of educated females.

The table below shows the progress during the five years 1937-42. There was an increase of girl students and  
female

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35. Nurullah and Naik: op. cit., p. ix.  
36. Hauswirth, Freida: op. cit., p. 14.

Female teachers in primary schools, together with an increase in expenditure.

<u>Year</u>	<u>Class I</u>	<u>Class II</u>	<u>Class III</u>	<u>Class IV</u>	<u>Class V</u>	<u>Total</u>
1938-39	1,362,114	660,339	384,155	238,268	144,493	2,789,419
1942-43	1,099,292	948,015	540,905	362,332	240,994	3,191,536

Women teachers in Primary schools.

	<u>Trained</u>	<u>Untrained.</u>	<u>Total</u>
1938-39	24,280	16,312	40,592
1942-43	31,209	15,305	46,514

Total expenditure on Primary girls schools in Rs.

1938-39	14,166,883
1942-43	16,244,849

37. Education in India 1938-39, p.83.

38. General Education Tables for British India 1942-43, p.20.

The government reports for these years attribute the disparity between the figures of boys' and girls' education, to a lack of general demand throughout the country for the education of girls. This lack of demand is explained to have arisen from purely utilitarian considerations. As a matter of fact parents send their daughters at present to school because they partly believe that it would better their prospect in marriage markets. And very often the primary classes served as nurseries for children whose parents were otherwise engaged during the day. Such girls who are taken away from school as soon as they are old enough to do domestic work thus leading to a tremendous amount of wastage in education. Fortunately social prejudices which hindered the progress of female education at the beginning of the century have gradually disappeared.

The following table shows the number of secondary institutions for girls and their enrolment between 1927 to 1947.

Year	Institutions	Enrolment.
1927	243	49,757
1932	324	81,249
1937	410	110,133
1942	539	144,744.
1947	725	232,136.

40. Progress of Education in India, 1937-47, Vol. I, p. 89.  
41. Ibid, p. 92-93.  
42. Ibid, p. 99.

39. UNESCO: op. cit., p. 125.



The statistics reveal approximately a 473% rise in enrolment which though on paper seems gratifying is very meagre compared to the numbers outside secondary schools.

So far as the secondary education of girls is concerned definite progress has been made along various lines especially during the years 1938 to 1947. There is an increase in the number of girl students, trained female teachers and expenditure in high schools. This is quite obvious from the table below:-

	1937-38	1941-42	1946-47
Enrolment of girls in High Schools.	108,660	144,744	232,136
Women teachers Trained	3,988	5,620	7,811
Women teachers Untrained	2,195	2,565	3,832
Expenditure in Rs.	8,497,715	10,485,515	19,144,334

Provision for women's higher education was fir Madras

40. Progress of Education in India, 1937-47, Vol.I, p. 89.  
 41. Ibid, p. 92-93.  
 42. Ibid, p. 90. India, 1937-38.  
 43. Bombay Report, p. 120.

with Madras stands first of all the provinces in the secondary education of girls with 50,000 girls at the secondary stage; next comes Bombay with 43,000 girls and then Bengal with 18,000 girls. The number of girls attending school is 16,000 in the Punjab and 15,000 in the United Provinces. Other provinces are still far behind. Among the Centrally Administered Areas, the figure, 1800 of Delhi and 1200 of Bangalore are gratifying.

There are two obvious reasons for the rapid progress in secondary education for girls in Madras. The absence of Purdah and the wide spreads of Christianity made the province more advance in female education than other provinces. In the lower castes, women had greater opportunity than elsewhere in India. It is stated in the Bombay Report, "that the need for girls' <sup>education</sup> is apparent but for want of financial help from the public who generally consider the education of girls as of secondary importance, private enterprise in this direction is much handicapped.... As an encouragement to girls education, secondary schools for girls are treated more liberally in the matter of grant-in-aid than boys' schools."

Provision for women's higher education was first made with

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43. Education in India, 1937-38.

44. Bombay Report, p. 120.

45. O'Malley, L.S.S.: op. cit., p. 458.

with the foundation of Bethume college at Calcutta, dating back to 1849, the first government institution for girls in India. The foundation of this college is therefore regarded as a landmark in the history of higher education for women.<sup>45</sup> There were only 300 women students at the start including those studying at the medical and men's colleges.

Withing the next 50 years Madras and Bombay again took the lead. In 1878, for the first time, the Medical College in Madras opened its doors to female students, but no real advance took place till the establishment of two womens colleges in Madras city in 1914 and 1915. They have their own residential quarters in bright surroundings. Trivandrum soon followed their example by opening a medical college for women.

In Bengal, the desire for higher education for girls was so keen that several high schools for boys were forced to open sections for girls with the permission of the Calcutta University. In this connection it may be mentioned that in the Bengal Report for the year 1935-36, it was remarked that "such expedients (opening of girls' sections in boys high schools) can never be regarded as satisfactory, so long as co-education among boys and girls in secondary schools is not an acceptable policy, boys' schools can  
provide

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45. O'Malley, L.S.S.: op. cit., p. 456.



provide neither the right atmosphere nor the proper sort  
of teaching for girl pupils." <sup>46</sup>

In 1916, the Lady Hardinge <sup>Medical</sup> college for women, was  
founded at Delhi. It is an all India institution drawing  
its students largely from the Punjab, the Central Provinces  
and the United Provinces with a few others from all over  
India. It has accommodation for 100 medical students and has  
an attached hospital of its own. It has been found that  
big cities like Bombay and Madras provide mostly for their  
own medical students and it would be very difficult for  
students from other provinces to get admission. The Lady  
Hardinge college for women tries to fulfil the needs of  
other students from various provinces. [ Though progress of  
female education in higher degree has made the chances of  
marriage favourable for them more importance should be laid  
on the study of home economics and domestic science. From  
the very beginning of female education there has remained  
a controversy regarding the curriculum. Many felt the need  
for Home economics in girls' education. "Disease in Indian  
Homes, high infant mortality, malnutrition, even among the  
rich, are signs of their deep ignorance. All the love in  
the world cannot make the home comfortable or healthy unless  
the

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46. Bengal Report, (1935-36), p. 21-22.

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the housewives know their job."

In order to meet this need the Lady Irwin College for Home Science in Delhi was started in 1932 by the efforts of the All India Women's Conference. It specially trains teachers in all branches of Domestic Science. A number of subjects useful to women such as hygiene, simple physiology, care of children, dietetics, household management, decoration, child nursing etc. covers this field. There are many secondary schools which have added this new subject - domestic science - to the curriculum for girls, but the treatment of the subject is very superficial and sometimes not adjusted to local conditons. It also requires special attention in mixed schools.

A few years later two women's colleges were founded at Lahore, two Intermdeiate colleges at Mysore, with one constituent college, the Maharani's College which has a very small number of students.

The following table shows the number of women receiving collegiate education in the years 1937 to 1948 in the different provinces, and a marked change can be noticed in the advance of female higher education within a decade, which also indicates the general progress of each province.

x. Figure before partition.  
 xx. less States.

Table

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47. Nehru, Shyamkumari: (ed.) op. cit., p. 101.

Table showing total number of women at the  
48  
collegiate stage.

Province	Total No. of women at the college stage. 49			
	1937-38	1938-39	1946-47	1947-48
Madras	1,129	1,1346	4,039	4,438
Bombay	1,256	1,510	5,177	5,873
Bengal	1,794	2,125	2,924 <sup>o</sup>	4,296 <sup>o</sup>
United Provinces	790	926	2,764	3,057
Punjab	766	894	978 <sup>oo</sup>	1,539 <sup>oo</sup>
Bihar	35	38	434	562
Central Provinces & Berar	193	246	845 <sup>x</sup>	1,062 <sup>x</sup>
Assam	203	245	595	592
Orissa	24	24	168	221
Delhi	157	216	675	844
Bangalore	41	42		
Others	<u>234</u>	<u>290</u>	<u>153</u> <sup>xx</sup>	<u>88</u>
	6,622	7,902	18,752	22,572

The above figures show a distinct advance in women's  
higher

48. Education in India in 1938-39.  
49. Education in India in 1947-48, p. 80.  
o . Figures refer to West Bengal.  
oo. Figures refer to East Punjab.  
x . Figure before partition.  
xx. less States.



higher education. The percentage of women at the collegiate stage increased by about 366% during the years under review. In 1947-48 Bombay has the largest number of women in colleges, then Madras followed by Bengal although Bengal was leading before partition. In 1938, nearly 788 women students were studying in the medical colleges and 120 in the law colleges. During the year 1946-47, nearly after ten years their number reached upto 18,752 females studying in recognised colleges. At the time a total number of women in India studying in unrecognised institutions was 52,444. Thus all women of India taking higher education was during the year 1946-47 was 71,196. Women had hardly entered the fields of engineering agriculture and commerce as there were then a few female students in the above branches, studying in mixed colleges. No doubt, there is an increasing tendency to enter all these fields during recent years.

At present a very different picture can be seen so far as higher education for women is concerned. Indifference, ridicule and hostility have gradually vanished from the cities and even rural areas have been much affected by the slow spread of female education. Women are freely admitted to men's institutions for university education. Thus progress during the last 20 years in higher education for females has been remarkable. However, even today there are very few

separate institutions for females and the majority of women prefer to go to mixed colleges which have better staff and equipment.

7.4 Two Important Problems of Female Education: (a) Co-education and (b) Curriculum: The idea of co-education is not a very unfamiliar one in India. In the past, before British Rule, there were rare evidences of co-education in primary schools. Co-education has prevailed up to the present day in small villages where it was not financially possible to have a separate school for limited number of students. In some provinces co-education is still unpopular, but this depends upon the rigidity of social customs. In South India where there is no purdah or seclusion of girls, co-education is more effective, but in the Punjab and upper India where purdah is strictly observed by women and girls, people are not in favour of co-education at all. Moreover, it is not much approved in rural areas in secondary stage. Because of a lack of separate girls' school usually parents have to send their girls compulsorily to a mixed school.

The following statistics show provincewise the percentage of girls in boys' institutions to total girl population in educational institutions.

Province
Assam
Bengal

Province	1937-38	1941-42	1946-47
Assam	52.2	53.0	54.6
Bengal	26.3	48.1	56.5
Bihar	43.0	45.6	47.2
Bombay	40.3	46.4	46.7
C.P. & Berar	43.7	48.9	45.7
Madras	59.9	65.4	64.9
N.W.F.P.	7.4	8.2	8.0
Orissa	72.6	75.6	83.5
Punjab	11.1	11.9	8.0
U.P.	37.7	37.1	33.7
Coorg	72.1	90.4	91.7
Delhi	2.2	2.9	4.9
Total	40.8	49.5	50.4

It can be inferred from the above figures that those people favoured co-education resided in advanced states like Coorg but where people are backward and rigid in their social customs co-education is feasible only in the elementary stage. It also shows an increasing trend in favour of co-education.

Co-education helps to lessen the financial burden in education. It may be regarded as a measure of economy where there is no provision for separate girls' schools. The

52. Nehru Gyanamali: op. cit., p. 100.  
53. UNESCO: Women and Education, p. 121.



choice is between co-education and no girls school at all and it is economically beneficial to have a mixed school which helps the expansion of female education.

"In addition to minimising the cost of education and apart from the psychological reasons urged in the favour, co-education may be useful as a means of improving the quality of instruction. Much of the opposition and hostility levelled against co-education is directed more against the manner in which it is conducted than against the actual principle."<sup>52</sup>

Generally it has been found that co-education is very common in India in the primary and university stages of education. But it is less common in the secondary schools as "about 19 per cent of the girls study in boys' schools and 81 per cent in girls' schools."<sup>53</sup> In secondary schools owing to the complete absence of a separate girls school girls may be compelled to attend the boys' school but at that stage it is not advantageous. Mixed schools are and should be, therefore, less common in the secondary stage. This opinion still prevails among the foremost Indian educationists. As Mrs. Yamunabai Hirlikar in her presidential address expresses her views on co-education thus: "During childhood

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52. Nehru Shyamkumari: op. cit., p. 100.

53. UNESCO: Women and Education, p. 121.

childhood, the boys and girls who are hardly sex conscious, may attend a common school and the curriculum may be identical for both. During the adolescent stage ..... I would advocate separate institutions for boys and girls and slightly different curricula .... for higher education - which may again be co-education when they reach the stage of certain maturity!"<sup>54</sup> Most girls leave school after finishing their primary education because the idea of sending grown up girls to boys school is not very popular among the orthodox and rural people.

But in the university education it is just the opposite. Most of the girls prefer to go to the men's colleges; and actually there are very few separate colleges for girls. As regards the professional colleges, there are no separate institutions for females except in medicine. As has been mentioned before, that women prefer to go to men's institutions because they are better equipped and provided with efficient staff. Moreover, there and there only they get the chance of fair competition with men. The question of co-education in the higher stage has never raised any dispute in India, partly because there are only a few girls who enter  
for

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54. Mrs. Yamunabai Hirlekar: Women's Education p. 10-11 Presidential Address at the Women's Education Section, XXV All India Educational Conference, Hyderabad 28-31, Dec. 1950.

for higher education and they come from the cultured or advanced families. In India, which was far in advance of the old English Universities in having no separate women's colleges for university education, women were admitted as early as 1875 into Medical colleges at Madras and not later than 1883 in Bombay.

Another great problem facing the educationalists of India is whether girls should be taught on the same lines as boys. One opinion which is not widely advocated is that "the type of education based on the threefold principles of health, beauty and economy must be available to all women and should be to all men; for men share with women the responsibility for producing healthy children, for providing them with the right atmosphere and for guiding them into a life of self-controlled freedom." This is the modern view held by a few advanced educationalists while the other popular belief still prevalent among the majority of the people that a women's role is mostly in the home and hence "in so far as girls education is concerned, domestic science is entitled to a place in the scheme of things - an honoured position in all curricula - primary, secondary and university."

Thus

55. Menon Lakshmi: op. cit., p. 16.

56. Nehru Shyamkumari: op. cit., p. 101.

57. Ibid, p. 107.

58. Kra. Hirabai Yashwanthi: op. cit., p. 10.



Thus one may conclude that girls education should be equal in standard to boys but must be different in kind. In practice girls high schools follow the curriculum of boys high schools, but in addition they teach some special subjects in lower standards, such as music, needle work and drawing.

"There should be some special additional subjects for women such as home-making which includes house decoration, cookery, laundry, hygiene, nursing, child psychology and so on, while boys should have special subjects such as carpentry, smithy, workshop practice etc." <sup>58</sup> A few schools

have made provision for domestic science as an optional science subject, but sometimes it is not treated in the true spirit for want of facilities. Only the Lady Irwin College is well-equipped and provides the best facilities for teaching domestic science and trains teachers in the subject. This only institution is not sufficient for the whole of India and more training centres should be opened for instructing and specialising teachers in the subject.

At this stage another question arises: should women only study the subjects related to the home and confine themselves merely to the four walls of a home? To-day educated women can if they so desire remain unmarried and pursue some career of their own choice where they can make the fullest use of

supply their

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58. Mrs. Hirlekar Yamunabai: op. cit., p. 10. *Status of Women in South Asia*, p. 3.

their capacity. But the age-old belief that, it is the duty and natural function of women to look after the home and children and not to be otherwise occupied will continue for years to come. Another grave problem which middle class families had to face after the World War second, was the depression which forced the womenfolk also to earn for a descent standard of living. Except the rich classes "women in both strata are expected to supplement the family income if not always immediately, at least, in future." The best solution suited to modern times would be that girls should be trained in their high school education to keep the home comfortable and healthy and that university education should remain the same, except certain modifications, as it is

It is an encouraging factor that woman's education has gradually progressed during the last 50 years but there are still many drawbacks which require careful attention. A few educated women are found in the upper classes and some in the middle class, but the great bulk from the lower and backward classes require greater attention. From the present day conditions especially in rural areas the popular government is of the opinion that the utilitarian aspect of education cannot be neglected. This implies <sup>to</sup> two categories among women. Firstly, those who are forced to earn in order to supplement

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59. Mukerji, D.P.: UNESCO - Seminar on the Status of Women in South Asia, p. 3.

supplement the family income for a fair living and secondly those that because of interest follow a career. In the first group, majority of the women will go for marriage and prefer to work out of their homes if necessity arises. In Mrs. Yamunabai's opinion "they should generally go in for .... organising cottage industries and home classes to supplement the husband's income if need be." <sup>60</sup> But those who are specially gifted - the career women - will definitely go for higher education and the limited programme of home economics or domestic science is not fitted for them. They have to compete with men and attain the same level of equality in education; and for them, therefore, co-education and the same curriculum is beneficial. Present education is lacking in the study of national culture. "In India as elsewhere women have been the repositories and carriers of traditional lore and learning." <sup>61</sup> A suitable programme therefore, should be included in school years so that not only girls but boys also help to preserve the national heritage and culture. What India wants of a modern woman is "to cultivate a keen interest in our national life, and world problems .... and side by side with this they should retain the modesty, calm-  
ness

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60. Hirlekar Yamunabai: op. cit., p. 12.

61. Mukerji, D.P.: op. cit., p. 6.



ness and sweetness of the Indian womanhood." 62

#### 7.5 Present Position of the Education of Women (1949-50):

After partition, the government was engaged in handling many pressing problems yet they were not indifferent to the needs of education which they considered one of the vital problems that India has to solve. This is seen from the considerable increase in the funds expended on education in general by the central as well as State Governments. 63

Provision for free compulsory education for all children of school going age, introduction and expansion of adult education to combat mass illiteracy and ignorance, expansion and improvement of vocational education and re-organisation of university education in order to make it suitable for country's requirements and aspirations were important aspects of the present educational development.

However, pre-primary education is even today almost neglected and only a few states have provision for such schools. Most of them are run by private organisation and they are generally

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62. Quoted by Syed Nurullah and Naik in a Students History of Education, p. 236.
63. According to A Review of Education in India (1951-52) by Bureau of Education, in 1946-47 nearly Rs.205 millions and Rs.20 millions were spent by the States and Central government respectively on education. In 1951-52 there was a tremendous increase in the budget on Education. The total amount was raised to Rs.470 millions and Rs.60 millions by the States and Central Governments respectively.

generally situated in cities and big towns. They cater to the needs of higher and richer classes. Primary education is given much attention and its expansion is attempted on a nationwide scale. Duration of the primary stage varies from five to six years in various states according to the present plan. In 1950 in the age group 6-11 nearly 5.01 million girls were enrolled in the primary schools out of the estimated total population of 22.29 million girls. As stated earlier there was a tremendous waste especially in a case of a girl as a very small number of girls reached the class IV and this could be checked only by compulsory education. Basic education - learning through activity - has been given priority by the Planning Commission and it has been introduced in many primary schools. In 1950 the total number of teachers in all these schools was nearly 512,000 of which approximately 15.4 per cent were women.

Secondary education in India has been managed by three different agencies of which more than 50 p.c. were administered by private organizations.<sup>64</sup> The total number of girl students at the secondary stage in 1950 was nearly 700,000 out of total of 4,400,000 students. Compared to previous statistics their

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64. This continued even under the popular government as in 1950, 29.5% of all the secondary schools managed by the Government; 15.9% by local boards and 54.6% by private enterprises. UNESCO Women and Education, p. 147.

their number has considerably increased in recent years. There are certain changes in curriculum too; the school administrative authorities with the help of the educationalists have tried to fix a more elaborate and appropriate curriculum so as to suit personal as well as national requirements.. Special attention has been paid to handicrafts and vocational training. In secondary schools 16 p.c. of the teachers i.e. nearly 31,000 were women teachers including the primary classes attached to the secondary schools. Out of this number 19000 were trained teachers..

The special feature of the present educational development under the popular government is that there is a noteworthy increase in the number of vocational and technical institutions which can be grouped under various categories such as medicine, commerce, industry, law, Home economics, Domestic science, nursing and fine arts. Out of 2,103 institutions of this type in 1950 471 were meant for girls only while the rest meant for both the sexes. In 1950 out of the total enrolment of 205, 442 students 38,926 were girls of which the largest number was enrolled for courses in teachers training, fine arts, nursing and domestic science while the least number was found in the institutions of applied Art, Architecture, engineering, technology, veterinary science and agriculture.

65 This type of education - i.e. professional

comes



comes under secondary as well as higher education. The other type of education at the higher stage is general. At present out of all the 30 universities in India except one Engineering University all provides facilities for general education for both the sexes including one which is entirely meant for women. It has been found that in 1949-50 nearly 52 per cent of women joined colleges for higher education. Majority of the colleges and universities have been situated in urban areas which has seriously affected the education of girls in higher stages in rural areas. At present the popular government is giving due consideration for the establishment of rural universities. Except a few universities the medium of instruction is English. Some of the universities are seriously considering the introduction of regional language or national language within a number of years. The number of women teachers in higher education in 1950 were 1700 which formed nearly 8.9 per cent of the total staff. Though women's education has developed in a haphazard and unplanned manner, for years, yet under the rule of present popular government greater attention has been given to it. More and more women have started entering various fields of general and professional education and there

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55. Progress of Education in India, 1947-49, Vol. II.  
56. According to figures given in Women & Education (UNESCO).

66. UNESCO: op. cit., p. 165.  
67. Ibid, p. 166.

there is a definite increase in the number of girl students as well as women teachers in every branch of education. Special attention has been given to curriculum so as to suit girls as well as boys by increasing technical as well as vocational institutes. Of course the target has not been reached yet as government is unable to make full provision to educate the rural population but efforts are being made in that direction. Women are found in large numbers today in teaching and medical professions and there is no discrimination in their salaries. The following table gives an idea of the increase in enrolment in institutions of girls, teachers; and the expenditure on education of girls in 1946-47 and 1949-50.

	1946-47	1949-50
Expenditure in	32,300,582	40,000,000
Teachers in		
1946-47 (Trained)	38,386	14,561
1949-50 (Untrained)	22,872	12,550

	Primary	Secondary	Higher
Girls' enrolment in 1946-47.	3,475,165	602,280	24,466
Girls' Enrolment in 1949-50.	5,010,000 (approx)	700,000 (approx)	34,263 (approx)

68. Progress of Education in India, 1937-47, Vol.II.  
69. According to figures given in Women & Education (UNESCO).

	Primary	Secondary	Higher
Teachers in			
1949-50 (trained)	54,528	19,000 (approx)	1,700
Teachers in			
1946-47 (Untrained)	17,203	5,135	
Teachers in			
1949-50 (Untrained)	22,272	12,660	
Expenditure in			
1946-47	30,098,298	27,656,316	
Expenditure in			
1949-50	32,900,622	40,000,000	

7.6 Various Experiments in the field of Education: Two interesting experiments have been attempted which have an important educational significance.

(a) A Novel Experiment in the field of Women's Higher Education:

In the sphere of female higher education professor Karve of Poona opened a new vista by starting a Women's University in 1916. This was an unique example of its kind. "The Indian Women's University founded by Prof. D.K.Karve  
and



and inspired by a similar institution in Japan, is based on the assumption that the present system of higher education in a foreign medium, with a strong literary bias, has as it is for men, is still more unsuited for women." <sup>70</sup> The Japanese founder insisted that women should be educated in a different way from men as they have different functions to perform, but whether or not this is a fact in this period of equality is still a problem for discussion. This discussion is out of place as majority still accept that women should know mother craft and home-making. Keeping, the above view in mind the Karve University fixed a curriculum useful to women mostly in home-making. Another special feature of this university is its media of instruction. Except the Osmania University of Hyderabad this is the only University in India which imparts education through the media of mother tongue. A distinctive contribution has been made by this institution to educate women in Maharashtra and Gujarat.

In the beginning it had only a handful of students but it claimed recognition as a University having colleges at Poona, Bombay, Baroda and Ahmedabad. During its life of thirty two years it has conducted two colleges and two high schools. Moreover, three colleges and fifteen high schools are affiliated to it. The number of candidates who passed the <sup>different</sup>

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70. Menon Lakshmi: op. cit., p. 16.

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different examinations upto now is as under:

(1) Graduates	1087
(2) Matriculates	3251
(3) Trained Primary Teachers	331
(4) P.As.	78
(5) B.Ts.	21

The University, in the beginning, suffered certain difficulties. Firstly, it suffered from financial stringency. Secondly, its degrees or diplomas were not recognised by the Government, hence diploma holders of this University could not secure posts in Government or semi-Government offices. Thirdly, it had no statutory recognition from other Indian Universities. The first difficulty was overcome by a huge donation given to it by Sir V. Thackersey, in 1920. When the Congress Ministry came into power between 1937-39 (and again between 1945-and 1947) it quickly granted recognition to the degrees and diplomas of the University.

In short, the aim of the University was threefold. Firstly,

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71. Naik Chitra: Education of Women in the Bombay Province, (1818-1947), p. 278.
72. The recognition was granted under Government Resolution, Education Department, No.2735/34, dated 10th Decr. 1938 (later modified by resolution No. 2735/34 dated 31st Oct. 1946). Under these orders the Government recognised the degree on the same terms as those holding the degrees of the University of Bombay.

73. Kurallak and Naik: op. cit., p. 232.

Firstly, its most effective innovation is the experiment of teaching through the medium of the mother tongue, though English is a compulsory subject. Secondly, the courses of study are designed to suit women and they include such subjects as painting, drawing, needle work, singing and domestic science. Thirdly, external students are allowed to appear for the examinations which helps married women to prepare themselves for the degree examination.

(b) Wardha Scheme of Basic Education:

The Wardha Scheme of education by Mahatma Gandhi was evolved in 1937 from the seven articles given in 'Harijan' and as a result of disapproval of the existing system of education. Noticing the defects of modern education, he in consultation with other educationalists, came to the conclusion that any type of education suited to India should be self supporting. Originally the Wardha scheme aimed at providing education at little or no cost to the state. The main idea of the scheme was to correlate all education to a basic craft, say spinning and weaving of cotton, and to impart all instruction to children through such craft.

"Learning by doing was its motto." Thus Wardha Scheme placed a great emphasis on handcraft and vocational training

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73. Nurullah and Naik: op. cit., p. 232.



so that every school could be self-supporting, without having to rely on the help of the Government authorities or on private enterprise.

Another feature of this scheme was "teaching was to be given in the mother tongue and it was to be craft centred." 74

The former proposal of basic education was modified afterwards by a committee under the chairmanship of Dr. Zakir Hussain. They suggested that it should be only applied to primary education. Many of the ideas of Wardha Scheme of basic education mainly the principle of learning through activity was approved by the Central Advisory Board of Education (1944). In 1948 Madras Government welcomed the scheme as they intended to change all the primary schools into basic schools. 75 The principle is introduced in primary schools by many provinces in India. The scheme partially tried to solve the burning problem of finance but by experiment it has been found that it cannot achieve total success, although the present government is trying it out in many schools. Its main principle of learning through activity was widely approved by many and there lay its success. Writing on education the Sargent Report of 1944 makes the following comments: "The main principle of 'learning through activity'

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75. Quoted by Syed Nurul Islam and J.P. Malik in a Students' History

74. Brockway, Nora K.: op. cit., p. 147.

75. Ibid, p. 148.

activity' has been endorsed by educationists all over the world ... On leaving (the school) the pupil should be prepared to take his place in the community as a worker and as a future citizen."<sup>76</sup>

7.7 Necessity of Reforms in the Field: It is undoubtedly true that western education has brought the Indian people into closer contact with foreign culture and with other progressive and civilised countries. It has helped a great deal in awakening a desire to broaden the intellectual field; it has also brought reforms in social fields, especially in the literacy of women. But women's education in India has still a very long way to go in order to compete with men's education and with the standard of education in other civilised countries. Progress during the first quarter of the present century has been very slow, yet there is a considerable progress in recent years. There is a general awakening among women and a greater demand for education. There are a number of very good institutions in each province which progress a great deal every year. However, there remains the important question of getting larger funds for educational expansion and improvement but this could be effectively solved

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76. Quoted by Syed Nurullah and J.P. Naik in a Students' History of Education, p. 238.

77. *The Position of Women in Indian Life* (Preface).

78. *Birlaker Yamunabai*: op. cit., p. 3.

solved by the present government by using economy devices and by a higher contribution by the Federal Government to education.

Moreover, the whole system of education in India still requires many changes to remedy its defects. Modern education is a plant imported from a foreign country, transplanted into unfavourable soil and nurtured in an adverse climate where it cannot bear the desired fruit.<sup>77</sup> In the new system introduced by the British administrators the importance of Indian culture and national heritage was given no place in the curriculum of the schools and education became merely a means for producing clerks and other minor officials required in the Government service. "This education was calculated to suppress our feelings of nationalism and to make us admire everything Western<sup>78</sup>, their dress, their food, their customs and manners and the very people themselves." It was so expensive that it only reached a limited number, It was not available to the toiling millions of India and in consequence the bulk of Indian people have remained illiterate. What India requires for her people is the education which prepares them for their future life. "The National movement for the education of girls must be one which

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77. Mitra, S.N.: The Position of Women in Indian Life (Preface).

78. Hirlekar Yamunabai: op. cit., p. 3.



which meets the national needs and India needs trained wives and mothers, wise and tender rulers of the household, educated teachers of the young, helpful counsellors of their husbands, skilled nurses of the sick, rather than girl graduates, educated for the learned profession." <sup>79</sup> The instruction received by a few Indian girls did not encourage national cultural development but was simply a means of earning a livelihood or attaining a superior post or to satisfy their pride by being the few fortunate ones to receive education. Very few women availed themselves of it as this type of education was not at all useful to women in agriculture or cottage industry. Women from the middle class families were normally not required to earn as they were supported by the male members of the family. Only a few women from the upper class began to seek knowledge through education.

Besides social prejudices and other difficulties, the low percentage of educated people, especially women, was partially due to the absence of the right type of education and the attitude towards education in general. Considering the number of years spent, the labour involved and expenses incurred education was not worth the average persons while. The total blame does not go to the system itself but to the curriculum

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79. Besant Annie: For India's Uplift, p. 77.

curriculum and methods used. The system has already passed through many stages and today, after the attainment of independence still further reforms are needed. As it stands it is totally inadequate to meet the needs of modern times and to deal with the problems of national life. Many plans have been made for the betterment of education of which the Bombay Plan, the Sargant Scheme and the scheme of the National Planning Committee of the Congress for education are noteworthy. On the whole the most noteworthy present day experiment is the Wardha Scheme.

Reviewing the progress of education of women during the last 50 years it may be said that women in cities have made great strides but the women in rural areas have remained in a state of semi ignorance and illiteracy. Even education received by the city women is academic and theoretical. No doubt they successfully competed men and showed their extraordinary talents in almost every fields such as teaching, medicine, law, secretarial work, journalism and even industry. But it is regrettable that in a majority of cases the success achieved as career women has not succeeded in maintaining the tranquility and the joy of their homes. The aim of education, therefore, should not be bread-winning or simply a career only but the art of living too.

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80. Mrs. Hirlekar Yamunabai: op. cit., p. 6.

A proper mixture of East and West is the real solution to the problem of education in India, so that women who are educated can live better, brighter, happier lives, assert their rights, take their proper share in the family and home as well as their country's politics and in world affairs, and realise that 'knowledge is power' and the best equipment for the achievement of the peace and prosperity of their country and their people.

1. Hauswirth Freida: Purdah - the Status of Indian Women, 1932.
2. O'Malley L.S.B.: Modern India and the West, 1941.
3. Canton: (ed.) The Key of Progress, 1939.
4. Brockway Vera L.: A Larger Way for Women, 1949.
5. Nehru Bhuvanawari: (ed.) Our Cause, 1939.
6. Chattopadhyaya Kamaladevi and others: The Awakening of Indian Women, 1939.
7. Nurullah Syed and Malik J.P.: A Student's History of Education, 1945.
8. Report of All India Women's Conference 1927, 1931.
9. The Hartog Committee Report, 1929.
10. Progress of Education in India 1937-47.
11. Kirtikar Padma: Education of Women in India, (Thesis) During the British Period (1800-1947), 1951.
12. General Education Tables in British India 1942-43.
13. Census of India Report 1931 Vol. I Part I.
14. Cousins Margaret E.: Indian Womanhood To-day, 1941. (Revised) 1947.
15. Education in India in 1938-39 and 1937-38.
16. Punjab Resolution. (1935)
17. Menon Lakshmi: The Position of Women, 1944.
18. Bombay Report. (1935-36).



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19. Bengal Report (1935-36)
20. Statistical Abstract for 1946-47 issued by the Officer of the Economic Adviser, Government of India.
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22. Mukerji D.P.: The Indian Women and Modern Family Unesco - Seminar on the Status of Women in South Asia, Delhi, 1952.
23. UNESCO: Women and Education, 1953.
24. Naik Chitrarekha: (a Thesis) Education of Women in the Province of Bombay (1818-1947) 1947.
25. Besant Annie: For India's Uplift.

Individual efforts of women like Miss Hannah More and Mrs. Trimmer opened out a new vista for women's activities for social work for women. Several political and social movements like the Chartist Movement incidentally helped in making the people conscious of an urgent need for social reform





Writers like John Stuart Mill and others in the second half of the 19th century made bold statements and established a case claiming equality for women.<sup>1</sup> Since 1869, slow but steady progress was made, though in the beginning the workers suffered many setbacks because public opinion was not as yet developed to that extent.

It is interesting to study how and at what levels better privileges were obtained by women. It started in the sixties with educational facilities leading to careers for women and the granting of municipal franchise to women tax-payers and led to the Married Women's Property Act of 1882 giving women full rights over their own property and the suffragette movements of the 20th century.

No other movement was responsible for obtaining political rights for women as the suffragette movement which was very active from 1902 to the beginning of the first World War. There was a division in the suffrage association, one being the militant suffrage movement under the guidance of Mrs. Pankhurst whose motto was 'deeds not words', the other under the leadership of Mrs. Fawcett had a greater faith in creating public opinion by peaceful methods. As a result of agitation militant campaign and peaceful protest of both the sections of the association, public sympathy began to

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1. Vide "Subjection of Women" by J. S. Mill.

be kindled in their favour. The efficient organisation and handling of work by women during the first World War made the nation realise the ability of women and led to a recognition of their rights by giving them the fundamental right to vote in 1918 though certain limitations were imposed. The passing of the Parliament Qualification of Women Act enabled women to stand for the House of Commons, a town or a county council on the same terms as a man,<sup>2</sup> though it took another ten years to equalise the franchise and remove the inequality in the legal position of women.<sup>3</sup>

This movement in England had its repercussions in other countries and a wide spread agitation took place throughout the world; for the recognition of political rights of women. by 1920 franchise was granted to women in most of the European countries as well as the United States.<sup>4</sup>

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2. Nehru, Shyamkumari: (ed.) Our Cause, p. 349.
  3. Hate C.: Hindu Woman and Her Future, p. 202.
  4. The franchise was given to women as early as 1893 by New Zealand, followed in 1902 by Commonwealth of Australia and New South Wales, by Queensland and Victoria in 1909. Denmark was next in 1915. Women of Russia, Holland, British Columbia and U. S. A. were enfranchised in 1917; although a uniform law for the U. S. A. was passed in 1920. At the end of the War in 1918 Great Britain and Canada followed suit.

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5. For details see Ch. I.  
6. For details see Ch. II.

8.2 A brief review of women's movement in India: Women's movement in India is not a recent phenomenon but during the last fifty years it has undergone a rapid change which has made it prominent. The history of a women's movement is not a well ordered process along the traditional lines of evolution, but it has its ups and downs according to the civilization, culture and local circumstances of the time. There may be certain factors which speed up the movement of progress while certain other factors stop it altogether.

In the Vedic times women enjoyed political rights and down the Smriti periods instances were not lacking where women did not participate in politics.<sup>5</sup> But after that upto the 19th century women's condition was paralysed and they held very subordinate position.

Early in the nineteenth century it was Raja Ram Mohan Roy who started the movement for social and educational reforms especially to ameliorate the position of women. A series of social reformers like Pandit Ishwara Chandra vidyasagar, Keshav Chandra, Malbari and others took up the torch of social reform once lighted by Raja Ram Mohan Roy.<sup>6</sup> Thus "the women's Movement in India owes much to men who have been pioneers in the cause of social reform (because) long before

5. For details see Ch. I. *History of Women*, p. 26.

6. For details see Ch. II. *Wider Way for Women*, p. 122.



before women had become conscious of their position in society, of the evils and inequalities to which they were victims, of the hardships, from which no escape seemed possible, male reformers had taken up the standard for them.<sup>7</sup> A spirit of reform pervaded throughout the country under the influence of various socio-religious movements as well as other factors described in Chapter II which brought a general awakening among various classes. At the end of the previous century two organisations - one entirely political the Indian National Congress, and the second, the Indian Social Conference, gave much impetus to women's movement in the present century. Yet the transformation brought about in the status of women by the Nationalist movement was so rapid that it was crowned with success previously undreamt of by social workers.<sup>8</sup>

The earliest of women social reformers was Pandita Ramabai who pioneered the women's movement as early as 1889 by opening the home for widows called Sharda Sadan. Another prominent woman worker at the beginning of the present century was Ramabai Ranade - the wife of Justice Ranade who himself was a social reformer and worked for the cause of women. Upto the first two decades of the present century improvements

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7. Menon Lakshmi: The position of Women, p. 28. Cause, p. 352.  
8. Brockway Nora K.: A Larger Way for Women, p. 122. Awakening of Indian womanhood, p. 52.

improvements in the position of women were mainly due to the efforts of social reformers and workers - men and women<sup>9</sup> working together. Men like Dadabhoy Navrojaji, Gokhale, Ranade Sir N. G. Chandavarkar, Agarkar, Narayan Malhar Joshi and Prof. Karve could inspire other women such as Ramabai Ranade, Parvatibai Athavale and Rukamabai to work for the emancipation of women individually but of course, through their institutions. But a nationwide movement was first started by Annie Besant through her Home Rule League and "her subsequent imprisonment helped to stimulate political activity in general but it was also instrumental in creating a general political consciousness among the educated women of India." Afterwards several organisations such as Women's Indian Association, National Council of Women, The Bharat Stree Mandal and Saroj Nalini Dutt Memorial Association came into existence. "This was the foundation of group consciousness and united action which has been an undoubted factor in bringing about the speed of the emergence of India's womanhood into power and publicity."<sup>10</sup>

The idea of uniting Indian womanhood took shape at the suggestion of Mrs. Oaten, the director of Public Instruction, at the prize distribution of Bethume college and finally

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9. Asafali Aruna: Women's Suffrage in India, Our Cause, p.352.  
10. Cousins Margaret E.: (Forward Progress and Freedom) -  
Awakening of Indian Womanhood, p. 53.

the initiative efforts of Mrs. Cousins constituted, All India Women's Educational Conference in 1927.<sup>11</sup> In the beginning, it restricted itself to educational problems but only exception to it in the very first session was a resolution passed against child marriage as it was felt that it was a serious impediment in the education of girls. Later "it was found that the matters affecting women which demanded most urgent attention were in the sphere of social reform, and the greater part of the agenda of later meetings came to be concerned with social rather than with educational questions!"<sup>12</sup>

The origin of a self conscious movement amongst Indian women can be attributed to the formation of the Indian National Congress in 1885. From its very beginning, membership was open to women on the same terms as men and thus it was a union of the leading men and women of India. Women like Sarojini Naidu or Annie Besant had presided the Congress at different times and educated women like Margaret Cousins, Kamaladevi Chattapodhyaya and others were inspired by the Congress to work individually in women's field. They developed an independent movement for achieving women's rights and a proper place for them in the home and society. Majority of these women workers while working in the Congress or

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11. For details see the Chapter No. 3.

12. Brockway Nora K.: A larger Way for Women, p. 120.



attached to it developed a talent for building women's organisations through which they could demand their rights more emphatically. As stated before, these women were helped by many of the congress workers who were equally interested in social reforms and women's uplift. As mentioned in Modern India "Now women have come to the front and have organised a movement for the amelioration of the conditions under which they live, not by political action only but also by the education of public opinion."<sup>13</sup>

Thus in short, women's movement started mainly by the men reformers for women's education and emancipation during the 19th century was taken up by women themselves at the end of the same century. Moreover, "the women's movement gained considerable impetus by the part played by and the status accorded to women in the intensive political movement conducted by Gandhiji and the Congress since 1920."<sup>14</sup> They continued to work in co-operation with men upto All India Women's Conference came into being. From that time onwards they separately agitated a movement mainly through this organisation by putting forward most of their demands for social, economic and political advancement.

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13. O'Malley L.S.S.: Modern India and the West, p. 695.
  14. Indian Year Book: 1945-46, p. 637.

8.3 Women's Political Movement in India: Comparing the political rights of women in other countries India can boast of the political rights enjoyed by Indian women in the far past. The internal evidence of literature in Vedic times proves Indian women had a full share in politics and in the administration of the state Indian women could be counsellors and advisers to the state and rendered many services to the country, by reason of their womanhood. They could even rule wisely and independently. They also had freedom of movement and equal opportunities with men so far as civil liberty was concerned. From history it can be estimated that even during the unstable period of Mahomedan rule women played quite an honourable part in politics. It is true that the system of government was different from the present day system of democratic government, people were satisfied with their kings and nobles and if there was dissatisfaction they rebelled against them and succeeded in getting their personal political rights.

But women's freedom was gradually curtailed during the period of foreign invasions. It was also affected by internal quarrels among neighbouring rulers. With the Mahomedan period onwards, and after the advance of British rule, the system of governing the country gradually changed and eventually women lost their political rights.

As described before, the women's movement has progressed smoothly in India ever since. Imperceptibly but steadily, during the last fifty years, women have acquired better position and have achieved numerous rights social, legal, as well as political. Compared to the militant suffragette movement in England, women in India received their political rights with considerable ease. The main reason for it was that from the very beginning, they had no men opponents who obstructed their progress. On the contrary they wanted to emancipate the Indian womanhood; and consequently, their effort and social work for the cause were enormous.

The women's suffragette movement was carried on mainly by the Women's Indian Association. Two women Annie Besant and Sarojini Naidu were able leaders of the movement who presided over the Indian National Congress in 1917 and 1921 respectively. Annie Besant did much propaganda work by her forceful and frequent speeches which stimulated educated classes of women who always desired their own enfranchisement.

The first official step in the women's suffragette movement was taken in the year 1917. Mr. Montague, then Secretary of State for India, was touring the country in order to investigate and study Indian conditions before framing the New Constitution for India. At that time Mrs. Cousins



Cousins was the Secretary of the Women's Indian Association. She organised a deputation of women representatives from the whole country to wait on him. The deputation led by Sarojini Naidu (and Rani Lakshuibai Rajvade and Annie Besant among them) was received by Mr. Montague on the first of December 15 1917 in Madras. While describing the event Mrs. Herabai Tata writes that "A deputation of women on behalf of their Indian sisters waited on the Viceroy and the Secretary of State ... the chief promoters of this deputation were a group of Indian University women, helped by two ladies who had been ardent workers for the suffrage in England, Mrs.

Margaret

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15. The demands of Indian women were as follows as quoted by Aruna Asafali in her article Women's Suffrage in India given in Our Cause, p. 351-352.
- "Our interest as one half of the people, are directly affected by the demand in the United (Hindu Muslim Reform) Scheme (1.3) that the members of the council should be elected directly by the people on as broad a franchise as possible and in the memorandum 3 that 'the franchise should be broadened and extended directly to the people'. We pray that when such a franchise is being drawn up, women may be recognised as people, and that it may be worded in such terms as will not disqualify our sex, but allow our women the same opportunities of representation as our men .... The precedent for including women in modern Indian political life has been a marked feature of the Indian National Congress, in which since its inception women have voted and been delegates and speakers, and which this year finds its climax in the election of a woman as its President. Thus the voice of India approves of its women being considered responsible and acknowledged citizens; and we urgently claim that, in drawing up of all provisions regarding representation, our sex shall not be made a disqualification for the exercise of the franchise or for service in public life.

Margaret Cousins and Mrs. Dorothy Jinrajdas."

For the first time in the history of women's movement in India an official demand was made for the grant of woman's suffrage. But this demand did not bear any fruit and the answer received from the official bodies was disappointing. This failure did not stop the activities of women. On the contrary, they continued their efforts and propaganda work more vigorously than ever. In 1918 their demand for women's suffrage was supported by the Indian National Congress and by the Muslim League. Other educated men of the country willingly supported their claim.

When the Southborough Franchise Committee came to India to investigate the question of franchise their attention was drawn to the claim of women to be included in the franchise reforms. Annie Besant, Sarojini Naidu, Mrs. and Miss Tata gave their evidence before the joint Parliamentary Committee in favour of Indian women's franchise after the introduction of Government of India Bill in Parliament in 1919.

When the report of Southborough Franchise Committee came out Indian women read it with pain and surprise, as it stated that Indian women themselves did not want franchise, and that social conditions in India were not yet suitable for women's franchise. The Committee reported that "In some provinces

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16. Mrs. Tata Herabai: A Short Sketch of Indian Women's Franchise work, p. 1.  
17. Mehta, Hansa: Political Status of the Indian Woman (Our cause), p. 343.

provinces the Municipal franchise includes women, but the evidences placed before us showed that it is sparingly exercised, except perhaps in Bombay city. We are satisfied that the social conditions of India make it premature to extend the franchise to Indian women at this juncture, when so large a proportion of male electors require education in the use of a responsible vote. Further, until the custom of seclusion of women followed by many classes and communities, is relaxed, female suffrage would hardly be a reality." 18

Various meetings were held in Bombay as well as in other big cities protesting against the decision of the Southborough Committee. Various organisations passed resolutions in protest of the decision and sent cables requesting them for sympathetic consideration. 19

"In July 1919 the women of Bombay assembled in a public meeting to protest against the indignity put upon their sex, and to express their deep regret at the recommendations of the Southborough Franchise committee not to include Indian women as a whole in the Franchise proposals." 20 Several women's meetings held at various places passed resolutions condemning

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18. Quoted by Aruna Asaf Ali in Our Cause, p. 353.  
19. Mrs. Tata Herabai: A Short Sketch of Indian Women's Franchise Work, p. 7.  
20. Ibid, p. 6.



condemning the decision and not less than eleven such cablegrams were despatched to the Secretary of State for India and various prominent persons in England stressing the need for women's franchise in India. The report of the Committee stated that it was purely a domestic matter and should be decided by the provincial legislatures in India and

21. Mrs. Herbai Tata describes the protest raised by various women organisations and resolution passed by them as follows: "As president women's public meeting, Bombay July 12, 1919, have the honour to submit resolution passed unanimously for sympathetic consideration and support. Public meeting of the women of Bombay protests against recommendation of Southborough Committee and the Government of India disqualifying women for franchise in Reform scheme on grounds that social conditions in India make it premature and impracticable to grant it. This meeting begs to draw attention to the fact that Women in Bombay Presidency and other parts of the country already exercised franchise intelligently in Municipal and other elections." "Another meeting was called and the following resolution was passed and cabled to the Secretary for State for India in the name of Mrs. Jaiji Jehangir who presided thereat: "Bombay women favouring women's suffrage have read ... Lord Southborough's evidence before your committee stating franchise to women in India not desired by women themselves. That belief is not founded a fact largely attended Indian women's meeting recently held in Bombay enthusiastically claimed franchise; similarly various women's representations were submitted to Southborough Committee. Women ask no favour but claim right and justice If the vote is denied it will mean serious check to women's advancement in India. Given by Mrs. Tata in A Short Sketch Of Indian Women's Franchise Work, p. 6-7.

Another cablegram was sent by Sir Narayan Chandravarkar - the President of Bombay Presidency Social Reform Association. It runs as follows: "Educated women by reason of intelligence and sound practical sense more deserving of franchise than uneducated classes to whom Southborough Committee has recommended elective right 45 branches womens Indian Association controverts Southborough's evidence; they claim votes - protest against disqualification.

and if they were in favour of it the Government of India would approve their decision. It also recommended widening of franchise for men electorates. Thus the provinces were given the authority to enfranchise their women. Madras and Bombay immediately took the opportunity and in April 1921 pioneered the cause of women by granting them franchise. "The first Legislature in British India which had the privilege of passing the women's suffrage resolution in (April) 1921 by a considerable majority was Madras giving women votes on the same terms as men." The United Provinces, the Central Provinces, the Punjab and Bengal soon followed the example of Madras, the first, by giving the rights in 1923 and all others in 1926. Women were also made eligible for seats in provincial legislatures in the same years and in 1927 for the first time a lady, Dr. Muthulakshmi Reddi, was nominated as a member in the Madras Legislative Council. This remarkable success was due to four main factors. First a new era was beginning for the Indian people through the introduction of a number of reforms in the Indian Government. This opened the door to complete self government, but only men were allowed to vote though women composed nearly half the population of India, and it had been by the joint efforts

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22. Aruna Asafali: Women's Suffrage in India, Our Cause, 353-354.

efforts of men and women that the agitation for reform in the Government was made. The women of India were awakened by this time and with the help of men reformers determined to protest against injustices done to them.

Secondly, women realised their own freedom while struggling for the country's freedom. As far back as 1914-1917 with the rise of the political agitation for Home Rule women began to realise their exclusion from any share in representative government under British law. In the civil disobedience movement, between 1929-33 women participated actively in large numbers in the National political struggle. Again in 1942 women, still in greater number joined the movement which aimed at achieving complete freedom for India. This was a joint effort by men and women for the common cause. The praiseworthy work done by Indian women in the struggle for independence is summarised in the resolution of January 26th, 1942, passed on the anniversary of India's independence day: "We record our homage and deep admiration for the womanhood of India, who in the hour of peril for the motherland, forsook the shelter of their homes and with unfailing courage and endurance, stood shoulder to shoulder with their menfolk in the front line of India's National Army to share with them the sacrifices and triumphs of the struggle."

Thirdly, the suffragette movement amongst women in



Britain, America and other countries and their consequent success had great tonic effect on the educated men and women in India and led the men to recognise women's right to partake in politics and public life. It was essential, too, for Indian women to hold as high a position as women in the other parts of the world in order to keep pace with the modern world. <sup>23</sup> Fourthly, the political struggle of Indian women has differed very much from that of their western sisters. In India men did not strongly oppose the right of women to enter into any field or activity because this was not entirely new to them, though women were kept in subjection by men since post Smriti times by rigid social rules and customs. Both the Hindus and the Muslims have a happier background for it was not so very long ago that their women were free to move about with them. Moreover, the political movement was neither in competition with men nor a revolt against men. It was simply an attempt by women to regain their lost powers and they achieved it without any objection from men.

8.4 Further Development in Franchise of Women: By 1929 women had nominally acquired the right to vote and had gone further and achieved the right to be nominated or elected to principle. Therefore, the number of women enfranchised

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23. Chhattopadhyaya, Kamaladevi: The Awakening of Indian Women, p. 10.

to the provincial legislatures. This was brought about gradually. In 1920, two native states of India, Travancore and Cochin granted franchise to women, they also nominated two women to their Legislative Councils. This step was immediately followed by one of the provinces of British India—Madras, the province which was known as the most orthodox. In Madras three women took advantage of their right to stand, but unfortunately they were all unsuccessful. The other provinces soon followed these examples with the exception of Bihar and Orissa. In the province of Assam, where the demand for equal political rights was less strong, the granting of the right to vote and the throwing open of the Legislative Council to women was a great surprise. Gradually all the provinces of India opened the doors of their Legislative Councils, to women. Other progressive states like Mysore and Jhalawar soon followed their examples by leading a step in advance by removing all sex disqualifications. The Franchise based on the property <sup>u</sup> qualification restricted the number of women voters because owing to the legal disabilities very few women could hold property which entitled them to vote. Moreover, "the Hindu legal system denied the right of absolute ownership of property to women governed by it and there were other customary laws which followed the same principle. Therefore, the number of women enfranchised

between

independently. There was no longer to be any bar to a woman's becoming a member of the 24  
between 1921 and 1933 remained very small indeed, 315,651 women as against 6.8 million men."

In 1928, when the Statutory Commission came to India they realised the necessity for a wider franchise for women owing to the growing influence of Indian women in public life. They accordingly suggested two qualifications. A woman, 25 years of age who was the wife of a man having the property qualification could vote. Also a widow of that age or over whose husband at the time of death had the property qualification should have the right to vote. These recommendations, however, were not accepted. Soon after this a Bill was introduced by an enlightened group of men in the Legislative Assembly proposing to enfranchise women on the same basis as men bringing the ratio at one women to every five or six men. It was also proposed that any person of 21 years of either sex could vote freely. As may be expected, this Bill did not become law.

Proposals for a new constitution of India were first introduced in 1930. Seats were to be reserved for women in all provincial assemblies excepting those of the North Western Frontier Province and the Federal Legislatures. This reservation of seats indicated a woman's disability to stand independently

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24. Menon, Lakshmi N.: Political Rights of Women in India, p. 2. Unesco Seminar on the Status of Women in South Asia, New Delhi 1952.



independently. There was no longer to be any bar to a woman's becoming a member of the Council of State, the new Federal Council, but here again their numbers were generally limited to the number of reserved seats.

Early in 1931 a representative gathering of Indian women met in Bombay under the Presidentship of Sarojini Naidu and attacked these proposals. They drafted a Memorandum on the status of Indian women in the proposed new Constitution, and made the following demands:

- (1) The removal of all sex disqualification,
- (2) The immediate acceptance of the principle of adult suffrage,
- (3) The unequivocal refusal to accept special expedients, namely the reservation of seats, for limiting the presence of women in Legislature and Administrative Institutions.

The Franchise Committee under the presidentship of Lord Lothian came to India in the year 1932. The table below shows the existing proportion of men and women voters in various provinces as noted by the Lothian Committee.

Provinces	Women	Men
Madras	1	10
Bombay	1	10
Bengal	1	16

The All India Women's Conference which after Provinces

25. According to table given by Aruna Asafali in Women's Suffrage in India, Our Cause, p. 357.

Provinces	Women	Men
The Punjab	1	29
Bihar and Orissa	1	62
Central Provinces	1	25
Assam	1	114

In order to improve this unbalanced state of affairs the Committee recommended two more special qualifications for women. The first was the literacy qualification. It can be clearly seen from the above figures that in provinces like Bombay and Madras where female education was the highest the percentage of women voters was also the highest. This was generally true of all the provinces, but the Punjab, though having the lower percentage of female education had not the lowest percentage of female voters. Its population was largely Muslim and although many Muslim women are not educated, they have more property rights, and on that ground they had the right to vote. Thus an anomaly was created which cut across the proposed literacy qualification. The second qualification was that of wifehood. This meant that those women who were either wives or widows of persons who had or would have the right to vote on the basis of a property qualification would be made eligible for the vote.

The All India Women's Conference which after 1929 had

26. *Women Lakshmi: The Position of Women*, p. 27. become  
27. *Ibid.*, p. 27-28.

become the chief mouth piece of Indian Women's rights, grievances and demands, strongly objected to these proposals in detail. There were several reasons for the objection. The literacy qualification was unacceptable as it was not possible to fix a real standard of literacy amongst the women of India where the majority of the women are illiterate. The wifehood qualification simply stressed women's dependence on men which struck at the very root of the principle of equality of the sexes. Two women Begum Jahanara Shah Navaz and Radhabai Subbarayan were nominated by the Government to sit in the Round Table Conference held in the autumn of 1930.

The joint efforts of the three women's organizations - the National Council of Women, the Women's Indian Association and the All India Women's Conference as well as the representations of Rajkumari Amrit Kaur to joint Parliamentary Committee, helped considerably to widen the franchise for women. Thus, under the Act of 1935 nearly six million women were enfranchised as against 29 million men.

In spite of the criticisms of these prominent organizations, the two controversial qualifications were incorporated in the Act of 1935 and hence the disparity among men voters and female voters was more than four times. "The position

26. Menon Lakshmi: The Position of Women, p. 27.

27. Ibid, p. 27-28.



position of the women's electorate will be roughly, 20,00,000 qualified by property, 40,00,000 by wifehood and 3,00,000 by education." 28

Though in a limited scope Municipal franchise was granted to the women of Bombay and Madras Presidencies earlier than their political franchise, the response of women in Madras was so limited that no protest was made when it was suddenly withdrawn from this presidency some years later. The right was not returned to them until 1945. In Bombay over 1760 women were qualified to vote for the Bombay Corporation and a fair percentage of these polled at each election; similarly in other municipalities, women exercised their vote, responsibly and intelligently. Since 1922, first by nomination, then by election, a great number of women have become municipal councillors and members of local boards all over India. Their appointment has been chiefly by nomination but there have been notable instances where seats were won by election in open contest with men; such as the election of all four women who first entered the contest for seats in the Bombay Corporation, and the occasion when the single woman contestant in the Municipal elections in Lucknow secured the largest poll of any of the candidates. Many important local reforms have been secured by this large body

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28. Amrit Kaur: Women under the New Constitution, Our Cause, p. 374.

body of women councillors and every year sees a greater  
number of women serving on these local councils and boards. 29

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were In 1933, when the New Constitution was once again under  
consideration by the Joint Select Committee, All India Women's  
Conference sent three of its representatives to place the  
women's case before it. The Memorandum presented showed the  
enormous strides political consciousness had made in the  
minds of Indian women. They demanded a democratic consti-  
tution conferring full self-governing rights on India and the  
inclusion of a clause in the Fundamental Rights' Charter  
granting equal rights to women; they also declared themselves  
strongly against communal electorates, against the reserva-  
tion of seats for women and special women's constituencies,  
and against the wifhood and literacy qualifications for  
franchise. Much credit is deserved by women for putting out  
these points forward. 30

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perpetuating the dependence of women on men instead of recognising their independent right to suffrage. They were also right in condemning the literacy qualification as a mockery in a country where hardly three percent of the women were literate.

31

As mentioned earlier the total number of women enfranchised under the New Constitution of 1935 was about six million. The proportion was nearly 1 woman to 5 men; but the sex-bar was not completely removed. Educational backwardness, economic dependence and social prejudice prevented large numbers of women from exercising their vote. Nevertheless, the new constitution did give Indian women political rights far in advance of those enjoyed by them before that date. Women were given six seats out of a total of 156 reserved for British India in the Federal Council of State, and 9 out of a total of 250 in the Federal Assembly. In the Provincial Assemblies women continued to have seats reserved for them.

32

So far as Provincial Assemblies were concerned, women had reserved to them the following seats:

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Province

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31. Chhatopadhyaya, Kamaladevi: The Awakening of Indian Womanhood, p. 12.  
 32. Majumdar: Advanced History of India, p. 958.  
 33. According to Ibid, p. 959.



<u>Province</u>	<u>Seats</u>
Madras	8
Bombay	6
Bengal	5
United Provinces	6
The Punjab	4
Bihar	4
Central Provinces and Berar	3
Assam	1
Orissa	2
Sind	2

From 1935 onwards men and women were able to vote both in general constituencies and in special constituencies. Such was the advance made and such the widespread recognition of women's claims that women candidates successfully contested general seats in ten cases, one in Madras, one in Bengal and eight in the United Provinces. The significance of these successes lay in the fact that the women defeated men in constituencies in which men voters predominated. Writing about the Progress of women in Modern India and the West it has been noted as follows: "A few of them have been advanced to a high place and office, for example, a lady is a minister in the United Provinces, two more are deputy speakers in

Provincial Legislative councils; in Travancore one was appointed Surgeon General and another given a judicial appointment as District Munsif in 1938."<sup>34</sup>

Evidence of the results of the awakening of Indian women is to be found in more than one legislative measures sponsored by women legislators and calculated to confer greater rights and freedom on women.

In less than ten years after the 1935 constitution most of the 700 Municipalities and 200 district Boards extended the franchise and women members were to be found on them.<sup>35</sup> This is a sphere in which women should be able to excel themselves for they deal with the primary needs of the public - needs with which women, with their strong domestic instincts would feel more familiar than men and be better equipped to deal.

A further notable development affecting Indian women was the amendment of the rules of the Bombay High Court, enabling women to sit as jurors. Eight women responded to it and in July 1944, for the first time in India fifteen women were summoned to serve on the jury at the criminal session of the Bombay High Court. Today there are several women in India who have become Justices of the Peace and they have

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34. O'Malley L. S. S.: Modern India and the West, p. 696.

35. Aruna Asafali: Women's Suffrage in India, Our Cause, p. 364.

have rendered the most useful service in Juvenile Courts.

Since the achievement of independence by India, women have acquired more political rights in the recent Constitution of 1950. Out of 17 persons an average of eight women, i.e. nearly half the number of persons have the right to vote. A woman is no longer restricted by the property, wifehood, literacy qualifications. A person - whether male or female above 21 now has the right to vote. "The constitution of India has firmly established a democratic secular state in the country, with full individual liberty and civil rights and the largest electorate in the world."<sup>37</sup>

In conclusion, a short summary of the main events in women's enfranchisement would not be out of place and help to clarify the different stages through which it had to pass before it attained realisation.<sup>38</sup>

1917 First Woman deputation waited on Secretary of State for India, Hon. Edwin Montague to ask for the women's enfranchisement.

1921-

1926-29 Montague Chelmsford Reforms gave power to enfranchise women in Provinces and women were given the right to vote

36. Indian Year Book, 1945-46, p. 637.

37. India News Republic Number Jan. 26, 1951, p. 12.

38. According to O'Malley L.S.S. Modern India and the West p. 475 Menon Lakshmi: The Position of Women, p. 28.



- vote in Madras and Bombay 1921. The United Provinces in 1923, The Central Provinces, The Punjab and Bengal 1926 and Assam in 1929.
- 1927 The first nominated woman member in Madras provincial Council was Dr. Muthulakshmi Reddi.
- 1921-33 Women were entitled to vote on property rights. The number of women voters was 315,651 against 6,792,821 men.
- 1935 Widening of women's franchise by the Government of India Act, 1935. 6,000,000 women were enfranchised against 29,000,000 men. Government also reserved 42 seats for women in legislatures.
- 1937 Eight women were elected in the election of 1937 in constituencies reserved for women; five were nominated to upper houses. Six women took office one as minister and the others as deputy speakers and Parliamentary Secretaries.
- 1938 The first <sup>Woman</sup> member Radhabai Subbarayan was elected to the Council of State.
- 1943 Renuka Ray, the first woman nominated by the Government held the position in the Legislative Assembly in connection with the Hindu Marriage and Inheritance Bills
- 1945 From Madras constituency, in general election Shrimati

rural Ammu Swaminathan was elected to the Central Legislative Assembly.

1946 Mrs. Vijayalakshmi Pandit was appointed to plead the Indian delegation to the United Nations Organisation of which now she is the President. In 1941 she was also holding the post of Minister of State.

As stated above, all these and some more women have been already nominated and elected in Central as well as provincial legislatures. Although they belonged to different communities yet they worked in harmony which shows unity in political life. Their common aim was to remove the obstacles which hindered the progress of women.

At present, in principle Indian women have got their political rights equal to that of men and a few outstanding personalities now hold position of high responsibility not in India but also abroad and they have gained a world-wide reputation which indicates their ability to work and high political status. Compared to the whole bulk of population their number is still not in equal proportion with that of men because of the regrettable fact that ordinary women are still slow to avail themselves of their political rights. The real difficulty is to make them aware of such rights and to use them properly. The majority of women, especially in

rural

rural areas, hardly understand them. It cannot be said that a great awakening has taken place among Indian women. All the women's institutions are stirring to make woman more conscious of both their political and civic rights, and their future achievements will show how far they are prepared to take advantage of their increased opportunities.

The franchise rights conferred on women by the New Constitution of India, 1950, cannot be enjoyed by women so long as "educational as well as other opportunities of employment are limited by financial stringencies, social customs and habits, and traditional beliefs .... Of course, they are changing but they change very slowly indeed."

At present, in principle Indian women have got their political rights equal to that of men. Consequently a few outstanding women, now hold positions of high responsibility not in India but abroad and they have gained a worldwide reputation which indicates their ability to work and high political status.

13. Menon Lakshmi: Political Rights of Women in India, 1952. (Science Seminar on the Status of Women in South Asia.)  
14. Majumdar: An Advanced History of India, 1950.

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39. Menon Lakshmi: Political Rights of Women in India, p. 3.



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14. Majumdar: An Advanced History of India, 1950.

of changing the social CHAPTER IX as a higher level.

The laws affecting Hindu women had its origin in the  
Legislation Affecting Social Position of Women.

it to suit "The woman in the eye of Indian Law has never been  
women, a very dignified person deserving certain rights and  
posit privileges attendant upon her important place in the  
from social, spiritual and economic fabric of the nation." 1

The movement for the emancipation of women and improve-  
ment in their legal status was started by the social refor-  
mers since the first quarter of the 19th century. Later on,  
women themselves realised the legal disabilities which to  
an extent were responsible for hampering their progress. They  
therefore, started demanding legal rights but the progress  
was very slow as people in general and government in parti-  
cular, did not show much enthusiasm for it. People showed  
a hostile attitude towards some of the legal reforms and  
even the active and otherwise progressive members on the  
legislature, at times, exhibited their disapproval towards  
proposed reforms. However, a group of social reformers from  
the very beginning was of the opinion that rapid progress  
can be made in the position of women by legal enactment. "As  
Ranade declared, legislation was one of the important methods

Position of Indian Women, p. 304.  
3. According to Manu - the ancient Hindu Law-giver there are  
four sources of Dharma or law. Manu, 11.12.

1. Report of the National Council of Women in India, 1943.

of changing the social structure to a higher level."<sup>2</sup>

The laws affecting Hindu Women had its origin in the ancient Hindu Law and it took great efforts and time to change it to suit the changing modern social structure. Indian women, whether Hindu or Muslim, have been given an inferior position in law. The origin of the Hindu Law can be derived from four main sources - the Vedas, the Smritis, examples set by the conduct of the virtuous and interpretation based on one's own conscience.<sup>3</sup> But the sources of the present Hindu Law can chiefly be attributed to the Sruti, the Smritis, the Commentaries and Digests, judicial decisions, Legislation and Customs.<sup>4</sup> In short "The Hindu Law as is commonly understood is a set of rules contained in several Sanskrit books of authority on the law governing the Hindus."<sup>5</sup>

The position assigned to women by Manu and other law-givers appears very one sided in the changed circumstances of modern times. Hence in order to improve the legal position of women, general movement for the emancipation of women becomes not only necessary but an integral part for such social progress.

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2. Mrs. Desai Neera: The Impact of the British Rule on the Position of Indian Women, p. 306.
  3. According to Manu - the ancient Hindu Law-giver there are four sources of Dharma or law. Manu. ii,12.
  4. Manek, M.D.: Handbook of Hindu Law, p. 3.
  5. Ibid, p. 2.



In ancient times, women enjoyed a respected place in the family but their individuality was not acknowledged in the modern sense of the word. Most people lived according to the joint family system and the legal position of women was in accordance with this custom.

Today, however, the times have changed. The joint - family system is breaking up rapidly in the cities and members of such families are striving for individuality. In these circumstances, therefore, the chief disabilities from which women suffer are related to marriage and property.

Like Hindu law Muslim law has a divine origin but it is only attributed to the revelations of a single individual. Muslim law centres chiefly round the sayings and doings of Prophet Mohmed.<sup>6</sup> But the main difference in the belief is that " ....though the Hindu speaks of his law having been revealed to him in the Vedas and Shastras, he does not recognise any particular person as the recipient of the revelation."<sup>7</sup>

The legal status of Indian women differs in accordance  
with

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6. The original Muslim law recognised four sources: The Koran actions and sayings of the Prophet preserved by tradition and handed down through authorised agents from generation to generation, agreement or opinion of the Muslim jurist of any particular age and analogical deductions derived by the judge from the first three sources.

7. Manek, M.D.: op. cit., p. 1.

8.

with different religions. Hence the study of the history of social legislation and amendments from time to time, becomes necessary in order to ascertain and evaluate the legal progress made in the status of Indian women together with an idea of the laws of marriage and property and the problems arising from them such as, divorce, inheritance and right to property is equally important in order to estimate the progress of Indian womanhood. All these codes are more or less based on ancient laws. Laxmi Menon sums them up thus: "There is no national civil code regulating personal relationship in India. Marriage, divorce and property rights are governed by what are called 'personal laws', that is, customary laws to some extent modified by legislation."

9.2 Marriage Laws: That the legal existence of a woman was incorporated by marriage with that of her husband was generally believed upto the first quarter of the present century and even today the majority of the people are not free from that belief in India. This was the general spirit behind all the laws of marriage. Moreover, India is inhabited by a great number of castes and creeds, each having so divergent customs, that it is not possible at this place to review all the legal forms of marriage as one is bound to come across  
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8. Menon Lakshmi: The Position of Women, p. 23.

10. For details see Chapter I.

11. For details see Chapter IV.

as many forms as there are castes, and creeds and religions. The important marriage laws relating to three main groups - Hindu, Muslims and Parsis will be discussed below in a chronological order.

1. Hindu Marriage Laws: The greatest importance given to marriage in India is by Hindus. "Marriage from the standpoint of jurisprudence, contains three elements and may be viewed from those three standpoints, as a contract between parties, as status imposed by the laws of the country, and as a sacrament." <sup>9</sup> As stated earlier, marriage for Hindus is a sacrament or 'Sanskara' and eight forms of marriage <sup>10</sup> were practised in ancient times. According to the Hindu conception of legal marriage two ceremonies <sup>11</sup> are essential requisites to the validity of a marriage and such marriages are considered indissoluble.

The Special Marriage Act III of 1872 as Amended by the Act of 1923: Brahmo Samaj of Bengal did not believe in any ceremonies of any religion, agitated against the situation and wanted legislation validating marriages in their group. Legislation was also essential for the persons who intended to have intercaste marriage because upto the Special Marriage Act

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9. Iyer, P.R.: Statute Law relating to Marriage and Divorce in British India, Introduction, p. i.  
10. For details see Chapter I.  
11. For details see Chapter IV.



Act of 1892 the parties to a marriage had to belong to the same caste unless custom permitted intercaste marriage. Marriage between a male of a high order and a female of a lower order was recognised as valid but the reverse was not the practice as it was invalid according to the rules of Hindu religion. Consequently, the special Marriage Act was passed which made provision for marriage between persons who did not belong to any of the following religions such as Hindu, Mahomedan, Parsee, Christian, Jewish, Buddhist, Sikh or Jain. It had also provision for divorce and succession to property. The main drawback of this Act was that the party entering the marriage had to declare that they did not believe or profess any religion to which they were born. Continuous efforts were made by the social reformers for amendments to this law. But due to the opposition from the conservative groups and apathy of the government they did not succeed. The agitation for the amendment of the Act by B.N.Basu and V.J.Patel were noteworthy in their efforts. The latter introduced the Hindu marriage Validity Bill in 1918 in the Supreme Legislative Council, but failed in the attempt. At last Sir Hari Singh Gour succeeded in introducing a bill which became law with some modifications known as the Special Marriage Amendment Act of 1923. This act did not require a declaration that the parties did not belong to any religion, but

but it enforced strict monogamy. Durgabai remarks about certain rights regarding adoption and succession in a joint family which were forfeited under the amended law,<sup>12</sup> the Act runs as follows: "The Special Marriage Act of 1872 as amended by the Act of 1923, also enables persons belonging to different castes validity to marry, provided the marriage is monogamous and solemnised according to its provisions."<sup>13</sup> Except Brahmos the number of people who took advantage of the law was extremely small.

In some progressive states like Baroda, Indore, and Travancore similar acts were passed in 1908, 1916 and 1943 respectively.

Child Marriage Restraint Act: As stated before in chapter V child-marriage was a common practice among Hindus as well as Muslims upto the first quarter of the present century. Consequently, injury to the mind and body of a woman arising out of early maternity and ill health of the child and the mother and the hindrance to girls' education drew the attention of the enlightened public sufficiently and continued agitation to do away with child marriages was carried on since the beginning of the present century.

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12. Manek: Handbook of Hindu Law, p. 15.

13. Durgabai: Legal Status of Women in India, p. 3.

The earliest effort in this direction was made by -  
Mammohan Ghose in the last decade of the nineteenth century.  
He said that "No marriage shall be valid if either of the  
contracting parties at the time of celebrating their marriage  
is below a certain minimum age, which he proposed to fix  
for the present at twelve years."<sup>14</sup> He pointed out the agree-  
ment with his opinion of a great scholar like Dr. Bhandarkar  
to impress his views on religious grounds too but his views  
did not receive support from the public. In 1894, three years  
after his proposal, Mysore State took an active step by  
enacting a law which prevented child marriage in that state.  
It also prohibited that "any man who having completed fifty  
years of age marries a girl who has not completed fourteen  
years of age, shall be punished with imprisonment of either  
description for a term which may extend to two years or with  
fine or with both."<sup>15</sup>

Baroda passed an Act prohibiting marriage of a girl  
below 12 and that of a boy below 16 which came into force  
on 21st July, 1904. In 1932, the law was brought in confir-  
mity with Sarada Act. In 1918 another state, Indore, legally  
prohibited the marriage of a boy below 14 and that of a girl  
below 12 by the Act No. 11 of 1918. This law was amended  
again

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14. Risley: People of India, p. 199.

15. Ibid, p. 200.



again in 1933 on the basis of Sarada Act. their being

The proposal made by Sardar Arjun Singh of Kapurthala at a meeting of the East India Association held in London on the 31st July, 1905 was the first attempt in the present century for reforming the marriage laws through the intervention of the government. He put forwards his views which stated that "Allowing that the Government interference is not desirable, has not the government interference got other means to eradicate, or at least to mitigate, the custom of early marriages and thus save the female children, or at least a proportion of them, from improper widowhood ?" 16

His proposal was voluntary. He was of the opinion that governemtn ought to pass the law and the different castes, sub-castes or communities after holding their meeting voluntarily could decide to come under the protection of such law. But his proposal bore no fruit.

Indian Penal Code (Amendment) Act 1925 (XXIX of 1925): It has been already mentioned before that the age of consent was raised for the first time to 12 years in 1891 after the penal code's regulation but the evil did not stop as it did not attract sufficient attention of the public due to their ignorance about the existing law and their unwillingness to give

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16. Risley: op. cit., p. 203.

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give publicity to such cases on account of their being personal matters. It did not specifically mention the age of consent between marital relation and extra marital relation. This flaw was removed for the first time in 1925 and an Act was passed which raised the age of consent to 13 and 14 respectively in the case of marital and extra-marital sexual consummation. While passing a remark on this ineffective government enactments Rameswari Nehru sums up as follows: "A few stray prosecutions did take place under the Act but generally its very existence was unknown to the public. Barring a few lawyers nobody even knew that such a law existed and when in 1925 the age of consent was raised to 13 years, the general public remained as oblivious of the fact as before."<sup>17</sup>

So far as British India was concerned the problem of child marriage was officially first raised by Lala Girdhari-lal. In 1921, he questioned government authorities whether they would prevent the marriage of a girl below 11 and that of a boy below 14 by enacting a law. The government did not show their willingness to consider the problem owing to public opposition (on account of their backwardness) but said that the initiative should be taken by private individuals

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17. Nehru Rameswari: Early Marriages (Our Cause), p. 262.

18. Report of the Age of Consent Committee, p. 15.

duals.

Again in 1924 Mr. Ranglal Jajodia desired to introduce a Bill referring to child marriage in the Legislative Assembly. Somehow, the Bill was never introduced, though such permission was given by the Viceroy.

In 1927 Dr. Gour introduced a Bill in the third Legislative Assembly in order to raise the age of consent to 14 and 16 respectively in the case of marital and extra-marital relation by amending the Section 375 of the Indian Penal Code. Thus several private Bills were introduced in the Legislative Assembly to prohibit child marriage as well as to raise the age of consent. Owing to the demand made by the educated public opinion as well as by many official and un-official bodies Government felt a need to appoint a committee to inquire into the matter and, consequently, on the 25th June of 1928 the Age of Consent Committee was appointed by the Government of India. The committee consisted of nine members out of them two were women representatives, one Dr. Mrs. M. O'Brien Beadan and Mrs. Rameswari Nehru, a wellknown social worker. The chairman was Sir Moropant Joshi and the committee was popularly known as the Joshi Committee. The purpose of this committee was to inquire into the prevailing state

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18. Desai Neera: The Impact of the British Rule on the Position of Women, p. 309.

19. Report of the Age of Consent Committee, p. 15.  
21. Ibid, p. 15.  
22. Ibid, p. 50.



state in society regarding the age of consent and to examine the effectiveness of the law and its suitability to Indian situation and to inquire whether any further amendment of the Indian Penal Code (Amendment) Act 1925 was necessary. 20

Moreover, a Bill was introduced by Rai Saheb Harbilas Sarada on 1st February 1927 to check the child marriage by declaring such solemnisation of marriage invalid if either party was below a certain age. The Bill penalised the boy marrying below 16 and a girl marrying below 14. Moreover, it also penalised parents, guardians and the priests, who performed marriages below the prescribed age. The bill remained pending upto the Report of the Consent Committee." 21

Evidences before the Age of Consent Committee were striking. There was opposition too from the orthodox groups against fixing the age of marriage and consent. But the committee found that the majority of the enlightened people were in favour of such amendment. One of the foremost social workers in Gujarat and the Secretary of the Gujarat Ladies Club Lady Ramanbhai Nilkanth gave her opinion before the age of consent Committee as follows: "She had got a petition signed by ten thousand women, in favour of the Sarada Bill, fixing the minimum age of marriage at 14 years." 22 All India Women's Conference was not silent on the subject. They made

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20. op. cit., p. 27.

21. Ibid, p. 15.

22. Ibid, p. 58.

made country-wide agitation by passing resolutions in its session of 1928 in support of Sarada Bill which was under consideration. Ladies in progressive provinces unanimously expressed their desire for the necessity of laws regarding marriageable age and the age of Consent. An urgent need for passing the law was felt by the members of the Committee after the interviews taken by them and the striking evidences from the different authorities in various fields such as education, medical and social work had been heard. The arguments in favour of legal amendment can be summed up under five headings according to the recommendations of the Committee: (1) Physical (2) Eugenic, (3) Social, (4) Educational, (5) Economic.

The Committee could see a definite advance and a new awakening and consciousness of their rights among women which had made them aware of their role in Society and prompted them to make demands for their rights. The Committee stated its views thus: "Women are no longer content to remain stationary and the change of outlook in their lives is a fact of very great significance in considering, among others, the question of advance in the age of marriage. The movement for the emancipation of women, largely depends upon this one question, and no wonder in this country who came as witness

witness before our Committee have with one voice insisted  
 24  
 on an advance."

As a result of public agitation through several organi-  
 zations especially A.I.W.C. and the recommendations  
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 made by the Age of Consent Committee after a great deal of dis-  
 cussion, the Child Marriage Restraint Bill was introduced  
 by Rao Bahadur Haribilas Sarada and the Child Marriage  
 Restraint Act popularly known as the Sarada Act was passed  
 in 1929 which came into force on the 1st April, 1930 i.e.  
 about six months later. Such a gap of six months in the  
 enforcement of the Sarada Act led to many ill consequences  
 which have been discussed in detail in Chapter V. This Act  
 was applicable to the whole of the British India and all  
 Communities residing in it. It fixed the marriageable age  
 for a boy at 18 and for a girl at 14 and punished the  
 husband of above 18 and the parents or the guardians as well  
 as the priest if the marriage is performed in contravention  
 of the law.

In spite of such an important enactment as stated before  
 it did not prove very effective in the beginning. There has  
 been remained certain drawbacks in the Law itself. Firstly,  
 a complaint was to be lodged, in the court and it had to be  
 brought to the notice of that of the court that the marriage  
 was not

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24. op. cit., p. 158.

25. For details see Chapter 5.3



was not performed according to the Sarada Act and then only it may be penalised. This work was only done by social workers because the public was not ready to lodge such a complaint. It was essential to make it a cognizable offence so that the public would automatically lessen such practice. Secondly, the punishment was not very severe. In most cases it was in the form of a negligible amount of fine. The penalty ought to have been larger or imprisonment or both. Thirdly, the marriage performed not according to the requirements of the Sarada Act ought to be considered as invalid, then only the desired effect can be achieved.

Legislation Affecting Polygamous Marriage: Though monogamy was practiced as a general rule, the Royal Families, the castes with hypergamous unions and a small number of people under special circumstances (especially on account of the wife's barrenness) indulged in the practice of bigamy or polygamy. This was a practice not only among Hindus but Muslims as well. For preventing bigamous marriage in 1942 the Baroda Government passed an Act declaring that a marriage of a person during the lifetime of his or her spouse is illegal if the former spouse has not been divorced. After the Independence of India a similar step was taken by the Government of Bombay. An Act known as the Bombay Act No. XXV of 1946

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26. Manak: Ibid, p. 347.

27. Ibid, p. 348.

which received the assent of the Governor of Bombay on the 6th November, 1947, was passed in Bombay Province to prevent bigamous marriages. This Act is known as the Bombay Prevention of Hindu Bigamous Marriages Act, 1946, and is applicable to Hindus residing in the Bombay Province. It was defined as follows: "Bigamous Marriage" means the marriage of a person during the lifetime of his or her spouse, if the marriage of such person with such spouse has not been dissolved or declared void by court of competent jurisdiction or is not void according to the custom or usage of the community to which either of the parties to such marriage belongs." <sup>26</sup> A bigamous marriage would be considered void and it would be taken as an offence under section 494 of the Indian Penal Code and penalty for such a marriage is either a fine or imprisonment or both. Presidency Magistrate or <sup>27</sup> First Class Magistrate shall take it as an offence. The greatest drawback in this Act is that it provides facilities for second marriage other than in the Province. The Law is not uniform throughout India and the marriage celebrated outside the province where such law does not exist is not cognisable. Another important Act was passed in 1946 which gave the first wife a statutory right of maintenance and separate

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26. Manek: Ibid, p. 347.

27. Ibid, p. 348.

separate residence if she so desired in case of her husband's second marriage. This Act is known as the Hindu Married women's Right to Separate Residence and Maintenance Act, 1946.<sup>28</sup> The Act gives relief to Hindu women as she is the one who is economically dependent.

Among the Hindus, the parties to a marriage have to belong to the same caste unless custom permitted otherwise. Marriage between persons belonging to different sections of the same caste was held valid but this was given statutory recognition by the Hindu Marriage Disabilities Act, 1946. Intercaste Marriages were sanctioned by the Hindu Marriages Validity Act, 1949.<sup>29</sup> Mixed or Intercaste Marriages though, now legal are still by no means very frequent in spite of the propoganda carried on by the social reformers in favour of such marriages.

There are also definite prohibited degrees of relationship and marriage is invalid between two persons related within the prohibited degrees in the absence of a usage to the contrary. Up till now it was a wellknown fact that a Hindu could not marry a girl of the same 'Gotra' i.e. there can be no marriage between parties having common ancestral descent in the male line. The 'Gotra' or 'Pravara' disabilities

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28. Durgabai: Legal Status of Women in India, p. 4.

29. Ibid, p. 3.



disabilities have been removed by the Act of 1946 (Act XXVIII of 1946). This introduced a great change by validating a marriage in the same 'Gotra'. "According to that Act, notwithstanding any text, rule or interpretation of the Hindu Law or any custom or usage to the contrary a marriage between Hindu which is otherwise valid shall not be invalid by reason only of the fact that the parties thereto belong to the same 'gotra' or Pravara".<sup>30</sup>

Legislation Concerning Divorce: As mentioned earlier, a Hindu marriage is a life-long union and cannot be dissolved during the life time of a partner. This rule was mostly observed by higher castes hence divorce was unknown in high caste Hindu society where it was not customarily permitted even to persons who married under the Special Marriages Act of 1872. "According to the Hindu notion marriages are made in Heaven and therefore even after the husband dies that tie must be kept up, and hence widow remarriage is disallowed."<sup>31</sup> Once a legal Hindu marriage has been celebrated with the two essential ceremonies, the wife is completely in the possession of her husband. "There is for the women of the Hindu community no legal means of escape, whether by divorce or by separation

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30. Durgabai: op. cit., p. 3.

31. M. Tata Lam: Divorce in India, (Our Cause), p. 294-295.

32. Rathbone, L.P.: Child Marriages, p. 131.

separation, from a husband, however cruel. The most that courts can do is to refuse restitution of conjugal rights to the husband of a deserting wife, if they judge that to return to the husband's household would be physically unsafe for her." <sup>32</sup>

Among the lower Hindu castes, however, divorce could be obtained by merely declaring one's intention before the headman of the caste and by paying remuneration fixed by them to the offended party. But in certain provinces e.g. in the Bombay Province <sup>such divorce</sup> is at present not legally recognised without the intervention of the court. This puts some hardships in the way of people where divorce is customarily recognised by the community. Looking to the present situation divorce is essential for every section of society. The problem of divorce is vitally important owing to several causes. Due to the prevalence of child marriage and bigamy or polygamy divorce is the only outlet to free women. Again, ill-treatment ~~cr~~ cruelty and adultery on the part of a husband makes it necessary. When a husband is an idiot or edicted to some vices divorce remains the only solution. No doubt, it is true that there are certain provisions made among the upper castes for a wife to get separation from her husband, but they are very strict and of an extreme nature. If a husband

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32. Rathbone, E.F.: Child Marriages, p. 131.

husband is suffering from a disease such as leprosy or syphilis, or if he keeps a concubine in the same house or is guilty of cruelty to the degree of making it unsafe for his wife to remain under his care, or if he has adopted another religion the court seldom refuses to give a decree in favour of the wife. But if the husband has married another wife or is guilty of infidelity, or is a drunkard, or it is merely that the wife is a minor, there are then no grounds for the wife's leaving him; on the contrary, the husband is entitled to sue for damages against any person who helps his wife to remain away from him without legally justifiable cause. "In Aryan family chosen for religious purposes the wife cannot be put away without cause. So far as divorce is recognised in the earliest law with which we are acquainted, it is justifiable only on the ground of either barrenness or of misconduct of exceeding grossness. Sterility furnishes indeed sufficient cause for separation"<sup>33</sup> Thus a high caste Hindu woman suffers sometimes immensely because of the absence of legal provision for divorce which are commonly accepted by progressive countries.

It is a general belief among Indian people that divorce would shatter many happy homes and it would destruct or at least would seriously damage the institution of family.

Looking

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33. Thwing: The Family, p. 24.



Looking to the example of Russia and other Western countries where divorce is found India has nothing to be afraid of in granting both the parties the right to dissolve marriage where it becomes unsuccessful.. Westermarck has rightly remarked that "the existence of marriage does not depend on laws ..... marriage is not an artificial creation but an institution based on deep-rooted sentiments, conjugal and parental, it will last as long as these sentiments last. And should they ever cease to exist, no laws in the world could ~~have~~ marriage from destruction." <sup>34</sup>

No doubt the problem of divorce arises for a small section of Hindu society but it is high time now to liberate these upper class women by making provision for divorce. The first progressive step was taken by the Baroda State with the passing of the Divorce Act in 1937 for Baroda subjects. Divorce was given to either party under this Act on the following grounds: desertion, not obtaining the news for seven years, change of religion, taking of religious order, cruelty, adultery on the part of the husband, inability to perform marital duties on account of drunkenness. Moreover, impotency, indulgence in unnatural sexual life on the part of a husband and bigamy after the Act of 1942 were further grounds for

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34. Westermarck: A Short History of Marriage, p. 308.

35. Rankin: Hand Book of Hindu Law, p. 308.

for a married wife to ask for divorce. Bombay Province took the lead by passing the Act of Divorce in 1947 which provided for a right of divorce to all Hindus in certain circumstances.

A suit for divorce is permitted on the following grounds:

"If the defendant was impotent at the time of marriage and continues to be so upto the time of the institution of the suit,

2. If a defendant has been suffering from leprosy not contracted from the plaintiff for a period of not less than seven years before the institution of the suit,

3. If the defendant has been a lunatic for period of not less than seven years before the institution of the suit or is an idiot,

4. If the defendant has deserted the plaintiff for a period of four years,

5. If the defendant has not been heard of as being alive for the space of seven years by those persons who would have naturally heard of it had the defendant been alive;

6. If the husband has any other woman as a concubine and if a wife is a concubine of any other man or leads the life of a prostitute."

Not going into the details of separation or alimony or maintenance here one can definitely say that this was a progressive

progressive legal step for ameliorating the condition of marriage especially for women. Thomas has rightly said that "Marriages held together with the full consciousness of free divorce are the only ones worth having. All the rest are tyranny."<sup>36</sup>

2. Mohomedan Marriage Laws: "Marriage under Muslim law, is a contract for the purpose of legalising sexual intercourse and the procreation of the children."<sup>37</sup> There are three types of marriages among Mohomedans: Valid, irregular and void. The valid marriage is a contract made between two major persons in the presence of two sane adult male witnesses or one male and two female witnesses. An irregular marriage is one which is contracted without witnesses or with a fifth wife,<sup>38</sup> or with a woman undergoing Iddat (that means the period during which the wife must wait before her re-marriage) or marriage with other than a Muslim or a marriage with a person within the prohibited degrees.<sup>39</sup> The issues out of such a marriage are legitimate but do not possess the right of inheritance, and the wife is not entitled to possess any 'dower'. In Mohomedan law<sup>in</sup> marriage a wife can claim from her

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36. Thomas: Women and Marriage in India, p. 146.  
 37. A Muslim is permitted to marry four wives at a time.  
 38. Manek: Ibid, p. 28.  
 39. Koran forbids to marry with half-sisters; parental aunt, maternal aunt, brother's daughter and sister's daughter.  
 40. Justice M.C. Chaudhary: Legal Status of Women in India p. 36, (Report of the conference on Legal Status of Indian Women, 1943.)



her husband a sum of money or some property known as 'Dower'.

The marriage neither regular nor irregular is known as void and though it is legally void it is socially accepted. The children by such marriage are illegitimate and a wife has no right to ask for 'Dower.'

Compared with Hindu law, Muslim law is a very simple law and it is based on certain definite equitable considerations. A Muslim woman holds much higher legal position than that of a woman in any other community.<sup>40</sup>

Every Muslim of a sound mind, provided he or she is not a minor can enter into the marriage contract. In cases of minors and lunatics the consent of a guardian is essential. If it is found that in giving such consent the guardian has neglected his duty or if the marriage was arranged by others than the natural guardian, - by natural guardian is meant the father or the grandfather - and if such marriage proves disadvantageous to the minor it can be rendered void at the will of the minor on attaining puberty. This is really a partial safeguard against the disadvantage of child-marriage of a minor.

The sum of dower has not been clearly stated by Koran but things not in existence, such as next years crop or things forbidden to a certain mohomedan such as wine or pork or the personal

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40. Justice M.C.Chagala: Legal status of Women in India p.36. (Report of the conference on Legal Status of Indian Women, 1943.)

personal services rendered by a husband to his wife cannot be counted in 'dower'. The wife has full right over her 'dower'. After the full payment of the 'Dower' a husband is at liberty to take his wife where ever he likes; in short he obtains full authority over her.

If a wife revolts against him, a husband has authority to punish her for such disobedience. If she runs away from the house she has no right to claim - maintenance from her husband until she returns to him and the husband may divorce her or sue her for the restitution of conjugal rights. In short, the duties of wife are as follows:

1. She must reside in her husband's house,
2. She must obey his orders and perform her marital duties at reasonable times and places in accordance with health and decency.
3. She must avoid the company of strangers and need not appear in public without sufficient reason.

Thus the Mohomedan law confers on the wife a right to dower, and maintenance, and residence in her husband's house. She enjoys legally a better position in marriage than a Hindu wife but many a times due to her backwardness and ignorance she hardly exercises these rights.

**Divorce**

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41. Nehru Shamakumari: Legal Forms of Marriage in India, p.

Divorce: Islam permits dissolution of marriage to both parties though on different conditions. For a husband a marriage can be dissolved very easily and three kinds of divorce are legally recognised. Firstly, a marriage can be dissolved or terminated by the husband without the intervention of the court of without assigning any reason, he has only to speak one word 'Talak' (divorce) three times in the presence of or even in the absence of his wife. Secondly, a marriage can be dissolved by the mutual consent of both parties and thirdly by the intervention of the court on the petition of either of the parties. A mohomedan woman suffers in the first type of divorce where a marriage can be dissolved on the mere whim of the husband provided he has paid the dower. No doubt she is at disadvantage in this type of divorce yet "Muslim law provides various checks on these right of the husband to divorce his wife at will. The first and most important is the payment of 'dower'. She can fix such a high 'dower' that she can make it impossible for her husband to divorce."<sup>42</sup>

3. In the other two types a woman enjoys almost equal legal rights and she has not to suffer at all, except that if she does not marry thereafter, her divorced husband is not bound to maintain her, On divorce she is free to marry again after

43. Manski: Handbook of Mohomedan Law, p. 62.

44. Justice Chagala: op. cit., p. 38.

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42. Justice M.C.Chagala: Legal Status of Muslim women in India, p. 37.



a fixed period i.e. after complete three months.

Before the Act of 1939, a judicial decree was obtain-  
able for dissolution of marriage at the complaint of the  
wife only on the ground of impotency of the husband or when  
charge of adultery made by him against his wife was proved  
false.<sup>43</sup> The dissolution of muslim Marriage Act was passed  
on 17th March, 1939, and was extended to the whole of British  
India. It enlarged the grounds for dissolution of marriage  
and it gave considerable and important rights to Muslim  
women. Justice Chagala properly says that "under the Divorce  
Act a Muslim wife has more rights than she has either under  
the English Law or under the Parsi Law."<sup>44</sup>

By the Dissolution of Muslim Marriages Act, 1939 a  
marriage can be dissolved on the following grounds:

1. That the whereabouts of her husband is not known for the period of four years.
2. That a husband has been suffering from leprosy or a virulent venereal disease or has been insane for a period of two years.
3. That the husband was impotent at the time of marriage and continues to be so.

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43. Manek: Handbook of Mohomedan Law, p. 62.  
44. Justice Chagala: op. cit., p..38.

4. That the husband has failed without any reason or cause in his marital duties for a period of three years.
5. That the husband has been sentenced to imprisonment for criminal offence for seven years or more.
6. That the husband has failed to provide maintenance for his wife for two years.
7. If a wife has been given in marriage before the age of 15 the marriage can be repudiated before she attains the age of 18 provided it has been consummated.
8. That the husband treats her with cruelty.
9. Besides above grounds a marriage can be dissolved on any other ground legally recognised as valid for the dissolution of marriage according to the present Muslim law.

3. Parsi Marriage and Divorce Act: Upto 1936 Parsis were governed by the Parsi Marriage and Divorce Act of 1865. No marriage among Parsis is valid unless it is solemnised according to the usual Parsi marriage ceremonies with the essential ceremony called 'Ashirvad'. A marriage is valid if it is solemnised between the parties related to each other in any of the degrees of consanguinity or affinity prohibited among Parsis. All Parsi marriages are monogamous. The consent of a guardian or the parents is necessary if the <sup>person</sup> desiring to marry have not completed 21 years, The duty of the priest

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45. J.S.Jam: Position of Women in Parsi Law. (The report of the conference on Legal Status of Women, p. 52.
46. Lalal P.S.: Social Life and Manners of the Parsis in Iran and India, p. 402.

is to perform the 'Ashirvad' ceremony and to issue a marriage certificate signed by the parents or guardians and the witnesses. He should also register the marriage. A man as well as a woman is placed on the equal footing for dissolution of marriage. The grounds for divorce has been greatly extended by the Parsee Divorce Act in 1936.<sup>45</sup> This amended Parsi Marriage and Divorce Act came into force from 22nd June 1936. Certain amendments were necessary in the Act owing to the changed condition and ideas prevailing in the Parsi Community. F.M. Dalal has rightly remarked that "Since the Parsi Marriage and Divorce Act of 1865 circumstances had greatly altered and there was also a change in the sentiments and views of the Parsee community."<sup>46</sup> The Parsi Marriage and Divorce Act (III of 1936) expanded the grounds for divorce and any married person may claim divorce on any one or more of the following grounds:

1. If marriage has not been consummated within one year after its solemnization owing to the wilful refusal of the defendant to consummate it.
2. If the defendant at the time of marriage was insane or of unsound mind and continues to be so in the same state upto the date.

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45. J.S.Lam: Position of Women in Parsee Law. (The report of the conference on Legal Status of Women, p. 52.)  
46. Dalal F.M.: Social Life and Manners of the Parsees in Iran and India, p. 482.



3. If the defendant was pregnant at the time of marriage by some person other than the plaintiff.
4. If the defendant has practised adultery or fornication with an unmarried woman (not being a prostitute) or has practiced bigamy or has been involved in a rape or unnatural offence.
5. If the defendant has since the marriage voluntarily caused grievous hurt to the plaintiff or has infected the plaintiff with venereal disease and in the case of a husband being the defendant if he has compelled the wife to submit to prostitution.
6. If the defendant changed the religion.
7. If the defendant has deserted the plaintiff wilfully for more than 3 years or more.
8. If the defendant has failed to comply with a decree of restitution of conjugal rights for a year or more.
9. If the defendant is sentenced for seven years or more.

Thus the Parsee men and women secured the same rights for divorce and in this respect they were in advance of England by one year. Christians were governed by the Indian Christian Marriage Act (XV of 1872) and it is useless to go here into details they being in a small minority.

47. Sharda Narang: Women and Property (Our Cause), p. 309.  
48. Durgabai: Legal Status of Women in India, p. 5.

### 9.3 Legislation Regarding Property Rights of Women:

Essentially a normal Hindu Family is a joint family and therefore "amongst the Hindus the unit is not the individual but the family."<sup>47</sup> The members of the family share in common not only the property but also food as well as worship. A Hindu joint family mainly consists of all the male descendants from a common ancestor, their wives and unmarried daughters. The main aim of the joint family members regarding their property is to preserve the property in the family hence the rules were made as not to pass it outside the family. All the members of the joint family male as well as females - in the case of a daughter she ceased to be the member of her father's family after her marriage - have right over the joint family property. But of these members " Some are coparceners namely the male members, that is persons who on partition are entitled to a share of the property which the others are only entitled to maintenance. Originally survivorship consisted in the exclusion of the widows and other heirs of the coparceners from succeeding to this undivided interest."<sup>48</sup>

The Hindus are governed by different schools of thought in different provinces. Two main systems viz. Dayabhag in Bengal

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47. Sharada Narang: Women and Property (Our Cause), p. 309.  
 48. Durgabai: Legal Status of Women in India, p. 5.

Bengal and Mitakshara in Bombay and other parts of the country prevail throughout India. In Dayabhag system a widow gets the share in the joint family property after the death of her husband but till 1937 Mitakshara system did not recognise such rights as "no female can be coparcener under the Mitakshara Law."<sup>49</sup>

In 1937, chiefly due to the effects of Mr. Deshmukh<sup>50</sup> and agitation by the All India Womens Conference together with other enlightened men and women in India a law regarding Hindu Women's right to property was passed. The Law was known as the Hindu Women's Right to Property Act, Act XVIII of 1937 and was applicable only in the case of a Hindu dying intestate. The law confers on a Hindu widow the right of equal share as that on a son in the property of her husband if he dies intestate.<sup>51</sup>

If a person governed by any other Hindu school than a Dayabhag dies having an interest in the joint family property his widow shall have the same interest in the property as he himself had.<sup>51</sup> But she gets this only in the limited interest known as a Hindu Women's estate.

Before the amendment in this law a widow had no right of women were treated on a different footing from other over

49. Mulla D. F.: Principles of Hindu Law, p. 163.

50. For details see Chapter III.

51. Manek: Handbook of Hindu Law, p. 84.

53. Ibid, p. 211.



over her husband's ancestral property and under Mitakshara law a son, son's son, and a son's son's son was recognised as the first class heir and a widow of deceased had a right after them. "The widow of a pre-deceased son and the widow of a predeceased son of a predeceased son were not recognised as heirs at all except in the Bombay school."<sup>52</sup> By the Hindu Women's Right to property Act 1937 (amended by Act XI of 1938) all these widows were given more rights and were given recognition as heirs belonging to the first class "and they would share the inheritance simultaneous with the son,<sup>53</sup> the grandson and the great grandson." In short by the provision of this Act the interest of a male coparceners in the joint family after their death passes to their widows and these widows are entitled to get it by partition.

In modern times only the Hindu Women's right to property have extended but she enjoyed the supreme right over her 'Stree Dhan' i.e. personal property, since olden times. This 'stree dhan' is her personal property acquired in the form of Dower or sometimes as bride price or as a wedding gift, which she can dispose of at will. "From the very origin of Hindu Society, the 'Stree Dhan' property of women were treated on a different footing from other long and the idea of not allowing family property to kinds

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52. Manek: Handbook of Hindu Law, p. 211.

53. Ibid, p. 211.

kinds of property. The other owner thereof had full powers and succession of the female owner concerned." <sup>54</sup> Hindu society is still not prepared to accept the full right of a woman to her husband's or her father's property. But in respect to her Stridhan Hindus were far more advanced.

Before the Act of 1937 the plight of Hindu woman in relation to property was deplorable. A widow by the death of her husband not only lost him but also her own social and economic position. At one time she had to depend on the grace of her husband's relatives for maintenance, but after equal agitation she now at least shares in her husband's property for her maintenance though she has no right over immovable or landed property. Different provinces have modified the laws to suit local conditions, but in general a widow could only inherit in the absence of her deceased husband's direct decendants upto the third degree and daughters were affected by the same restriction which holds good either in joint or self-acquired property. The unit among Hindus is not individual but the whole family. Hence the idea behind the unequal treatment of women in the matter of inheritance is to preserve the property in the same family. However, the joint family system will not last long and the idea of not allowing family property to pass out

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54. Durgabai: op. cit., p. 6.

out of the family will cease.

Mohomedan Law was more liberal to women over the inheritance of property and had given them specific rights in the property of a deceased relative. <sup>55</sup> Regarding the distribution of property each person is governed by the school to which he belongs. Unlike the Hindus Mohomedans do not acquire the right in the property by their birth right but get the right on the death of the ancestor. <sup>56</sup> A widow receives  $1/8$ th share in her husband's property if there are blood relatives who have claim in the property, otherwise she gets a  $1/4$  share in the property. A daughter receives  $2/3$  share if the deceased has no sons. But in the presence of sons she receives half the share of a son. <sup>57</sup> In addition to this a Muslim has no right to distribute his whole property by will against the interest of his wife or a daughter.

"The testamentary capacity of a Muslim is limited to only one-third of his property and the two-thirds of it must go to his heirs according to the law." <sup>58</sup> Though the share of a woman is not equal to that of a man the Mahomedan law is more fair than the Hindu law to women with respect to their and the grandmother is provided with half the share of rights

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55. Sharada Narang: Women and Property (our Cause), p. 310.  
 56. Manek: Handbook of Mahomedan Law, p. 196.  
 57. Sharada Narang: op. cit., p. 310.  
 58. M. C. Chagala: op. cit., p. 41.



rights to property.

The rights of Parsis were regulated by the Indian Succession Act (39) of 1925. According to that Act a widow get 1/3rd of her deceased husband's intestate property if there are sons or daughters. However in the absence of any children she gets half of the property but not less than Rs.5,000/-. In short Parsi women enjoyed better legal status than those of Hindus and Muslims so far intestate property was concerned.

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The Act of 1939 further developed the ground for an increased share of a widow and a daughter in the man's intestate property. Uptil then Parsis were governed by the Property Act of 1865 which was later incorporated into the Indian Succession Act of 1925. But the Parsi Intestate Succession Act of 1939 extended the ground upto parents also Uptil now parents had no right to any thing from their son's property if he died intestate, leaving a widow and children. This new Act provides a widow with a share equal to that of a son; where as the daughter gets a share half of the son. The father of deceased gets half the share the grandson gets and the grandmother is provided with half the share of her grand-daughter. In the case of a woman's dying intestate all her children and widower share the property equally but in

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the absence of a widower all children receive the equal share from their mother's property.<sup>60</sup>

9.4 Conclusion: Considering the legal status of women in general and Hindu women in particular the present Hindu law requires modifications in order to suit present day conditions. Women, in the distant past, did not feel the need for any modifications in the Hindu law because they enjoyed certain rights in the family. They were respected and held honourable position in the household. In the course of time, however, women lost their important position and the situation prevails even to this day that has made the position of women subordinate. Hindu women have suffered till now in the fields of marriage and property which play an important part in their status. Agitation by social reformers and women workers attracted public attention; consequently, several Acts mentioned before have been passed which amended women's legal status. Yet there is a long way to go to make her stand legally on an equal level with men. There has been always an opposition from the orthodox section of society who do not recognise the importance of women's rights. Many backward women themselves are not aware of their disability in law and being guided by traditions and social beliefs

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60. J. S. Lam: Position of Women in Parsi Law, p. 53.

simply oppose all legal reforms. Srimati Hansa Mehta states this fact thus: ".... Harising Gour's special Marriage Act, the child Marriage Prevention Act .... were passed during the twenties of this century and the Hindu Widow Right to Property Act in 1937. The reason for this slow progress is due to the opposition of the conservative element allied with the indifference of an alien government who, under the guise of a policy of non-interference, have not been anxious to improve things." 61

The legal injustice suffered by Indian women is mainly due to the following causes: ignorance; submissiveness; economic dependence; influence of social and religious conventions and defective laws.

Even As stated before, though Muslim women enjoyed better legal status regarding marriage and property rights their general status is not better than an average Hindu woman. Most of the women, Hindus as well as Mahomedans are illiterate and their knowledge of existing laws and of their rights is negligible. Even educated Indian women's knowledge regarding their legal rights is very limited. Although in some cases, they have become conscious that injustice is being done to them they cannot protest against it owing to their peculiar position in the household; also they are seldom dissatisfied than claim a divorce she would suffer injustice or even upto

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61. Hansa Mehta: Preface to the "Women under the Hindu law of Marriage and Succession, p. 1.



upto the point of revolt against their position. Submissiveness on the part of women is hereditary. She is at all ages dependent on somebody for protection, guidance and advice. From childhood she is trained in such a fashion that an ever submissive character is looked upon by society as a virtue and it is the qualification of a good wife that she does not protest against the family's rulings. If she does, public criticism and perhaps desertion by the family would be her fate. Under these circumstances she does not get a chance to develop her individuality and assert her personal rights.

In addition to the natural tendency for a woman to submit she is generally economically dependent on a man. Even at present her rights to property are not equal with those of man and especially for a Hindu woman - wife or a daughter - these rights are very limited. Stridhan over which a Hindu woman enjoys an absolute right is many times such a small amount of property that she cannot count on it for subsistence. In the case of a woman belonging to a community where divorce is customary or legal she will not break off marriage except in unbearable circumstances e.g. a Mahomedan or an Indian Christian woman from the middle class has a right to divorce on certain grounds but, rather than claim a divorce she would suffer injustice or even cruelty

cruelty from her husband because of her economic dependence on him. In a joint Hindu family also, where a woman enjoys the least economic freedom, in some cases, in spite of the recognised custom of divorce she would prefer to stay in the family whatever her husband's cruelty.

Besides this, an average woman and even the general public is so much influenced by the caste regulations and popular traditions and so much prejudiced against reforms that they are always afraid and reluctant of any reform. The religious belief in sacramental marriage has been so deeply rooted in a woman that she will silently suffer the tyranny of her husband who may turn her out of the house for no substantial reason and not hesitate to take another wife.

Present Hindu Law has certain drawbacks and an urgent need for amendment or reframing of the Hindu Law was felt during the present century as it is not suitable to the present day condition. As stated before, "Hindu law is a conglomeration of the ancient rules of law which have their origin in the Srutis and smritis as expounded by the ancient commentators and later as modified and supplemented by the custom. These have been further interpreted and amplified by decisions of courts. Based on public opinion also, legislatures had to step in to remove certain hardships and anomalies

anomalies and to make the law conform to the times." <sup>62</sup>

The present Hindu law is a reframing of ancient Hindu law mostly adhering to its original principles. As stated before there are many defective laws in almost all the countries which do not confer equal legal status upon women. These legal disabilities ought to be removed by amendments in such laws and if required complete reframing of such laws. This need is felt largely by many social workers and reformers during the last decade of the present century. Marriage and Property are two important aspects in the life of a woman; hence all the laws concerning these two aspects require modification in order to give her better or equal legal status with that of a man. Enlightened people are not indifferent to unequal legal position of women especially the Hindu women and they started agitation against the prevailing state in order to remove the legal disabilities suffered by Hindu women. The Hindu Code Bill is the outcome of such agitations.

9.5 Hindu Code Bill: Indian women were agitating for the revision of the Hindu Code for some years. Many resolutions were passed in the meetings of the All India Women's Conference for the amendment and recodification of the Hindu Code. Efforts had also been made by social reformers who had been  
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62. Durgabai: op. cit., p. 7.



doing their best to bring about this legislation. The draft prepared by the Rau Committee was circulated throughout India through the branches of the All India Women's Conference and by other social and public provincial institutions.

The diversified of customs, the existence of various schools of law which practiced different laws regarding marriage succession and inheritance created a necessity for a uniformity in Hindu law. Moreover the changing attitude towards economic independence of women and the difficulties felt by the court in giving a uniform interpretation were also responsible for the proposed Hindu Code Bill.

Changes intended to be introduced by the Hindu Code Bill are not so shocking to the present day society as it would have been to 70 or 50 years ago. Nobody would deny the urgency for codification and uniformity of Hindu law. The law is interpreted in diverse ways in different part of the country so that there is no uniform legal system through out the country even amongst the Hindus. As mentioned before the two main schools which govern the property rights of Hindus are Dayabhag and Mitakshara. The first holds sway in Bengal while the sub-divisions of Mitakshara such as Benaras, Mithila, Dravid or Madras and Bombay or Mayukha are recognised in various parts of the country with regards to the Hindu Woman's property rights.

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63. Mehta Hansa: The woman under the Hindu Law of marriage and succession, p. 8.

With the advent of the Indian Independence, the Indian Parliament took up the problem of codifying the Hindu law. The Hindu Code Bill as it is called, first appeared in the Indian Government's Gazette on the 19th April, 1947. The second reading of the Bill took place in April 1951 but the Bill was postponed for four years partly because many other important problems had to be given first place and partly because it was feared that, its progressive character, especially, in certain sections might bring strong opposition from the more conservative and orthodox elements in the country.

The Hindu Code Bill proposes to make important changes in the field of marriage and property. The first draft of the Hindu Code Bill was based on more conservative lines but the present amended draft makes provision for marriage on the following lines:

1. The parties contemplating marriage are not within the prohibited degree of relationship.
2. The parties are not 'sapinda' unless customarily approved.
3. The boy must be above 18 and the girl above 14.
4. Neither party is a lunatic or idiot at the time of marriage.
5. Consent of the guardian is required when the bride is under 16.

6. Neither has a spouse living at the time of the marriage.  
7. Registration of sacramental marriage is necessary. Conditions for civil marriage are the same given in the 1, 3, 4, and 6. Moreover, if either party is below 21 permission of the guardian is essential.

The important features of the marriage section are the forms of marriage, conditions of marriage and for dissolution of marriage. Divorce would be highly appreciated by the enlightened class of people as it removes the great hinderence in the path of a Hindu illassorted marriage which could not be dissolved upto the present time where customarily not approved. Monogamy would be facilitated by such provision. Still there are certain flaws in the provision for divorce.

Another important change proposed by the Hindu Code Bill is a Hindu Woman's right to property as a widow and a daughter. As stated before a Hindu woman has very restricted right over property and a daughter has no right or at some places restricted right to inherit property. Hindu Code Bill proposes considerable changes in the women's right to inheritance and succession. In spite of certain flaws in certain sections. "The main achievement of the Code is the raising up of the status of woman almost on equality with man by giving the daughter an equal share with a son, by

giving



giving the female absolute control over her property, by penalising bigamous marriage and by conceding her the privilege of obtaining judicial separation or dissolution of marriage."

The right to divorce, succession and right to property will be epoch-making event in Hindu society and many orthodox Hindus - men and women - are strongly against it. Many of them have criticised it severely and held the public meetings to protest against it. The whole Hindu Code Bill is according to them, altogether too advanced. They fear that marriage reforms especially those concerning divorce would result into broken homes and unhappy married lives which would disturb the family peace and harmony while a woman's right to property would increase enmity and litigation and bring about the disintegration of the family.

Looking to the marriage and property laws of other communities in India the fear of this orthodox group is out of place. On the contrary if the Hindu Code Bill becomes an Act then alone would many of the legal disabilities suffered by women be removed.

15. Dalal, F. M.: Social Life and Manners of the Parsis in Iran and India, (Ph.D. Thesis), 1949.

16. Datta, D. K.: Principles of Hindu Law, edited by P. K. Mukherjee.

64. Kapadia, K.M.: The Hindu Code Bill, p. 12.

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16. Mulla D. F.: Principles of Hindu Law, edited by B. K. Mukherjee.

17. Mehta, Hansa: Women under the Hindu Law of Marriage and Succession, 1943.
18. Kapadia, K.M.: The Hindu Code Bill, 1950.



and to analyse the p CHAPTER X with special reference  
to working conditions and their wages.

The Economic Status Of Indian Women.

10.2 Economic Order of the Self-sufficient Village and the Joint Family: In pre-British times social and economic life of India was mostly governed by three main institutions - the self-sufficient village, the caste system, and the joint family. Upto the advent of British rule a village in India had remained mostly  
"Whenever we find women economically dependent, we find her position inferior and subordinate and whenever we find her economically independent, her position is elevated and advanced."

The nature of economic development that has taken place so far in the life of the country may be said to be lacking in policy. Of course, it must be admitted that with the advance of civilization and the growth of the sciences increasing control over the environment is acquired with the insight into the laws of the operation of the physical world. Social and religious institutions directly affect economic life and vice versa economic institutions modify social life and customs and even religious practices. In order to understand and evaluate the economic status of Indian women it is necessary to have an idea of the social and economic life of India in the immediate past; to discuss the various factors that led to a growing consciousness and a need for economic independence; the obstacles that women had to overcome before they could claim any right to an equality in economic status with men; to estimate the changes brought about by the World Wars  
1. Das, Rajan Kanti: Factory Labour in India, p. 1.  
2. Wadia and Merchant: Our Economic Problem, p. 52. and

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1. Chattopadhyaya, Kamaladevi: The Awakening of Indian Women, p. 2.

and to analyse the present position with special reference to working conditions and their wages.

### 10.2 Economic Order of the Self-sufficient Village and the

Joint Family: In pre-British times social and economic life of India was mostly governed by three main institutions - the self-sufficient village, the casté system, and the joint family. Upto the advent of British rule a village in India had remained mostly a self-sufficient unit as there was an elaborate division of occupations between the agriculturists or farmers and the artisans and craftsmen. Men and women lived simple life in agricultural groups and worked and shared together their labours and their fruits. The whole village population was divided into two groups - the agriculturists and artisans - who depended on one another for the production. A village had a carpenter, a blacksmith, a potter, a barber, a cobbler, a washerman and a priest. There was a class of scavengers too who did the menial work. All these artisans and craftsmen supplied the needs of the village people and in return they received for their labour, of course, not in cash but usually in kind yearly or half-yearly. Kamala Chatterji has rightly remarked that "by a system of unwritten contracts to buy and sell

2. Das, Rajani Kanta: Factory Labour in India, p. 1.

3. Wadia and Merchant: Our Economic Problem, p. 32.

4. Bekru Chyambharsi: Our Cause, p. 134.

sell among one another the village economy never showed the prosperity of mass production, ... but at the same time it did not leave the workers at the mercy of far away markets and unknown capitalists." <sup>4</sup> The relation between these two groups were very harmonious.

Hindu society is highly stratified by social divisions on account of rigid caste system. To a very large extent, the different castes performed functions and did services which were allotted to them by tradition and usage centuries ago. The prevalence of this type of social organization is dominated by custom, tradition and superstition and it is difficult to instill a scientific spirit which is essential for ensuring economic progress.

Most of the villagers followed the joint family system. Usually the women prepared daily requirements of the family and also helped their menfolk in their chief occupation. Besides their domestic duties of housekeeping, spinning, weaving, husking, grinding, making preserves and condiments preparing molasses and unrefined sugar, making ghee and looking after the animals were the main occupation in which the women of the agricultural family were generally engaged. Women of the lower classes mainly worked as labourers in crafts and industries and in farms. Ordinarily the question of unemployment

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4. Nehru Shyamkumari: Our Cause, p. 134.



ment and earning wages did not arise in the joint family system. Each member worked according to one's capacity and each one was sure to receive the minimum subsistence from the joint income. Thus, the association of joint family provided work and maintenance for each and every member of the family, the old and the weak, widows and orphans. The economics of joint family in pre-British days was based on co-operative production and co-operative consumption.<sup>5</sup> In spite of political upheavels, economic structure of most of the population had remained unchanged since earliest times. Marx has very aptly remarked that "the structure of economic elements of the society remains unaffected by the storms in the political weather."<sup>6</sup> No doubt, there arose a group of people - private property owners, landlords and small kings who destroyed the simplicity of life. This group of people collected wealth by exploiting the toiling masses. Labour was no more honoured by this class of people. This rise of aristocracy similar to Feudalism in Europe had an effect on the working capacity of their women. Although small in number these upper class women surrounded by servants, gradually lost their capacity to work and became totally dependent. On the other hand, millions of women simply continued to toil in

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5. Wadia and Merchant: op. cit., p. 36.

6. Capital, Vol.I, p. 379.

in order to earn their livelihood. They with their families had to face a new situation owing to industrialisation and the destruction of cottage industries.

10. 3 Social Disability of Women and its Effects on their Economic Dependence: The second problem is that of the women belonging to the middle classes whose position is vitally different from that of the working class women who because of their being wage earners are comparatively free from male thraldon through have somewhat inferior position to that of men on account of social traditions. On account of a constant struggle in the middle classes to imitate their more fortunate richer brethren and the consequent false ideas of social prestige and the stronghold of tradition.<sup>7</sup> The women in this strata of society are not allowed to undertake any work that might bring them income. Such conservative economic dependence of women was tolerable in times of national prosperity when the earnings of the male members was sufficient to meet the needs of the family. But with changing conditions bringing in its train impoverishment, unemployment, lower salaries and higher cost of living the condition of these women became pitiable because they had to run the home in funds much smaller than an average working class family. In  
such

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7. For detail see Chapter VI.

such helpless conditions the women could do nothing but to suffer calmly the reverses of fortune with a 'characteristic fatalistic attitude of the Indians'. So strong was the hold of the custom that the somewhat enlightened attitude to the economic independence of women of the present time seemed unthinkable of only forty years ago. Another factor which was partly responsible for the inability of middle class women to work outside their homes was the great fear of moral deterioration due to unhealthy condition of work and partly to the fact that many of the women were 'unattached' and cases of loose living encouraged by the fiduciary classes were well known. Dr. Vera Anstey remarks, "the miserable conditions of the young Hindu widows may drive them to seek industrial employment and hence almost necessarily (under present condition) to enter into illicit sexual relationship."<sup>8</sup>

It was not found safe for women to live in isolation for the sake of their work.

status of women: The economic life of the people of India which was one of self contained small units was disrupted by the coming in of industrial era, the position of the woman worker also changed fundamentally. The Industrial Revolution brought about direct changes in economic and social life in Europe and it emancipated women. India as well as abroad. Changes in political, social and educational

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9. For details see Chapter III.

8. The Economic Development of India, (1936 edition), p. 122.



educational circumstances of the country on account of the impact of the two World Wars and the awakening of social consciousness among the people as a consequence of greater contact with the Western world; the increasing industrialization and the urbanization of the country; growth of the organised women's institutions and movements; the introduction of constitutional changes and reforms from 1919 onwards leading to a wider spread in education and culminating in the charter of rights granted by the New Constitution of 1950; competitive success of Indian reformers in decreasing the social disabilities of women by awakening of public interests and by legislation; and many more reasons contributed to bring about radical changes in attitude towards the problem of the economic and social status of women in general and middle class women in particular.

#### 10.4 Factors that contributed to the change in the economic

status of women: The economic life of the people of India which was one of self contained small units was disrupted by the coming in of industrial era, the position of the women worker also changed fundamentally.

The Industrial Revolution brought many direct changes in economic and social life in Europe and it emancipated women.

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9. For details see Chapter III.

10. Wadia and Merchants, op. cit., p. 27.

11. Our Cause, Introduction, p. xi.

It had indirect influence on other countries too, "as in the 18th century colonies were looked upon as plantations." The raw products were imported by England from the colonies and other countries. <sup>10</sup> Upto 1813 India was chiefly exporting her goods but within a decade she suddenly started importing goods mainly from England and Ireland. <sup>12</sup> The chief effect of subsequent British policy was harmful to Indian cottage industries as ready made imported goods consisted of petty articles of domestic use and they threw village craftsmen on the land as labourers. Thousands of women as well, were forced to earn their livelihood as agricultural labourers. Except in a few irrigation zones, most of the agriculturists have to depend on rain. Naturally failure of crops either due to drought or flood forced <sup>these</sup> labourers to migrate in order to find work in mines, mills and factories. In short, the destruction of cottage industries either due to the policy of the government or on account of gradual migration towards cities disrupted the old economic structure and led to a disorganisation of the social order. As a result, the Indian women had to face new social and economic <sup>11</sup> problems. <sup>13</sup> The 19th century tea plantations were also growing

As mentioned earlier scientific inventions at the beginning of the 19th century brought rapid changes in the industrial

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10. Wadia and Merchant: op. cit., p. 288.  
11. Our Cause, Introduction, p. xi.

rial development of Western Europe. India could not hold her former position owing to British policy and could not replace the scientific productive apparatus in place of old ones. "In short, the economic history of India from 1770 to 1870 is the history of the dislocation of India's balanced economy, the ruralisation of her population, the progressive decay of her handicrafts and village industries."<sup>12</sup>

Industrialization started growing gradually in India after 1850. Cotton mills, jute mills and coal mining industry were established for the first time in India between the period 1850-55. The first cotton mill was established in Bombay in 1851, and it started working in 1854. The progress was not rapid in the beginning and upto 1861 a dozen mills existed in the country which grew in number to 42 in 1878. Another industry that developed was ginning and pressing of cotton. Modern methods were introduced in mining of coal which expanded the industry considerably. In short, upto 1880 there were three important industries textile, jute and mining, in India; although minor attempts were made in establishing glass factory, iron industry and leather manufacturing.<sup>13</sup> Towards the end of the 19th century tea plantations were also growing rapidly. This brief account of the growth of industries in  
India

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12. Wadia and Merchant: op. cit., p. 293.

13. Gadgil: The Industrial Evolution of India, p. 60-61.



India upto 1878 indicates that industrialization was not rapid while the decay of cottage industries was so rapid that it was unable to absorb the jobless people in proportion. However, attraction of city life and more facilities were enough causes to attract a villager to a city or an industrial town. There has been a definite trend towards urbanisation<sup>14</sup> as can be seen from the following figures:

Year	Population.	
	Rural	Urban
1921	88.7	11.3
1931	87.9	12.1
1941	86.1	13.9

The rural family life of men was disturbed where men only migrated to industrial area. Industrialization brought fundamental changes in the life of working women. The ancient system of family life was breaking up as thousands of women were forced to earn their livings as field labourers or factory workers.<sup>15</sup> Many of them had to wander from place to place in search of work. Unlike western factory labour many men who left their families in villages always wanted to return back and they hardly thought of settling down in the town.

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14. India and Pakistan Yearbook, 1951, p. 19.

15. Chatterji, Kamala: op. cit., p. 136.

In spite of many disadvantages a factory labourer did gain a few advantages from city life. His outlook widened and if he were able to maintain his connection with village life he might carry new ideas and knowledge of the wider world and education to villagers.<sup>16</sup> This further helped them to break the harmful customs which have influenced the life of men and women in India. Factory labourers, working side by side with people of different castes even sometimes with untouchables get away from the idea of pollution by their touch. Many times they even did not observe the rules of contamination regarding preparation of their food. G. R. Broughton mentions in his book "Labour in Indian Industries" that such a person when he returns to the village, acts like yeast in a bread for the spread of new ideas."<sup>17</sup>

Urbanisation and industrialization had direct effect on the breaking up of the joint family system. The effect created by industrial revolution in Europe was entirely different in changing the position of women. Although she came in contact with the wider world and might partially gain courage to work outside the home, the same advantages of social progress as the women in Europe were not gained by Indian women labour.

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16. Wadia and Merchant: op. cit., p. 342.

17. Broughton: Labour in Indian Industries, p. 36.

As a result of the impact of the two world wars especially the Second World War there was a tremendous rise in prices which bore no proportion to the insignificant increase in salaries and the middle class families found it impossible even to meet their most simple primary needs of food clothings from the earnings of the male members only, and therefore the men were compelled to follow their womenfolk to take up some work to supplement the family income. At first, the women themselves found it difficult to adjust to the changed circumstances and had to remain content with any odd jobs. However, they soon rose to the occasion and began to take advantage of the few facilities provided and worked in large numbers in the rationing and other government departments. They also got training in professions like teaching, nursing, midwifery. Moreover, the intellectual equality of women and their physical ability to do certain jobs as efficiently as men was recognised throughout the civilised world when women undertook the same jobs as men during the Wars and performed them well. And, therefore, women began to get work in certain spheres which till then were the entire preserve of men. The favourable effect of these two aspects arising out of the war was that women began to qualify for professions like teaching and medicine and they entered into boards, offices or the welfare and governmental services.

18. For details, Vide, Ch. III.

19. This particular point is discussed fully in Section The



The old belief that the rightful place of women was domestic work and their profession was mainly maternity was slowly disappearing and educational facilities at higher level began to be provided for women. An extension of education on a wide scale brought in enlightenment and women themselves began to become conscious of their own rights and therefore, put forward a demand for better service conditions and equal jobs as well as equality of educational opportunities.

Several social workers and reformers, both men and women, contributed a great deal for the economic and social uplift of women. Mention must be made, of the work of Mahatma Gandhi which was of great significance. He made ceaseless and fearless agitation against the orthodox customs of the time like enforced widowhood, purdah, early marriage, the economic bondage and marital slavery of Indian women.<sup>18</sup> All these efforts of social workers succeeded in awakening the public conscience to the wrongs done to the female sex and led to better life for women.

Many more factors directly or indirectly helped to improve the economic condition of women. These include the self-confidence acquired by women during the political struggle for independence,<sup>19</sup> impetus given to women by the leadership

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18. For details, Vide, Ch. III.

19. This particular point is discussed fully in Section 3.4.

leadership of organised efforts of associations like the All India Women's Conference, Arya Samaj, Seva Sadan and others, the influence of women's movements in England and the United States and their consequent repercussions on India and finally the attainment of Independence. Women, especially those belonging to the middle classes, began to take up different professions as a result of the forces and factors analysed in this section. The working class women belonging to the lower classes were always wage earning and they continued to work, though the type of work and the environment was changing on account of industrialisation and the deterioration of cottage industries. The discussion of the problems connected with their working conditions, their wages provision of amenities, maternity benefits and others is attempted in Section 10.6. It is necessary to study the position of women in various professions in order to evaluate the progress achieved and to judge the scope of future economic development.

#### 10.5 A Survey of the Position of Women in various Occupations

As stated before, factory expansion in India is of recent origin dating back to the last quarter of the 19th century. In the beginning the growth of industries was not rapid and a few thousands of labourers were absorbed by those factories.

Before discussing women's labour in organised industry it is worthwhile here to state how women were debarred from doing certain jobs by convention and how certain occupations only were considered to be a woman's job. Even today the women of the artisan class in villages usually help their husbands in following their pursuits of simple forms of labour e.g. a potter's wife brings the earth and collects the fuel. A barber's wife cuts the nails and works as a hairdresser, a fisherman's wife sells the fish and oil presser's wife sells the oil and sometimes helps in extracting the oil. Normally, they help their husbands but sometimes utter poverty and necessity force them to work as field labourers. Occasionally some of them are found in entirely different employment e.g. a barber's wife in rural areas also acts as a midwife.

In agricultural work ploughing is done by men without many exception while women do sowing and weeding. Spinning, rice husking and grinding are mostly done by women. Still it remains true today that in no organised industry do women outnumber the men as it will be shown statistically later on.

The following table shows certain occupations where women outnumber men or were found in a larger number in 1911. This also applied to the position in 1931 with very small changes:

Occupation
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20. Census Report of India, 1911, Vol.I, p. 411.



Occupation	No. of female workers in thousands. 1911	No. of females per thousand male workers. 1911
1. Farm servants and field labourers.	12,721	967
2. Plantations.	350	894
3. Raising of small animals (birds, silkworms etc.)	15	1,364
4. Rope, Twine and string makers.	167	2,023
5. Works in other fibres.	43	1,497
6. Basket makers etc.	384	1,043
7. Rice huskers and flour grinders.	963	7,531
8. Grain Parchers.	240	1,883
9. Makers of sugar molasses and gur	24	969
10. Tattooers etc.	9	2,086
11. Fish dealers.	260	1,207
12. Sellers of milk butter ghee, poultry etc.	159	916
13. Betal leaf, vegetables and fruit sellers.	414	971
14. Dealers in hay grass and fodder	82	1,264
15. Dealers in firewood charcoal etc.	216	1,806
16. Midwives, vaccinators, compounders, nurses etc.	88	2,798

From

From the above table it can be concluded that in majority of the cases women outnumbered men where they followed traditional occupations or special jobs assigned to women. Secondly their work is light and mostly comes under cottage industries. Thirdly, a greater bulk of the women labourers is engaged in agriculture. This leads one to believe that majority of the women labourers are working locally while staying in the family. Social customs conventions and caste restriction usually prohibit women from entering into all occupations and sometimes prevent women assisting their menfolk. The following table giving the number of women as well as men workers in 1911<sup>21</sup> and 1921<sup>22</sup> in the major occupations clearly shows that women were in a very small numbers occupied in transport work, public force, law etc:

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21. Census of India, Vol.I, Part II.  
22. Census of India, Vol.I, Part II.

A few outstanding facts emerge from the above statistics:

Occupations	Total workers & dependents	Actual Workers		Total workers and dependents	Actual Workers	
		Males	Females	"	Males	Females
Total Population	313,470,014	101,525,421	47,359,582	316,055,231	100,609,843	45,803,719
1. Exploitation of animals and vegetation	226,550,483	72,122,268	34,078,164	230,652,350	72,099,953	33,588,420
i. Pasture & Agriculture	224,695,900	71,462,868	33,872,511	229,045,019	71,526,809	33,416,903
2. Exploitation of minerals	529,609	210,555	97,894	542,053	234,657	112,692
i. Mines	375,927	153,785	74,139	398,968	179,783	85,489
ii. Coal Mines & Petroleum wells.	277,426	115,210	62,433	304,764	142,557	74,820
3. Industry	35,323,041	11,503,467	6,011,763	33,167,018	10,685,372	5,040,001
i. Textiles	8,306,501	2,685,256	1,764,193	7,847,829	2,455,296	1,575,378
a. Cotton Spinning, Sizing & weaving	5,966,468	1,921,977	1,215,714	5,408,374	1,654,814	1,084,734
ii. Food Industries	3,711,675	806,194	1,327,851	3,100,361	732,059	921,405
4. Transport	5,028,978	2,156,943	237,939	4,331,054	1,765,592	204,808
5. Trade	17,839,102	5,464,141	2,637,265	18,114,662	5,576,979	2,472,406
6. Public Force	2,398,586	1,059,399	10,025	2,181,597	993,150	46,388
7. Public Administration	2,648,055	927,599	42,922	2,643,882	931,340	74,006
8. Professions & Liberal Arts	5,325,357	1,851,053	402,586	5,020,571	1,739,284	331,042
i. Religion	2,769,489	1,008,678	186,451	2,457,614	892,213	149,246
ii. Medicine	26,900	169,044	101,298	659,583	177,006	78,520
iii. Law	303,408	81,840	621	336,510	96,992	1,075
iv. Instruction	674,393	245,923	25,745	805,228	300,698	35,845
9. Domestic Service	4,599,080	1,733,112	992,744	4,570,151	1,710,157	821,709



A few outstanding facts emerge from the above statistics.

- (1) Out of total population little less than 1/3 of men are actual workers while little less than 1/6 of the whole population are actual female workers.
- (2) On the whole, little more than 1/2 of the population is dependent on the male or female workers. The number of total dependents has increased on the whole. This may be accounted for by the general depression after World War I.
- (3) It seems from the figures that during the decade there is a decrease in actual workers (men as well as women) exploiting animals and vegetation.
- (4) Industry comes next to agriculture which employs a large number of persons especially the textile industry.
- (5) Mining in 1911 was still in its infancy and a little progress has been shown after a decade. Looking to the number of female workers engaged in mining a great majority of them are employed in coal mining.
- (6) The number of persons engaged in professions and liberal arts is about half of that employed in the textile industry.

From the facts and figures in the above table it can be concluded that three occupations - agriculture, industry and mining absorbed women in large proportion.

Women in Agriculture: Besides working on the land as a helper to the family or as a labourer many women were employed on plantations. Principal plantation industries were tea, coffee and rubber. Then came cinchona, 'pan' (betel leaves) and some special crops such as indigo. Tea plantations absorb the largest number of labourers and there is a considerable number of women and children. The nature of work on the plantations was mainly agricultural but the remarkable feature of the plantation labour was that it employed the whole family. Remarking on this point the Royal Commission on Labour in India stated that "In most other industries the scope for the employment of women and children is limited and in consequence the worker usually leaves his family, behind, in his village ... On the plantations nearly all the members of a workers family are wage earners."

The workers on plantations usually continue to live the same life as they were used to in villages and they even pursue more or less same type of work. Moreover, a worker was many times provided with a small plot of land by tea estate company to grow his own crop or vegetables. From the statistics and type of work on plantations it can be concluded that the number of women was the greatest on plantations and they enjoyed almost equal position as they used to have

24. P. S. Sanyal, *Women in India*, p. 7.  
 25. *Ibid.*, p. 7.  
 23. Report of the Royal Commission on Labour in India, p.385.

as farm labourers or doing odd jobs in their villages. The family life was not shattered by any drastic changes. In the past, malpractices were used sometimes in the name of recruitment; and the living conditions and treatment to the labour was not satisfactory, however, much improvement has taken place in later years.

Women in Factories: With the rapid growth of factories in India especially during the present century a large number of women were employed in textile industry; hence factory labour requires special attention. In 1879 India employed nearly 51,000 persons in her 63 cotton mills while in 1918 an increase of 261 cotton mills was found which employed about 290,255 persons daily including 50,029 women and 27,245 children. Following table shows the number of men and women at specified periods.

Year	Actual No. of men.	Actual No. of women.
1900	372,617	68,610
1910	624,945	115,540
1918	897,619	161,343
1920	986,367	184,922

The Madras

24. Das, Rajni Kanta: op. cit., p. 7.  
 25. Ibid, p. 7.  
 26. Annual Report of the Working of Indian Factories Act, 1920, p. 17.



The figures of actual number of men and women workers during 1900 to 1920 show a definite increase but increase in the percentage of women workers is striking which indicates women's tendency to join factories. The steady rise in the number of factory labourers during 1922 to 1927 can be seen from the following figures:

Year	Average No. of persons employed.	Women.
1922	1,361,002	206,887
1927	1,533,382	253,158
1932	1,419,711	225,632

The above table shows an increase of factory labour number of women engaged in factories. The cotton mills in upto 1927. Decrease in the factory workers in 1932 could be attributed to general prevalence of unemployment owing to trade depression during the period. It is also important to study the distribution of female labourers provincially as it involves certain social factors.

Provincial Distribution of Factory Workers in 1918.

Province	No. of Factories	Men	Women	Total
Bengal	558	354,389	52,062	439,961
Bombay	868	227,937	54,297	296,672
Madras				

27. Chatterji Kamala: op. cit., p. 138.  
 28. Statistical Abstract Relating to British India, 1921, p. 235.

Province	No. of Factories	Men	Women	Total
Madras	460	75,546	15,818	99,059
U.P.	188	56,566	5,334	64,196
C.P. & Berar	402	30,817	15,581	48,993
Bihar & Orissa	62	36,107	5,923	43,471
Punjab	176	33,758	4,171	38,829
Other Sections	55	17,260	3,026	20,973

From the above figures it could be seen that the Bombay province employs the largest number of women employees with the highest number of factories. Next came Bengal with 52,062 women engaged in factories. The cotton mills in Bombay province and Jute mills in Bengal were largely responsible for such a large number of women workers and as mentioned before, they were mostly employed in large numbers in winding and reeling departments. The proportion of female workers differed provincially owing to several factors like vicinity of work, freedom to women in outside activities, caste restrictions and social prejudices. For example, in certain higher castes, women were not supposed to work outside their homes. Moreover, seclusion of women especially purdah system among Mahomedans was responsible for the variation in numbers of female labour. Prosperity of the province in 30. These included coal mines in Bengal, Bihar and Orissa, and the Central Provinces and salt mines in the general

general, held back women from entering factory work.

completely stopped by the year 1939. But the ban for all-  
Women in Mines: Another industry next to the textile was the  
 mination of women working underground was taken away in 1943  
 coal industry where women got employment in considerable  
 due to acute labour shortage. Women were allowed to work  
 numbers. Most of these coalfields in India were situated in  
 underground in all the coal mines in West Bengal, Bihar,  
 Bengal, Bihar and Orissa. Labourers generally resided near  
 Madhya Pradesh and Orissa on certain conditions which were  
 the coal fields and in many cases entire families work in  
 for the benefit of women workers. Firstly, women were not  
 coal pits. Usually men cut the coal and women carried it.  
 allowed to work in galleries less than six feet in height.  
 Thus, the striking feature of Indian coal industry until  
 Equal wages had to be paid to women as well as men for similar  
 recently was the employment of women underground. This gave  
 work. Thirdly, women working underground had to be provided  
 a certain facility to male labourers (like plantation labour)  
 with milk. The ban was again re-imposed in 1945 due to the  
 as generally they wanted their womenfolk to work under their  
 agitation in India and criticism abroad. New employment of  
 supervision. The number of women labourers working undergr-  
 women underground is found nowhere in India.

ground changed fundamentally as a result of the policy of the

The following figures show the gradual elimination of  
 government of India on the principle that women should be  
 women working underground:

excluded from dangerous work. Since 1929, the elimination  
 of women workers underground started, as the Act prohibited  
 women working underground. "Power to make such regulations  
 was given in the Act of 1901 and renewed in 1923 but it was  
 not exercised until 1929." <sup>29</sup> This Act exempted certain mines. <sup>30</sup>

An extension of 10 years was granted so that a gradual <sup>3,808</sup>  
 elimination of women working underground can be enforced.

The percentage of women working underground fell during  
 Thus  
 1930-34 as shown below:

29. Royal Commission on Labour, p. 127.

30. These included coal mines in Bengal, Bihar and Orissa,  
 and the Central Provinces and salt mines in the Punjab.

31. India and Pakistan Year Book, 1951.

32. Chatterji, Kamala; op. cit., p. 140.



Thus, employment of women labour underground had to be completely stopped by the year 1939. But the ban for elimination of women working underground was taken away in 1943 due to acute labour shortage. Women were allowed to work underground in all the coal mines in West Bengal, Bihar, Madhya Pradesh and Orissa on certain conditions which were for the benefit of women workers. Firstly, women were not allowed to work in galleries less than six feet in height. Equal wages had to be paid to women as well as men for similar work. Thirdly, women working underground had to be provided with milk. The ban was again re-imposed in 1946 due to the agitation in India and criticism abroad. Now employment of women underground is found nowhere in India.

The following figures show the gradual elimination of women working underground:

	M E N		W O M E N	
	1933	1934	1933	1934
Underground	99,556	109,023	12,799	11,193
Open workings	30,866	38,431	10,721	12,173
Surface	40,616	44,756	11,949	13,805

The percentage of women working underground fell during 1930-34 as shown below:

Year

31. India and Pakistan Year Book, 1951. can be seen  
32. Chatterji, Kamala: op. cit., p. 140.

Year	Percentage.
1930	18.39
1931	16.81
1932	14.84
1933	13.14
1934	10.94

Women labourers had to face a serious problem regarding their employment. It is true that underground work was harmful for the health of women especially during pregnancy. Yet the problem needs a serious consideration. The scheme could be only successfully carried out when all these women would be absorbed in some industries allied to coal mining. The earning of the miner was considerably reduced if his wife was not provided with some other kind of work. She ought to be employed in surface work or engaged in some cottage industries managed by the employer of the coal mines. Failing this a person who was unable to maintain his family within a limited income of his own was likely to send his family to his native village. This would induce him to enter into other vices. With no family to support on the spot he might indulge into the habit of drinking and gambling. Disparity in sex ratio is still a notable feature of all the industrial areas. The consequence of being away from the family may lead him to moral degradation. The extent of employment of women in industry between 1929 and 1949 can be seen ~~XXXXX~~ from the following table:

Year	FACTORIES		MINES		PLANTATIONS 32 (Assam only)	
	Total No. Employed.	Women	Total No. Employed.	Women	Total No. Employed.	Women
1929	1,553,169	257,161	269,701	70,656	526,443	209,169
1934	1,487,231	220,860	210,846	37,171	565,427	227,564
1939	1,751,137	243,516	305,244	50,446	545,548	225,634 x
1944	2,522,753	273,244	264,948	89,697	450,035	174,694
1949 <sup>33</sup>	2,433,988	270,924	421,159	85,170		

32. The Indian Labour Year Book 1946.

33. The Indian Labour Year Book 1949-50

x Figure relates to 1945.



It has been estimated that not less than 449,000 or 13 p.c. of the total are women and children out of nearly 3,433,000 persons employed in 1944 in three organised industries - cotton and jute factories, mines and plantations. The above table indicates that there is nearly 50 p.c. rise in total number of persons working in factories during 1929 to 1944 while the employment of women has increased by nearly 16,000 during the same period. Mining shows the increase in number of women employees by nearly 19,000. While plantations shows the increase of about 16,000 during a decade. Although there is a steady increase in number of women employed in various industries after 1944. The decrease in number of women in 1944 is due to partition. This increasing employment of women in industry has created many problems which are briefly discussed in the next section.

#### 10.6 Some Important Problems connected with Women in Industry:

Some of the inconveniences suffered by factory labour are common to men as well as women but there are some which concern women only. Factory labour is chiefly secured by middlemen i.e. jobbers, sirdars and Mukadams. All the workers are dependent on them for the security of their jobs and consequently there are frequent cases of bribery. In some factories

women

women are employed as Mukadamin (overseer) but they are sometimes as oppressive as men overseers. Women workers have to suffer more under the control of such management as many of the women overseers are notorious for their character and lead women labourers in their trap.<sup>34</sup> This type of situation can be terminated where a worker is appointed by the direct management of the factories. This and other hardships suffered by women workers can be solved by the appointment of educated trained women inspectors in each province where women employment in factories is in appreciable number. The suggestion of the Royal Commission in this respect is of vital importance and should be carried out immediately in each province.<sup>35</sup> Moreover, the strain felt by the women in factories is great due to unhygienic conditions in the factory rooms. Many big factories have dispensaries but very few women workers have the benefit of being treated by a woman doctor. Several factories now provide creches for workers children but where such facilities were not given women usually prohibited women from doing nightwork. Some people took

34. Mukhtar: Factory Labour in India, p. 143.

35. Report of the Royal Commission on Labour, p. 71. Importance of the some of the problems of these factory women can be seen from the resolutions passed by A.I.W.C. at its several meetings. (See Appendix B.)

36. This also suggests the stronghold of customs in that province.

37. Canton (ed.), The Key to Progress, p. 143.

38. The Indian Year Book, 1951, p. 115. This Act was amended in 1934 as the result of the acceptance of most of the recommendations of the Royal Commission on Labour. Finally the weekly hours of work have been fixed at 48 and daily at 9 by the Factory Act of 1948.

took their children in workrooms especially in jute mills of Bengal where creches were not approved due to the caste prejudice.<sup>36</sup> Under such conditions women suffer from ill-health and children are exposed to noise, unhealthy atmosphere and sometimes serious or minor accidents.

Another important problem is that of the number of hours of work for women in factories. Working hours have been very long since the beginning of the establishment of factories, and they continued to be long in many factories unofficially even today. In 1921-22 Dr. Curjel in his investigation of conditions of women's work in Bengal found cases of women working for 12 hours a day.<sup>37</sup> The working hours of men as well as women were the same in the beginning but a law was passed in 1891 officially fixing the hours of work for women at 11 which however was never followed in practice. There was no change in the legal working hours upto 1922, but the Act of 1922 limited working hours to 60 per week with a maximum of 11 hours a day for both the sexes and prohibited women from doing nightwork.<sup>38</sup> Some people are of the opinion that women should be allowed to work less number of hours as they have to perform the double duty of

by small factories. According to the Report of the Commission on Labour the average daily earnings of a woman in

36. This also suggests the stronghold of customs in that province.

37. Canton (ed.): The Key to Progress, p. 162.

38. The Indian Year Book, 1951, p. 115. This Act was amended in 1934 as the result of the acceptance of most of the recommendations of the Royal Commission on Labour. Finally the weekly hours of work have been fixed at 48 and daily at 9 by the Factory Act of 1948.



earning and housekeeping. But their remains the danger of their unemployment if they are not allowed to work equal number of hours with that of men. <sup>39</sup> Majority of women labourers work in the factory out of sheer necessity and they cannot afford to lose their jobs. Moreover, hindrances put by the provision making distinction between the work of men and women minimises the chances of employment of women in factories. Consequently, a woman is at a disadvantage when she tries to compete for a job with a man, unless there is legal provision that a certain percentage of women should be employed in big factories.

The housing conditions of industrial workers is far from satisfactory on grounds of sanitation and hygiene and which affects women more than men because the former have to spend more time at home.

The wages of workers vary in various industries and in different places. Moreover, wide variation in the rates of payment in different parts of the country makes any generalisation difficult. Often the wages paid in India have been insufficient and do not enable one to have a decent living. Many times child labour and female labour is being exploited by small factories. According to the Report of Royal Commission on Labour the average daily earnings of a man in

1926

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39. Das, Rajni Kanta: Year Book, 1950-51, p. 222.

1926 were Rs. 1-8-0 in Bombay, Rs. 1-6-0 in Ahmedabad and Rs. 1-0-5 in Sholapur. Women were paid Rs. 0-11-11, Rs.0-12-6 and Rs. 0-6-8 respectively. The table below gives the average daily earnings of an adult working on tea plantations in three important centres in 1950-51. It is seen that the average earning of a male worker was almost 15 to 20% more than that of a female worker.

Average Daily Earnings.

Centre	Men			Women		
	Rs.	A.	P.	Rs.	A.	P.
Assam Valley	0	14	0	0	12	0
Darjeeling	0	15	0	0	14	0
Nilgiris	1	4	3	0	14	9

In mining industry an unskilled woman's daily earnings varied from 7as. to 9as. while a man earned between 8 as. and 10 as. in 1950-51.

Women labour in agriculture especially in fields are sometimes paid in grain and their earning fluctuate according to the prices of grain. Wages of women and men on plantations also varied. In every industry women receive less wages, for similar type of work and for the same hours of work. She gets even less

40. The Indian Labour Year Book, 1950-51, p. 222.  
41. Ibid.

less than an unskilled labourer. This state of things can be attributed to two main factors. It is argued that women being the weaker sex work less vigourously than men and they work in order to supplement the family income. Moreover, women get maternity benefits. There is some truth in the statement that many women work to add to the family income but there are women who work as principal wage earners to support themselves as well as their children or sometimes other old dependents. It can be concluded that in industries the principle of equal pay for equal work has not been accepted. The wages of women based on their productive ability and the principle of equal pay for equal work is accepted in many progressive countries. The Minimum Wages Act of 1948 attempts to improve ~~the~~ condition of wage earners by providing for the fixing of minimum wages in certain scheduled employments including agriculture. Women are paid equal salaries to that of men in many fields in India but it is not universally applied.

Another difficulty related to working women is the problem of motherhood and child-rearing. As mentioned before creches and dispensaries are provided by the big factories throughout India. A large number of women employed in industries drew considerable attention of the authority to the need for provision of maternity benefits. Some big industrial concern

voluntarily



voluntarily introduced the scheme of maternity benefits but as late as 1929 except Bombay and C.P. it was not enforced legally. The Bombay Maternity Act was passed in 1929 which was considerably amended in 1935. Later on similar Acts were passed in all the major provinces. This Act was only applicable to women working in factories. The Bengal Maternity Benefits (Tea Estates) Act, 1948 was passed by the West Bengal legislatures in 1948 for the women employed in tea plantations. In 1941 the Central Legislature passed the Mines Maternity Benefit Act which was further amended in 1943. The main principle underlying all the Maternity Benefit Acts was the same. It was based on the principle of guarding women from financial difficulties during the period of her confinement. It is needless to discuss here the period of rest and payment of Maternity Benefits as it differs from place to place and from industry to industry, yet whatever advantages are received by such an Act it will definitely improve the health of women and children.

At present trade unions are established in most of the main industries. Though women have been taking part in social activities since as early as 1889, very few women are members of such trade unions. Although women are admitted as well as men in these Unions their number is not considerable

except

42. Indian Year Book, 1951, p. 119.

x. Anstey, V.: op. cit., p. 321 (1936 edition).

43. See table given on p. 514

except in certain districts. This natural shyness and their inability to attend meetings owing to the rules of purdah is, however, noted and must surely prove a drawback. There are instances, quoted in the Bombay Report on Co-operative Societies, 1922-23, showing that a number of women from the Bhil community in Bombay have been on Managing Committees. Moreover, the double duties of the household and factory work are responsible for the inability of these women to take any part in cooperative activities. Quite often their backwardness and ignorance as well as the traditional custom of not taking part in any activities with men holds them back from attending any trade union meetings. There are a few social welfare centres for women workers which are providing useful work and recreational facilities conducted by private enterprise as well as by Government and many women take advantage of these special classes and centres.

10.7 Women in Professions and Liberal Arts: From the statistical data given earlier <sup>43</sup> it can be seen that a very small proportion of women were engaged in various professions upto 1931. However, this number has considerably increased since then. Women were generally prohibited till quite recently from entering into certain professions as they were not highly esteemed by society and even needy women from the upper

44. e.g. see Report of the All India Women's Conference, classes 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.

43. See table given on p. 516

classes and middle classes were not supposed to work outside & their homes. In olden times cottage industries and self-sufficiency of a village provided work to such needy women in their homes. But under the present economic development this system had nearly disappeared. *outside their homes.*

From the various census reports in the present century one can find that women are engaged mainly as teachers, nurses midwives, health visitors, doctors, inspectresses, welfare workers and clerks. During the last decade a large number of women are employed as stenographers, office secretaries and telephone operators. As late as 1947 women were not allowed to enter into certain services like the Indian Civil Service. The All India Women's Conference was not silent to this point and several times resolutions were passed to attract the attention of the government as well as the public. <sup>44</sup> A resolution passed in 1941 to this effect by All India Conference runs as follows: "This conference recognises the right of women to economic independence and considers that all services and professions be opened to them. It is regrettable that women are still excluded from various recognised services <sup>45</sup> and professions and are debarred from training facilities." This disability was removed under the New Constitution of <sup>47</sup> India

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44. e.g. see Report of the All India Women's Conference, 1939, p. 129. *League of Nations Report Health Organisation*  
 45. All India Women's Conference 1941-42, p. 88.



India; but "women in India have to fight more against unjust customs than unjust laws." <sup>46</sup> as social customs did not allow them to take the profession of their choice. First of all it is below the dignity of the people of the higher castes to allow their women to work outside their homes. Secondly, caste system and superiority of the upper classes did not allow their womenfolk to take a profession or job which was socially considered to be of a lower type e.g. film industry. During the last two decades a few cultured people have entered the film industry and the previous attitude to it has slightly changed. There are many dangers in the film industry but this is one of the few professions open to women where they are highly paid. A woman who has courage to join the profession and ability for good acting, without being affected by the atmosphere of the film industry can easily preserve the peace, tranquility and sanctity of her home life. Another profession not socially much approved of is that of nursing. In spite of the fact that so many women are striving to be economically independent, very few choose nursing as a career. Women of the upper class have not been encouraged to take up nursing owing to class prejudice. In

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46. Gedge and Choksi: Women in Modern India, p. 10.

47. According to League of Nations Report Health Organisation in British India,

the lower classes some orphan~~d~~ girls who have to depend on themselves join this profession. Others who take a course in nursing are widows and persons who have not other means of livelihood. They take to nursing not because they have a special aptitude for it, but because they have little alternative. So most of the women who take the course are without much social or educational background. Their work is hard and sometimes irksome if the sister or the doctor in charge is fault-finding. Sometimes ~~too~~ temptations come in their way and they become an easy prey of the higher officials. Thus in India nursing as a profession has not a very good reputation, and self-respecting parents do not like to send their daughters or relatives into the profession. The quarters provided for them are often uncomfortable, badly planned and over-crowded. The arrangements for board are not satisfactory and some of them have to cook for themselves after duty, whereas a good, nourishing balanced diet is necessary for them. The allowance offered to them during training is very small and does not attract a large number of young women. To remedy these defects several resolutions have been passed  
48  
by the A.I.W.C.

In short, in order to make the profession really honourable certain factors which affect the nurse's position at  
present

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48. See Appendix B.

present need to be removed. By making necessary changes in working hours, holidays, stipend, diet, residential quarters and most important of all by developing the public opinion in the favour of the profession a sufficient number of nurses could be secured for the country which is in great need of trained nurses.

From the number of women doctors at present it is obvious that India requires still more doctors, not only to provide medical help for women in the country but to carry on social service through which so much good can be done to the general health of the people in India. The number of women students studying in medical colleges and schools is steadily increasing but is a very minor fraction compared to the very large need as the majority of the Indian women still would like to go to a woman doctor. The prospects therefore, for female doctors in India is very bright in the field of private practice or in Government service and the profession helps them to gain a good social as well as economic status. Fortunately the facilities for medical studies were open from early days to women and Indian women were saved the long struggle that women in West had to undergo before they could get medical education. The social status of a lady doctor is definitely higher than that of a teacher and through her work she can gain a good reputation within examination of Bachelor of Civil Law at which she was admitted in 1892 and was appointed legal adviser to Pardanashi women in 1904.



a short period. Unhappily, after the census of 1931 all India  
 Teaching is another profession which is joined by many  
 women at present and it is socially upheld. It is needless  
 to discuss here the number of teachers at various stages  
 of education as it is already stated in the chapter on

Education. According to the figures given in Educational  
 Reports it can be concluded that more and more women are  
 entering the teaching profession yet compared to men their  
 number is very small and there is still a scope for a  
 larger number of women teachers to be absorbed in the pro-  
 fession in order to remove mass illiteracy of India.

and Arts Colleges	6,793	17,086	20,304
Law	25	58	59
Medicine	492	1,473	1,722
Education	345	841	1,024
Commerce	10	60	77
Agriculture	1	2	3
Engineering and Special Schools	107	153	181
Medical	909	403	434
Normal and training	7,289	8,557	11,128

In the legal profession disabilities of women practi-  
 tioners were removed in 1923 by an Act. However, even today  
 their number in the profession is found to be very small and  
 form a small fraction of the total number of women in  
 professions.

The cost of living has considerably increased during the  
 last 30 years especially after the second World War. This  
 indirectly forced middle class families especially in big  
 cities, where daily living has become very expensive to allow  
 their womenfolk to earn in order to supplement the family  
 income.

49. For details see Ch. VII Women and Education. Technical  
 50. Miss Cornelia Sorabji, the first Indian woman passed the  
 examination of Bachelor of Civil Law at Oxford as early  
 51. as 1892 and was appointed legal advisor to Pardanashin  
 women in 1904.

income. Unfortunately, after the census of 1931 all India statistics regarding women's economic status have not been published which makes it difficult to prove statistically.

Yet empirically one can say that in big cities more and more women are coming out of their homes and work as clerks and typists in different sections of Government departments as well as in private firms. But a fair idea can be had from

the following statistics giving the number of students in different training and professional institutions.

	1937-38	1944-45	1946-47
Total enrolment in different training and professional institutions.			51
All Institutions		34,813	4,113
Universities and Arts Colleges	6,793	17,086	20,304
Law	25	58	59
Medicine	492	1,473	1,729
Education	345	841	1,024
Commerce	10	60	77
Agriculture	1	2	3
Engineering and Technology	-	-	6
Special Schools.			
Arts	107	155	151
Medical	909	403	434
Normal and training	7,289	8,857	11,125

Technical

	1937-38	1944-45	1946-47
Technical and Industrial	7,089	9,280	11,004
Commerce	366	753	933
Agriculture	53	32	47

	1950	1950	1950
	Total	Students in schools	Students in colleges
Total enrolment in			

All Institutions 38,926 34,813 4,113

Vocational & Technical (1950) 52  
 (2) Women in professions and liberal arts.  
 " (1946-47) 58,993 56,090 2,903  
 (3) Women as housewives.

The statistics show a steady increase in enrolment during the period. The rise is significant between the years 1937 and 1944 and can be attributed to greater enlightenment, impact of war and consequent rising prices, and a large demand for trained women. It is indeed gratifying that the pace of progress has been maintained till the present year though even today the number of women engaged in professions is far from satisfactory and is much less than such number in the progressive countries of the world.

Women at present are working in various fields and they

53. Indian Year Book, 1951, p. 566.

hold

52. Progress of Education in India, 1937-47, Vol.II.



hold responsible posts in politics. There are women doctors, lawyers, engineers, architects, artists, journalists business executives and writers. <sup>53</sup> It is interesting to study the change in attitude of the family and society to women and their work.

10.8 Economic Independence of Indian Women and the Attitude of Society and family members towards them:

The whole bulk of Indian womanhood working inside their homes or outside to support their families can be divided into three groups:

- (1) Women working in fields and factories.
- (2) Women in professions and liberal arts.
- (3) Women as housewives.

The first group comprises of women of which the majority are illiterate for whom and for whose children very little educational facilities are provided. No doubt, one should not forget that in spite of this, they possess a cultural heritage which many a times stimulates their lives. These women are forced to work as labourers out of sheer necessity. They do not earn to gain economic independence or to preserve their rights. They are overburdened with the double duty of housekeeping and earning. Though with the provision of

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a few modern amenities their work is slightly eased especially in urban areas. Their plight sometimes becomes more miserable in spite of certain freedom enjoyed by them. They do not gain special position by their earnings nor are they criticised by the society as they are forced to work.

(2) Women in Profession: Much can be said about this group of women as social prejudice still persists against women working outside their homes.<sup>54</sup> Most of the women who are nurses, teachers, midwives or clerks are forced by circumstances to earn in order either to maintain themselves or to supplement the family income. No doubt they are educated and most of them come from the middle class society they cannot escape from the public criticism if their jobs are not socially approved. It has been found in the investigation by Mrs. Hate that a very small fraction of this group is entering any profession for utilising their time or to serve the country and they do not like to sit idle and even a smaller fraction than that joins the profession with a view to make themselves economically independent.<sup>55</sup> This leads one to conclude that majority of women from middle class come out of their homes in order to supplement the family income.

There has prevailed a prejudice against women's ability to

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54. India and Pakistan Year Book, 1951, p. 566.

55. Hate, C.: Hindu Woman and Her Future, p. 69.

to work and hold responsible posts. Mrs. Hate in her inquiry found from a woman on high administrative post that "men hesitate to appoint women to higher posts as they are afraid of the work being not properly and efficiently carried out."<sup>56</sup>

In spite of such prejudices a few women have shown their capacity by successfully holding important posts in various fields. Their work has been appreciated by all groups of people and they are respected in family as well as in society.

Women from the middle class who work outside are not exempted from household duties as they are always helped by a servant or a relative who is at home.<sup>57</sup>

In some cases they have gained a better status in the family as an earning member while a few of them are still hindered by their conservative relatives. Yet empirically it can be safely concluded that the present economical need especially in big cities and towns has helped women to take up various types of jobs

without having to suffer from the prejudices of family members or society. Public opinion is today reconciled with the idea of married women seeking employment to maintain the family.<sup>58</sup>

Career women, especially those who are professors, doctors of all the women women of the middle class suffer more than the lower class women. The latter can earn money ... the

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56. Hate, C.: op. cit., p. 71.

57. Ibid, p. 73.

58. UNESCO: Women and Education, p. 93.



or holding high official posts are naturally respected by society and even the family members consider it a matter of pride. No criticism is made or stigma is attached to them and many times the work of a lady doctor is highly appreciated even among rural people. There still remains prejudice against certain professions yet as far as economic status of women in this group is concerned they hold a better position than their other sisters who are housewives. This naturally helps to improve their social status too as women who earn or possess the potentiality to earn are no longer dependent on their relatives but are many times able to support them. Consequently, they enjoyed respectable position.

Women drawing high salaries enjoy almost equal status with that of men but looking to the great bulk of Indian population the number of such women is insignificant yet they stand as guiding stars to other women who strive for economic independence.

(3) Women as housewives: Very little consideration has been given upto now to a woman's work in the house and in no country its economic value has been recognised till now. Out of all the women "women of the middle class suffer more than the lower class women. The latter can earn money .... the former have neither robust health nor capacity to earn and hence

hence they have to depend on man and be at their mercy."

A woman either working in the school, hospital or factory get the advantages of certain regulations related to her work. She gets holidays, she receives benefits of health insurance and maternity. Her hours of work are fixed while 'a housewife's work is never finished.' No doubt the life of a middle class woman in urban area is less hard than that of her sister in a village and generally she has to work less. But economically the condition of the lower middle class woman is far from satisfactory. After toiling hard for the whole day she finds it difficult to make both ends meet. Many people think that Indian women are parasites but barring a small fraction of women from the high class families all of them toil from morn till evening either in factories or in their homes. A housewife renders useful service in the home as she does all the odd jobs by which a family is economically benefitted. She grinds the corn, preserves the food, prepares pickles and condiments, mends the clothes, looks after the children and old people, nurses them in their sickness and does many more jobs. A move has been started since 1941 by the All India Women's Conference which framed a women's charter. In the session of 1941 a resolution has been passed that a woman should be entitled to a certain share in her husband's

husband's property legally.<sup>60</sup> Not only this, but All India Women's Conference has demanded in their Indian Women's charter of Rights and Duties that "the woman who works in the home shall have a right to a part of husband's income to be used by her as she likes."<sup>61</sup> Some may fear that this type of allocation will reduce her position to that of a mercenary and the tender relation between husband and wife will cease to exist or at least will be affected. As stated in Chapter IX a Hindu woman possesses a few rights over her husband's property under certain conditions and a daughter is not entitled to inherit her father's property. Under these circumstances a very small number of women in India are property holders or economically independent. If these housewives are given a social sanction to use a certain income of her husband's property by mutual understanding or if given some money allowance legally by the government then and then only their plight can be improved. Moreover, the sacred relationship or tender tie between the husband and the wife will not be disturbed. It is high time now to recognise the right of housewives in family income to compensate for her work in the home.

Conclusion

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60. Cousins: Indian Womanhood Today. p. 129.

61. Draft of Indian Women's Charter of Rights and Duties, clause VIII A.



Conclusion: The idea that it was almost divinely ordained that women should have inferior status to that of men was current in India for ages. The present trend towards equality of status - social and economic - has constituted a major social transformation. Today in principle, Indian women have won their economic independence because of the rights granted by the New Constitution of 1950. In actual practice they have still a long way to go. India is industrially developing rapidly in the present century and more and more women are coming forward to join all types of industries. Most of the women are housewives while some of them are partially engaged in agricultural work. Remaining of them are mainly engaged in industries and a few of them are professional or career women. No doubt, a small number have achieved world-wide reputation by holding responsible posts in the country and abroad and their economic as well as social status is beyond the reach of majority of men. Yet it remains a truth that most of the Indian women are either labourers or housewives and most of them are toiling hard for the maintenance of their hearths and homes. These women are not parasites and in a way they are economically independent compared to that of middle class women. However, the stronghold of social customs and prejudices is particularly felt in India on account of the existence of many castes creeds and

62. UNESCO: Women and Education, p. 102.

63. races

62  
races and complicate the problem of economic independence of women. Different kinds of social systems prevail in different parts of the country and are different for various stratas of society. The middle classes have their own peculiar problems. But partly due to the new awakening among women and partly out of necessity more women from the middle classes in urban areas are entering various professions. Even a few from the wealthy classes have been doing honorary social work or are following some career. But their number is quite small. It is true that Indian women have now begun to assume both in theory and in practice equal responsibility for the family income though in nine cases out of ten they lack the training that is necessary. "The problem is not so much one of competing with men for securing jobs but of the service to the community according to her abilities and educational training."

62  
How can the country progress if half of its population (the female population) fail to contribute to the economic and social growth of a struggling nation? There is a great need for provision of better facilities of health and education, better amenities of life, improved living conditions and new avenues of work. Though, many provision of maternity benefits. In order to less women

have migrated from rural areas to the urban and industrial areas and have joined programme of mass literacy and social welfare; yet much more strenuous efforts will be necessary before these women can be made literate and their social status can be improved. The founding of more institutions like the present women's organisations and their extension to rural areas would be helpful in awakening a sense of civic rights and duties among these women.

A group of conservative people fear that if women start earning they would neglect household duties. This would disturb the peace and tranquility of the home. Mrs. Hate in her interview found that many women ably manage the home with the aid of the servant or a relative, also many of them are not willing to work outside unless the need arises. In many cases when a woman is working outside she is assisted by relatives and she is able to carry out her duties efficiently. A better understanding and a great appreciation of the work of women by their menfolk would inspire the women to work more happily and contentedly. There is much to do on the part of the Government and private enterprise for women in professions. They should be given equal pay for equal work besides protecting their motherhoods by making provision of maternity benefits. In order to lessen their household drudgery there ought to be provision for creches

for



professional women so that married women can get equal chance for their economic independence. The condition of factory women is sometimes pitiable under the twofold burden of earning and household duties. Their salary is scanty, very few of them have joined the labour unions because of their illiteracy, ignorance and backwardness. In spite of the efforts of some Labour offices and big industrial concerns to improve the housing of these industrial workers the living condition of these workers are far from satisfactory. The wages a woman receives are always less than man in many industries and medical facilities and creches are scanty. Much work remains to be done by the Government, factory owners as well as social workers to improve their social and economic condition.

Women employed as field labourers many a times suffer from unemployment as agriculture is dependent on rain at many places in India. They have to wander from place to place in search of work for extra income. Revival of the cottage industries by protection from government will prove a boon to such women especially women who are widows or who cannot work outside their homes.

It would not be incorrect to say that women from the middle class families who earn or have potential earning capacity exercise considerable influence in their families as

well

well as in society because their economic and social status is respected at present. A man holds a dominating position largely due to his earning capacity he being the chief bread winner. A sanskrit dramatist Bhasa has aptly said in Charudatta (Act III V 17) that a man becomes a woman when he is economically dependent upon her and vice versa." A few career women by their ability to work have proved that sex limitations do not come in their way. This has encouraged other women to enter professions once believed to be exclusively for men. Of course, it is difficult to secure economic independence for a married woman under the present circumstances but if her household work is either recognised by state or family members or if she has capacity to earn her living if need arises she will gain not only a better economic but a good social status as well.

14. The Indian Labour Year Book, 1946, 1949, 1950.

15. Mukhtar: Factory Labour in India, 1930.

16. Canton (ed.): The Key of Progress, 1930.

17. Reports of the All India Women's Conference, 1939, 1941.

18. Gedge and Ghoksi (ed.): Women in Modern India, 1929.

19. League of Nations Report Health Organisation in British India.

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21. Hate, C.: Hindu Women and Her Future, 1948.
22. UNESCO: Women and Education, 1953.
23. Cousins, Margaret: Indian Womanhood Today, (revised) 1947.

Vedic times to the present day. The early history is traced briefly by just collecting the threads to serve as a background for the interpretation of later trends and customs. The position, duties, powers, status and disabilities of women as daughters, wives and widows during the 3000 years is studied in detail.

The present trend towards an equality of status has constituted a very important social transformation. During the last fifty years public opinion in India has been conscious of the ill treatment given to women and the consequent impoverishment caused to public life by their inability for active participation in economic, social and political spheres of life on account of lack of educational and social facilities. Today, in principle, Indian women have obtained their emancipation. Finally the new Constitution passed in January 1950 has removed legally many disabilities. However, in actual practice social customs and prejudices which have been deeprooted for centuries, are difficult to be overthrown and therefore, much remains to be done before women can get the status in society which is rightfully theirs. The problem becomes more complicated because of the existence of many

### Summary and Conclusions.

In the foregoing ten chapters is given the history and vicissitudes of the status and condition of women from the Vedic times to the present day. The early history is traced briefly by just collecting the threads to serve as a background for the interpretation of later trends and customs. The position, duties, powers, status and disabilities of women as daughters, wives and widows during the 20th century is studied in detail.

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castes

castes creeds and races, innumerable varieties of social customs and traditions, multiplicity of languages and cultures, all arising to some extent out of the vastness of the country. In spite of these variations, there are certain fundamental issues which are common to the whole country. Women should be given special encouragement and opportunities for education, social and economic independence in order to enable her to contribute fully in the political, economic and civic life of the country on a basis of equality with men. This is absolutely necessary if India wants to regain its old position as a progressive country in the comity of nations.

2. The Object and Scope of the Investigation: The primary object of this investigation was to discuss the following aspects of the problem of the status of women viz. (a) the general amelioration in the position of women with the growth of women's institutions during the twentieth century; (b) Different marriage customs and traditions and the existence of practices like payment of dowry, bridegroom price and others. (c) The special problems arising out of the prevalence of child marriages, and the presence of social evils like enforced widowhood, purdah and prostitution and (d) the cultural, legal, political and economic status of women.

3. Status of Women in Ancient Times: In order to understand  
insecurity  
and



and find suitable ways and means to improve the social status of women it is necessary to study the historical background so that the problems may be viewed in the correct perspective. In Vedic times Indian women enjoyed equal facilities for education, had a great deal of freedom of movement and took active part in religious ceremonies. They enjoyed almost equal rights with men in almost every field with only a small distinction in respect of proprietary rights. But this highly respected status of women gradually began to deteriorate from the early Smriti period. One of the reasons for such a deterioration was due to the fear of pollution arising out of marriage to non-Aryan wives. In order to safeguard the sanctity of religious scriptures from inaccurate recitation by the non-Aryan wives who were not well-versed in the ancient language. Women were not allowed to participate in religious ceremonies. And hence their education was neglected and their social status suffered. The spread of Buddhism and Jainism improved the position of women to some extent by giving them equal treatment in certain respects.

#### 4. Status of Women from Medieval times to the end of the 19th

Century: The social progress of women was interrupted and affected by foreign invasions, internal conflicts and wars among small rulers, during this period. All this time of insecurity

insecurity and chaos women's position naturally suffered.

The conquest of India by the Mahomedans had a permanent effect on the status of Indian women which has persisted even upto the present day.

The social and economic position of Indian women presented a gloomy picture at the beginning of the 19th century. The status of women was more or less determined by the established traditions and ideals believed to be originating from religion. The main forces working against the emancipation of women at that time were the general illiteracy and superstition of the people together with a number of social customs such as the purdah, religious prostitution and seclusion of women, child marriages and unequal marriages enforced widowhood, Sati and female infanticide and caste system. The legal rights of high-caste Hindu women with regard to divorce and property were not all recognised and their economic position was far from satisfactory.

The middle of the nineteenth century witnessed a remarkable outburst of intellectual activity in India and radical transformation in social and religious ideas. This was to some extent due to the repercussion of the growing consciousness in Europe to progressive conception of democracy, nationalism, rationalism and others. The main impetus, that liberalism received in India, was from the contact and the influence of

of Western culture and education. Two schools of thought - the Reformers and the Revivalists worked side by side, the former having its faith in western thought and culture and the latter deriving its inspiration from the proper interpretation of the ancient Vedic literature, both working for a common cause of the betterment of society. They realised the necessity for the liberation of Indian womanhood from the disabilities they had suffered during the dark years of the past centuries. Raja Ram Mohan Roy a pioneer amongst the reformers started the Brahma Samaj which had as one of its aims the removal of unhealthy social customs and disabilities which hampered the progress of women. A prominent revivalist worker Dayanand Saraswati established the Arya Samaj with a view to restoring to the women their rightful respected status of the old Vedic times and enabling the converted Hindus to come back to Hinduism by instituting the idea of 'Suddhi' (purification). Details of this work and efforts are given in Chapter II. Other noteworthy features of this period of the nineteenth century were the work of missionaries in the field of education and social welfare of women, the establishment and the growth of powerful social and political organisations like the Indian National Social Conference and the Indian National Congress, and the introduction of legislation prohibiting social customs like Sati, and giving legal sanction to



to widow remarriages and others. Thus, the beginnings of agitation for the emancipation of women were made in this period and a new awakening by the efforts of individual reformers slowly gathered momentum and culminated in mass movements in the twentieth century.

5. The General Amelioration in the Position of Women and the Growth of Women's Institutions (1900-1950): The present age

witnessed a new era in the history of the social progress of women which hitherto had been marred by orthodoxy arising out of historical and political reasons, conservatism which was a characteristic feature of not only Indian society during the 17th century and the 18th century but also of the Western world, a belief at times, a fanatic one, in the superiority of efforts of the individual workers, it must be admitted that the male sex, a rigid and narrow interpretation of the Shastric injunctions leading to a very minor and secondary position of the women in society, and a total and illogical neglect of the education of any kind at all of women in general. Several factors were responsible for contributing to the uplift and raising of the social status of women in the present century from its lowest ebb during the preceding generation. It must be admitted that the progress was a slow and evolutionary one and left much to be desired and accomplished even to the present day. However, in order to understand and help social

reform

reform it is worth while to see the direction and study the efforts of those courageous, unswerving and persevering social workers, both men and women who devoted their lives to this great cause. It would not only give a proper historical perspective but serve as an immense source of inspiration to generations.

All the common evils, social, political and economic (in the form of seclusion of women, the prevalence of purdah, child marriages, mass illiteracy, Devadasi and the ban on widow remarriage, divorce and foreign travels) continued to prevail. These were formidable social customs, which the workers had to fight against. Though social reforms during the last fifty years have been made possible by the strenuous efforts of the individual workers, it must be admitted that a very quick and forceful effect leading to revolutionary social changes became a reality on account of the social consciousness growing out of the great political movements demanding the liberation from foreign domination and the constitution of a sovereign democratic republic in India. There were two groups of workers - (1) those who actively worked throughout their lives for the cause of emancipation of women and (2) outstanding personalities who exerted, though indirectly, a very great influence to bring about amelioration of the status of women. To the first category belong great reformers like Pandita

Ramabai

Ramabai Saraswati, Ramabai Ranade, Annie Besant, Prof. Karve, G. K. Deodhar, and Lala Devraj and others. A detailed outline of their work is given in paragraph 3.2. They made sincere efforts to improve the position of women specially in the field of education. By establishing women's institutions, social as well as educational they succeeded in awakening a social and political consciousness not only in men but also in women thus recruiting to the ranks and files of social reformers from both sexes and from all stratas of society erasing for once distinctions of class and creed. Institutions like the Sharda Sadan at Bombay and Mukti Sadan in Poona founded by Pandita Ramabai, Seva Sadan at Poona founded by Ramabai Ranade, Arya Kanya Mahavidyalaya at Jalandhar, founded by Lala Devraj, and the S.N.D.T. Women's University the first of its kind in India founded by Dr. Karve, were established in different parts of the country. As time passed more branches of the above mentioned institutions as well as new foundations springing up out of inspiration from the present body were sprinkled all over India and were contributing in their humble way their share of social reform. There was a trend towards a blind imitation of western methods and culture as English education extended amongst Indians but this was checked by workers like Annie Besant, who helped to awaken national pride and love for Indian culture.

Outstanding



Outstanding Indian personalities who had a far-reaching influence on moulding public opinion to accept a higher status for women, were the eminent poet Dr. Rabindranath Tagore and the noble ruler Maharaja Sayajirao of Baroda. Tagore revolted against the existing system of education where the dictum was 'spare the rod and spoil the child' and where the method of study was memorization of facts and figures devoid of any use of analytical powers of the child and of any contact between the teacher and the taught. He established a University, Vishwabharti, and a school, Santiniketan at Belpur, small village near Calcutta. A special feature of this institution was that it imparted education to girls as well as boys believing in the equality of the sexes and laid great stress on the arts like dancing, painting, music etc., and on cultural activities. Even today the Visva-Bharti enjoys India-wide popularity. Maharaja Sayaji Rao was a pioneer in introducing compulsory primary education in his state. He was in advance of social reforms in British India and his main achievements were the enforcements of legislation, restricting the marriageable age of boys and girls, making divorce possible under certain circumstances, removal of Purdah system and untouchability and other allied social customs.

Besides the efforts of these great individual social workers, there was even more powerful influence - the  
influence

influence of the political movement for freedom from foreign rule - that led to a swift and India-wide change in social attitudes specially in developing respect for the personality of women. The call made by the struggle for independence to women, because men alone were unequal to the task, gave women a chance to get back the self-confidence that they had lost since centuries and furnished them with opportunities for self-realisation and exercise of their latent powers. It was astonishing in those years to see women of all castes and creeds of all ages and professions taking part either in picketting the shops, leading processions in protest, adamantly holding ground against 'Lathi' charge and firing, courting imprisonment under the worst conditions and undergoing innumerable other hardships - all in response to the urgent call of the country and their great leader and prophet Mahatma Gandhi. The national political movement and its effect on the status of women is given at length in Section 3.4. For the first time in history, women entered the field of politics and came out in thousands to participate in the Civil Disobedience Movement and got training by becoming active members of the Indian National Congress, in organisation and administration of co-operative activities. The credit for this overwhelming change rightly belongs to Mahatma Gandhi. "He has throughout his long life of service, preached

preached against the wrongs done to women in the name of law, tradition and even religion," and it was he who showed them the real place in the home and the world, brought them out of their ignorance and the bondage of customs.

The experience that zealous and gifted women like Sarojini Naidu, Kamaladevi Chattopadhyaya and Annie Besant, got by working in the political organisations and in various sub-committees led to the founding of different organisations on secular as well as communal basis. Their objective, in the main, was to work for raising the status of women. At a later stage, enlightened Indian women realised that in order to put forth their demands and to bring about worthwhile social reconstruction they must organise themselves on a country-wide basis. This led to the coming into being of the All-India Women's Conference which tackles not only the problem of education (for which it was first founded) but covers all fields - cultural, social, legal, political and economic - affecting the position of women.

The attainment of independence in 1947 and the closure of the struggle for freedom turned a new chapter in the reconstruction of Indian Society where men and women have equal status and both in unison have to strive to raise the country to a level where it can hold its own in the galaxy

of



of democratic nations. A first step in this direction which also serves as an ideal and an inspiration to all is embodied in the New Constitution which enjoins absolute equality of the sexes. By the Fundamental Rights conferred by it, it provides "... that no citizen shall on grounds only of religion, race, caste, sex, descent ... shall be discriminated against in respect of any employment or office under the state." This gives an equality of status to women and it is now upto the women of India to make the best of the opportunities provided by the state, by raising their own levels of education, intellectual attainment and physical fitness. The constitution also lays down that free compulsory primary education would be provided for all between the ages of 7 and 14. This would help in overcoming the great evil of illiteracy which has hampered the greater participation of women in many intellectual fields of activity.

#### 6. Marriage Customs and the Position of Women in the Family:

The position of women in the family largely determines her status in society and therefore the evaluation of her married status becomes necessary. Since ancient times marriage has been given a religious sanction and one of its main objective was the propagation of the race. Marriage for women has been regarded even upto the present days not only as a social and religious

religious duty but a necessity. It determines the fate of a woman to much larger extent than it concerns the destiny of a man because it is in marriage that the woman has to find the fulfilment of all her hopes and derives as well as her security. A belief in the sanctity of marriage is typical of eastern culture and perhaps this idea persists in spite of a growing rationalism. However, it had its advantage; it gave women the moral strength to bear patiently innumerable hardships and privations for hundreds of years. The consideration of a marriage as a religious sacrament was not harmful in itself but it made women helpless when irrational and unfortunate customs began to come into vogue either on account of pseudo-puritanical notions of the society dominated by men or political and social upheavals. For instance the custom of purdah and seclusion of women came in as a measure for protecting the Hindu women from falling into the hands of the Mahomedan conquerors. But it persists even to this day when there is no cause for such an alarm.

Even at the beginning of the present century in spite of the efforts of social reformers, the attitude of society in general towards women was one of patronising condescension. It must be admitted that there was visible a fortunate change which helped to lessen the calous neglect of a woman as a person with physical needs but there was hardly a trace of any  
recognition

recognition of the personality of the woman. Her individuality was not respected and the psychological needs of a woman as a human being with sentiments and emotions was something which very few could understand and appreciate. The little that was done to improve her physical condition was entirely on charitable grounds and it was against this attitude that the social reformers of the time agitated. This was the background in which customs like kulinism and polygamy, paying of bridegroom and bride prices, dowry and others were considered normal and practical and women themselves were reconciled to these evil customs. The prevalent belief used to be that sex determined mental as well as physical capacities. Fortunately better knowledge of psychology today has made educated men give up though reluctantly the old sentimental man-made argument that women were biologically unfit for occupational work or for higher education. It must be admitted that even today there is a very large percentage of Indian people who still have little faith in the ability of women to do the same jobs as men.

The attitude of society towards women is in a larger way a reflection of her position in the family. In the family, she was important as the keeper of the house, but almost completely lacking in authority.

For a woman, especially in the case of a high-caste

Hindu



Hindu generally marriage had been the only way open to her for getting economic and social security. As a mother, she was respected in the family but being illiterate and suppressed since she was young they could not ascertain their rightful position. Normally her weak physique, lack of education and the heavy pressure of household work did not give her scope for enlightenment. She continued to suffer social injustices such as child-marriages, enforced widowhood, seclusion and purdah. Quarrels between a mother-in-law and a daughter-in-law were very frequent and presented an unhappy side of the joint family system. Dowry system and high bridegroom price and other impediments in a marriage ruined the girl's father as well as disturbed the family peace and so a daughter came to be considered a liability.

Woman in the lower strata of society had to work to add the family income yet in majority of the cases a man was the chief bread winner. His duty was to provide for the family while a woman's duty was housekeeping. The state of married life can be improved by more liberal treatment to women and certain desirable changes in the marriage customs. Under the present circumstances among most of the high-caste people where customs of bride-price or bridegroom price and dowry system still prevail marriage has lost its sacramental aspect and many times it becomes commercial. Polygamy is being

being restricted in several provinces in India by law and today divorce can be secured by a Hindu woman in some provinces yet it does not have a social sanction. A barren woman was many times abused and sometimes she was superseded by a co-wife. There is a specific change in the attitude towards a barren woman today. A girl is being treated though not equally, reasonably. No doubt reforms in marriage laws indicate general awakening of the people especially due to the efforts of women organisations and works of the social reformers. This changeover to smaller family units has helped to develop the personality of women and they are slowly taking their rightful position in the family.

7. Custom of Child Marriage and Enforced Widowhood: Women began to lose all along the line the moment their education began to be curtailed. "Early marriages naturally came into vogue when there was nothing to keep the girls engaged after the age of nine or ten." This system of child marriage brought three serious consequences: (1) early motherhood, (2) ill-health, and (3) child widowhood. Statistics showed that there is a very high percentage of infant mortality in the case of mothers below the age of 16. The nerves of the young mother were strained by overwork and consequent ill-health resulted. Early marriage cuts short the period of

childhood

x. For details see Chapter III.

childhood and deprives the girl of an important adolescent stage in her development. The incidence of child marriages in the first decade of the present century was quite high. Educational advancement, efforts of social reformers and the demands of social institutions and government legislation have all helped to gradually lessen the prevalence of child marriage.<sup>x</sup> even though the Widow Remarriage Act of 1856 was The Age of Consent Committee pointed out the immediate need for legal enactment prohibiting child marriages. As a consequence, in spite of strong opposition from the orthodox groups, The Child Marriage Restraint Act or Sarada Act came into force in 1930. Till then there was a gradual decline in the p.c. of child marriages but again it increased in 1930 due to the rush in marriages in anticipation of Sarada Act. Public opinion was not enlightened and therefore legal enactment had little effect in eradicating any evils though it protected the right of an individual. Sarada Act did not prove very effective in the immediate future due to the ignorance of the masses but owing to the general awakening during the last twenty years the practice of child marriage in urban areas and especially among the upper and middle stratas of society is negligible and it has also greatly decreased in rural areas. some extent the miseria and ill-treatment given to the widows. Today widow remarriage The not

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x. For details see Chapter **M**.



The most serious consequence of child marriage was the resultant child widowhood and the compulsion for such widows to lead very hard life in the high caste society. The fear of widowhood was absent in lower castes where remarriage as well as divorce were both permissible but it brought much calamities for high caste Hindu woman. Social prejudice was very strong and even though the Widow Remarriage Act of 1856 was passed it was not of any practical use and it did not lessen the miseries of widows. However, the austerity in observing rules for widows was slackened during the present century especially among the enlightened classes, yet widow remarriage was not the real solution of the problem as all women did not desire a second marriage. It was also not very practical for widow with children to remarry. Some of the social reformers like Pandita Ramabai and Mrs. Ranade had the real insight in the problem as they started widow homes to shelter widows and make them economically independent by teaching handicrafts. Another social reformer Dr. Karve started educating them and inspired them to qualify as teachers, nurses etc. Of course individual efforts were not sufficient to tackle the whole problem fully. Mahatma Gandhi and other writers by their writings created public opinion which reduced to some extent the miseries and ill-treatment given to the widows. Today widow remarriage is not widely

widely practised yet a person has not to suffer from caste austerities as it used to be in the twenties of the present century.

An average Hindu woman is so religious minded that she takes widowhood as something ordained by Fate, and resigns herself to such a miserable life. It is necessary to bring fresh hope and inspiration to her to enable her to make life worth living by giving her a proper social status and making available educational facilities which would help her to be self supporting and consequently let her regain her self-confidence.

It must be admitted that the progress in the amelioration of the condition of widows in the last hundred years has been very slow and it requires the immediate and urgent efforts of not only the social reformers but the whole nation as well as the positive contribution of the Federal and the State governments.

8. Two main Social Evils - Purdah and Prostitution: The custom of purdah was more common among the Mahomedans in India and it was generally adopted by the ruling and aristocratic families of the Hindu community after the advent of the Muslim rule about seven or eight centuries ago. This custom of purdah and the seclusion of women may have had its merits in medieval

medieval society but in the present age of democracy when the rights of women are beginning to be recognised purdah is nothing but an anachronism and it is quite appropriate that it should die a natural death. Furthermore, this custom was never universally practised among Hindus, it was much more strictly observed in the Punjab, Bengal, Bihar and U.P. than in the South and was confined more to the upper and richer classes than to the masses. Such seclusion of women have done great harm to the health of the women and hindered them from making any progress or getting any benefit from active participation in social, economic and political life. Statistics have shown the high percentage of the incidence of disease like pneumonia, neurosis, tuberculosis among purdah women. There has been continuous and ceaseless agitation against it during the last fifty years and public opinion has been gradually developing in favour of its abolition. It is hoped that with a wider spread of education and with the realisation of the women themselves of their duty as well as their ability to take an active part in the welfare of the state this custom of purdah and seclusion would have no place in the social structure.

Of all the social evils one of the worst and the most rampant is prostitution. A large number of women in India were forced to resort to this immoral means of livelihood for  
their



their inability to secure any suitable work. It is pitiable for women but it is a disgrace to society. Besides professional there was religious prostitution which fortunately was confined only small section of the country and is being eradicated. Commercial prostitution was first protested against by Keshav Chandra Sen in 1875 and since that day enlightened public opinion has been trying to remedy this evil. The Regulation system was introduced<sup>x</sup> but it is only a half way measure. It must be admitted that on account of the poverty of the people it is not possible to do away with this evil completely but all efforts must be made by legislation, by providing educational facilities for women and by teaching them useful arts and crafts to eradicate the prostitution. With a change in attitude to certain professions and with a growing recognition of the dignity of labour it is certain that more women would prefer to leave this immoral mode of living which does immense injury to their body and mind. Negligence of society, enforcement of widowhood, prohibition of widow remarriage and the unsympathetic attitude of society towards once misled girls and widows and the insufficient number of rehabilitation houses have all been responsible for this large incidence of prostitution. Several measures have been taken by the International Conferences as well as by

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x. For details see 6.12.

by the All India Women's Conference to combat the growing traffic in women and children. Legislation has been enacted making traffic in minors a criminal offence. But there is no uniformity of law against it throughout India which is a very important and urgent need.

9. Women and Education: The quality, the content and the extent of education very largely determine the social status that woman would enjoy in any society. It is education that brings enlightenment and gives courage to overthrow the age-old orthodox social customs which have outlived their utility and are absolutely irrational in the light of modern democratic thought. Questions of women's civic rights, economic independence property rights, right to education, right to work with adequate wages and security of tenure, right of freedom of association right to franchise and the right to health and leisure relate to their individual status. Science has helped to remove the stigma of the inferiority of the female sex and the world wars and the struggle for independence have established a faith in the ability of women to undertake the most intellectual jobs and made the people realise the futility and the impossibility of attempting any constructive work without the active cooperation of the female - half of the population. Time has come when the traditional division of

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of functions between men and women with a consequent prestige value attached to man's work is beginning to be abandoned and an increasing belief in the intellectual equality of the sexes is established. The Indian Constitution guarantees equality of opportunity to both the sexes and lays particular stress on equality of educational opportunity suited to both.

The history of women's education in India during the 19th century is one of neglect. In 1901-02, the percentage of literacy among women was only 0.9 and therefore it is obvious that the nineteenth century can show but a poor record in the field of the education of women. The main interest of the history of the education of women in that period lies therefore in the controversies that were going on around this problem; and the gradual conversion of public opinion in support of the education of women in the awakening of a consciousness to the social injustice done to women; and in the attempts made to improve their condition by various measure. The twentieth century witnessed the overcoming of the initial inertia and the laying of the foundation of the modern educational edifice, and the preparation for the rapid expansion of the education of women in all directions. For this initial spade work the educational and social workers and administrators of this period deserve a glowing tribute. Even the British officers described the lack of educational facilities for women as

'the



'the most conspicuous blot on the educational system of India.'

The first years after 1921 were marked by a great social and political awakening among women, several causes contributed to this awakening but by far the greatest contribution of this period to emancipation of women was made by Mahatma Gandhi and its effects were felt in all walks of life - social, political and educational. A new leadership was rising up in the midst of women which was created by a spread of secondary and university education and the first All India Women's Educational Conference was held in 1927. As a result of these forces there was an unprecedented spread of education among women and about fifty percent new institutions catering to all stages of education were established and the enrolment rose by about 150 p.c. in the fifteen years between 1921-22 and 1936-37.<sup>x</sup> Constant endeavour is being made on all sides to bring the education of women in India upto at least the level which has been reached in the education of boys and rapid expansion particularly of higher education took place in the period between 1937 and 1947. The war incidentally created among educated women a desire to seek a career and economic independence on account of the economic pressure put on the middle classes by the rise in the cost of

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x. Figures taken from the Quinquennial Reviews of the Progress of Education in India

of living. Indian society in its turn learnt to tolerate if not exactly to respect a career woman, and today there is a growing tendency among women to qualify for various professions though it must be admitted that the social prejudice against certain professions prevents girls from good families from taking up professions like acting, dancing or nursing as a career.

Though there has been progress it has not been able to keep pace with the demands of an increasing population and the needs of modern life. In 1950, on an average, one in every five girls of school going age was in school. This shows that about 80 p.c. have still to be accommodated in schools. Furthermore, there is tremendous wastage in primary education and only 28.8 p.c. of the girls enrolled in class I succeed in reaching class IV - when they may be expected to achieve the minimum degree of permanent literacy. The one solution to this problem is to make education compulsory not only in theory but in practice by endeavouring to improve the economic conditions of parents so as to enable them to make up for the contribution of their children's labour towards the livelihood of the family. In recent years there has been a great demand for the reconstructions of the curriculum so as to have a closer correlation with the practical needs of the community. Productive work and the crafts are recommended and a top priority

priority has been given by the Planning Commission (appointed by the Government of India) in their educational scheme to 'basic education' with a view to the development of all national activities in a co-ordinated form.

There is a great need for the extension of education to the rural areas which have been so far neglected. Recently the idea of establishing rural universities is being considered. It is indeed creditable that the medium of instruction and examination in the only Women's University in the country is the mother tongue or regional language.

More educational facilities ought to be made available to women by the organisations of the special evening schools and colleges, introduction of correspondence courses and the granting of permission to appear privately for public examinations. Besides special scholarships, free places for girls and women should be introduced in all educational institutions in order to enable them to come up to an equal educational level with men.

#### 10. Political Economic and Legal Status of Indian Women:

Politically Indian women became more conscious of their rights and strove for their emancipation under the influence of women's movement in England and other countries. It can be said that the battle for suffrage for women in India was partly

won



won in England and America. The first deputation of women waited on the Secretary of State for India, Honourable Edwin Montague in 1917 to ask for their enfranchisement. The Montague Chelmsford Reforms for the time gave power to enfranchise women and they were given right to vote in different provinces shortly afterwards. Since then women's franchise have been widened from time to time when finally the New Constitution gave the right to vote to the entire adult population. Credit must be given to the efforts of social workers like Mrs. Sarojini Naidu, Annie Besant and others as well as to various women's organisations which took active part in the agitation. <sup>x</sup> Nothing much remains to be done except to raise the status of women by education and other facilities and to enable them to appreciate the value of their right to vote as well as the duty they owe to their country which requires their active participation in all spheres of life including the political.

Legislation affecting women has evolved progressively though at a very slow pace because it had to wait for an awakening of consciousness among the people to the economic and social disabilities of women. On account of different religions in India legislation has to differ from one creed to another and is affected to a very great extent by customary laws

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x. For details see Chapter VIII.

laws. Important and progressive legislation during the last hundred years has been enacted with respect to marriage and property. Compared to Mahomedan, Parsis and Christians marriage and property laws it is found that Hindu laws are less in advance of the time. It is however, interesting to see that property laws have been modified from time to time giving women small rights of inheritance and ownership though it must be admitted that legislation affecting property rights is still to be enacted which would treat women at par with men. Sometimes as in the case of Hindu Code Bill legislation has either to be kept pending or is not effective because public opinion is not prepared for it.

There is no uniformity of legislation in different provinces of India. For instance in Bombay and Madras bigamy is prohibited by law while in other adjoining provinces there is no legislation to that effect. To remedy this lack of uniformity as well as to set right many injustices suffered by women the popular government have proposed the Hindu Code Bill. It is discussed in detail in section 9.5. Rationally speaking the Hindu Code Bill has proposed important and much needed changes in the Hindu Women's rights to property, marriage and divorce but orthodox public opinion is trying to hamper its passage, under the plea that it would disturb the family peace and harmony and increase enmity and litigation. The

Bill is still at the committee stage. Of course, it is high time that women themselves should awaken and demand their rights and privileges.

The economic status of women is very intimately connected with their education. The idea of living an independent life apart from marriage was unthinkable to an ordinary Indian woman almost till the first world war. But since then there has been quite a revolution and a great awakening has taken place during the last three decades. The political movements in India inspired women to organise themselves and assert their rights and helped them to establish their position of equality with men in the social and political spheres. The two world wars with the consequent increase in the cost of living and the necessity for middle class women to earn brought in an idea of economic independence. Apart from the middle classes in which women have started to find work, the industrial and social revolution that has been taking place has sent working class women to seek work in mills, mines and factories as well as in commercial concerns. Public attitude is also changing and is getting reconciled to the idea of their women working. Peasant and working women have always enjoyed greater freedom of movement therefore it is the middle class that has to adjust the most. Several women's as well as welfare organisations have been trying to get

better



better terms and service condition for women working in factories as well as professions. Women's economic status and social importance were further accentuated with the adoption of the new Constitution which stipulates that no citizen shall on ground of sex be ineligible for any employment or office under the State. A further advance was made with the recruitment of women to the foreign, political and administrative services which had once been the monopoly of men. There is no discrimination made and regard to salary scale and changes of promotion. The minimum wages Act of 1948 represents an attempt to improve economic condition of the people by fixing minimum wages for various categories of jobs. Efforts must, of course, be made to maintain a due balance concerning the suitability of certain occupation for men and women. It is indeed gratifying to see that a country where women had been confined to the home for centuries has today its women not only represented in almost every field of national activity but making themselves felt in international affairs and occupying distinguished positions in the government, at home as well as abroad. This new urge to economic independence is bound to improve considerably the social prestige and status of women in India.

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tending to degrade the marriage, and the Conference

## APPENDIX A

x. Resolution IX, Fourteenth Conference, Lahore, 1900 I.N.S.C.:

1 (a) The Conference notes with satisfaction that most of the reports received from the various Provinces furnish evidence that earnest efforts are being made to raise the marriage-able age of boys and girls to prevent the exaction of large sums of money and to curtail expenditure on marriage occasions. It is, however, obvious that there is great room for improvement until the age is raised to at least 12 to 14 for girls and 15 to 21 for boys, and the conference accordingly recommends that Local Associations formed for the Promotion of Marriage reforms should not slacken their efforts until the standard laid down by the Walkerkrit Rajput Hitakarini Sabha and acted upon by most of the Rajput states in that Agency and Malva has become the rule with all castes throughout India, and the scales of expenditure laid down by the same organizations are accepted as the maxima limits.

(b) In the opinion of the conference the scale of girls in marriage, ill-assorted marriages, polygamous marriages and exchange or Badla marriages are all opposed to the spirit of the Shastras and are abuses of the institutions of marriage tending to degrade the marriage-tie, and the Conference

recommends

recommends that strenuous efforts should be made by Reform Sabhas and Associations to discourage these abuses. (The Resolution was repeated in 14th Conference 1900 19th Conference 1905, 20th Conference 1906, 25th Conference 1911, 29th Conference 1915, 30th Conference 1916).

2. Resolution V, Fourteenth Conference, Lahore, 1900. I.N.S.C:

The Conference notes with pleasure that there is a general agreement in all Provinces about the desirability of promoting the cause of purity, and of discouraging the practice of giving Nautch parties, and it learnt with satisfaction that earnest efforts are being made in this direction in several places such as Lahore, Bellary, Mangalore, and others. There is, however considerable room for improvement everywhere, the Conference is of opinion that the necessity of stricter observance of personal purity in speech, thought and action should be insisted on every Association in the Pledge of membership as a matter which can admit of no compromise and that the use of a Nauch girls in religious services and social parties and processions and abuses of the Holi be checked everywhere and more innocent entertainments substituted in their Place. (Repeated in 14th Conference 1900, 27th Conference 1913, 28th Conference 1914.)

3. Resolution



3. Resolution VI, Fifteenth Conference, Bengal, 1901 I.N.S.C.

This Conference notes with satisfaction the steady decline of Polygamy in the country, and recommends the adoption of measure which would accelerate the disappearance of Kulinism, an institution for which there is no precedent or parallel in other parts of the country.

4. Resolution XII, Fifteenth Conference, Bengal, 1901 I.N.S.C.

This Conference notes with satisfaction the advance made in the raising of the marriageable age for boys and girls, and hopes that the efforts made in this direction would be steadily continued.

5. Resolution IV, Sixteenth Conference, Ahmedabad, 1902,

I. N. S. C.: This Conference wishes once again to place on record its condemnation of the practice of extravagant expenditure on marriage, whether in the shape of a payment for the bride or the bridegroom or in feasts and entertainments, and hopes that the good sense of the community will co-operate with the efforts of Social Reform Associations to mitigate this crying evil. (Repeated in 17th Conference 1903, 18th Conference 1904, 20th Conference 1906, 27th Conference 1913, 29th Conference 1915 and 20th Conference 1916).

7. Resolution

7. Resolution XIV, Sixteenth Conference, Ahmedabad, 1901

I.N.S.C.: This Conference begs to put on record its opinion that the custom of Zenana is of a pernicious character in that it affects prejudicially the physical and mental development of women and the Conference desires all sympathisers of Social Reform to do their best to foster and promote public opinion against the custom in those parts of the country and in those classes in which it is prevalent. (Repeated in 17th Conference 1903, 18th Conference 1904, 20th Conference 1906, 27th Conference 1913, 29th Conference 1915 and 30th Conference 1916.)

8. Resolution XV, Sixteenth Conference, Ahmedabad, 1902

I.N.S.C.: This Conference deplores the custom which obtains in certain parts of the country of the beating of breasts by women in public streets on occasion of death, and desires that earnest efforts should be made to stop this unseemly practice. (Repeated in the 17th Conference 1903).

9. Resolution XI, Twenty-Second Conference, Madras, 1908,

I.N.S.C.: This Conference cordially supports the movement started to better the condition of orphans by starting orphanages and otherwise and nothing with satisfaction the movement started to protect girls and young women from being dedicated

dedicated to temples, pray for public sympathy and support of these movements. (1913).

10. Resolution V, Twenty-Third Conference, Lahore 1909, 913

I.N.S.C.: This Conference invites all communities concerned to give their earnest attention to ameliorate the condition of Hindu Widows by placing no obstacle in the way of their re-marriage or provide them with educational facilities and Widows' Homes so that they may become better qualified than now to be Sisters of Mercy and useful and respected members of Society (Repeated in 29th Conference 1915.)

11. Resolution VII - Act III of 1872 - Twenty-Fourth Conference

Allahbad, 1910 I.N.S.C.: That this Conference is of opinion that the requirements of Act III of 1872 or repudiation of religious belief on the part of parties to marriage, is unnecessary and inexpedient and urges that the law to be so amended as to omit this undue interference with religious beliefs.

12. Resolution III, Twenty-sixth Conference, Bankipore, 1912

I.N.S.C.: That this Conference records its deliberate opinion that the minimum marriageable age for girls should be raised to 16 and for men 25 years to afford them opportunities Government of India be approached with a request to pass for

a permissive and not compulsory law enabling a Hindu Marriage to be registered and declaring such registered marriages to be encouraged.



for their physical and intellectual development. (Repeated in 27th Conference 1913).

Some Important Resolutions Affecting the Status of Women

13. Resolution V, Twenty-seventh Conference, Karachi, 1913

I.N.S.C.: That this Conference places on record its deep gratitude to the Government of India for introducing into the Imperial Legislative Council a measure for the better protection of minor girls and recommends that, in order to widen the scope and increase the usefulness of this piece of legislation, the following alternations be made therein before it passes into a law:-

- (i) The words "unlawful and immoral purpose" in clause 2 of the Bill should read as "unlawful or immoral".
- (ii) Explanation 2 to clause 3 of the Bill should be "illicit sexual intercourse without lawful marriage".
- (iii) A new clause should be added, raising the age of consent from 12 to 16 as against all persons except the husbands by lawful wedlock in as much as enlightened public opinion of the Indian Community is in favour of the reform.

14. Resolution VII, Twenty-Seventh Conference, Karachi, 1913

I.N.S.C.: That this Conference recommends that the Government of India sh~~e~~ be approached with a request to Pass a permissive and not compulsory law enabling a Hindu Marriage to be registered and declaring such registered marriages to be encouraged.

appeals to women not APPENDIX B to parents, but to give

Some Important Resolutions Affecting the Status of Women  
Passed at Various Sessions of the All India Women's

having taken up the Conference.

that his Marriage Dissolution Bill may be amended on the  
lines of the Baroda Hindu Divorce Act.

A. Social.

1938-39:

1. This Conference emphatically condemns the unnatural and devitalising custom of allowing immature girls to become wives and mothers, as it robs them of their right to education and freedom and arrests their mental, moral and physical growth. This meeting demands that the legal age of marriage be fixed at 16 and 21 for girls and boys respectively.
2. This Conference views with dismay the frequent violation of the Sarda Act. It calls upon the Constituencies to educate public opinion against the custom of child-marriage.
3. This Conference supports Sir Hari Singh Gour's Age of Consent Bill and demands that the age be raised to 16 and 18 for married and unmarried girls respectively.
4. This Conference recommends that unequal marriages of old men to minor girls should be forbidden by law.
5. This Conference strongly disapproves of Polygamy and

appeals

appeals to women not to marry and to parents, not to give their daughters in marriage to any man who has a wife living.

6. This Conference is grateful to Sir Hari Singh Gour for having taken up the question of Hindu marriage and recommends that his Marriage Dissolution Bill may be amended on the lines of the Baroda Hindu Divorce Act.

7. This Conference places on record its opinion that there should be complete equality between the sexes in the matter of inheritance and control of property.

8. This Conference strongly protests against the existing discriminations in Hindu Law against the rights of women; it demands that existing laws should be so amended as to make them just and equitable and that an All India Non-official Commission be appointed to consider the removal of the legal disabilities of women as regards inheritance and marriage.

9. We give our whole-hearted support to all the bills introduced into the Provincial and Central Legislatures, such as the Bill on the Hindu Women's Inheritance Rights (by Hon. Mr. P.C.D. Charry, before the Council of State) and welcomes the bills passed by the Sangli and Mysore Darbars

on



on Hindu Widow's Property Rights, which seek to remove the legal disabilities of women in so far as they are in accord with our principles. We further support Rao Bahadur Kale's Bill in the Bombay Council, on the Hindu Widow's Property rights.

10. This Conference condemns the custom of enforced seclusion of women and entreats all Hindus, Muslims and other communities which observe the custom, to take practical steps to educate public opinion towards abolishing it as soon as possible.

11. This Conference urges that no sex disqualifications should be shown for debarring women from services in any department of Government.

12. This Conference expresses its profound indignation and disappointment at the omission of the right of Franchise or of candidature for election to the Legislatures of the following Provinces:

Bengal, Assam, North-West Frontier Province, Delhi, Ajmer-Merwara, and strongly recommends that these qualifications be removed forthwith.

13. This Conference supports all efforts that are being made in the country to suppress immoral traffic in women

and

and children and in particular it supports the Madras Brothels Bill and Prevention of Devadasi Dedication Bill and all other Bills on similar lines. It is also of opinion that women should be equally penalised with men for keeping brothels.

1940:  
14. This Conference congratulates the States of Travancore and Cochin on the abolition of Devadasi service in temples and gives its whole-hearted support to Mr. R. K. Shanmukham Chetty's Bill for the prevention of dedication of women and girls to service in Hindu temples. It calls upon all Constituencies where this practice exists to educate public opinion against it.

1941-42:  
15. This Conference is of opinion that Acts for the suppression of traffic in women and children be introduced in all Provinces and Indian States where they do not exist and to provide for suitable amendments to such Acts in the provinces, where they are in force, to make them stricter and more effective, and urges the Legislatures to introduce such Acts and amendments at an early date, for establishment of Remand and Rescue Homes for Women and Children, so that the Acts can be effectively enforced.

1946:  
16. This Conference expresses its emphatic protest against

20. This Conference desires a re-orientation of the legal status of women in Indian Society. It urges the immediate

such

consideration

such evil social customs, as undue expenses on occasions of marriage and death, sale of brides and bridegrooms, dowry, prejudice against widow remarriage, polygamy, intensive intercaste marriages and purdah.

1940: This Conference demands that universal customary laws

17. This Conference condemns the custom of enforced seclusion of women and entreats all Hindus, Muslims and other communities which observe this custom, to take practical steps to educate public opinion towards abolishing it as soon as possible.

1941-42: an anti-Polygamy Bill

18. This Conference fully endorses the main recommendations of the Hindu Law Committee, namely, that the whole of Hindu Law be codified, and demand that the codification be based on the principle of equal rights and liabilities for both men and women.

19. This Conference notes with regret that its previous demand that at least two women should be included on the panel of the Hindu Law Committee has not been given effect to, and once more reports its demand.

1946:

20. This Conference desires a re-orientation of the legal status of women in Indian Society. It urges the immediate consideration



consideration by the Central Legislature of the Hindu Code Bill. It recommends the introduction of Classes which will uphold the principles of equality as defined by the Charter of Women's Rights framed by the A.I.W.C.

21. This Conference demands that wherever customary laws allow divorce amongst Hindus, women should have equal rights with men in getting redress under these Laws. It also appeals to the Indian States to bring their legislation into line with that of British India.

22. This Conference congratulates the Bombay Government on passing an anti-Polygamy Bill.

23. This Conference deplores the dowry system (Jahaiz) so universally practised in India. It earnestly appeals to all public spirited people to rid society of this evil.

24.(a) Establishment of large numbers of women's homes to teach the needy and helpless a craft or profession in order to prevent them from falling prey to prostitution.

(b) In the case of rescued women, the establishment of proper aftercare homes, where they may be brought back to normal life.

1948:

25. This Conference . . . . appeals

- (a) To girls to come forward in large numbers to join this essential profession;
- (b) to the Central and Provincial Governments to give employment to all nurses trained under their scheme with adequate pay and proper housing;
- (c) to all governments and private institutions to see that the hours of work of nurses are regulated.

26. This Conference . . . . urges that all women shall have the right

- (a) to work;
- (b) to enter all professions and industries;
- (c) to receive equal pay for equal work;
- (d) to have equal opportunities with men for training and promotion to all responsible positions;
- (e) to earn a living wage;
- (f) to be provided with adequate working conditions;
- (g) to enjoy the benefits of full social security services. (These social security services should include suitable provision for sickness, old age, unemployment, full maternity benefit with full pay, health protection before and after child birth, day nurseries and nursery schools for the care of children);
- (h) to be safeguarded against discrimination on grounds

grounds of sex and marriage; ..... a thorough enquiry  
should be made into the condition of women mine-workers and  
1949:

27. In view of the fact that the new constitution removes  
all disqualifications on grounds of sex it is necessary  
that existing discrepancies in the law should be removed  
by necessary legislation.

factorias, mines, plantations and other industries be deputed  
by the Government of B.Labour a delegate or an adviser to  
the International Labour Conference to be held at Geneva,  
1938-39:

5. This Conference draws the attention of the Government  
of India to the following recommendations of the Royal  
Commission on Labour and urges for speedy legislative measures  
are essential:

(a) The employment of a woman doctor to ensure ante  
and post natal care and attention during child-  
birth for the mother and medical care of the

6. This children.

(b) The establishment of Maternity Homes and an ade-  
quate supply of trained help.

(c) The establishment of creches and nursery schools.

2. This Conference reiterates the need for the immediate  
appointment of at least one Woman Factory Inspector for  
every large Industrial area, with full powers under the Act.



3. This Conference desires that a thorough enquiry should be made into the condition of women mine-workers and urges the Standing Committee to take early steps in the matter.

4. This Conference is emphatically of opinion that a woman representative on behalf of the women workers in factories, mines, plantations and other industries be deputed by the Government of India as a delegate or an adviser to the International Labour Conference to be held at Geneva.

5. This Conference draws the attention of the Government of India to the following recommendations of the Royal Commission on Labour and urges for early legislative measures

.... all women working in heavy industries  
Naikins (women jobbers) should be excluded from the engagement and dismissal of labour.

6. This meeting of the All India Women's Conference strongly urges the Government and the authorities concerned to take immediate action for the provision of suitable employment for women workers eliminated from mines and the fixing of adequate minimum wage for men mine workers whose family income has been reduced by such elimination.

7. This Conference is of opinion that an All-India Maternity

(a) Priority should be given to the Maternity Benefit

Benefit Bill on the lines of those passed in Bombay, C.P. and Madras be introduced in the Legislative Assembly. It further recommends that the Constituencies in the different provinces work for the passage of such a Bill.

1946:

8. This Conference draws the attention of the Government of India to the necessity of framing a composite Maternity Benefit Act, paid out of a State Insurance Fund with uniform measures for the whole of India, being made applicable to women workers in regulated and unregulated industries, mines and plantations, nurses and women teachers, and all working women and it further recommends the extension of this service for all women working in their homes.

1949:

9. The Conference urges that women should be given facilities to work as part time teachers, doctors and nurses so that the educated talent among women may be harnessed for the benefit of Society.

#### C.Education

1938-39:

1. This Conference is of opinion that:

- (a) Priority should be given to the claims of girls' education in every scheme of educational expansion.

2. This Conference urges the universal introduction of free and compulsory Primary Education without further delay. With this purpose in view we request the authorities:
  - (a) To provide for properly trained teachers the majority of whom should be women. ...
3. Separate Middle Schools and High Schools for girls should be established in places where a demand for them exists and where there are no such schools.
4. This Conference is of the opinion that Secondary Education for girls be remodelled so as to include subjects such as Home Craft, Home Nursing, First Aid, Dietetics, Needle Craft, Cookery, Laundry which should be made optional one at least being compulsory.
5. This Conference recommends that the inspecting staff of girls' schools should consist of women only, and that the Chief Inspectress should be considered as Deputy-Directress of Inspection.
6. In the opinion of this Conference, the proper encouragement of co-education would help greatly towards the solution of various social and economic problems confronting the country. The Conference therefore urges strongly that:

(i)



(i) Co-education be introduced in primary schools and colleges.

(ii) A large proportion of women teachers be always appointed on the staffs of Co-educational Institutions, particularly those of primary schools.

1940:

7. This Conference urges the Government of Bombay to take all necessary steps to give at an early date statutory recognition of the S.N.D.Thackersey Indian Women's University which has been doing useful work for the higher education of women for the last 20 years.

1949:

8.(a) In order to accelerate the progress of education and remove the prevailing ignorance of parents regarding educational problems, this Conference emphasises the need for the establishment of Parents' Leagues.

(b) It also requests the All India Radio to give more frequent programmes dealing with the upbringing and education of children, for the special benefit of parents and teachers.

## APPENDIX C

Extracts from the Joshi Report and other Sources.

Sir P. C. Ray, University College of Science and Technology, Calcutta, Vol. VI, p. 225.

Asked if he had known of cases where girls of thirteen or fourteen had become mothers and suffered for it he replied:-

"It is common knowledge. It is not so rare that I should single out one or two cases. I have noticed it almost in horror and shame that girls should become mother at so early an age."

He says that, when a man dies leaving a young widow, **she** becomes "the common property of the entire village caste". Also that "in the Hindu Society" a man of sixty who is a grandfather may marry a girl of twelve or fourteen, and that this is "not rare; I will not say it is very uncommon".

"Public opinion tolerates many dirty things."

Child Marriage, p. 27.

Dr. G. J. Campbell M.D. Principal of the Lady Hardinge Medical College, New Delhi Vol. I, p. 443.

"I must have attended more than a thousand girls for child-birth at ages of twelve and three-quarters to sixteen

and

and a half, and the bad effects seen in them and in others under observation or treatment as a result of this early child-bearing can hardly be exaggerated".

She gave as instances of the bad results, tuberculosis "which often develops during pregnancy or lactation".

Dr. N. H. Blair, L.S.A.(Lond.) of Darjeeling (Vol. VI, p. 287)

"Many girls under thirteen suffer from osteomalacia as a result of early maternity."

Dr. E. A. Douglas, in charges of the Kinnaird Memorial Hospital, Lucknow. Vol. IX p. 53.

"I saw a girl of twelve whose vulva and vagina were so badly mutilated and mental condition so badly affected that she was quite demented. Her sister forcibly removed her from the husband's home. On admission to hospital, her vulva tissues were crawling with maggots and she herself was affected with gonorrhoea. Incidentally, the husband sued for restitution of conjugal rights and won his case, I was told." ....."Mothers under fifteen are for more difficult to cure than elderly women."

Dr. Sathna, Health Officer of Delhi - Vol.I, p. 439.

"The first child among Hindus almost always dies." He attributes



attributes this to early marriage and premature births.

"Girls have not got the vitality to fight against nature."

p. 30. many such cases; it seems to be a general rule."

"More than ten or twelve in two years?"  
Sister Subbalakshmi, Head Mistress, Lady Willingdon Training  
College, Vol. IV, p. 117.

"Would you say that in the case of a Brahman girls the marriage is consummated before the girl completes her fifteenth year?"

"It is so in 99 per cent of the cases .... the number is larger under fourteen than under fifteen."

Asked for cases where young girls had suffered from early consummation, she said:-

"Within the last five years I have come across more than ten cases like that among Brahmans. .... they are married at ten or eleven till the time they go to their mother-in-law's house. There is no girlhood at all among Brahmans. The mother-in-law treats the girl as if she were a woman; the domestic duties are on her shoulders. This results in the derangement of the womb and there are other complications."

"You see any number of mothers between fourteen and fifteen who are not able to look after their children; so young themselves, they cannot keep awake at night with the

babies

babies crying all the time." "At two and three, among the lower classes, after puberty, which happens many such cases; it seems to be a general rule." "More than ten or twelve in two years?" "More than that."

marriage legislation as it interferes with the liberty granted by God's law. To the same effect is the evidence of Oudh at Lucknow. - Vol. IX, p. 243.

"I certainly do consider early consummation of marriage and early maternity two of the principal factors responsible for the high maternal and infantile death-rate ... The purdah system results in the ignorance of the girl-wife in matters of health and hygiene, and the custom of the dai or barber-woman cutting the umbilical cord of the child with a dirty unclean kharpi (generally used for cutting grass) or an old razor are other causes that make for the early death of the mother and child with the silence and depth of a strong tide at night. .... Until the women of the country take up this cause in right earnest, the generality of men, who look upon them as their playthings, will not really and seriously bestir themselves."

#### Evidence of Orthodox Muslim Witnesses.

"Quazi Zahirul Haq, of Dacca, admits that the girls  
are

are married at all ages, even at two and three, among the lower class of Muslims, that immediately after puberty, which happens at eleven or twelve, the girl is sent to the husband's house and that he is aware of girls who became mothers at thirteen or fourteen, but he will oppose all consent and marriage legislation as it interferes with the liberty granted by God's law. To the same effect is the evidence of Khan Bahadur K. A. Siddiqui, who strongly urges the reduction of the present age of consent to eleven. The witness states that co-ordination is not uncommon to lower classes before puberty and is considered essential by all, including the advanced section, soon after puberty. He is personally aware of four or five girls who had co-habitation at ten and eleven and became mothers. He is, however, deadly against fixing by law and age of marriage." (Joshi Report p. 68 Bengal.)



Appendix D. Table No.1. Distribution of females by civil condition in different communities according to age groups in the years 1911, 1921 and 1931.

Ages.	Hindus		Muslims		Christians.													
	Unmarried	Married	Unmarried	Married	Unmarried	Married.												
	1911.1921.1931.	1911.1921.1931.	1911.1921.1931.	1911.1921.1931.	1911.1921.1931.	1911.1921.1931.												
0-5	98.1.	98.5	96.8	1.8	1.30	3.11	99.5	99.3	96.1	0.5	0.6	3.5	99.6	99.6	99.3	0.4	0.5	0.4
5-10	86.3.	88.4	78.0	13.2	11.4	21.5	93.2	94.8	80.0	6.5	5.0	19.8	98.4	98.2	97.0	1.5	1.4	2.92
10-15	49.5	54.3	57.2	48.8	43.7	41.7	59.5	64.3	59.7	39.3	34.4	39.3	88.4	91.4	89.0	11.3	8.5	10.7
15-20	12.2	13.7	11.2	83.6	81.4	85.1	13.7	15.3	12.9	83.4	81.4	84.5	41.8	47.4	39.3	57.0	50.7	59.4
20-30	2.3	2.6	2.8	88.7	87.0	88.0	2.7	2.9	3.3	90.9	90.1	90.3	9.9	10.7	12.0	85.4	84.1	83.2
30-40	1.3	1.1	1.1	77.3	74.9	75.2	1.4	1.4	1.4	80.6	79.1	78.7	4.2	4.8	3.8	82.1	81.2	80.9
All ages	31.7	33.3	33.5	49.5	47.9	50.3	37.9	39.0	36.8	47.3	46.5	50.3	46.0	47.0	47.4	42.2	41.2	41.6

APPENDIX D. TABLE NO. III.

Distribution of females by civil condition in different communities  
According to age groups in 1921.

Age	All religions		Hindus		Aryas		Brahmos		Parsis		Muslims		Christians	
	U	M	U	M	U	M	U	M	U	M	U	M	U	M
0-5	:99.1	.85	:98.5	1.30	:99.74	.25	:99.9	-	:99.5	.43	:99.3	.62	:99.6	.31
5-10	:90.4	8.8	:88.4	11.4	:95.2	4.57	:97.6	2.4	:98.5	1.35	:94.8	5.0	:98.2	1.48
10-15	:60.4	38.4	:54.3	43.7	:69.0	30.0	:88.2	11.79	:98.0	1.99	:64.3	34.4	:91.4	8.55
				32.5						.64		29.4		7.07
15-20	:18.7	77.6	:13.7	81.4	:22.4	74.2	:62.0	33.3	:84.5	15.0	:15.3	81.4	:47.4	50.7
20-25	:5.14	87.5	:3.42	88.4	:4.7	88.4	:37.4	56.8	:54.8	44.2	:4.02	90.8	:14.5	81.7
25-30	:2.5	86.6	:1.81	85.7	:2.0	87.4	:17.6	72.2	:32.8	64.3	:1.95	89.5	:7.04	86.6
30-35	:1.88	79.5	:1.5	78.5	:1.54	79.2	:11.1	74.0	:21.0	73.2	:1.6	83.5	:5.15	83.6
35-40	:1.48	73.0	:1.18	71.3	:.87	77.0	:7.07	78.2	:15.0	74.6	:1.2	74.8	:4.56	78.8
All Ages.	:35.8	46.7	:33.3	47.9	:40.0	45.5	:50.0	37.0	:47.3	39.4	:39.0	46.5	:47.0	41.2

U : Unmarried  
M : Married

Appendix D. Table No. 111. P. C. Distribution of females by civil condition in different communities according to age groups in 1931.

Age	All Religion		Hindus		Aryas		Brahmos		Parsis		Muslims		Christians.	
	U	M	U	M	U	M	U	M	U	M	U	M	U	M
0-5	96.5	3.08	96.8	3.11	99.5	.43	99.6	.4	99.5	.41	96.1	3.5	99.3	.46
5-10	79.4	20.1	78.0	21.5	90.3	9.68	94.7	4.93	98.6	1.1	80.0	19.8	97.0	2.92
10-15	59.4	39.9	57.2	41.7	71.0	28.6	90.0	9.94	97.6	2.3	59.7	39.3	89.0	10.7
15-20	12.7	84.0	11.2	85.1	20.8	77.0	72.6	26.2	81.0	18.4	12.9	84.5	39.3	59.4
20-25	4.7	90.5	4.0	89.5	8.95	87.2	43.5	52.5	64.6	34.4	4.8	91.2	18.3	79.0
25-30	1.81	87.4	1.58	86.5	3.21	88.5	12.6	78.2	31.3	66.0	1.94	89.4	5.7	87.5
30-35	1.46	82.5	1.31	81.7	2.12	86.4	12.4	73.8	23.6	72.5	1.54	85.0	4.35	85.6
35-40	1.15	70.0	1.01	68.7	1.43	76.4	12.1	71.7	14.6	74.8	1.25	72.5	3.36	76.2
All	34.4	49.8	33.5	50.3	39.6	48.0	55.9	39.4	49.3	39.2	36.8	50.3	47.4	41.6



APPENDIX D. TABLE NO. IV & V.  
AGE, SEX AND CIVIL CONDITION OF HINDUS & MUSLIMS.

Ages	H I N D U S				M U S L I M S							
	UNMARRIED		MARRIED		WIDOWED		UNMARRIED		Married		Widowed	
	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women
0-5	12793274	13221576	92482	183957	5336	11892	4548347	4639015	14242	28733	877	2726
5-10	15250456	13626308	661458	1714738	35283	85037	5552459	4993824	79229	264723	4208	14602
10-15	11615522	6147998	1976627	4947266	94141	232147	4203177	2246994	298995	1200722	11978	39873
15-20	5950340	1135486	3134725	6698424	157476	396172	2231663	436198	718859	2325207	30120	90915
20-25	3249109	315816	5030269	8163637	308630	742820	1154420	118176	1462973	2663207	77503	152482
25-30	1778231	170577	7321927	8039582	555088	1163720	607254	57122	2328125	2611082	144825	252184
30-35	890727	236369	7678955	7092818	752090	1818363	259120	40695	2290856	2118877	184281	388785
35-40	444653	72556	6016094	4382342	699203	1696706	107518	20648	1903810	2248551	161178	398806
TOTAL	53012073	35063817	50006911	50328604	7607612	20218780	18894905	12620279	14864580	15057006	1833361	4712563
ALL RELIGIONS	80685182	54841195	71057754	71593131	10333392	26934838						

APPENDIX D  
GRAPH A

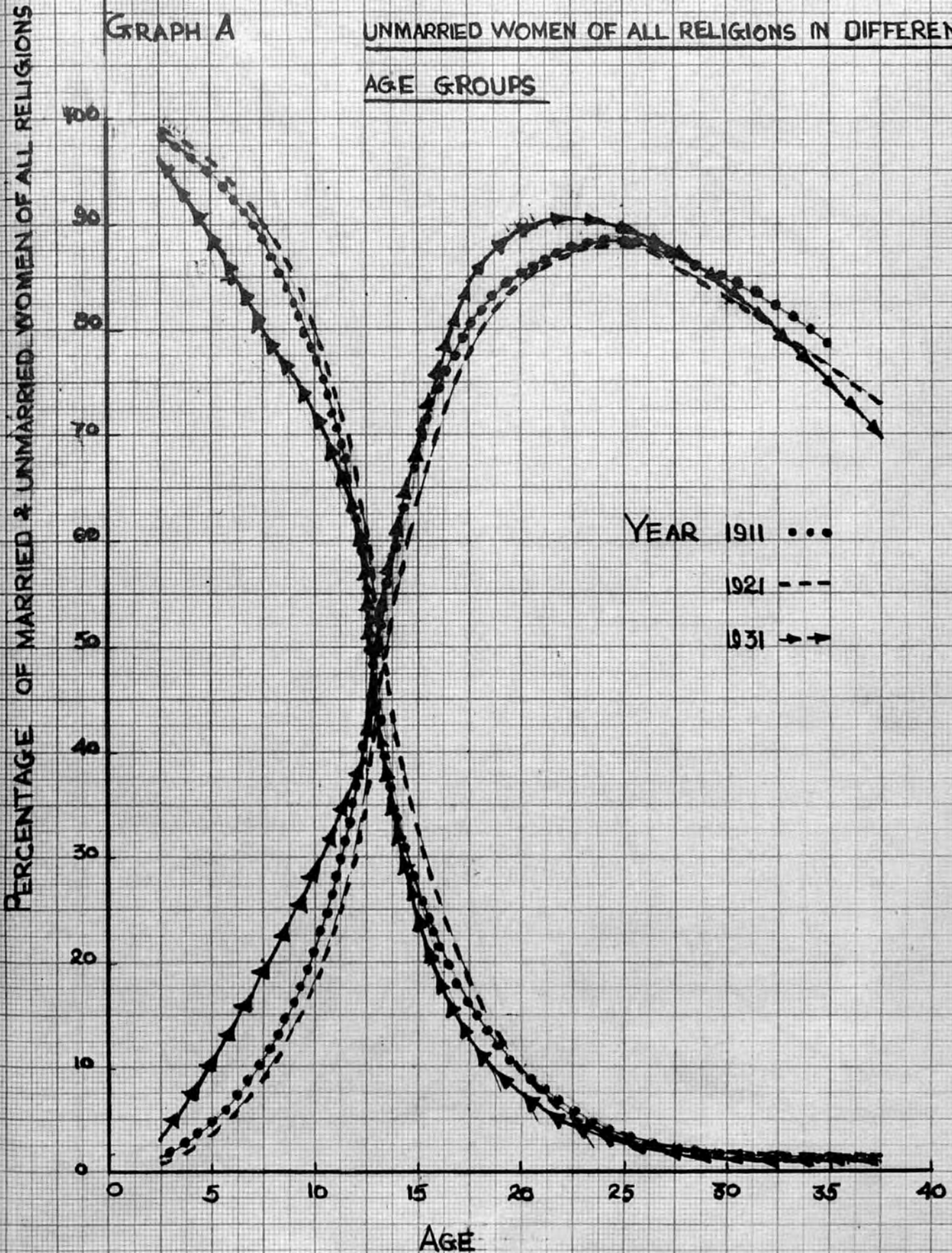
## AGE, SEX AND CIVIL CONDITION OF HINDUS &amp; MUSLIMS IN 1921 - Appendix D Table VI

AGES	HINDUS						MUSLIMS					
	UNMARRIED		MARRIED		WIDOWED		UNMARRIED		MARRIED		WIDOWED	
	MEN	WOMEN	MEN	WOMEN	MEN	WOMEN	MEN	WOMEN	MEN	WOMEN	MEN	WOMEN
0-1			25082	28769	614	1081			10059	13570	139	360
1-2			30937	42456	721	3342			8574	19387	139	386
2-3			46345	75869	1296	2695			14690	35176	252	694
3-4			89747	163818	2954	7078			25495	63766	566	1805
4-5			128287	253282	4681	11471			35533	25920	976	3060
0-5	17275532	17533616	320398	564194	10266	23667	6096860	5998598	94351	217819	2072	6305
5-10	14367881	11360534	1465896	3134749	36971	83920	5232951	3945885	373839	977464	6954	18988
10-15	11956146	7340929	2502281	5350136	63934	145449	3313316	2556028	619585	1681518	12184	33484
15-20	5680899	1191126	5022574	9077711	159630	404167	2012387	463830	1492384	3035044	42122	91632
20-25	3711863	453316	7043873	10193335	267981	668508	1344878	180174	2229579	3414188	80588	147739
25-30	1385227	161380	8655390	8836580	455655	1212385	475328	60138	2814235	2778316	138491	267590
30-35	818648	117109	8324798	7326326	547801	1529627	248923	40460	2715642	2222243	156892	350973
35-40	420944	72543	6892987	4944380	701254	2166409	106279	24528	210812	1420374	170525	514255
TOTAL AT ALL AGES	56505005	38391969	58663574	58353082	7003955	19681068	20023832	13324218	18300813	18241410	1774458	4679500

APPENDIX D

GRAPH A

GRAPH SHOWING PERCENTAGE OF MARRIED & UNMARRIED WOMEN OF ALL RELIGIONS IN DIFFERENT AGE GROUPS





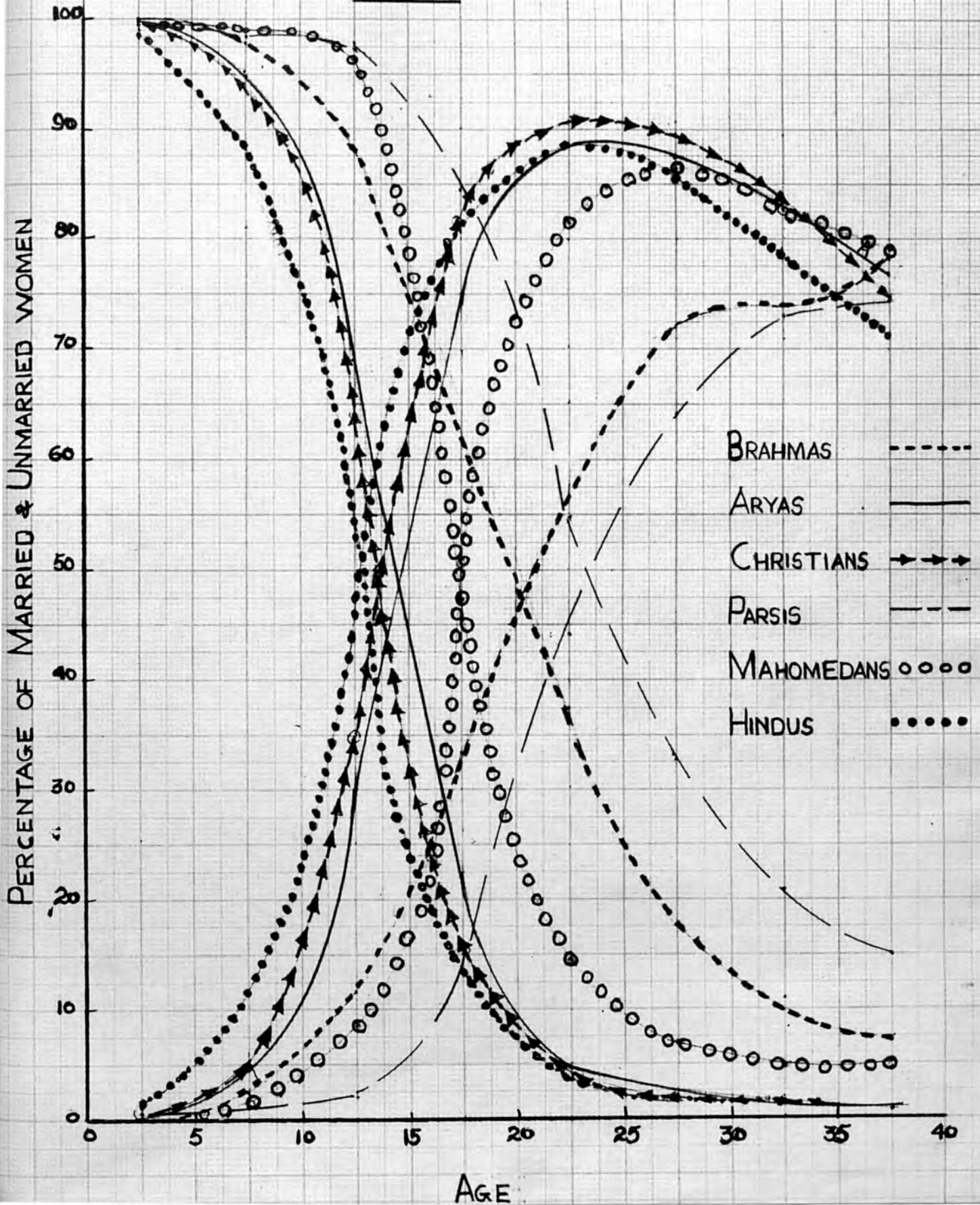
APPENDIX D

GRAPH SHOWING PERCENTAGE OF MARRIED & 621

GRAPH B

UNMARRIED WOMEN IN DIFFERENT AGE GROUPS

IN 1921



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