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Gender Discrimination in Indian Perspective

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ABSTRACT : *There is a large ambiguity about the nature and status of women in Indian society. There are some sacred texts which give them a loftier status by saying them as mother goddess as Durga, Kali, Chandi etc. Women are envisaged as a symbol of power and they can evoke both fear and reverence. Woman can protect others and in different circumstances they can also wreak vengeance. If pleased, they can fulfill every wish and in contrast when annoyed they can unleash unprecedented displeasure. Some of their attributes are believed to be invested in every woman. On the other hand, there is another profile of woman which is sanctioned by the religious scriptures. Sometimes woman is believed to be fickle and fragile in nature. She is alleged to be sensuous, a temptress, given to falsehood, folly, greedy and a symbol of impurity and thoughtless action. She, in this way, is regarded as the root of all evils. These two images in respect of women are contradictory. This ideology of utmost subordination and ambiguity linked mainly to Hinduism is pervasive and it has affected the ethos of almost the entire Indian Society. The aim of this paper is to study the imbalances suffered by the women in India in different fields which are leading to the violation of their human rights.*

Keywords: *Constitution, Discrimination, Education, Girl-child, Marriage.*

I. Introduction:

An aspect of gender inequality that receives a great deal of attention from academics and policymakers is decision-making power within the household. A woman's say in household decisions is one aspect of her well-being and thus an end in itself, but the keen interest in female empowerment is in large part because it is believed to be a means of improving children's outcomes [1]. The model in the background is of a non-unitary household, that is, a household as a collective of individuals with different preferences who vary in how much they influence the household's decisions [2]. The 20th century has been marked by a widespread movement towards gender equality. Though this has led to better opportunities for women, especially in industrialised countries, a sometimes shocking picture can be seen in a few developing countries where equality is still a faraway goal. The mortality rate for girls and women, for example, is much higher in South Asia and China in comparison to their male counterparts [3],[4].



Especially in developing countries, education differs dramatically between genders, and pay gaps also exist [5]. To exemplify the gender-based wage gap, the United Nations Development Programme [6] mentions Bangladesh, where female workers in the non-agricultural sector only earn 42 % of the wages of their male counterparts. Apart from the sometimes severe human suffering of individual females that are subject to discrimination, the economic consequences for the country affected can be substantial. To begin with, gender bias may reduce economic growth rates. This link has been well established in the literature by [7], [8],[9]. Above all, gender discrimination may discourage workers from entering a job to which they are best suited, thereby lowering the value of output. Also, a gender bias in education implies that females will be less well educated and, hence, less skilled. Lower human capital levels, in turn, are likely to affect GDP growth rates negatively.

India is recognized as one of the most influential nations in the present world perspective. It has made multidimensional progress since its independence and is one of the most influential developing nations of the world in present times. It got another fillip towards economic development in the early 1990's soon after the initiation of the policy of economic liberalization. It is a matter of great satisfaction for the people of India as a whole having well-informed concerning India's journey towards the group of the most developed nations of the world in terms of science and technology, space research, nuclear capability etc. India is undoubtedly a global power today and its dominance in world perspective is virtually increasing day by day. The most powerful nations of the world today whatever friends or foes to India like to apply their international prudence regarding India's verdict at the time of dealing with any global issue All these progressive as well as encouraging news do certainly deserve to applaud the latest slogan of 'India is shining'. Notwithstanding the major achievements, the findings of a comparative study of other developed nations rather goes in disfavor of India and compels one to believe that India still has miles to go forward. A very pertinent question anybody may ask is as to whither India should go to become a fully developed nation in the real sense of the term. Any prudent writer would promptly point out what Bapuji suggested long back about the education, justice and equality for the womenfolk in India. Women are still almost outside the political ambit and disproportionately represented in the decision making process of the government. The Constitution has on one hand provided many provisions for the safeguard and uplift of the women, but on the other hand the violation of these provisions is despairingly on the rise and its resultant outcome may be the overall sluggishness of Indian society.

II. Objectives of the Study:

The aim of the present paper is –

- [1] to enquire about the causes of gender discrimination through the ages
- [2] to analyze the different status of women enjoyed in different stages
- [3] to find out the main factors of women's deprivation in different walks of life



- [4] to analyze the constitutional safeguards to protect the rights of women in india
- [5] to find out some suggestive measures to safeguard the indian women from gender discrimination and violation of their human rights.

III. Study Area:

India is a country with a history of almost 5000 years and it is not easy to draw the threads of different languages, customs and cultural practices together and weave them into a pattern. The paper is attempting to present an account of the Indian women's journey towards gender equality in the context of a changing socio-political and economic background and values. It is addressed not specially to the academic community but to the general reader anxious to understand women's status in Indian society. It deals with all section of women in Indian society irrespective of their differentiations in terms of caste, class, colour, creed, religion etc.

IV. Methodology:

The paper is primarily descriptive in nature and follows the historical-analytical method of discussion. It is based on the secondary data and information which are collected from various books, journals, news-papers, magazines and internet sources. The collected information has been explained in descriptive method.

V. Result and Discussion:

a. Women in the Vedic Period:

In the Vedic and the Epic period women were by and large considered equal to men. Women were honored to be the embodiment of all divine virtues on earth. They were considered not only unavoidable for domestic life but also for the entire social set-up. There are, however, scholars who tend to refer some religious scriptures to point out that the women underwent very low status. These references might be purely contextual and be given in some particular context. But many scholars agree that women in this period never used *purdah*, enjoyed right to education and freedom of mate-selection. They of course, had not to earn wages as it was not necessary for them to do so because of their household affordability. Similarly, as there was no system of electoral governments, the women-folk likewise their male counterparts could not have the idea of electing or being elected to any political designations. However, there was the system of *Sabhas* or village assemblies but women were debarred from entering into the same because of its misuses for gambling, drinking and the like other occasions. Kautilya, in his *Arthashastra* referred to women soldiers equipped with bows and arrows. Women exercised religious freedoms to participate in religious ceremonies as well.

b. Women in Medieval Period:

The status of women was lowered in medieval period by imposition of various restrictions. In this period, the detrimental to the girl child, pre-puberty marriages started to be practiced. The good system for the society i.e. widow remarriage was prohibited and women education was totally denied. Some other fatal customs such like *sati*, *purdah*, polygamy etc.



were introduced in the societies during this period. The husbands, in one hand, were given the status of a god and on the other hand the wives were forbidden to offer prayers and read religious books. In the Muslim period also, more restrictions were imposed on them. Due to the imposition of the Brahmanical austerities on whole society, especially the women had to suffer from this and it could be called a violation of rights. Law and religion did not recognize the equality of men and women. However, by the 15th century the situation underwent a sea change and there was a revival of the Indian society and it led to the considerable improvement in the status of the women. The *Bhakti* movement influenced the situation to a great extent because it favored women's rights and permitted some social and political freedom to the women section. The saints of this movement preached equality of both the sexes and pleaded for equal opportunities for women.

c. Women in the British Period:

The status of women improved a little in the British period due to mainly the spread of education and some other similar challenging bold steps taken by the British government. The abolition of *sati* by Lord William Bentick, enactment of Widow Remarriage Act, 1856, Child Marriage Restrain Act, 1929 etc. were the great steps initiated by the British government in India. The contributions made in this direction by the enlightened Indians like Raja Ram Mohan Roy, Ishwar Chandra Vidyasagar, Maharishi Karve, Swami Dayanand Saraswati, Annie Beasant, Mahatma Gandhi etc. worked as dominant forces for eradicating evils and establishing justice throughout the Indian society. The growth of some women organizations like *Bharat Mahila Parishad* (1904), Women's Indian Association (1917), All India Women's Conference (1927) etc. In the early twentieth century, the rise of the National movement under the leadership of Mahatma Gandhi became prevalent. He called upon the women to come out in large number in support of their cause of freedom. As a result, the mass participation and awareness of the women under the leadership of Gandhi gave them sense of equality with men. In this way the women started to raise their voice against the old-age sufferings at the hand of the orthodox society. Thus, during this period the efforts of the Indian social reformers, national leaders and women organizations resulted in some particular social legislation by the British government in India. The National movement and various women's movements paved the way for their liberation from their social evils and religious taboos. People became conscious of the social disabilities and attempts were made to dispel all kinds of inequalities.

d. Women in the Post-Independence Period:

After India got independence, the status of women received more vigor primarily because of the legislation of some new stringent laws. These include the Special Marriage Act, 1954, the Hindu Marriage Act, 1955, the Hindu Succession Act, 1956 and the Anti-Dowry Act, 1961. The effect of education, increasing opportunities of employment, participation in the political process etc. are some other factors which have developed the status of women in



independent India. The central as well as state governments have appointed several commissions to suggest measures for protecting the rights of the women working in various fields. The National Commission for Women (NCW) was set in 1992 to look into women related issues and to probe the status of the women. It was directed to examine the various legislations and assess the causes of discrimination and atrocities against the women and also to suggest possible remedies. There are some factors identified as to the women empowerment, indices are involvement of women in paid-work and acquiring economic independence, increase in the number of higher positions in different departments occupied by women, increase in the number of women in legislative bodies, increase in the number of girls studying colleges, universities, professional institutions and so on. Educational opportunities for the women have widened, however, the enrolment figures for women are still lower than those of boys. The women are taking the advantages of the new economic opportunities but there is still an invisible discrimination practiced against them. In employment sector, they are still not well recruited keeping in view of their proportion with their male counterpart. In political field also they are not given equal representation.

e. Status of women in Modern age:

The status of women has considerably changed in modern times. Now-a-days, housekeeping and child bringing is not a full time job for a middle class woman. Today, the main criteria for selecting a girl as life partner are her education and employability. Modern women have taken up the challenge and started their competition in the direction as is required by the changing times. Now, working couples leave their children in the crèches and pick up them in the evening as soon as they get relaxed from their routine work. Almost in maximum cases, marriages become late by choice and the traditional sanctity of marriage has lost. The joint family system which was once considered as a hindrance in the way of women's development is now breaking down. It has in a different way affected the process of upbringing of the children. In spite of all these, the status of modern women has considerably changed to a prosperous direction. Modern middle class women have greater privacy, more opportunities, freedom and equal rights. She has struck a perfect balance between tradition and modernity and seems to be determined to prove that she is equal to man. She is no longer confined to the orthodox beliefs and has begun to take responsibilities rather than just playing a role of a mother or a wife. In view of the general status of the women in contemporary times, it can be concluded that today there are more representation of women in parliament, legislative assemblies, municipal bodies and *panchayats*. There are women in various walks of life today like more women entrepreneurs, more bureaucrats, more professionals, more managers and more administrative officers. Again, the rural women are still traditional and deeply ritualistic as opposed to the urban women being fighting the real battles of life.



f. Constitution and Women's Status:

There are significant provisions in the Constitution of India to protect the rights of women. The Preamble to the Constitution itself recognizes the principles of social, economic and political justice. The Fundamental Rights tries to remove the inequalities between men and women. Article 14 promises equality before law; Article 15 prohibits discrimination on grounds of religion, race, caste, sex etc. Article 16 guarantees equality of opportunity public employment and Article 23 prohibits traffic in human beings as well as forced labor. There are also some Directive principles directing the state to adopt a policy of equal pay for equal work for both men and women. It asks the state to ensure that the health and strength of men and women workers is not abused. It also directs the state to make provisions for humane conditions of work and maternity relief. The 42nd Constitutional Amendment imposes a fundamental duty on every citizen to respect the dignity of women.

VI. Findings and Suggestions:

It is a reality that gender disparity still exists in India. It is seen in the households, at workplace and in the society as a whole. Gender-wise literary rates in the country reveals the wide gap that exists between men and women. As per the data of the Census, 2011, effective literary rates (age 7 and above) were 82% for men and 65% for women. Women generally have less economic independence and lesser role in family and society. Gender discrimination begins even before a child is born. The horrifying practice of female feticide still exists in India. The Patriarchal set-up of the Indian society is another main reason behind gender discrimination in India. For long times, men have been dominating the societal and familial lives in India.

Although this scenario is rapidly changing with increasing levels of women literacy and urbanization as well, in the hinterland areas men still continue to dominate the social life. Many girl children who go to schools are asked to leave school and help their mothers in their household works. Parents also employ much time in grooming their girls for becoming good wives and they concentrate very little on providing them education. Education is an immensely powerful weapon through which an individual can make it big in life. When children use to go to school, they start building their comprehension and problem-solving skill and become able to take right decisions in life. As girls are educated, the benefits are even better and much more permeating. An educated woman in the household ensures that their members are not deprived of access to quality education.

The role of the NGOs in educating girl child is more important. NGOs like *Save the Children* are bringing hope by extending helping hand to the girls in India. Many girl children especially belonging to the backward communities are now coming out for receiving education. In several *Kasturba Gandhi Balika Vidyalayas* in Rajasthan and Jharkhand, the NGO is ensuring girls' education and thus is improving school infrastructure for a better learning environment.



Bringing a change in the mindset of the people is the key to the end of this gender discrimination. Our girls deserve equal opportunities as like their male counterpart. The present Government's flagship scheme *BetiBachao, BetiPadhao* may go a long way in this connection. The effectiveness of the slogan of the government of India may hopefully usher in a bright future for the Indian women and emancipate them from the age-old curse of gender discrimination.

VII.Conclusion:

The Constitution of India guarantees the women the right to equality, freedom, property, education, constitutional remedies and protection from exploitation. In addition to this, the Indian government has been enacting several laws for safeguarding the interests of women from time to time. Notwithstanding these provisions and enactments, the overall scenario of women's uplift is not so encouraging. Some prominent writers have opined that the gender discrimination emerge from the contradiction prevalent in the Constitution of India. As per S. C. Dube, it ensures equality for all before law and prohibits discrimination on grounds of religion, race, caste, sex etc. On the other hand, it also guarantees the freedom of religion-the right to freely profess and practice religion. This religious freedom takes away much of the freedom and equality guaranteed to them by the Constitution. Women do not have equal rights in the family because family laws are deeply rooted in the religious codes. Many women do not have the right to decide as to where they would live after wedding or to adopt a child or to get a divorce. These are more religious than being constitutional. In this context, a progressive legislation becomes retarded due to the fear of possible political fallout and the loss of vote banks. In this process, equality becomes rather a cry for the women in India. As per S. C. Dube, the march to equality for men and women would be long and tortuous.

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