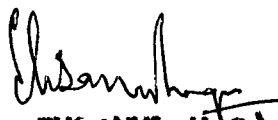
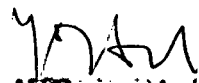


CENTRE FOR THE STUDY OF SOCIAL SYSTEMS,
SCHOOL OF SOCIAL SCIENCES,
JAWAHARLAL NEHRU UNIVERSITY,
NEW MEHRAULI ROAD,
NEW DELHI- 110 067.

DECLARATION

This Dissertation entitled "Social dimensions of discrimination against women in India: an analysis", submitted by Usha Singh for the award of the Degree of Master of Philosophy has not been previously submitted for any other degree of this or any other University. We recommend that this dissertation be placed before the examinees for their consideration for the award of M.Phil. degree.


(DR. EHSANUL HAQ)
Supervisor


(PROF. YOGENDRA SINGH)
Chairman

ACKNOWLEDGEMENT

In pursuance of this study I have incurred many obligations of my teachers. Firstly, I am extremely thankful to my supervisor for his continuous help, general guidance and encouragement.

I am also thankful to Prof. Yogendra Singh for his useful guidance and suggestions. Finally I am thankful to the Centre for having given me the necessary facilities for conducting the study.

Usha Singh
(USHA SINGH)

CONTENTS

CHAPTER NO.	TITLE	PAGES
I	INTRODUCTION AND THE EXPOSITION OF THE PROBLEM	1 - 16
II	SOCIAL AND CULTURAL DIMENSION	17 - 69
III	ECONOMIC AND DEMOGRAPHIC DIMENSION	70 - 125
IV	POLITICAL AND LEGISLATIVE DIMENSION	126 - 164 ✓
V	CONCLUSIONS AND IMPLICATIONS	165 - 194
	BIBLIOGRAPHY	

LIST OF TABLES

<u>CHAPTER NO.</u>	<u>TABLE NO.</u>	<u>TITLE</u>	<u>PAGES</u>
II	1.	Percentage distribution of responses regarding to the birth of a girl and of a boy.	44
III	1.	Expectation of life at birth, 1921-71.	71
	2.	Expectation of life at different ages for males and females, India, 1951-60.	72
	3.	Infant mortality rates for selected states, (SRS) 1969.	73
	4.	Age-specific death rates, rural India, 1969.	74
	5.	Growth of female population in India, 1901-71 (in millions)	75
	6.	Sex ratio by age groups, India, 1971, females per 1000 males.	76
	7.	Sex ratio in states, 1921-71, females per 1000 males.	77
	8.	Literacy rates by age-groups, India, 1971.	82
	9.	Female literacy rates in rural and urban areas, 1971.	83
	10.	Distribution of literates by educational level, 1971.	84
	11.	Trend in distribution of women workers, 1911-1971 (in Thousands)	87
	12.	Distribution of women workers into nine industrial categories, 1971.	88
	13.	Female working force participation rates in cities with population of over one million, 1971.	90
	14.	Non-working women classified by main activity, 1971 (figures in thousands)	91
	15.	Percentage of women reporting household duties as main activity, India, 1971.	91
	16.	Migration streams, 1971.	92
	17.	Distance and migration, 1971.	92

<u>CHAPTER NO.</u>	<u>TABLE NO.</u>	<u>TITLE</u>	<u>PAGES</u>
	18.	Percent of female migrant workers to total female migrants in million - plus cities, 1961.	93
	19.	Male - female disparity in regard to selected demographic characteristics, India, 1971.	95
IV	1.	Turn out of women voters	128
	2.	Women contestants for the Lok Sabha.	129

CHAPTER-I

INTRODUCTION AND THE EXPOSITION OF THE PROBLEM

Recent studies on the status of women in India have revealed a disquieting picture. The value of women in our society has always been considered lower as compared with men and "India as a world of men rather than of women".¹ 'For the vast majority of our population, women are being used mainly as producers of children and not as producers of wealth'.

Five years after the launch of the United Nations; decade for women, the female half of the world's population is worse off than before. According to UN reports July, 1980, halfway through the so called decade^{for} women (1975-1985) reams of UN reports indicated that the economic crisis of the 1970's have settled on women's shoulders.

'The existing conditions of stagnation, exploitation, deterioration and atrocities describe women's condition on the national scene in most of the countries since 1975'.

Many studies and other documents bring out the following facts in terms of the conditions of women :²

- Middle class women have made some educational gains, but the gains have not been matched by an increase in suitable jobs.
- Female illiteracy rates have increased in less developed countries and the introduction of advanced technology has taken jobs away from women and has often impaired their health.
- The current world economic crisis has affected women more seriously than men, increasing their unemployment and cutting back on essential services as medical and day care.
- In 1980, females account for half the world's population but for two-thirds of the world's work hours. They receive only one-tenth of world income and they own one-hundredth of its property.

1. Indian Express, July 20, 1980.
and Towards Equality : Report of the committee on the status of women, Government of India, Dec., 1974.

2. Indian Express, July 13, 1980.

The fact that the Indian Prime Minister is a woman does not mean that her sex is much more respected here than in other countries. To quote her³, while she was inaugurating the All India Women's Conference building complex "Sarojini House" on the 26th of March 1980, Mrs. Gandhi said, "I have often said that I am not a feminist but since the beginning of history women have been dominated and discriminated against in social customs and laws". The insidious and all pervasive attitude of male superiority is revealed in the vocabulary, of languages, all over the world. "In the west, woman's emancipation or so called freedom is often equated with imitation of man", and this the Prime Minister felt was merely one kind of bondage being substituted by another.

Mrs. Gandhi, in the course of her life, has displayed qualities which many people, some of whom are women, have always thought of as the exclusive province of male : courage, tenacity and fixity of purpose. But though these qualities are daily on public display in one woman, the Indian public does not really believe that they can exist in all women. Typecast in the part of mother and wife, and instructed by religious scriptures to remain in this role, the average Indian woman is not particularly susceptible to ideas of female liberation.

This is strange : for the women of India, a poor and over - populated country, should be ripe for a show of independence. An endemic poverty ensures that the mass of Indian women are badly educated and malnourished. The malnourishment arises from the curious tradition that when food is short, as it often is, the larger share must be offered to the man, the breadwinner of the family. Recent U.N studies have shown, however, that in most countries in Asia and Africa, and this includes India, women work twice as hard as men, and that, if their household activities are included, thier stints of labour add up to some 16 hours a day.

Overpopulation in India compounds the problem. Most Indian women, and this is particularly true in the rural areas, have far too many children, and whether these children live or die (a quarter of all the children, born in India, die before they have celebrated their sixth birthday), this process of procreation ages the mother, both physically and spiritually, before her time.

3. Indian Express, March 27, 1980.

Even if her children survive, she has to watch them suffer from lack of food and opportunity. It is therefore not remarkable that surveys have shown that women often accept family planning with relief and pleasure.

There is obviously physical difference in the sexes, but the mind of an intelligent woman works in the same way as that of an intelligent man. This factor is overlooked even among what are called the educated classes in India. Take any society party, where most of the men and some of the women have high educational qualifications. It is immediately apparent that the men prefer to talk to one another, and the women are left apart. Conversation in the female half of the party is confined to "female topics" children, cookery, servants.

There is thus, a refusal, on the part of the Indian man, to treat a woman as his equal. But there seems also an acceptance on the part of the woman to be thus treated. It may not be so, deep within her, but if she is inwardly rebellious, it does not manifest itself in her surface behaviour. A woman at a party, who broke away from the other women and addressed herself to the men, would run the risk of becoming a target of derision for the males present, and a target of contempt for her sisters. These attitudes are so deeply interwoven into Indian social tradition that they will take years to root out. So long as women do not clearly demonstrate their own desire to be treated as the equals of men, they will continue in this country, to be discriminated against and thereby suffer endlessly.

Undoubtedly, the list of achievements towards the emancipation of women is pretty heartening. To name a few - we abolished Sati in 1829; we abolished child marriages; we soon after enacted a widow remarriage law; we gave women the right to property and the right to divorce and we raised the age of marriage. They can now go to schools, colleges and take up jobs. They are protected by labour laws like Maternity Benefit Act, Equal Remuneration Act. They can vote in elections, contest in elections. Also one is impressed by seeing quite a many women in public places - in educational institutions and offices; among elected representatives; moreover women artists, musicians, professionals can be seen moving and talking freely. But this is not the reality alone. If we attempt to see beyond this we will soon realise that there are layers and layers of a different reality. Just try to have

a sincere objective look at the common women. It will sure for certain startle you into disbelief thus bringing despair into your hearts.

Unlike all the other oppressed classes in society, women are not a distinct minority; they are not a class, because they belong to every group in society. Poverty, exploitation, deprivation, oppression are common enough words, but the sources and dimensions of these are numerous and varied and affect all groups of women. The intensity differs, but the cultural chains find all of them and affect their lives and consciousness.

Does not the newspaper reports of violence perpetrated against women shock and arouse indignation? Are there no stirrings of conscience? If at all such items attract attention, they do so only for their prurient interest. When open violence goes unnoticed, it is not surprising that the deeper violences, the violence of their spirits, the maiming of their psyche, the inner wounds that sap their vitality, remain unspoken about? Have we dared to look beyond the symptoms to those deeper ills, whose HOWs and WHYs we have not even begun to question? The consequences of the cumulative weight of centuries of subjugation are there in front of us - the denial to half the human race of those basic freedoms that affirm one's humanity; the denial of the very means which will give substance to those freedoms and enable one to realise freedom.

Last year, in the late twentieth century (1980) there were three reported case of sati in three states in just under one month. The total number of reported cases were seven in the state of Rajasthan alone. Newspaper readers know of Om Kanwar's case at Jhadli near Jaipur, and of Hardevi's near Mathura, but apart from the revival of this barbaric practice, what is symptomatic of the cultural mores is the attempt to build a temple to venerate Rani sati. More telling is the view expressed by Natwarial Goenka, the president of the Rani Sati Sarva Sang. He could not understand what all the fuss was about. The practice of Sati venerates women. Another senior executive in an interview with Femina stated that it was wrong to condemn these practices. To do so is to apply western standards to Indian tradition! By the same standards/token female infanticide,

disfigurement of widows and child marriages must be extolled as cultural glories. The point is, such glories are reserved for women only. When asked why men cannot immolate themselves for their wives, Goenka, snapped "Do you expect me to wear a sari?" These are the norms of some of our men in public life. Need we wonder about the views of ordinary persons?

"Dowry deaths", as they are rather succinctly put, are an everyday affair, unlike the sensational Sati cases that drew in big-money. A Delhi Social Welfare worker reports 498 cases in and around Delhi in one year alone. Such reported cases were 362 in Maharashtra, 249 in Andrapradesh, 98 in Rajasthan, 48 in West Bengal, 44 in U.P. and 23 in the Punjab. According to police records, the number of wife burning cases jumped from 670 in 1975 to 1,064 in 1979. When 80 per cent of all Indian marriages are concluded with dowry in some form, the Dowry Prohibition Act notwithstanding, these figures are likely to be gross under-statements.

When every young women's destiny is marriage, and the honour of every parent lies in a caste marriage, when the prestige of the family is tied to a girl 'adjusting' to her in-laws through total submission and she has no independent material means of survival, the amazing thing is that there are not many more suicides than are actually reported. All of them without exception are young, married women. Reason? Cruelty of husbands and in-laws. The kitchen stove is a mute accomplice to the sadism and greed of some. The slightest suspicion of infidelity on the part of a woman is met with swift retribution. Mumbai Samachar reported in one year, in one state, 27 cases of murders of married women because of suspicion of infidelity. The standards of men are, of course, different.

Are child marriages a thing of the past? Don't we have the legal age of marriage for girls as 18 and boys 21? There are

9,500 married girls aged five and less. In one district in Western India, there are 3.5 lakh widows under 15 years. Even in 1971, 13.6 per cent of all married women in the country as a whole were between 10 and 14 years of age.

In this land of goddesses and Mother worship, in 1980 A.D. there were 4,000 reported cases of rape - and, as everybody knows, hardly one in 20 cases is reported, so one can do his/her own arithmetic. Crime statistics report a sharp increase in sexual violence against women. Most victims are tribals, Harijans, minor girls, but middle class housewives or college girls are not exempt either. Who are the assaulters? Not some demented psychopaths, but policemen, government functionaries in rural areas, army personnel, landlords and yes even a magistrate - all those guardians of law and order. They are men holding responsible positions, abusing their power and authority.

After 34 years of independence, when six parliaments have affirmed their faith in democratic principles, any movement that asserts political or social rights of the people is crushed, and rape is the instrument par excellence, for in such cases it is not a crime against women, it is an attack on their men, a slur on their honour? Why? Because women are their property. To accept that rape is an outrage of a woman's privacy is to accept her as an individual human being. "Even when the state is not directly involved", declared the Amnesty international's report, "through its officials in committing sexual violence, it almost always gives its blessings where feudal institutions, religious trusts, rich landlords, prosperous mine owners and contractors come into the picture". Documentation is not difficult.

Rape, or the implicit threat to it, is the most dramatic way in which the historic domination of women by men is forever repeated. Through its psychological, physical, emotional crippling, it makes it clear to women that they have no control over their own bodies. The assaulter never loses his self esteem, for the

definition and the meaning of the act is so framed that humiliation is reserved only for the victim. Else, how could the THE TIMES OF INDIA'S noted litterateur and humorist write unblushingly, that "rapes do not exist because all rapes are seduction". He further pontificates, "Even a green horn knows that the male and female of the species called Homo Sapiens are so biologically structured that their inner drives and compulsions whether in kind or degree are by no means symmetrical. Other things being equal a healthy woman needs a lot more sex than a healthy man".

Women political prisoners are specially liable to all kinds of sexual torture. The apolitical working girl, typing away at the office or the hard working nurse ministering to the sick are not safe either. The price of holding their job is made clear in no uncertain terms by the 'boss'.

Why are women regarded as men's property? The relationship between the women who labour to produce material sustenance and to reproduce the human race and the men to whom the benefits go is simultaneously sexual and economic subjugation. The baby is made out of the raw material of a mother's body. Feeds on her body and yet once born belongs to a man and has no civil existence when not owned by a man. This is systematised in law, theology, philosophy, culture and art. Secondly, women are believed to 'possess' carnality. Here, it would be best to repeat what a feminist scholar Andrea-Dworkin says:

"A man wants what a woman has - i.e. sex. He can steal it (rape), persuade her to give (seduce), rent it (prostitution), lease it for a long time (marriage with divorce), own it outright (marriage without divorce)"

The oppression of a woman is rooted in the belief that women are no more than bodies - mere instruments to yield sexual pleasure, progeny (especially male) and manual labour. None of these has changed in India. Woman is a symbol of carnality for man.

The glorification of motherhood has many snags that conceal this subjugation. To woman as property, modernisation has added commercialisation - woman as a commodity to be purveyed as packing for goods.

If women are helpless, easily exploited, discriminated and oppressed part of the reason is they have few of the material means and psychological resources that will empower them. These are the invisible felters, the violences that go unnoticed, unrecorded, and if recorded, only in bland official forms that provoke no sensation, no concern. Indian women are the second most numerous in the world but their proportion in relation to men is lower than over most of the world. In 1981 we had 946 females for every 1,000 males; in 1961 we had only 941; and in 1971 it was 930; the 1931 Census gives a figure of 935, a very slight increase.⁴

Why are there fewer females than males? Not because fewer females are born but because fewer females survive. At every stage, female life expectancy is lower; maternal mortality takes a heavy^{toll}. Systematic neglect of female children is revealed in hospital admissions where twice as many boys as girls are admitted. Women in the family eat last and boys are fed better than girls, according to several research studies. Repeated pregnancies are the lot of most women who have to satisfy the social demand to produce a male child. Family planning is almost never resisted by women but by men.

Opportunities for growth and development for female children are given a lower order of priority. Women are not expected to live for themselves but only for others - be it devotion to husbands or in-laws, care of children, sick and elderly.

4. Blitz, August 15, 1981.

Women's dependence on men for material means of survival is a major source of enslavement. Even when she does provide the income (women contribute upto 40 per cent of the family income) they have rarely full control over its disposal. While most men spend considerable sums on personal luxuries, even among the labouring classes, and in many middle class families, the women's income is spent entirely for family's better nutrition or care. Yet, opportunities for gainful employment have been shrinking factor for her than for man. While 60 years ago 33.7 per cent of women were in gainful employment today it is a bare 11.8 per cent, and it is not due to voluntary withdrawal. Shrinking employment has forced many of them into marginal occupations with phenomenally long hours of work and abysmally low wages. 90 per cent of the women workers are in sectors that are "unorganised", i.e. where protective labour laws are not enforced. Apart from being in low paid jobs, the proportion of women and girls in unpaid family work on farms and household industry is over 55 per cent. There are 2.8 million female unpaid workers below the age of 14.

All this, plus the eternal burden of housework and child care, considered the exclusive responsibilities of women, no matter what else they are doing, extend their working day to an exhausting 14 hours. This is more so among working class families, where to avoid expenditure that cannot be afforded or to supplement the real income of the family, women work longer and longer hours to the detriment of their health.

The value of education for emancipation is self evident. Yet even in the latest Census (1981) the literacy rate for females has limped slowly to less than 25 per cent - almost half that for males. Obviously, when 75 per cent of the school dropouts are girls, because they are "needed" at home, any chance of contact with the world of knowledge, with the world outside the family is quickly snuffed out.

As for the decisions that vitally affect their lives, the women cast votes but very few are in public life despite the illusion of "illustrious women politicians".

There is hardly much consolation in learning, from the preliminary reports of the 1981 census, that the sex ratio in the country has improved marginally. There are now 935 females for every 1,000 males as against 930 a decade ago. But this has to be viewed against the situation at the turn of the century when the figure was 970 women. India, along with Pakistan and Bangladesh is the only country in the entire world with such an adverse sex ratio. The reason is not female infanticide, as was certainly true a century ago. The Registrar General, Mr. P. Padmanabha who released the Census findings, quite rightly cited the deliberate neglect of female babies, as well as the possibility that certain diseases kill more women than men.

Underlying these cold statistics, however, is a grim social phenomenon. It is undeniable that the preference for male children is still tremendously strong in the Indian subcontinent when a female is born, therefore, it is greeted with dismay in many families - and this is by no means confined to the countryside. Indeed, the stigma is all the greater when it happens to be the very first child. The lack of a "son and heir" is considered a biological failure on the part of the mother, who is then ostracised, by her in-laws, if not by her husband. It is quite common to find that a girl isn't even named for a couple of months after she is born. Later, the child isn't nursed as carefully as it would had it been a male, and as she grows up, she is left to fend for herself. Given the exceedingly high infant mortality rate, any child who is undernourished at this vulnerable age can all too easily fall prey to disease. Which ailment if any, afflicts females more than males is not yet known.

It is not as if the neglect of women ends in their infancy. As the Census figures show the sex is discriminated against all along the line. The literacy rate for females, for instance is

25 per cent as against 47 per cent for males; only 13 per cent of the women in the country work, as against four times as many men (as a matter of fact, the proportion of women to the total work force is steadily declining). No amount of legislation can put an end to this depressing state of affairs. In fact, "an equal pay for equal work" law can have a disastrous effect; many employers prefer to sack their female employees rather than pay them the same wages as men. While blatant cases of discrimination can and must be fought on an individual level, the real thrust will lie in changing society's attitude towards women, which is admittedly a tall order.

The period after Independence witnessed the enactment of a number of laws that sought to apply the principles underlying the constitutional guarantees to the sphere of social life. The reforms in personal laws governing marriage and inheritance, the labour laws ensuring humane conditions of work, maternity benefits and welfare of workers, and social laws seeking the protection of women and children against immoral traffic and exploitation aimed to remove the disabilities that contributed to the low status of women in our society. At the same time, the policies and programmes for economic and social development initiated by the Government attempted positive action to improve and widen opportunities for women to participate in the social processes in a more effective manner. Education, vocational training, health services, family planning, welfare and development programmes, sought to change and improve the conditions of living and the mental horizons of women.

Since 1970 the ICSSR has sponsored a good deal of research on the life and problems of women and on the factors contributing to changes in their status and conditions (Appendix I). This research has revealed an alarming trend of continued deterioration in both their conditions and status and even more disturbing is the fact that the process of deterioration has accelerated in the last three decades. Independence brought the promise of equality of opportunity in all spheres to the women in this country; and laws

guaranteeing them equal rights of participation in the political process and equal opportunities and rights in education and employment were enacted.

The object of these laws was to widen women's participation in all areas of social activity - economic, political and social. But unfortunately the developments in the year since independence have produced the opposite results in actual practice. It must also be pointed out that the government sponsored developmental activities have benefited only a small section of women, mainly of the urban middle classes. The large majority of women have not been benefited from development; on the other hand, there is now indisputable evidence of persistent discrimination against women and thereby steady decline in the value of women. This depressing conclusion is based on the following trends :

- (i) Excessive mortality among women and female children;
- (ii) Glaring disparity between men and women (among the poorer section of population) in access to health care and medical services ;
- (iii) Persistent decline in the sex-ratio (proportion of women in the population).
- (iv) Increasing gap between men and women in literacy, education and training for employment; and
- (v) accelerated decline in women's employment since 1951.
- (vi) low percentage of women in politics.

The fruitful trends that developed during the freedom struggle and culminated in the constitutional recognition of equality and the reform of Hindu laws of marriage and succession during the fifties now seem to be on the decline. This is clearly established by such factors as the declining representation of women in the decision-making bodies from the local to the national level, or the virtual failure in the enforcement of existing laws to protect women's rights which indicate an erosion of the national will to improve the status and conditions of women.

The National Committee on the status of women appointed by the government of India, published a very comprehensive report which observes that in spite of constitutional guarantees and provisions and various laws meant for women they still continue

to suffer great disabilities. While granting equality of rights to men and women in the society, Indian society implicitly accepts a sharp distinction between men's and women's spheres and between masculine roles and feminine roles. Realisation of true parity between the sexes, granted by the constitution will be possible only when conceptions and attitudes of the people are brought at par with it. And indeed which is admittedly a very tall order. Thus it is quite obvious that persistent discrimination against women and consequently their neglect in the Indian society are both institutional and attitudinal. So any attempt made to study the problem of discrimination against women in a society should ideally start from the social framework which determines women's roles and their position in a society.

One of the most important dimensions of the framework which influences the role and behaviour of the two sexes is the systems of descent family and kinship, marriage and religious traditions. They provide the ideology and moral basis, for men's and women's notions about their rights and duties. The response of the structural forms to the forces of change in other sectors of life is not easy to predict. The normative structures do not change at the same pace as changes in the other forms of social organization brought about by such factors as technological and educational advance, urbanization, increasing population and changing costs and standards of living. This gap explains the frequent failure of law and educational policy to produce the desired impact on social attitudes.

The social status of women in India is a typical example of this gap between the position and roles accorded to them by constitution and the laws, and those imposed on them by social traditions. What is possible for women in theory, is seldom within their reach in fact. Therefore a sociological perspective has been adopted to understand and analyze the problem/phenomenon of discrimination against women.

Reasons for the persistent discrimination against women and thereupon the lower status of women in the Indian society and barriers to change are both institutional and attitudinal. While institutional changes may be introduced by authoritative attitudes (e.g. the government) changing the attitudes is a long and arduous process. It is largely because of the absence of the attitudinal

support that the reforms to bring about improvement in the status of women through the introduction of new institutions or through moulding the older ones, have failed to make any definite impact and bring an end to, discrimination against women in India. In order to fully understand discrimination to enable meaningful recommendations for change; it is important to delineate the attitudes and opinions regarding the perceived disabilities and status of women.

✓ In this present study on "social dimensions of discrimination against women - an analysis", and attempt has been made to study and analyse discrimination against women in various areas: Socio-cultural; Economic and demographic; and Political and legislative and thereby sketch a comprehensive picture of the status and the extent of discrimination of women in our social framework.

The term discrimination vitiates equality. For our purpose discrimination connotes making of distinctions often unfair and preferential between men and women in meting out treatment, service etc. It is generally observed and accepted that women are discriminated against and that men have more power, prestige and privileges in virtually all societies.⁵

In order to get an indication of the extent of discrimination against women in different settings it would be essential to study women's role in different settings. The following items of inquiry could help us perceive the subject (discrimination) clearly and comprehensively.

- (a) Roles which female members are expected to fulfill in the family. Is the role limited to performance of 'jobs' or the female members have some decision making powers as well ?
- (b) What is the position of women in the family with regard to the reaction to the birth of a daughter, allocation of family resources for boys and girls, eating habits, observance of purdah and other restrictions on female members.

5. Economic Commission for Asia and the far East, "the status of women and family planning," Report prepared for the Regional Seminar on the status of women and family planning for countries within the Economic commission for Asia and the far East Region, Jogjakarta, 20-30 June 1973, para 3 and 4.

- (c) Views on marriage and social customs regarding dowry, widows, divorce etc.
- (d) Extent of women's control over family resources, independent earning and financial security.
- (e) Values and preferences regarding education of women
- (f) Attitudes towards women's participation in politics.

Now before coming to the concept of 'Role' let's define 'status' term first because both the terms are closely inter-related and inseparable. The term 'status' denotes relative positions of persons in a social system or subsystem which is distinguishable from that of others through its rights and obligations. Each status position is expressed in terms of a role. Since each individual occupies a number of distinct statuses within a society he/she perform a variety of roles. A role represents the dynamic aspect of a status. It is imperative to make a distinction between the ideal role behaviour, expected role behaviour, and actual role behaviour. The divergence between these leads to a change in the role perception of Individuals. Status is realised through roles. This brings into focus the rights and opportunities provided to women by the state and socio-cultural institutions to perform these roles, which may not necessarily reinforce each other. Processes of change are responsible for divergence between the expected and the actual role behaviour.

We have tried to make the study historical because a correct evaluation in a transitional society must be done in terms of past, present and future. The sources used for the study at the M.Phil level is based on the secondary data and the data has been collected through important available documents, relevant books, articles and reports. The existing literature derived through these sources have been reviewed and classified in terms of themes reflected in the scheme of the contents of the study.

The whole study is divided into five chapters. The first chapter deals with the introduction and the exposition of the

^b
problem. The second chapter sketches the historical development of discrimination in general with special emphasis on social and cultural dimensions of discrimination of women. The third chapter examines discrimination from economic and demographic perspectives. The fourth chapter takes into account the political and legislative aspects of discrimination followed by conclusions and implications of the study.

CHAPTER - II

SOCIAL AND CULTURAL DIMENSION

In an effort to grasp and portray the social and cultural reality and arrive at a cogent understanding of discrimination against women in India, we ^{will} take note of what is present in people's consciousness as also of what is indicated by the logic of sociological understanding.

In the first section we shall examine the influence of religion in shaping and sustaining certain images of women. The second section deals with the forms of social organisation that exert the greatest pressure on women's role and status, namely descent and kinship systems, marriage, and family organization. The third section examines some of the constraints on women because of the distinction between men's sphere and women's sphere such as those springing from division of work and seclusion and segregation of women, and the problems of adjustment that arise due to processes of social change. These are connected with the multiple role of women as home-makers, wage earners, and participants in the wider society. The fourth section discusses certain special problems of women such as prostitution and suicide.

I

In starting with a discussion on religious traditions it is not implied that religion is of paramount importance in understanding the relative statuses of men and women in order to study discrimination against women, or that all categories of social facts which need to be understood in this connection are rooted in religion. That religion itself is born and nurtured in a certain type of social structure cannot be denied; nor it can be denied that religion imparts legitimacy and is functional to sustain certain kinds of social structure. At the same time when a religion is super-imposed on the sub-structures of certain sections of a society, it calls for and necessitates many compromises and adjustments.

Religion provides ideological and moral bases for the accorded status and institutionalised roles of women in a society. The social restrictions on women, and also the people's notions about their proper roles in the domestic and extra-domestic spheres, are largely derived from the religious conceptions of a woman's basic characteristics, her assumed 'virtues' and 'vices', her proverbial strengths and weaknesses, and the stereotypes regarding her nature and capacities. Each religion has a treasure of myths and legends which through descriptions of events and activities emphasize certain values.

Religion has a definite role to play in the crisis of life i.e., points of transition in an individual's life such as birth, initiation, marriage and death. The social and religious aspects of these occasions are intermixed in all communities. It is an accepted fact that there are definite social mechanisms which help an individual to internalise the values, norms and behaviour patterns rooted in religion. A continuity of conceptions regarding women's status and roles is assured in the process of socialisation in which women play a prominent role. A study of the fundamental notions regarding women in religious traditions reveals a direct conflict between them and the idea of equality of sexes which is our guiding principle.

It is true that scripture and sacred texts provide scope for diverse interpretations and value emphasis at the hands of different authorities and at different periods of time. Religion has a dynamic character and is shaped and reshaped by historical processes and with interactions with popular religion. In India, Islam and Christianity had to compromise with local customs since their followers remained under the influence of pre-conversion social and religious traditions. Similarly Hinduism has always

absorbed both the "Great Tradition" and the "little Traditions"¹

The attitude of a community towards the woman has a great social significance in any society. Here we shall consider the attitude of the Hindu towards womankind as a whole and in general as reflected in the ancient literature, so as to give a complete picture of the woman's place in Hindu society.

Women in India, as in West, were completely under the subjugation of males. There are some indications that the level of subordination was not as severe in very early Indian History as later, and in fact some historians believe they have found evidence of an early matrilineal system. Many of the early tribes in India, for example, were named after women, such as the Kadravey, descendents of Kadru, the Vinteya of Vinata, the Daitya of Diti, and the Danavas of Danu. Some investigators have claimed that there is evidence of an early matriarchal system since originally the female divinity, atleast in some parts of India, took precedence over the male, as among the Saktas, and in the dual form of divine names the goddess was almost always named first, as in Lakshmi-Narayan, Gauri-Sankar, Radha-Krishna. There are also surviving legends of states ruled by women which atleast indicate that the Indians did not think female rulers were beyond the realm of probability. With the appearance of the Aryans, an Indo-European speaking people in the second millennium B.C., however, patriarchy was firmly established, and in the religious pantheon the female became, if she had not always been, subordinate to the male. She was not however, as subordinate as she later became.

1. R. Redfield, Peasant Society and culture, 1936.

"In this book Redfield examines that in a civilization there is a great tradition of a reflective few and a little tradition of the largely unreflective many. The great tradition is cultivated in schools or temples, the little tradition works itself out and keeps itself going in the lives of the unlettered in their village communities. The tradition of the philosopher, theologian and literary man is a tradition consciously cultivated and handed down, that of the little people is for the most part taken for granted and not submitted to much scrutiny or considered for refinement and improvement. The two traditions are interdependent. Great tradition and little tradition have long affected each other and continue to do so."

The earliest extant literature of these Indo-European invaders are the Vedas, and these indicate that women, though clearly subordinate, still held an important function in the religious rituals, a function which only gradually was taken away from them. During the Vedic period most religious rites and ceremonies were open to them, and women took an active part in various rituals. Certain sacrifices were restricted to women. The Vedic age also produced at least a score of eminent female scholars, poets, and teachers, and a number of hymns included in the Rig-Veda, composed sometime between 1500 B.C. and 900 B.C., were attributed to women. By the time the first Hindu law codes emerged around 100 A.D., however, women had lost more ground vis-a-vis the male.²

Hindu law was not based on the decree of a sovereign or political body but rather on sacred scriptures believed to be divinely inspired and unalterable. It assumed a metaphysical foundation of universal regularity and order in the whole cosmic process, and from this concept came the notion of dharma, which means law, religion, morality, and in effect the universal laws of nature that upheld the cosmos. The earliest and the most famous of these laws was that of Manu which dated from about 100 A.D., although according to orthodox Hindu tradition the law coincided with the appearance of man himself.

With the advent of Manu (presumably a pseudonym for the earliest compiler of the Hindu moral code) about or shortly the time of Christ women were relegated to an inferior, backward status. The purpose of the code seems to have been to give divine sanction to the institution of caste, to make caste supreme in India, and the brahmin supreme among the castes. In these laws women were put under the control of men :

By a girl, by a young woman, or even by an aged one, nothing must be done independently, even in her own house.

In childhood a female must be subject to her father, in youth to her husband, when her lord is dead to her sons; a woman must never be independent.

2. See, M.A. Indra, The status of women in Ancient India, Banaras : Motilal Banarasidass, 1955.

She must not seek to separate herself from her father, husband or sons; by leaving them she would make both (her own and her husband's families contemptible).

She must always be cheerful, clever in (the management of her household affairs, careful in cleaning her utensils, and economical in expenditure.

Him to whom her father may give, or her brother with the father's permission, she shall obey as long as he lives, and when dead she must not insult (his memory).³

Men must be continually watchful of their womenfolk. "Day and night women must be kept in dependence by the males (of their families), and if they attach themselves to sensual enjoyments, they must be kept under one's control.....Women must particularly be guarded against evil inclinations, however trifling (they may appear), for if they are not guarded, they will bring sorrow on two families. Considering that the highest duty of all castes, even weak husbands (must) strive to guard their wives".⁴ Women by their very nature were wicked creatures.

It is the nature of women to seduce men in this (world); for that reason the wise are never unguarded in (the company of) females.

For women are able to lead astray in (this) world not only a fool, but even a learned man, and (to make) him a slave of desire and anger.

One should not sit in a lonely place with one's mother, sister, or daughter, for the senses are powerful, and master even a learned man.⁵

[When creating them] Manu allotted to women [a love of their] bed, [of their] seat and [of] ornament, impure desires, wrath, dishonesty, malice and bad conduct. For women no [sacramental] rite [is performed] with sacred texts, thus the law is settled;

3. G. Bühler, (ed), Sacred Books of the East, Vol. 15 (reprinted) Delhi: Motilal Banarsidass, 1955 (see, Laws of Manu, 5, pp. 147-51)

4. Ibids, Vol. 9. pp. 2, 5-6.

5. Ibid, Vol.2, pp. 213-215.

Y,153445.44

DISS
305.420954
Si647 So



TH1158

women [who are] destitute of strength and destitute of [the knowledge of] Vedic texts [are as impure as] falsehood [itself], that is a fixed rule.⁶

For women who accepted their status and obeyed their masters there were rewards.

Women must be honoured and adorned by their fathers, brothers, husbands, and brother-in-laws, who desire [their own] welfare.

Where women are honoured, there the gods are pleased; but where they are not honoured, no sacred rite yields rewards.

Where the female relations live in grief, the family soon wholly perishes; but that family where they are not unhappy ever prospers.

The houses on which female relations, not being duly honoured, pronounce a curse, perish completely, as if destroyed by magic.⁷

Yet in spite of this the slaying of woman was not a particularly serious crime, since as Manu says, "stealing grain, base metals, or cattle," having "intercourse with women who drinks spirituous liquor," or slaying of a woman, are all minor offences, causing loss of caste!"⁸

Other law givers generally reflected Manu's biases, although Yājñavalkya, who denounced brahminical avarice, has been regarded as less misogynistic, but only to a slightly less degree. Yājñavalkya also taught that the ideal woman spent all her greatness and goodness in maintaining a happy home and husband, and always obeyed the men in her family. Women's duties included "Learning to arrange furniture and being expert, cheerful and frugal, she should worship the feet of her both parents-in-law, and be devoted to her husband. She whose husband is away from home, should abandon playing, beautifying the body, joining societies, and festivities, laughing and going to another's home, Devoted to the pleasure and to the good of her husband, of good conduct with subdued passions, [such a wife] obtains renown in this world, and after death attains the best end."

6. Ibid., Vol. 9, pp. 17-18.

7. Ibid., Vol. 3, pp. 55-58.

8. Ibid., Vol. 11, p. 67.

9. Sudhakar Chattopadhyaya, Social life in Ancient India, Calcutta: Academic Publishers, 1965, pp. 110-111.

Until recently in India, it was often held that being born a girl was a penalty for some sin committed in a previous incarnation. In many areas of the subcontinent the birth of a girl was not announced, or it was merely stated that "nothing" had been born. The friends awaiting the birth of a boy then went away "grave and quite".¹⁰ Females were regarded as an encumbrance and a burden from birth. They were an impediment in war; they had to be protected in time of peace; they were unclean and dangerous during their menses, pregnancy, and child birth; they had to be provided with a dowry when they married; they were of no use to anyone as widows. The father of daughters, even though his position was as exalted as a king had to put up with insults not only from equals but from inferiors as well. Even when the father succeeded in selecting a good son-in-law, his anxiety did not end, for he still had to wait to find out whether the marriage was a happy one. Inevitably female infanticide was practiced on a wide scale from earliest times and the casting away of children, of unmarried mothers of unwanted girl babies, and the destruction of the fetus, were mentioned in the Vedic texts. The Yajur-Veda told of girls being exposed when born, a custom that continued down through the centuries with little effort to modify it. In Bengal a woman might drown her child in fulfillment of a vow; in Western India female infants were strangled or smothered; among the Rajputs parents often used to kill their unwanted children, usually girls, either by refusing proper nourishment or sometimes simply poisoning the nipples of the mother's breasts.¹¹ Those who try to find some justification for such a callous disregard of girl children and their utmost discrimination indicate that perhaps it was not so much a hatred of the female sex as an anxiety to see that the daughter was well placed so that she could live in comfort and happiness,¹² but this

10. David and Vera Mace, Marriages: East and West, Garden City, N.Y.: Double day, 1960, P. 263.

11. R. C. Majumdar, H. C. Raychaudhuri, and Kalikinkar Datta, An Advanced History of India (London, Macmillan, 1953) P. 822.

12. A. S. Altekar, The Position of Women in Hindu Civilization (Banaras: Motilal Banarasidass, 1956), PP. 5-6.

seems a rather farfetched apology.

Women, nevertheless, had their place, and in the religious rituals of Hinduism they were indispensable since certain ceremonies could not be performed by a Brahman unless his wife was with him.¹³ She was, however, to be clearly subordinate to her husband. Unmarried daughters were to live in Chastity and obedience toward their father, mother, and other Kinsfolk. Marriage was not only a necessity for girls but a religious sacrament as well, since it was believed that a female virgin could never attain spiritual enlightenment in this world, or reach the abodes of bliss in the next. Marriages were arranged by the father, that if he died his role was to be taken over by a girl's brothers. Brotherless maidens were believed to be exposed to all kinds of danger so that a girl with brothers was preferred as a bride.¹⁴ The absolute necessity of acquiring a husband led Indian parents to marry their daughters at younger and younger ages, and also led to a wide spread discrepancy between the age of the bride and groom. Marriage was so important to a girl that at times formal marriage ceremonies were performed over corpses of girls who had died before they had been married.

In Vedic period when the emphasis on marriage was not so overwhelming, girls were usually married at fifteen to sixteen years of age. By the period 500 to 1000 A.D. many of the writers were urging that girls be married before the age of ten, the age at which it was believed they reached puberty. Certain factions argued for even younger marriages, and five and six years old brides were not unknown. Early marriages helped the parents secure a guardian for the daughter in the case that the father died.¹⁵ As younger marriages came more and more into vogue, women's educational accomplishments deteriorated. In turn this lack of education lessened women's importance in Hindu religious

13. R.N. Dandekar, The Role of Man in Hinduism, in Kenneth W. Morgan. The Religion of Hindus (New York: Ronald Press, 1953), P. 140.

14. P.S. Sivaswamy Aiyer, Evolution of Hindu Moral Ideals, Calcutta: University of Calcutta, 1935, pp. 57-59.

15. A.S. Altekar, Position of Women, pp. 33, 55-61.

ceremonies, leaving them less and less independence. Inevitably women were relegated to the homes where they were out of sight if not out of mind. While some of the girls in the cultured and rich families still acquired some learning, it was increasingly the outcast girl who managed to maintain any degree of independence. As in Greek society when women had been so subordinated, men turned to prostitutes and dancing girls for entertainment and companionship, and India developed a special class of prostitutes to entertain the male.¹⁶ Woman in general, however, had no independence in virtue, religion, or law; they did not even have the freedom to dispose of themselves. As one modern Hindu woman lamented, the only place a woman could be free of the male was "in hell".¹⁷

Often the difference in ages between a man and his child bride was very great, and it was not unusual for a man of fifty or sixty to marry a girl of five or six. Even if the husband died before consummation, which was not usually attempted until the girl was about ten, the child was regarded as a widow and could not remarry. Some children were even married in embryo. In such cases two pregnant women underwent the formalities of a marriage ceremony, and this union by proxy, providing the children turned out to be of opposite sex, was absolutely binding.

Unlike the West where attitudes toward women seem to have been atleast in part motivated by a fear of sex, the Indians welcomed sex. The Hindu never regarded marriage as a condition inferior to virginity, nor was there any notion of sex being impure. Virginity had no special cult; lifelong celibacy was permitted for men but it was never enjoined as a permanent ideal. Celibacy for women (except widows) was actively discouraged since heaven was not open to the sacramentally unconsecrated, that is, the unwedded maiden.¹⁸ Asceticism as practiced in India was usually

16. Ibid, PP 17-19, and J.A. Dubois, Hindu Manners, Customs and Ceremonies (Oxford: Clarendon Press, 1906), P.337.

17. Johann Jakob Meyer, Sexual life in Ancient India.

18. Ibid, P. 375.

a temporary discipline, a self-restraint imposed as a means for the acquisition of magical powers. Sex, moreover was strongly emphasized in the outward aspects of Indian religions, such as the statues of the Gods; in these anthropomorphic conceptions both female and male elements were portrayed in all their sensuousness.¹⁹

Intercourse was said to be performed for four basic reasons: for procreation, in which case it took place between a husband and wife; for pleasure where an experienced woman or a professional courtesan served as the companion; for motives of power, as when a man desired triumph over a husband through possessing his wife; and for magical purposes. In this last case the woman herself was equated with the sacred place: her hips and haunches with the sacrificial ground; the mons veneris to the altar; the pubic hairs to kusa grass; the moist labia to the soma press; the yellow vulva to the prepared fuel; the red tipped phallus to the ember; lust to smoke; penetration to mystic chants; voluptuousness to sparks; movement to the burning heat; orgasm to living flames; and semen, to the oblation.²⁰ This cult sexuality appeared in both Hindu and Buddhist scriptures, but it received its fullest rationale in Tantrism. The origins of Tantrism are unknown, but it dates from very early times and is the prototype of Yoga and other magical techniques.

Separate from, but also allied to, mystical sex was sex for the purpose of pleasure, and there were many Hindu love texts, the most famous of which was the Kamasutra compiled by Vatsyayan in the fifth century A.D. According to tradition Vatsyayana remained an ascetic celibate all his life and his work was written entirely from imagination without any personal experience. There are hundreds of other books on erotics, although few of them are

19. Kanwar Lal, The Cult of Desire: An interpretation of erotic Sculpture of India, New Hyde Park, N.Y: University Books, 1967.

20. For an excellent brief discussion of this see articles on "Sex Mysticism and Tantrism" in George Benjamin Walker, The Hindu World: An encyclopaedia Survey of Hinduism, 2 Vols., New York: Praeger, 1968.

available to the English speaking reader.²¹

Just as sex asceticism in the West served to justify the subjugation of women, so did sexual liberation in India. Hinduism depicted women as by far the more sexual of the two partners. Whether men or women enjoy sex the most has often been debated, but on this subject Hinduism offered definitive answers - it was women who did. The answer appeared most simply in the tale of a King named Bhangāsavana, who was known as a tiger among men, yet he was unhappy because he lacked sons. In desperation he went through a special religious ritual which served to guarantee him sons, but in the process he angered Indra, the most prominent of the Vedic gods of the heavens. Indra sought revenge, but it was not until Bhangāsavana had had 100 sons that the god was able to find a means of punishing the King. Indra's chance came when the King became lost while hunting; Indra gradually led the king to the shores of a beautiful lake where weary and tired he stopped to bathe in what proved to be magical waters. When the king emerged he found that he no longer had the body of a man but that of a woman. Though ashamed at his condition he (or now she) went back to the city and reported to her numerous wives, sons and subjects what had occurred. Unable to be king any longer she retreated to the forest, taking up life as a companion of a holy hermit. As his mistress she soon bore as many sons as a woman as she had begotten as a man.

Indra, ever observant but still angry, felt that the ex-king had not suffered enough for his impiety in making such a sacrilegious sacrifice. As further punishment Indra hit upon the idea of having the two sets of sons of the woman-kind fight against each other until they all were killed. The death of all sons set the ex-king to weeping and wailing so loudly and piteously that even Indra was moved to have pity. He revealed himself to the

21. Kama Sutra of Vatsyayana, trans. by Richard Burton (New York: Dutton, 1962), and P. Thomas, Kama Kalpa or the Hindu Ritual of Love (Bombay: D. B. Taraporevala, 1959)

woman and asked a paradoxical question : Which of the sets of sons which had been killed would she choose to have live again if she had the choice? The ex-king replied that she would prefer to have the sons she had born as a woman because a woman "cherishes a more tender love" than man, and it was for mother's love that she wanted her sons. Impressed by the answer, Indra not only granted the wish but also restored to life both sets of sons. Indra then asked the ex-king which sex she would prefer if she had a choice of remaining a woman or being changed back into a man. She chose to remain a woman because the "woman has in union with man always the greater joy, that is why... I choose to be a woman. I feel greater pleasure in love as a woman, that is the truth, best among the gods. I am content with existence as a woman".²² In effect women, though subjugated to men, have the consolation of sex to keep them happy and content.

There are numerous stories in Hindu scriptures which further amplify the sensuality of women and the satisfactions of sexual pleasure for them. Ila, who was both a man and a woman during alternate months, spent his/her time in sexual pleasure, while her/his time as a man was spent in pious ways and thoughts.²³ In the Ramayana, one of the great epics of Hinduism, the insatiability of women in love appeared in the story of the woman who exhausted her husband as well as the ascetic who had taken her away from him.²⁴ There is an old Hindu Proverb which says that woman's power in eating is twice as great as that of a man, her cunning or bashfulness four times as great, her decision or boldness six times as great, and her impotency or delight in love eight times as great.²⁵ It was commonly accepted that without sexual enjoyment a woman would pine and ache. But love was not only a tonic for a woman, it also had noble meaning since it filled her whole being, made her steadfast and faithful, and as it grew ever deeper, it strongly mingled with the altruistic.

22. J.J. Meyer, Sexual Life in Ancient India, pp. 376-380

23. Ibid, p. 375.

24. There is a popular retelling of this story in Aubrey Menen, The Ramayana, (New York: Scribner's 1954), pp.103-125.

25. Meyer, Sexual Life in Ancient India, p. 380.

Though emphasizing women's sensuality and need for love, Hinduism also limited its direction by stressing that the greatest joys of love for women were found within the bonds of marriage. Love could blossom anywhere, but it was only in the garden of wedlock that the full depth of the glowing colours and innermost perfumes were revealed.²⁶ Early Vedic writings seemed to hint that a certain amount of promiscuity might have once existed, but if so it did not linger on into recorded history. According to Hindu tradition the blind seer Dirghatamas ordained that woman was to have only one husband as long as she lived, and if he died, she was not to remarry. If a woman went to a man other than her husband, she lost caste, as did an unmarried woman who prostituted herself.²⁷

Hindu writings portrayed women in the most favourable light, either as a sensual sexual creature or as a devoted wife and mother. This contrast of burning sensuality and devoted mother was perhaps a reflection of the dualism which seemed to be inherent in Indian thought. It has been said that nowhere in any area of the world has woman as loving wife and tender mother been more extolled or appreciated,²⁸ and even the misogynist Manu said, where women were not honoured all other religious deeds were barren.²⁹ The Ramayana reported that at first all beings were alike in stature, sex, speech and so on, but then the Maker/creator made a distinction, taking the best from all beings, out of which he shaped woman. Good woman could not be soiled or spoiled and like the pearl could be found in the most sordid of environments. On the other hand, there were passages which painted women as the sum and substance of all that was evil. When the divine wise man Narada attempted to find the cause of all evil in the world, he found that women inevitably were its basis. Women lacked moral bonds of men, and

26. Ibid., p. 227.

27. Vern L. Bullough, History of Prostitution, New Hyde Park, N.Y. University Books, 1964, pp. 79-90

28. J.J. Meyer, Sexual Life in Ancient India, p.6

29. G. Buhter, (ed), Sacred books of the East, 1935, See Laws of Manu, 3, p.56.

even when they found rich and worthy husbands, they threw themselves into the arms of bad men as soon as they had a chance. Those women who remained faithful to their husband's did so only because they did not have a chance to stray or because no other man could be found who was willing to woo them. Women were envious of youth and other women, and continually in need of love. Women were death, the wind, the underworld, the ever burning entrance to hell, the knife edge, the snake, the fire; women was each one of these and she was all of them. While there were good women, the glorious ones, the mothers of the world, they were more than balanced by the evil ones.³⁰ The deception of women was a continuing theme in Hindu literature.

There are other strains in Indian thought, particularly that represented by Buddhism which was founded in India by Buddha in the fifth century B.C. Scholars prefer to call Buddhism a system of morality of ethics rather than a religion since its essential concern is with moral precepts by which men should live. There was nothing in his life which would indicate that Buddha set out to reform Hinduism, but many of the doctrines promulgated by him were contrary to basic Hindu beliefs. As far as women were concerned Buddha emphasised their equality with men and although their activities were in general confined to domestic, social and religious functions, their status was considered in theory as equal to men. Among the followers of Buddha birth of a girl was not looked upon with despair and matrimony was not held before them as the end of their existence.

Women were not just chattels to their husbands.³¹ Buddhism, however, in spite of its great contribution to India, was submerged into Hinduism within India itself, although it exercised great influence outside this country. Though in some areas in India Buddhist ideas lingered on to elevate the status of women, in general the Hindu concept of women as somewhat of a lower animal/being than man remained dominant. Sikh and Parsee concepts were also different from Hindu, but it was the Hindu concept which dominated India.

30. J.J.Meyer, Sexual Life in Ancient India, pp. 496-500.

31. I.B. Horner, Women under Primitive Buddhism, New York, Dutton. 1930.

Nowhere was the concept of inferiority of women more exemplified than in the custom of suttee, the Hindu rite of suicide of widows by self-immolation. The word itself is said to be derived from Sati wife of Shiva, who committed suicide (Sati) because her husband had been insulted by her father. The term was extended to mean the 'true' wife who remained faithful to the memory of her husband by not marrying again, and eventually it came to mean the rite by which a widow committed herself to the flames of the pyre on which the body of her husband was cremated.

There has been considerable speculation about its origins since there were apparently no clear reference to it in the Vedic literature. The one line in Rig Veda which has sometimes been held to justify the custom had been shown by scholars to be a later interpolation. The interpolation, however, was important since by changing the sanskrit word *agre* to *agneh*, a sentence was changed from "Let the mother advance to the altar first," to "Let the mothers go into the womb of fire". Max Muller, the great nineteenth-century Anglo German Orientalist and comparative philologist, called this change of text "perhaps the most flagrant instance of what can be done by an unscrupulous priesthood". The custom of suttee, however, was not established by this change of text, only encouraged, and it seems clear that by the time the modification in the scripture took place the custom must already have been in vogue in order to need scriptural justification for it.³² The first instances of suttee were recorded in the Indian epics, and when the Greeks of Alexander the Great visited India in the fourth century B.C. they found suttee already being practiced in Punjab. By first or second century A.D. the rite had gained the support of some of the lawgivers who declared it a meritorious act on part of the widow. By the sixth and seventh centuries the life of a widow apart from her husband was being unequivocally condemned as sinful, and she was urged to mount the funeral pyre with him. Though the rite was probably

32. Edward Thompson, Suttee : A Historical and philosophical Enquiry into the Hindu rite of widow Burning, Allen and Unwin, 1928, pp. 16-18.

at first restricted to the wives of princes and warriors, it also spread to other groups in society. Two kinds of suttee were distinguished : the saha-marana or co-dying, in which a widow burned herself on the same pyre as that on which her husband's corpse was cremated, and the anu-marana, in which a woman delayed her death for some reason but died on a pyre lit with embers preserved from her husband's cremation. The second type of suttee took place if the widow was in a impure state of the death of her husband. Impurity could result from menstruation, and a week was to pass after the cessation of the period. before she could commit suttee, or from pregnancy, and then suttee was to be delayed until two months after the birth of the child. Suttée involved a rather elaborate ceremony. The woman was given a ceremonial bath and then, dressed in her finery and ornaments, she accompanied the body of her husband to the cremation ground. Since it was believed that the women who died in suttee would have access to the spheres of heaven she was entrusted with messages to carry to deceased relations. Arriving at the pyre, she gave away her ornaments which were kept by the recipients as precious mementos of her sacrifice. She then mounted the pyre and sat beside the corpse, placing her husband head on her lap, after which the pyre was lit. Since many women would have second thoughts about their self-immolation as the flames approached special precautions were taken to prevent them from jumping from the fire. Often the pyre was laid in a pit from which there was no escape, or the widow was tied to logs or chained to stakes. Sometimes when they still tried to escape they were hit on head or pushed back with poles. Apparently also some women were drugged.

The custom was particularly prevalent in northern India where the ritual took on staggering proportions since polygamy and concubinage were the norm among the upper classes. It was not unknown for several hundred women, wives, concubines, daughters and devoted female servants to burn themselves to death when their master died. During the period of Muslim domination in India there was an attempt to prevent suttee by instituting a permit system based on a declaration by the widow that she of her own free will wished to become a sati, but few women could resist making such a declaration under pressure of their relatives. Being descended from a woman who committed

suttee or being related to one was considered a great honour. The portuguese in their areas of control managed to eliminate suttee after 1510 by taking action against all relatives and bystanders in any suttee ritual. The British took no action in their areas at first although they did keep records and we have some idea of how prevalent the custom was in certain parts of India. In Bengal between 1815 and 1828, for example, the British recorded some 5,100 cases of suttee, in Benaras, 1,150, and in Patna, 700, as well as hundreds of others in other parts of India. In 1829 the British finally classified suttee as a homicidal act, but the practice was slow to die out.

Scholars have advanced various reasons for suttee and all indicate the subordinate and subjugated position of women in India and this in turn reflects their (women's) socio-cultural discrimination. Edward Thompson went so far as to argue suttee was an inevitable consequence of the Hindu premise that "the husband stands to the wife in place of Deity". Inevitably it became a mark of female devotion. There was also the fact that male vanity was involved. There was a half-felt belief that a man's possessions could be sent with him for use in the next world if they were burned or buried with him. His wife or wives and other women being his chief possessions, they should obviously be dispatched to the next life. There was also a kind of male jealousy at the thought of leaving a beautiful woman behind after death for others to enjoy, and the fear that One's widow without the necessary supervision might misbehave and bring disgrace to the family. There was the very real fact that relatives were reluctant to be burdened with the responsibility of having to support a widow and were happy to have her out of the way. The ancient Greeks believed that the Hindus had instituted suttee to prevent a wife from poisoning her husband since she would also have to die with him as well.

Why would women follow through and commit suttee? Undoubtedly many of them believed it was essential they do so. There was also the dread of being a widow in Hindu society, probably the most unfortunate character in the whole range of Hinduism. To the orthodox family, at least in medieval India, a widow was ill luck incarnate. If she was young and childless

she was even more calamitous than she had children, since as a husbandless, barren, menstruating female, her presence brought contamination, the sound of her voice was a curse, her glance was poisonous, and her very existence was perilous.

Since remarriage was an impossibility, those widows whose parent would not take them back or who had no other means of support were destined for the streets, a not particularly pleasant existence. It took a long time for conditions to change in India, and as late as 1948 a survey showed that the age of widows ranged between eight and fifty four, with the average being close to twenty, this was enough evidence of continuing child marriages. Some 16 percent of the widows had not had their marriage consummated, and another 14 percent had lived with their husband for not more than a year. The average period of married life was seven years.³³

Hindu society, with its well defined strata cannot be said to have nurtured to the same degree and at all levels, the values, ideals, and norms propounded by a religion having a continuity of thousands of years. There has been a continuous interaction between the Great traditions of the literate and little Traditions of the masses, and percolation of ideals, models and values contained in the corpus of religious literature of Hinduism has been an unending process.³⁴

There is no overall appraisal of a woman's personality in the lore of Hinduism. She is viewed only in specific roles. With the conception of marriage as the true destiny of a woman and with her important obligation to bear a son, the roles of a wife and mother emerge as the proper roles for a woman. The cult of the mother-goddess, whether accepted as an important trait of the pre-Aryan matrilineal cultures or borrowed from the tribals, seems to have had some influence on the status of women. A woman in

33. Ibid, passim, and see also Walker, The Hindu World, the articles on suttee and widows, and Mace and Mace, Marriage: East and West, pp. 237-244.

34. M.Singer, When a Great Tradition Modernises, 1972.
Y.Singh, Modernisation of Indian Tradition, 1973.

mother's role has been elevated to a very high position, in Hindu religious literature. She has been given high praise and a son has been asked to give respect to her. The Mahabharata says that mother excels in her greatness ten fathers and even the whole earth. There is no guru like the mother. A sanyasi is supposed to go beyond any kin-relationships, and if he happens to come across his parents, the biological father touches the feet of his sanyasi son, but even this sanyasi is expected to touch the feet of his mother.

The close and sustained association of the child with the woman's body is emphasised in a number of ways. By idealising the quality of sacrifice in a mother and by eulogising her motherhood, religion binds a woman to the home and to her role of creating and nurturing. A young virgin before the onset of menstruation and the mother of a son are the two images which evoke veneration. There are numerous laudatory references to the female sex in these roles in the religious texts which are hardly in consonance with her limited rights laid down in the Dharmasastras. Under the impact of images created and sustained in Hinduism, women are regarded, on the one hand, as the embodiment of purity and spiritual power, on the other, they are viewed as being essentially weak and dependent creatures who are in need of constant guardianship and protection of man.

There is a strong emphasis on a faithful and uncomplaining wife. The ideal woman is the devoted wife who is willing to suffer all kinds of adversities for the sake of loyalty to her husband. The dominant characteristics of well known characters of Hindu mythology - Sita, Savitri, Ahalya, Draupadi, Gandhari, Mandodari to name a few are loyalty to their husbands, steadfastness and chastity. This has been the essence of a woman's role as a wife. Her husband is her lord and master. She has no separate existence. As Archangini she is her husband's partner in Dharma, Artha and Kama. As a part of Dharma she has to respect and look after her parents-in-law and other members of her conjugal family.

35. P.V. Kane, History of Dharmasastra, p. 580.

look after the home and take care of guests and servants. As the statement of Draupadi runs, " the husband is a woman's God ; it is through her husband alone that a woman, obtains progeny, enjoys comforts and luxury, attains fame in this world and heaven in the next. She serves her husband and performs Vratas for his Welfare. She gives up cosmetics when her husband is away" . Bhishma in Mahabharata states the following attributes as the best feminine virtues :

fidelity, forgiveness, absence of pride, piety and truthfulness. These virtues please Laxmi and bring rewards. Parvati says that there is no other God for a woman but her husband, and by serving him she attains heaven. She must be kind even to an unkind and irate husband and obey him. Thus not only marriage but the services rendered to one's husband are of paramount importance to a woman, so much so that it is said that for a woman there is no other religious rite but to serve their husbands. It is testified in the Puranas that a woman by serving her husband in thought, word and deed secures with much less trouble the same spiritual and heavenly worlds that her husband does with great effort and trouble. Expectation of immolation on the deceased husband's pyre (Sati) by the widow was the extreme limit of the notion that a woman's worth is all without her husband.

For Moksha, women are grouped with Shudras and uneducated Brahmins. Devi Bhagavata Purana states that since women and shudras, are unable to study the vedas, the Puranas are compiled for their benefit. The Bhagavata Purana also states that the Mahabharata was composed for women and shudras, who are debarred from listening to the vedas. After the emergence of Bhaktimarg, the path of devotion which did not need complicated knowledge and elaborate rituals, some women attained eminence and it provided an honourable way of partial asceticism, sometimes even complete asceticism for women.

In Hinduism, a strong patrilineal social structure along with features like the giving away of the girls in marriage, importance of the son for continuity of the line, authority

and superiority of male, significance of virginity etc., have been sanctified with the help of sanskaras. The significant ideas contained in the Vedic or Pauranic texts used for Sanskaras have their influence in varying degrees at various levels of Hindu population.

Vratas for, Women, and their significance :

Marriage³⁶ and motherhood are the most honourable and religiously valuable achievements for a Hindu woman. The critical significance of marriage, of the continuity of the married state, and of motherhood for a woman is dramatically expressed and emphasized in the observance of special vratas. They are observed for ensuring long life and welfare of the husband, for the realisation of the culturally coveted goal of getting married and of getting a suitable partner for life, and for securing special protection of sons. Their content in terms of the type of worship, the nature of fasting may differ from region to region; but a degree of self denial, invocation of some deity or sacred object, commemoration of the ordeals of some mythological female figure constitute their core features. Renewal and distribution or exchange of objects which serve as diacritical marks of the married state such as vermilion, glass bangles, and black beads is also customarily done on such days.

Some Vratas are meant to be observed throughout life, some for a particular period; some by unmarried girls; some by married women. To mention only a few : a special worship of Goddess Laxmi on particular days; yearly commemoration of the steadfastness of Savitri who followed the God of Death and brought back her husband alive; annual worship of Parvati

36. The story of Shubhru and Galavi in Mahabharata emphasises the supreme necessity of marriage to a woman. Shubhru grew old and weak in severe Tapasya (penance) and decided to give up her life. She was sure of attaining heaven, but was warned by Narada that being unmarried she could not go to Swarga (heaven) Shubhru then offered to bestow half the merit of her tapasya on whomever would agree to marry her. Galavi married her for one right and ensured her entry into heaven.

who performed difficult penance to win the heart to Shiva; Varalakshmi puja prevalent in the south; Karva Chauth observed in North India; Jayaparvati observed in Gujarat; Mangala Gaur or worship of Goddess of Tuesday in the month of Sawan in Maharashtra, a special Vrata in Bundelkhand called Suhagie (observed for the sake of suhag or aubhagya, i.e. the good fortune of having one's husband alive). Some of these have their sanction in the Great Sanskrit Tradition while others are rooted in regional beliefs.

Most of the Vratas observed by a mother for the welfare of her children are meant to be observed by those who have a son. Women having only daughters do not observe them. The differential value of son and daughter is apparent.

Internalization of values of steadfastness, self-effacement, service and playing a secondary role is effected through these Vratas; which are observed even by many educated and sophisticated women. This may be either because of the strength of their beliefs; or because of their socialization which they cannot shake off, or because of the expectations of the family for whom this is an inalienable aspect of a wife's or mother's role. Tremendous importance is attached to these observances for newly married woman.

The converse of this notion of marriage as a women's destiny and the married state as the most desirable, is the idea of inauspiciousness and loss of the right to full participation in socio-religious life associated with widowhood. In contrast a Hindu Male has no fasts to observe for the wife's long life and welfare. The husband wears no distinctive marks signifying the married state and does not incur any inauspiciousness at the death of his wife. "Religion, as a system of beliefs and rituals, undoubtedly accords an inferior and dependent status to Hindu woman and thus discriminates them against men doing a great harm to womanhood". The common blessing for a woman "May your husband live long" is self-explanatory. Although the strict code of conduct proscribed for widows is no longer operative in its most restrictive and oppressive aspects, there are certain disabilities associated

with widowhood. She is debarred from active participation in auspicious occasions. Besides the items of decoration associated with married state, she is expected also to discard colourful clothes, glass bangles, wearing of flowers and attractive jewellery. Plain white colour is associated with widowhood, and by implication is forbidden traditionally for Sumangali, i.e., one whose husband is alive. The widows of Bengal, who abstain from fish and the Karmas and the Reddy widows of Andhra Pradesh who give up meat are not yet extinct. Among the Brahmin and also among such non-Brahmin communities who do not have the custom of widow re-marriage, there are a number of ways for restricting the life of a widow so that she gets little pleasure out of life and her natural desires are suppressed. A distinct contrast between the status of a widow and a Sumangali is characteristic of India as a whole.

Even among such groups which traditionally allow widow remarriage, the disabilities associated with widowhood are present though not in the same degree of severity. In Hindu and tribal India a woman is entitled to marry with full rites only once in her life. Her subsequent unions, though approved by society, are solemnized by a very simple ceremony or may often be given recognition after a simple feast. Women with such secondary unions suffer from a few specific disabilities in regard to performance of particular roles in the rituals of marriage and worship of deities. This again indicates the significance of marriage for a woman and the vulnerability of her purity. No such disability characterises a man; he can marry a virgin any number of times with full rites and ceremonies. Even though the Widow Remarriage Act was passed in 1856 Hindu society still has not come to accept widow remarriage with reservation. For majority, widowhood continues to be associated with the handicaps discussed earlier.

Grave impurity is associated with menstruation and childbirth. Severe restrictions over menstruating women in respect of association and participation in domestic, extra domestic,

and religious activities found in texts have been strong among the Brahmin and upper caste groups but have been operative among other sections especially in the sphere of religious ceremonies.

This notion of periodical impurity of women is one of the important basis for the conception of inferiority of the female sex and their discrimination as compared to the male. A woman is usually in charge of routine domestic worship; but nowhere is she found to be in charge of worship at the shrines and temples. Even Kali and other female deities are to be worshipped by a male priest. It should be noted that this exclusion of women from officiating at community worship is not a direct result of their lack of knowledge of rituals which may be needed for worship, since in many kind of worship no such knowledge is required. Periodical impurity appears to be the basis for the exclusion of women from this role.

II

Modes of descent, types of family organisation, and nature of the institution of marriage provide the major contours of the socio-cultural setting in which women are born, brought up, and live their lives. These features of social organisation are related to the economy in such a way that while their roots often appear to lie in the economic system, even large-scale changes in the latter are not able to carry along with them parallel changes in these areas. This lag between the two is a matter of serious concern. These institutions in the Indian society have implications for the status of women and their persistent discrimination.

Patrilineal Descent :

The overwhelming majority of the Indian population follow the patrilineal system of descent. Though the influence of this system on institutions of family, marriage or the place and role of woman vary between religious, regions, castes and socio-economical levels there are some common underlying principles and patterns.

Patriliney is used for the formation and continuation of discrete kin groups e.g. clans which are often based on putative kinship and lineages of different orders. These have an important role to play in occupation of territories, use and ownership of land and other economic resources, and political and religious organisation of a community. Innumerable tribal groups of India and caste groups like the Jat and the Rajput may be mentioned here. Even where there are no corporate kin groups with a depth of a number of generations, recognition of patriliney variously known as 'Vansha', 'Kula', is most common. Patriliney is emphasized with the help of a common name, a common place of origin, ancestor worship, common deity and rituals, pollution observed on death of patrikin, and such other means. Family in India is embedded in this patrilineal setting for patriliney is used as the framework for family grouping, big or small.

This has direct relevance to the place of women in society. A boy is perpetuator of the patriline, he will continue the family name. By contrast, a girl is of no use in this respect. Her contribution in this sphere will have to be made in some other house. "A bird of passage", "another's property", "a thing which has to be given away" are some of the common descriptions of a daughter. Such notions may be overtly expressed or covertly held. In the urban areas even those parents who do not think in this way are made aware of it on various occasions. Educated girls revolt against this notion, but most of them have to reconcile to it.

This transferability of the girl from the parents house to the husband's house is a poignant reality of Indian society. Bida, Rukshat, and Doli signify a sorrowful goodbye to the daughter after her marriage. We would like to emphasize that this cannot be dismissed as a mere stereotype for it seriously affects the daughter's jural rights and her socialization and training. There was no tradition of daughters having a right of inheritance from the father except among Muslims. There is ample evidence to show that among the Muslim daughter's rights

have been often ignored. This is true of tribal India also. An Angami Naga may give his daughter fields to use during her life time after which they have to be returned to the patrilineal kin. A Mizo daughter gets her mother's weaving apparatus. Such examples can be multiplied but they only indicate inferior rights of daughters. Besides her right of maintenance as a unmarried girl and the right of being married off in an appropriate manner, a daughter basically has only a moral right to be invited to the natal house periodically and to receive gifts. By way of residual, contingent rights in her parental house she is customarily entitled to return there and seek support in the event of desertion, divorce and widowhood. But essentially this also is only a moral right, which is being eroded through the process of socio-economic change. The experience of many widowed and deserted women reveals that they could expect support and shelter from their family only as long as their father was alive.

A custom of retaining a daughter in the house by a son-less father by having resident son-in-law, who should look after the property and would provide male progeny to be the rightful heirs of the maternal grand-father, does not alter the situation regarding daughters in general. Even today the provision of the daughter's share is her father's property in Hindu law is not fully implemented. Many daughters give up their rights of their own accord or may not fight for it. A common argument is that such insistence is likely to destroy the affection of brothers who at present feel morally bound to make appropriate contribution for her marriage and to give gifts to the sister and her children on various occasions such as festivals, weddings, childbirth etc.

In the patrilineal and patrilocal kinship system, a son is looked upon as the father's natural apprentice and successor and supporter of the parents in old age. Sons are supposed to build up family prestige and prosperity. A father believes that he will continue to live in this world through his son. All this imparts a special value to the son.

A son is necessary for performing the prescribed rituals

for his parents when they die and for males in general. Although ritual considerations are less compelling among the lower castes, the relative importance of the son has become generalized throughout Hindu society.

A daughter cannot effectively take the place of a son. Her loyalties change at marriage. As a popular saying in Telugu puts it, "Bringing up a daughter is like manuring and watering a plant in someone else's courtyard", for her services and affections are to go to others. A daughter is an easy source of dispute for the family, particularly before marriage and also after marriage for she is always referred to as daughter of such and such a family, or at any rate, many of them are not welcome. People complain that daughters have to be educated as well as married off. This puts a double burden on parents.

According to a survey³⁷ 44.57 percent of the respondents said that people react differently to the birth of a girl and a boy, whereas only 35.41 percent said that they do not react differently. Table No.1 reveals this fact. It is commonly seen that in hospitals the medical staff asks for a larger tip at the birth of a son. In villages and towns the midwife expects twice as much at the birth of a son than at the birth of a daughter. At the birth of her first baby, the mother gets better gifts from elders if the new born is a male. A first son, whether born as a first child or later, invariably gets a warm welcome. It is no wonder that while striving to get a son, a family may come to have a number of daughters.

37. This survey was undertaken by the National Committee on the Status of Women, appointed by the Govt. of India, 1974.

TABLE 1.
Percentage distribution of responses regarding
to the birth of a girl and of a boy.

Question : Do you find that people react differently to the birth of a girl and the birth of a boy in their family ?

Responses	Percentage
Yes	44.57
No	35.41
No response	20.02
Total	100.00

Source : Towards Equality : Report of the
Committee on the Status of Woman,

Government of India, Department of Social Welfare, Ministry of Education and Social Welfare, New Delhi (1974).

Reaction to the birth of a particular girl depends on the socio-economic culture of the family and her place in the sibling group. The act of "giving away" a daughter is believed to earn a special merit; her contribution in terms of domestic work and affection is also valued. Without a daughter a household is not really complete. And yet it is often remarked that where as a couple miss something if they do not have a daughter, they are also saved of such worry and trouble.

Discrimination between the sexes in the allocation of scarce resources in various fields such as nutrition, medical care, and education is directly related to the greater desirability of the son and transferability of the daughter. In most families girls are taught to see that brothers get more and better food. This attitude is internalised by girls often without being conscious of it; but a conscious effort is also made so that the girls

inculcate the cultural norms which legitimise a differential treatment between boys and girls. In educated families we may not find so much discrimination. Among tribal and other groups for whom a girl is an asset as a help in domestic and productive activities and as a bringer of gifts and cash by way of bridewealth, such discrimination is somewhat less. But discrimination in giving modern education at all levels is certainly related to the distinction between the rules of male and female children. According to conventional thinking, parents cannot expect economic support from the daughter once she is married. Many still considered it improper to accept such support, even if it were offered. While the process of economic and social change is driving many families out of this pattern of thinking, the resistance of the in-laws still prevents many daughters from giving such support to parents, even when it is needed.

In her husband's house also a woman does not acquire right comparable to those of male members. Though ceremonially welcomed there with symbolic expressions of her future role as a contributor of prosperity and fertility. She is an inferior partner and has to make a place for herself by establishing a relationship with the husband's kins, by learning the traditions of the family, and by producing progeny. The degree of incorporation expected of a woman in her husband's group differs in different communities and socio-economic levels.

Even in tribal and rural areas the girls rights of property are extremely limited. Men are possessors and inheritors of land and its resources. A widow's right of usufruct over her husband's land is subject to her not remarrying. In the event of divorce or separation, children may accompany the mother, though they have to return to the father when they grow up. The cultural notion that a woman's role is only supportive has to be traced to patrilineal descent and patrilineal residence.

However, it is not the fact of patriliney by itself but its association with joint property and joint family

household and certain rules and patterns of marriage which lead to greater constraints over women and affect their position in an adverse way.

Family Organisation :

Family in India largely exist in the framework of patrilineal descent, but differences in its form, function, and process are crucial to the position of women. A common image of the Indian patrilineal patrilocal family is that of three generational, commensal and coresidential group formed by close male patrikin with their wives and unmarried daughters. This group has a common budget, common residence, and common hearth. Joint landed property, a family business or family craft are conducive to this type of family as they require pooling of their skill, labour and resources. In common parlance such a family has been described as "Joint family". But now, this pattern of living has been considerably affected by modernization, urbanization and socio-economic change. Joint family living is more characteristic of the land owning, trading classes and other upper castes.

The findings of anthropologists and sociologists about the familial patterns in India tell us that among the tribal groups of India, the nuclear household is the most common and culturally approved form of the domestic group.

There is great emphasis on adjustability in the socialization of girls. In their training for sex linked roles, they are made aware that they are girls and constantly reminded of the pitfalls they must avoid and uncertainties they must face. In urban educated families, there may be little discrimination between boys and girls in regard to food, medical attention and even education, but notions about the appropriate spheres of men and women are implicit in the general distribution of household work and in the concessions and freedom of behaviour permitted to the boys. In middle class families girls receiving education does not undermine their femininity. Even for young boys and girls of urban areas socialized in the sixties and the seventies, the need for reallocation of work and responsibility

within the family is not emphasized. In joint living discrimination tends to be more pronounced. Even where girls are exempted from onerous tasks and a rigid routine, it is often with an expression of the feeling that since they will have to do all this after marriage, they should at least have some comfort and freedom in the parent's house.

Very few women start their married life independently in a simple household. Even when the husband is working away from his parents, a girl 'enters' as daughter-in-law in the house of parent-in-law or husband's elder brother. In the first few years of married life, her behaviour is to be governed by the norms of a subordinate and submissive role appropriate for a daughter-in-law. She has very little hand in any kind of decision making, and has to start her new life under severe restrictions. These are more onerous in certain regions and in the well-to-do and middle classes than in poorer sections. Norms of segregation and seclusion of women, marriage rules, degree of distinction between bride givers and bride takers, as well as the extent of contribution of the woman to family earning are responsible for these differences.

Among the Muslims the prevalence of marriages between close kin, including children of two brothers does not allow a sharp distinction between bridegivers and bride takers, and where such marriage have taken place, rules of avoidance between a woman and her husband's kin may not be as rigid as among the Hindus of North India. But by and large similar rules of avoidance operate in Muslim families of particular regions and socio-economic levels.³⁸ A distinct notion about women's subordinate role, general segregation and seclusion of women, and conception of patrilineal and patrilocal family have their effect on the status of the Muslim women in general.

38. This point has been brought out by Shibani Ray in her doctoral dissertation on Parda submitted to Delhi University.

In the authority pattern of a joint family the daughter-in-law is directly subordinate to the mother-in-law.³⁹ A woman is at the peak of her life when her daughters-in-law are young and her husband is an active provider. It is only gradually that a daughter-in-law's position in her husband's family improves.

With a long standing in their husband's family and as mothers, old and experienced women in middle classes enjoy considerable authority and respect in the family and have a say in the decision making. They may even be consulted by men in matters of land, property and business.

A survey carried out by the National Committee on the status of women appointed by the government of India, however reveals that the women members of the family as a whole have a marginal role to play in decision-making. The only decision in which the woman takes an active part is in buying the food-stuffs. Male dominance in decision making is more pronounced in rural areas and among lower caste groups.

Decisions such as those about educational career to be pursued, about jobs and marriage are collectively taken by the family, as revealed by low percentage of respondents saying that the children take these decisions himself/herself' (Report of the Survey on the status of women). A higher percentage of respondents in India said that the 'sons' take their own decisions about the job they want to take and educational career. Though the overall percentage of female participation in such family decisions is lower it is slightly higher for decisions affecting the daughters, whereas the male members of the family were instrumental in deciding about the sons. On these issues again the major part in decision-making is that of the male members. Decisions about marriage of sons and daughters are mostly collective in nature.

A woman authority is reflected directly in her control over

39. S.C. Dube, Indian Village,

London, Routledge and Kegan Paul,
1955.

the daughter-in-law, but it would be a mistake to view the position of a mother-in-law as indicative of the status of women in general. For, the same woman's status may decline with old age, widowhood, and with the daughter-in-law's coming into importance as mother and as wife of the principal provider.

Besides her kinship status a woman's status in the family is also influenced by her husband's social position and his contribution to the family economy. Thus, her own efforts by themselves may often not be able to bring her status. In middle and upper classes that amount of dowry a daughter-in-law has brought and the gifts that her parents send also contribute to her status in the family with greater diversification of occupations in urban areas, the husband's status become more relevant for the women's status.

With the authority of the mother-in-law or elder sister-in-law, little contact with husband, and a general expectation of subordination, a woman's position in a joint family can be miserable. In this social milieu, it is difficult for a woman to evoke a balanced relationship with the husband and have a role in decision making. Many of the critical decisions of her life remain beyond her control such as planning one's family, further training or education, taking up or continuing a job.

Report of the survey on status of women in India attempted to obtain first hand data on the observance of rules of avoidance with the husband's kin by asking whether purdah was observed in the presence of father-in-law, mother-in-law, husband's elder brother and husband's elder sister. The findings reveal that in the presence of the father-in-law Purdah is observed in the case of 44.04 percent sikhs, 40 percent Muslims, 39.19 percent Jains and 32.08 percent Hindus. Distribution by states reveals that such avoidance is highest in the Northern states in following order : Haryana (72.61 percent); Rajasthan (62.18 percent); Delhi (60.78 percent); Himachal Pradesh (51.19 percent); Uttarpradesh, M.P., Gujarat follow. Manipur also has a high incidence of avoidance. Figures for purdah in the presence of father-in-law are as follows : Kerala(4.29 percent)

Tamil Nadu (4.93 percent), Mysore (5.44 percent) and Andhra-pradesh (9.40 percent). Maharashtra has a little higher incidence. In Goa purdah is wholly absent. Obviously this is a cultural difference, and indicates a major area of constraints for women in North India.

A simple family allows a greater scope for a woman to have less restricted roles and greater part in management and policy decisions. The husband is dependent upon her for running the home, rearing of children and management of social relations. Depending on the personalities of the couple and personal equation, a woman can truly be the mistress of the house. If she is educated and enlightened, she acquires a personality and dignity of her own.

Thus situated a woman has much greater initiative to have sustained contacts with her own kin, not only as prescribed by custom (and mainly on formal occasions) but on a basis of equality in which both mother as well as father are equally relevant for reckoning kinship ties. It has been found that those away from the patrilocal village and settled in urban areas have greater freedom to choose their contacts.

Absence of large scale joint family, greater freedom of association and movement, and economic contribution of both husband and wife towards living, a woman gets a better status in the family. This is largely true of small scale agriculturists and artisans, but it is the women of the lowest category who seem to be more equal to their husbands - "... in certain senses women whose fortune it was to be poor enjoyed higher status than those who were rich."⁴⁰ Participation in extra-domestic economic activities does not give these women status in the larger context because the work they do is of low prestige.

Marriage :

Many problems of major importance for women are linked w

40. Barbara. Ward, (ed); Women in New Asia, UNESCO, p.78, 1964.

marriage. Various issues like age at marriage, procedures for contacting and executing marriage, customs of dowry and bride wealth, patterns of presentations between the wife's and husband's kin groups, multiplicity of spouses, divorce and separation, widowhood and remarriage are vitally relevant for assessing discrimination against women.

In a patrilineal society, marriage signifies a transfer of the woman from her natal group to her husband's group. This is associated also with the notions of male superiority and secondary importance of the female is continuity of line. The 'seed' people believe is more important than the 'field'. Concern with paternity tends to become stronger in a patrilineal system, and paternity can be approximately assured only by controlling women's sexuality. Another way adopted by some tribal groups is to establish definite rules for assigning the children born to an unmarried girl.

By and large insistence on low age of marriage for girls is related to avoidance of unclaimed progeny. Notions of vulnerable purity of women, value of girls at marriage, and a clear differentiation between primary marriage and secondary marriage for women, is castes which have the institution of divorce and remarriage also follow from this. Wide spread prevalence of child marriages in the country has its roots in the feature of human biology coupled to a concern for ascertaining paternity.

Existence of caste in Hindu society which traditionally limits marriage contacts within certain groups, rules against marrying within gotra, clan and lineage, regulations about not marrying certain types of close bond relations and customs which enjoin or indicate reference for marriage between certain types of relatives or groups, make arranged marriage the most desirable form of marriage. This restriction is absent among Muslims, who prefer marriages between close relatives, as they help to keep the property within the family. In the South, cross cousin marriages among Hindus is the accepted mode. Marriage cannot be left to the young if these restrictions and preferences are to work. The institution of arranged marriage

thus fits well with the social structure.

In urban areas there is a trend towards ignoring for the sake of marital relations, the differences between caste groups which belong to the same generic category or are closely situated in hierarchical grading. Education, travel and liberalization of idea have contributed to this trend. In the salaried sections economic considerations and status also play an important part in ignoring these distinctions.

Patterns of selection of marriage partner have become varied, particularly in urban areas. Between one's own choice at one end and the selection by parents without any consultation with marriageable son/daughter at the other end. Another intermediate pattern is one in which boy's wishes are given weight but it is not considered necessary to consult the girl with any seriousness. The position in which the elders alone decide is more prevalent among those who have little or no education.

However, the young who want to take their own decision in this area are not many. Respect for parents and desire to avoid uncertainties are behind this attitude. In many surveys of the attitude of college girls towards marriage an interesting combination of approval of greater mixing between boys and girls and preference for arranged marriages under parental guidance has been revealed.⁴¹

Arranged marriage have many features which highlight the unequal status of a woman and their subsequent discrimination. In arranged marriage a girl has to face humiliation when she is obliged to present herself repeatedly before marriageable boys and their relations and friends. In a few sophisticated families, the two parties may be treated on an equal footing as genuinely trying to assess each other's suitability. But in middle class families by and large this situation is most

41. T.N. Madan, Status of Hindu Women in family and Household.
(paper prepared for the committee on) Status of woman, 1974;

humiliating for a girl. Inter-caste marriages today are not common and inter-religious marriages are even rarer. In the actual rituals and ceremonies of marriage the unequal status of man and woman and discrimination between them becomes apparent. Like language forms, rituals and ceremonies not only reflect the unequal treatment accorded to the sexes in a social system but by repetition emphasize and perpetuate the same inequality of status and their persistent discrimination. Marriage is essentially a social affair and therefore succeeds in indoctrinating coming generations in the ideology implicit in it. It is because of this conservative attitude, particularly among women that in order to enjoy the rights given by constitution or law women have to assert themselves. It is women who exercise the greatest vigilance over the members of their own sex regarding the observance of norms rooted in tradition. The rites of Hindu marriage stress male primacy, superiority and special preferential treatment accorded to them. The ceremony of Kanyadan, where the virgin daughter is given to the bridegroom by her father is another indicator of the inequality of status and their discrimination between bride givers and bride takers. This is particularly prevalent in Northern, Central, and Western India. In the North, the son-in-law and his parents are entitled to receive gifts from the girl's parents but the latter are not supposed to accept any food at the son-in-law's house.

Practice of hypergamy, i.e. marriage between man and woman of lower groups, brings down the position of women. Within a caste, groups are ranked as of relatively high or low status. It is prevalent among Rajputs and Jats of North India, Maithil Brahmins of Bihar and some other groups. Female infanticide among these communities was partly a consequence of hypergamy as it was difficult to find a suitable match for girls of high castes. Consequently, dowry is very high in hypergamous communities.

Bride Price and Dowry :

Solemnization of marriage is a social occasion. In Indian

setting it signifies the creation of bond between two individuals and also between their families. It involves with a few exceptions, the transfer of the wife to the husband's family. The two major types of transfer of material wealth accompanying marriage are bride price and dowry. The latter is transferred along with the bride where as the former moves in the opposite direction. They need to be considered as components of marriage because of their implication for discrimination against women.

Bride price is customarily prevalent among patrilineal tribes and the middle and lower castes of the non-tribal population. Theoretically this payment in cash and kind is made to the bride's father in exchange for authority over the woman, which passes from her kin group to the bridegroom's kin group but the idea of compensation for the loss of a productive worker is implicit in it. In communities which follow this custom, a daughter is not regarded as a burden and parents do not dread the thought of her marriage. She brings wealth to the family both before and as a result of her marriage. However, the flavour of a market transaction (i.e., buying of a bride) is not altogether absent. This certainly speaks for the relatively low, inferior status of a woman vis-a-vis a man.

There is also a custom that permits a wife to leave a husband who ill-treats her, by paying some compensation. This is welcome as it gives her a chance of freedom from an unwanted partnership. However, this practice is sometimes abused and a woman may be transferred from one man to another even against her wishes in return for some monetary compensation. There has been findings of considerable resentment against this custom known as *Foot* (in Himachal Pradesh) and *Natra* (in M.P.) among women.

Among some of the poorer communities, the custom of bride price has been responsible for indebtedness resulting in a state of servitude to the money lenders who are generally landowners. Report of the survey on the status of women in India states that, among some Scheduled Castes and Tribes of Uttarpradesh, wives have been sent for prostitution to clear

the debts incurred by the husband at the time of marriage. The custom of bride-price needs to be eradicated in order to change the concept of women as someone's possession as well as to improve the conditions of life of these communities.

Changing from bride price to dowry is an attempt to improve the social status of a family or a group, because dowry is associated with the higher social groups. This change has been reported from different regions and indicates a loss of status for the girl in her father's family where she becomes a liability rather than an asset. This is undoubtedly a consequence of the withdrawal of women from productive activities and of the loss of their productive skills.

Technically, dowry is what is given to the son-in-law or to his parents on demand either in cash or in kind. There are baffling regional variations in people's understanding of dowry. It may be seen as (a) the gift given to the bride and often settled beforehand, which may not be regarded as her property; (b) a gift given to the bridegroom before and at the time of marriage; or (c) a present to the in-laws of the girl. There are a number of social and cultural sanctions for the practice of dowry among both Hindu and Muslim communities. Some see it as a pre-mortem inheritance from the bride's natal family, some as an insurance for the bride against any economic crisis; some as the means to set up a new home. In reality, however, a dowry has come to be regarded as essential to obtain a suitable match for a girl with a view to ensuring a high or a higher standard of life for her. The increase of social and economic inequality has been one of the most important inducements for dowry and operates at all levels of the society. The amount of wealth involved may range from a few hundred to lakhs, from utensils and jewellery to refrigerators, cars, and airconditioners but behind each such transaction is the desire for social status for the daughter and indirectly for her parents' family. The desire to obtain security and good status for the daughter places the bride's parents in a vulnerable position where they

may face demands which bear no relation to their actual economic capacity and may reduce them to a state of indebtedness. The present reality, therefore, bears no relationship to the traditional sanctions for this practice.

There has been an ever increasing incidence of this custom throughout India. Originally an urban practice, it has now penetrated rural areas and to communities which had never practised it before. The increasing demands for gifts and ostentatious expenditure on weddings impose a tremendous strain on the family finances and expose young girls to an extremely unfair competition, in which their own worth is hardly recognized. The aura of marriage transactions colours marriage negotiations and inculcates the values of a high consumption society with its false ideas of prestige and ostentation. It encourages the belief that women's work in the home is non-productive and puts a premium on a parasitic existence of women. Black money and unaccounted earnings provide an impetus for the increase of dowry and ostentatious expenditure in weddings and expose families of honest means and moderate income to indebtedness. Very often one can hear of bitter complaints about the high interest rates at which money has to be borrowed for a daughter's wedding. While the groom's family demands dowry as compensation for expenditure on his education, parents of many girls have to sacrifice educating their daughters to avoid the double expenditure. It has also been found that the rates of dowry increase with the education of girls because the higher educated boy expects a larger dowry.

The spirit of dowry, apart from exposing many young women to extreme unhappiness and mental breakdowns, goes against the goal of a socialist society and needs to be combated in a multi-pronged manner - by arousing consciousness among men and women; reforming and simplifying marriage customs; increasing opportunities for women employment and condemning the ideal of a parasitic existence for them; reassessing the value of housework and home-making as socially and economically productive; enforcing the Anti-Dowry Act; and banning display of gifts and ostentatious expenditure on marriages. Women's

organizations and the mass media should play a definite role in organizing active propaganda against these practices and to make women conscious of their demeaning implications.

III

While the Indian polity recognizes equality of rights between men and women, society implicitly accepts a sharp distinction between men's spheres and women's spheres of activity and between masculine roles and feminine roles. True parity will be possible only when the implications of the constitutional equality are accepted in people's minds. Even with regional variations, basic notions about male and female roles display some common features.

A woman is primarily associated with the home, is expected to look after domestic chores and her typical roles are those of a housewife and mother. In cultural understanding of the people, home-making, like child rearing, is identified with femininity. Whether women work in the fields, factories or mines, at construction sites, or in white-collar jobs, all of them are expected to be homemakers in the same manner as women who confine themselves exclusively to home-making activities. Their role in outside world has not yet been accepted in the same manner as men's.

Decision making for the community and the exercise of political power is still regarded as an exclusive male preserve: this is clear from the entirely male composition of the traditional panchayats, either villages or of caste groups (including some Muslim castes) men may engage in manual work outside the home but such work inside the house is considered derogatory and is expected to be done by women. Cooking, tailoring can be taken up by men as a profession but inside the house these are left to women.

Regional differences in type and quantum of work expected of women expose the hollowness of myths attached to these sex-linked roles. In the North-Eastern region, weaving is the

monopoly of women but there are parts of India where a woman may not touch the loom. Embroidery work is a male activity in Kashmir and a female one in Punjab and elsewhere. In agriculture the variations in women's tasks in different regions prove the invalidity of the assumption that men are supposed to do the heavier work. In the Northern hill regions, women carry heavy logs weighing 200 to 300 lbs, slice the timber, and help in wood chopping. What is important is that the tasks assigned to men are considered more prestigious in most communities and regions. Women are generally the unpaid family workers.

In the middle class, however, the spheres of men and women are more sharply demarcated. There is a clear distinction between work done for one's household and that done for others. Women are supposed to do only the former. Where they assist the family business like grocery, tailoring or knitwear, food processing etc., by preparing things in the home, their contribution is not to be acknowledged, with the result that they are not recorded in the census as workers. It is considered unfortunate for women of these classes who have no other qualifications and skills to engage in these jobs as a means of earning a livelihood because the prestige of the family suffers when their women have to work for others.

This traditional concept is changing with girls taking up white-collar jobs. Parental inhibitions are breaking down where girls have to earn something to provide their dowry and marriage expenses and sometimes to support their parents and younger members of the family. Cases where parents do not want their daughters to marry out of a fear that this would deprive them of her earnings are no longer rare in lower middle class families.

Among the well-to-do, women are spared of much of the drudgery of house-work because of domestic help, but they are expected to run the home and bring up children. Home-making is raised to finery, and trifling details assume exaggerated importance. The precise activities may depend upon the locality, educational level, and extent of modernization, but the real differentiation remains.

These distinctions in roles within and outside the family, in decision making, in management of expenditure and incomes were clearly indicated by the survey report on the status of women in India, in which the number of respondents who claimed that these activities are equally shared by men and women was very small.

The norms of behaviour influence the bringing up of boys and girls. While enlightened families take pride in not discriminating between boys and girls in educational opportunities, the emphasis on feminine tasks and feminine abilities remains and there is distinct difference in the degree of protection considered necessary for boys and girls. Boys are not asked to share in domestic work though they lend a hand in marketing, running errands and doing escort duty to their mother and sisters. Boys with an aptitude for cooking or tailoring are ridiculed and discouraged. Studies and career motivation are emphasized for boys but few parents visualize a career for their daughters. Marriage remains as the goal and education to only a security against any unforeseen eventualities. Excellence in studies or any other field does not provide a justification for a girl's lack of interest in household work. This distinction in expectations inevitably affects the allocation of family resources for the education of boys and girls, irrespective of their aptitudes and abilities. Various sociological studies clearly bring out the fact that if the family does not have enough resources, even if the girl is brighter her brother will be sent for higher studies and she will be told that ultimately she has to mind the kitchen. In fact, what is not always stated in so many words is the culturally determined attitude, that conservative parents cannot and should not depend upon a daughter for support.

This emphasis on feminine roles has an inevitable effect on girls' personalities and identity formation. Girls receive informal education for roles which they are expected to perform in adult life. Many give up their ambition to take up career as these are regarded as incompatible with smooth and peaceful family life. They learn early in life that from a woman society

expects greater flexibility of mind, capacity to adjust and submissiveness. In respect of ideologies and values, girls feel that it is no use their committing themselves to any particular ideology because they may not be allowed to adhere to it after marriage.

Thus the constraints visible as well as invisible, that are placed on girls have an effect on their personalities. Some of these girls join the work force of the country as white-collar workers, in professions and take up careers like politics. This is either before marriage or after marriage when married women work outside the home they encounter problems of harmonising their two roles. They have to evolve a pattern in which they can play the two roles satisfactorily. Among the poorer sections, where girls contribute to the running of the house as well as to the family economy, (income) their education is often sacrificed, while the boys are encouraged to study.⁴²

Both as preparation for adult roles and as a contribution to the work of the household the girls' share is important. Apart from economic reasons, there is also a lurking fear that education may alienate girls from their conventional roles and make them less submissive to family. No doubt, it is depressing to find that a fairly large proportion of girls are still out of school.

HOME AND WORK :

The relationship between earning capacity and status and autonomy within the family for the woman depends, to a great extent, on the status of her earning/activity. Since manual labour has a low economic status in our society, women employed as wage labourers or unskilled and menial workers do not enjoy a better status, while women in high prestige jobs may do so.

Women of the poorer sections whose days are spent on hard labour (in earning and housework) are extremely overworked and

42. Towards equality : Committee report on the status of women, 1974.

can give little attention to the bringing up of children. Among the middle classes, the lot of women who have to cope with both housework and employment outside the home is not much easier. While urban life brings certain aids and makes housework easier (for instance, she may not have to fetch water and fuel from distance), she is expected to give greater care and attention to the children and their studies, to keep the home in a better and more attractive manner, provide more varied menus and play hostess to guests and friends of the family more frequently than her counterparts in rural areas. This overwork explains the persistence of the desire for a leisured life for their daughters even among these working women. For this class of women, there has been considerable role expansion since they are called upon to assume many new roles, in addition to their traditional ones. The efficiency that is required of them in full time employment with its consequent professional responsibilities, as well as in running a modern home with its extra familial dimensions, create considerable psychological stress which make their life very difficult. Only few such women have the income as well as understanding and sympathy from the family which can ensure some rest and leisure for their self improvement, or enable them to adjust the patterns of social interactions demanded by their jobs with the demands of their home.

The change in attitudes to women working outside the home or participating in public life has been slow and uneven, because they are related to deep-rooted prejudices about a woman's inherent aptitudes and capacities, her proper sphere of work and man-woman relationships. Thus, the teaching profession or medicine is considered more respectable for women because it does not conflict with traditional norms of femininity. Nursing, on the other hand though not in conflict with feminine roles, involves contact with impure objects, male patients and doctors, and odd hours of work and has still not attained the same degree of acceptability among the middle classes, except in a few regions and communities. Prejudices

against performing arts are, however, breaking down rapidly because of the chances of high income associated with them.

The pace of change in these attitudes is even slower in small towns where it is more difficult for women to take up unconventional work because of the social attitudes. As a result of the post independence entry of women in the administrative services, prejudices against this career is breaking down. But in smaller towns men still do not relish working under a woman boss. These traditional concepts of a woman's limitations and her proper place were responsible for the well known episode in Uttarpradesh when the Chief Minister Charan Singh⁴³ decided that women officers should not be entrusted with administrative responsibilities. These views are shared by many, both men and women, and form a current theme in literature, the mass media, and social research.

Society's ambivalence regarding the gainful employment and independence of women is demonstrated in many ways. Her income is appreciated because it raises the standard of living and lessens financial burdens, but the freedom of association and movement needed for outdoor work is not approved by many who continue to put a stigma on working women.⁴⁴ Men may come late from work but even in those regions and communities which have had a long tradition of women working outside the home, husbands still do not tolerate women coming late from office.

Most men do not want to give up their traditionally superior position in the family and do not offer any assistance to their wives in domestic chores. In middle class families that cannot afford domestic help and in which the husband does not share any work, the burden on the wife can become unbearable. A change in older attitudes and values is essential for achieving rationalization of the load of the work. Very frequently

43. Times of India, dated 19th July, 1970. Patriot, 18 July 1970.

44. Ross, Eileen : Hindu Family in an urban setting, 1961.

one can come across complaints that even men who helped with domestic chores when abroad, do not do so after their return to the country. A few who do are criticized and disparaged by neighbours and relatives. A study focussed largely on middle class working women of Patna reveals that husbands of 131 respondents thought that it was the wife's duty to carry out household jobs and to look after children. Only 66 were of the opinion that, since both were working, it was the duty of the husband to share some responsibility.⁴⁵ An improvement in the financial condition of the family often precipitates women having to leave their jobs in order to perform household duties satisfactorily.

The situation of women tossed between work and home leads to a role conflict. Most working women develop a sense of guilt and tend to pamper their children to make up for what they consider to be lack of proper attention on their part. The problem of role conflict manifests itself in various ways particularly where there is a difference between the job status of husbands and wives. Husbands who have a lower status job than their wives find adjustment difficult because they consider the situation a reversal from the normal, where the husband is the principal breadwinner and enjoys superior authority in the family. On the other hand, it is also considered demeaning for wives of men in high status occupations to take up low-paid and relatively low status jobs. An idle wife attuned to the life patterns of the husband is appreciated more. Many women who continue in employment after marriage in order to support their needy parents and siblings have to face tremendous misunderstanding and lack of sympathy from their husbands and in-laws.

These problems of adjustment will remain unless the distinction between men's work and women's work within and outside the families is removed through the socialization

45. Kalarani : Role Conflict in Working women,
Thesis for Ph.D., Ranchi University, 1974.

process in the home and the school. It is also necessary to provide supportive institutions in the way of creches, easy transport, labour saving devices, and changes in life style to make home-making an easier and less time-consuming process. If household work and the rearing of children are recognized as socially and economically productive, then sharing such responsibilities need not disgrace a man and they need not become obstacles to a woman's right to play the multiple roles required by a modern society. Recognition of a house-wife's work for purposes of national accounting as a contribution to national savings and stability of the economy would enhance women's status and acknowledge society's debt to them rather than its present attitude where she has to shoulder the drudgery and the sacrifice without any recognition. Thus, only by gradual efforts discrimination against women can be successfully eradicated.

IV

The gap in the perception of women's needs and available opportunities leaves them open to discrimination and exploitation which cannot be offset by laws or development programmes only ; an understanding of the magnitude and intricacies of these problems and institutional support is necessary. In a rapidly changing and culturally differentiated society, the slow process of adjustment in social institutions and values to changing needs gives rise to certain problems and deviant behaviour which can only be removed with structural changes in the socio-economic system. These special problems include prostitution, the problems of women prisoners, suicides, unmarried mothers, and aged and destitute women.

PROSTITUTION : The commercialization of this old profession is a recent phenomenon. The emphasis on chastity, child marriage, denial of widow remarriages, dowry, and inadequate employment opportunities for women, have always been the major factors contributing to the spread of this evil. Industrialization and urbanization have helped to transform trafficking in women into a highly profitable industry, and changed its character from the traditional institutions,

sanctioned by social and religious customs for certain castes, into a widespread industry in vice. Recent studies on prostitutes prove that while a large number are descendants of these traditional groups, there are many new entrants to this profession who are victims of social oppression and poverty. In the absence of adequate employment opportunities, families in poorer and even the middle classes are compelled to allow prostitution of their women. Wives of bonded and other agricultural labourers take up (and are sometimes forced to) this occupation to free their families from indebtedness. In certain areas girls are encouraged to practise this profession to earn their dowries. Recent additions to this group are from middle class families driven by economic necessity and in a few cases by their desire to keep up an appearance of affluence. Even educated women are found in their ranks because of difficulties in obtaining other types of employment.

While there is no doubt of the historical or traditional origin of this profession in India, it represents in our view the exploitation of the poor by the rich and discrimination of women by men. If women are to become equals of men in society, society must ensure, economic, social and psychological security for them and protect them from this worst form of exploitation, discrimination and inequality. The growing incidence of prostitution in metropolitan cities and urban areas indicate growing demand on the other. The increasing commercialization has resulted in the emergence of a host of intermediaries and allied traders who profit from this traffic. Lure of the high profits from this trade has encouraged the exploitation and seduction of women from tribal communities, and even other sections of the population who never practised this profession.

The Suppression of Immoral Traffic in Women and Girls Act, 1936, aimed to suppress this commercialization and did not attempt to penalise individual prostitutes or prostitution itself. The only case where an individual prostitute can be punished is when she carries on her trade in the near vicinity of public places or places of religious worship. According to

senior police officials, this lacuna and the necessity of having women witnesses during a raid have severely restricted their powers to suppress this traffic. Social workers and police officers agree that the punishments imposed under the Act are most inadequate. We understand that amendments of the law are under considerations. Also better preventive and rehabilitation measures in the way of homes for abandoned and illegitimate children, special counselling services for women in moral and social danger and economic rehabilitation of women rescued from this trade should be provided.

WOMEN IN PRISONS : the condition of women prisoners has not received adequate attention since they constitute a small segment of the total population (4.3 percent of convicts and 3.2 percent of undertrials). About 72 percent of the female convicts are between 21 and 40 years of age and around 10 percent are between 16 and 20. About 12 percent are illiterate, 15 percent are unmarried, and 12 percent are widows. A large majority are mothers. It has been found their crimes are mainly caused by poverty or helplessness in certain social matters. Most of them are beginners in crime, for whom prison life is extremely unhealthy. The law commission has recommended that convicts on short-term sentences should not be sent to prison. In some prisons, lunatics — both criminals and non-criminals — are housed with women prisoners. This dangerous practice will prevent both reform or rehabilitation of the convicts and the treatment of the insane. Another problem, is that most women prisoners are sent away from their place of residence because of accommodation difficulties in prisons. Their isolation from the family increases difficulties of rehabilitation and readjustment to family life after release. Thus seen, problems of women prisoners deserve special attention, particularly with regard to their rehabilitation and education, and care of their children. So, women's voluntary organizations could do a great deal in arranging useful educational and recreational work programmes for women in prisons.

SUICIDES : Suicide is a 'reaction to problems that apparently

cannot be solved in any other way — a final response which a human being makes to inner emotional distress". Cultural patterns, socio-economic conditions and group activities act as inhibiting or encouraging factors for suicides. In India the earliest institutionalized form of suicide for women was sati, which arose out of a social system that degraded widows. It was legally banned in the 19th century.

The overall incidence of suicide by women was reported to be higher than that of men in 1966 and 1969. In 1970, 41.4 percent of those who committed suicide were women. The highest incidence of suicide among women had been found in the age group 15 to 34, followed by the 34 to 54 age group. The causes of suicides have generally been found to be despair over dreadful diseases, quarrels with parent-in-law, and quarrels with married partners. While there has been no national survey of the causes of suicides, the increasing incidence of female suicides in Gujarat resulted in the appointment of an enquiry committee, which found that the number of women committing suicide was larger than men when the causes were physical, mental, social and domestic, while the proportion of men was higher when the cause was economic. About 62 percent of women who committed suicide were illiterate and the large majority were married. The Enquiry Committee emphasized child marriage, lack of freedom in the choice of partners, and joint family relationship as the major causes of female suicide. Two earlier surveys of suicides (Bombay state in 1954-57), and Saurashtra 1952-55) had also found the rate of female suicide to be higher in certain districts of Gujarat.

In our view, the increasing burden of economic insecurity and the breakdown of family economy in the absence of social security and adequate employment opportunities explain the recent cases of women committing suicide along with their children. Suicides thus represent a serious malaise in social organization which may increase if life becomes harsher with increasing poverty and destitution.

UNMARRIED MOTHERS : One of the causes of a high suicide rate found by Suicide Enquiry Committee was illegitimate

pregnancies. Before the passing of the Medical Termination of Pregnancy Act, 1971, unmarried mothers had either to risk their lives through criminal abortions or become destitute or prostitutes. While some illegitimate pregnancies are caused by rape, most are due to unhappy or maladjusted family life, broken homes, or sexual ignorance. There are some women whose lives have been completely wrecked by the refusal of the family to accept or assist them in any manner. In one case the father had ordered the girl's death and her escape to a women's home was arranged by a village school teacher. The number of such homes are most inadequate, nor are they known to most people.

Since this problem is already on the increase with growing urbanization and the disintegration of traditional social norms, it requires much greater attention than it has received so far from official agencies and Voluntary Welfare Organizations. It is important to collect information, provide counselling and assistance to these women to rehabilitate them in their families.

AGED WOMEN : Traditional Indian society had ensured the care of aged persons through the joint family. But disintegration of the pattern of family organization and values have left a large number of aged women economically helpless. Many such women are found in destitute homes because no other homes were available for them. They are seldom visited by the family.

Though a few State Governments are operating schemes for old age pensions, reports indicate that the amounts are very meagre and reach very few persons. Illiteracy and helplessness of the recipients are exploited by intermediaries who charge commissions for help in obtaining the pension. Greater care and attention to this problem by state and voluntary agencies is necessary, because aged women are being increasingly regarded as encumbrances by their families in the changing milieu.

DESTITUTE WOMEN : The number of destitute women has been increasing in recent years because of poverty, loss of employment and breakdown of the family. Many of the destitute women are widows or deserted wives who swell the ranks of beggars or are exploited for immoral traffic to support themselves and their children. The government's estimate that about 100,000 women in the age-group 20 - 44 become destitute every year falls short of reality. Institutionalized services for them are highly inadequate, in both numbers and types of services provided for rehabilitation.

The review indicates that society has failed to frame new norms and institutions to enable women to fulfill the multiple roles expected of them in India today. The majority do not enjoy the rights and the opportunities guaranteed by the Constitution. Increasing dowry and other phenomena, which lower woman's status further, indicate a regression from the norms developed during freedom Movement. The content analysis of periodicals in regional languages revealed that concern for women and their problems has suffered a decline in the past two decades. The new social laws have remained unknown to the large masses of women.

While social attitudes and institutions cannot be changed overnight, rapidly, this process can be accelerated by deliberate and planned efforts. Responsibility for this acceleration must be shared by the state, the community, and all who believe in the equality of women. All should be urged to mobilize public opinion and strengthen social efforts against oppressive institutions like polygamy, dowry, child marriage, ostentatious expenditure on weddings and to mount a campaign to increase women's awareness of their legal rights. The mass media, have contributed little to changing attitudes in the needed direction, or in conveying basic knowledge to women about their rights and responsibilities. So they should be activated for this purpose. Films and advertising should stop degrading the image of women by using them as sex symbols, and contributing to increase in sex crimes and deviant behaviour that threaten women's status and also keep perpetuating discrimination against

CHAPTER - III.

ECONOMIC AND DEMOGRAPHIC DIMENSION

As early as 1914, in her Preface to a book on population, Annie Besant drew pointed attention to the statistics on illiteracy, child widows and the terrible death toll of women between 15 and 30.¹ In spite of the progress made since the book was published 68 years ago, the issues raised by Annie Besant like early marriage, the high mortality rate of women and massive illiteracy and low rates of participation in the labour force indicate their low status in society. While some improvements have occurred in some of these fields, all available evidence goes to show that discrimination against women resulting in inequality of status between men and women still persists.

1. FEMALE MORTALITY AND THE DECLINING SEX RATIO :

While definite improvement has taken place in the expectation of life, there is a distinct differential between the sexes. According to the census, in 1921-31, the expectation of life for both males and females was 26 years. By 1961-71 the expectation of life for males had improved to 47.1 years while that for females was 45.6 years only (See TABLE 1). What is worse, the gap between the male and female expectations of life has actually been increasing in the last five decades. This again is a distressing phenomenon. When we consider the expectation of life at different ages for the period 1951-61 (for which published figures are available) we find that at all ages below 40, the expectation of life is lower for females, (See TABLE 2). Infant mortality rate is considerably higher for females in the states of Gujarat, Maharashtra, Punjab, Rajasthan and Uttarpradesh in rural areas. According to Sample Registration System (SRS) data estimates for rural areas of 12 states of India as a whole, the infant mortality rate for female was 148 per 1000 live births compared to 132 for males

1. M. Subaraya Kamath, Census of India - An Analysis and Criticism, Theosophical publishing House Madras, 1914. (foreward by Annie Besant.

(See TABLE 3). While the neo-natal mortality rate, according to SRS data of 1969 was 74 per 1000 for males and 76 for females with only slight difference, the post neo-natal mortality rate showed a wider gap being 59 for males and 72 for females. In the age group 0-4, while the male death rate in rural India is 50 per thousand, that for females is 70 per thousand. In the age group 5-14 the death rates are 4.5 per thousand males as compared to 5.3 for females. In the 15-34 age group the female death rate is consistently higher than that of males. The overall position is that, in rural India in 1969, there were 18 deaths per thousand for males and 20 deaths per thousand for females (See TABLE 4)

TABLE 1 :

Expectation of Life at Birth, 1921-71.

Decade	Male	Female
1921-31	26.9	26.6
1931-41	32.1	31.4
1941-51	32.4	31.7
1951-61	41.9	40.6
1961-71	47.1	45.6

Source : Towards Equality : Report of the Committee on the status of women, Government of India, Dec. 1974. p. 16.

TABLE 2 :

Expectation of Life at different ages for males
and females, India, 1951-60.

Age	Males	Females
At birth	41.89	40.55
1	48.42	46.02
2	48.92	46.75
3	49.11	47.12
4	49.03	47.19
5	48.72	47.01
10	45.21	43.78
15	40.99	39.61
20	36.99	35.63
25	32.98	31.60
30	29.03	27.86
35	25.33	24.89
40	22.07	22.37
45	19.15	19.91
50	16.45	17.46
60	11.77	12.98
70	8.07	9.28

Source : Same as in the previous table, p.17.

TABLE 3 :

Infant mortality rates for selected states,
Sample Registration System (SRS) 1969.

State	Rural		Urban	
	Males	Females	Males	Females
Andhra Pradesh	131.7	126.0	-	-
Assam	154.2	104.4	110.7	92.4
Gujarat	153.2	177.6	-	-
Haryana	82.9	76.1	-	-
Jammu and Kashmir	106.3	98.9	79.1	40.5
Kerala	64.8	48.5	-	-
Maharashtra	101.0	113.4	-	-
Mysore	114.5	104.4	60.1	54.4
Punjab	80.9	115.9	70.3	86.7
Rajasthan	167.6	170.2	97.0	84.2
Tamil Nadu	115.0	109.8	-	-
Uttar Pradesh	153.9	203.9	119.0	99.7
Estimates for all the 12 States	132.3	148.1	-	-

Source : Measures of fertility and mortality in India. Vital Statistics Division, office of the Registrar General, SRS Analytical series 2. 1979. in Towards Equality : op. cit. , p. 18.

TABLE 4 :

Age specific death rates, rural India, 1969.

Age - group	Males	Females
0-4	58.3	70.2
5-9	5.8	7.4
10-14	3.0	2.7
5-14	4.5	5.3
15-19	2.1	4.2
20-24	3.9	5.5
25-29	3.7	5.5
30-34	4.1	6.4
35-39	6.5	6.1
40-44	8.5	7.6
45-49	13.2	9.4
15-49	5.3	6.1
50-54	18.7	16.2
55-59	28.3	20.2
60-64	44.0	38.7
65-69	59.9	52.2
70 +	123.0	119.5
Total	18.2	20.1

+ Age-specific death rate : number of deaths in a year in any specified age group per 1,000 persons in that age group.

Source : Same as in table No. 1, p. 20.

THE DECLINING SEX RATIO:

The decline in the sex ratio ever since 1901 is a disturbing phenomenon in the context of persistent discrimination against women and their consequent low status in the Indian society. While the female population of India has increased from 117 millions in 1901 to 264 millions in 1971, the number of females per thousand males, has been declining steadily.

In 1901, there were 972 females for every 1000 males, while in 1971, the ratio has declined to 930 females per thousand males. (See TABLE 5). Looking at the sex ratio by age groups, it is found to be even lower than the national average for all ages in the age 10-19 age group and again in 40-59 age group. (See TABLE 6). Among all the states of India, Kerala is the only state where the females outnumber males in all the decades from 1921. In Orissa and Tamil Nadu this trend persisted till 1961 but the ratio has become adverse since then. The richest state in India, the Punjab, has the dubious distinction of having the lowest sex ratio (874). The other states with a sex ratio lower than the national average are Jammu and Kashmir (882) Uttar Pradesh (883), West Bengal (892), Assam (901), and Rajasthan (919) for this (See TABLE 7).

TABLE 5 :
Growth of female population in India, 1901-71 (in millions).

Year	Total population	Male population	female population	females per 1000 males
1901	238	121	117	972
1911	252	120	124	964
1921	251	128	123	955
1931	279	143	136	950
1941	319	164	155	945
1951	361	186	175	946
1961	439	226	213	941
1971	548	284	264	930

Source : Same as in table No. 1, p. 10.

TABLE 6 :

Sex ratio by age groups, India, 1971³, females per 1000 males.

Age groups	Total	Rural	Urban
All ages	931	951	857
0-4	969	972	953
5-9	935	935	931
10-14	887	885	895
15-19	883	896	839
20-24	1,008	1,074	830
25-29	1,027	1,078	863
30-34	990	1,045	811
35-39	916	949	802
40-44	882	922	737
45-49	839	876	705
50-54	848	868	761
55-59	867	882	801
60-64	923	926	908
65-69	916	921	895
70+	961	957	978
Age not stated	1,050	1,068	972

Source : Ibid., p.17.

3. figures are provisional, Estimated from 1 percent sample data.

TABLE 7 :

Sex ratio in states, 1921-71, females per 1000 males.

State	1921	1931	1941	1951	1961	1971
Andhra Pradesh	993	987	980	986	981	977
Assam	903	886	886	877	876	901
Bihar	1,016	994	996	990	994	956
Gujarat	944	945	941	952	940	936
Jammu and Kashmir	870	865	869	873	878	882
Kerala	1,011	1,022	1,027	1,028	1,022	1,019
Madhya Pradesh	974	973	970	967	953	943
Maharashtra	950	947	949	941	936	932
Mysore	969	965	960	966	959	959
Orissa	1,089	1,067	1,053	1,022	1,001	989
Punjab	821	830	850	858	864	874
Rajasthan	896	907	906	921	908	919
Tamil Nadu	1,029	1,027	1,012	1,007	992	979
Uttar Pradesh	909	904	907	910	909	883
West Bengal	905	890	852	865	878	892

Source : Ibid., p.15.

Demographers have put forward various hypotheses to explain the persistent declining trend in the Indian population (of the female sex ratio).

- (a) higher under-enumeration of females in the Indian census
- (b) the higher mortality rate of females.
- (c) the marked preference for sons and the consequent neglect of female infants.

- (d) the lower status of women and the neglect of women at all ages.
- (e) the adverse impact of frequent and excessive child-bearing on the health of women.
- (f) the higher incidence of certain diseases in women.

In the absence of adequate and reliable data, however it is not possible to arrive at any firm conclusion on the causes of this decline.

All over the world, more boys are born than girls and thus is true of India also. But in the developed countries, more boys die than girls or in other words, the survival rate and expectation of life at birth is higher among females. But in India, more boys are born than girls but more girls die than boys and the expectation of life at birth is lower for females.

The explanation which seems to have received general acceptance is that due to improvement of health services in the last few decades the reduction in mortality has been greater for males than females. The differential improvement in health conditions must have contributed substantially to the decline in sex ratio. In other words higher mortality among females both in infancy and in the child bearing age results in the declining sex ratio. This raises the whole question of the attitudes towards females and the role of women in Indian society which has been discussed in the earlier chapter. The fact that our statistics provide little information on this subject, only strengthens the hypothesis " that the Neglect and discrimination against women in India is a persistent phenomenon" .

One point deserves mention : the national and even state averages are meaningless in determining the actual conditions and status of women in the context of the gross inequalities and wide variations in socio-economic factors that influence women's lives. for a satisfactory understanding of the problem, it is necessary to identify the actual groups, by socio-economic status, or regional or communal origin, which contribute the

main thrust in shaping these averages. For example, investigations of morality, malnutrition, and other similar factors must examine differences in these trends in different levels of society to ascertain their true impact. Whatever such studies may ultimately establish as the complex of causes that contribute to the adverse sex ratio in India, the mere fact of its existence is the most effective indicator of the persistent discrimination against women resulting consequently in lower status of women in our society.

2. LITERACY AND EDUCATION :

Education has been regarded both as an end in itself and as a means of realizing other desirable ends. It develops the personality and rationality of individuals qualifies them to fulfill certain economic, political and cultural functions and thereby improves their socio-economic status. It has been recognized as a major instrument which societies can use to direct the process of change and development towards desired goals. It provides for vertical mobility and can thereby help to equalize status between individuals coming from different social strata.

The movement for improving women's status all over the world has always emphasized education as the most significant instrument for changing women's subjugated position. The Indian social reformers of the nineteenth century also accepted this view. Their aim, however, was to use education to make women more capable of fulfilling their traditional roles as wives and mothers and not to make them more efficient and active units in the process of socio-economic or political development. The colonial authorities generally supported this limited view of women's education. The expansion of education and health services in the twentieth century, however, precipitated a need for women 'teachers' and doctors and resulted in the incorporation of these two non-familial vocations in the programmes for women's education.

The attainment of independence and the constitutional guarantee of equality introduced new dimensions with the call on

women to play multiple roles in the polity, the economy and the society. In the years after the second world war, international agencies also emphasized the role of education as an instrument that can equip women to build the new social order. In spite of this new emphasis, however, attitudes to women's education in India have displayed an ambivalence between the traditional limited view on the one hand and this broad new concept on the other hand and it is this ambivalence which has influenced academic planning, allocation of resources and development of values in society, both for men and women.

ATTITUDES TO WOMENS EDUCATION

Social attitudes to girl's education vary from acceptance to absolute indifference. According to a survey on the status of women in India appointed by the govt. of India only 16.8 per cent of the respondents felt that girls should not be given any education, but 64.5 percent observed that girls should not go in for higher education even if they are very intelligent. About 77.5 percent both male and female supported compulsory education for girls upto the 8th class. Educationists and administrators were generally in favour of compulsion for this purpose. The acceptance of girls education was found to be far wider in urban areas, being the highest among the middle classes. A small group of affluent families still oppose it for traditional reasons, but others regard it as an accomplishment and a symbol of modernization. Among the lower middle class, an increasingly large section is now ready to make substantial sacrifices for girls education because of economic need, but a very large section still finds itself unable to do so due to economic and social difficulties. For the majority of the people below subsistence level, poverty is the predominant factor that governs their attitude to girl's education.

A large majority of girls have to undertake domestic chores, including looking after the siblings, by the time they reach the age of 8 years. A very large number are also engaged in earning for the family. Girls from the age of five were found to be working with their parents in bidi factories and other industries in the unorganised sector for 12 hours a day

and also as helpers of their mothers in domestic service. Some teenagers were supporting entire families of sick and unemployed parents and young siblings on their sole earnings. It should be noted that girls constitute a higher proportion of the unpaid family workers throughout the country and that is the major reason for their exclusion from schools. Other social reasons for this adverse discriminative attitude to girls education are early marriages or betrothal, though these are on the decline except in the admittedly backward states of Bihar, Orissa, Madhya Pradesh, Rajasthan and Uttar Pradesh. The social restrictions on girls pursuing their studies after marriage is, however, considerably less now. The other reasons mentioned, which stand in the way of girls' education, are inadequacy of facilities, particularly distance of schools; irrelevance of the content of education; and fear of the alienation of girls from their environment as a result of education.

The strongest social support for girls' education comes from its increasing demand in the marriage market. About 64.5 per cent of the respondents stated that education helped to improve the girls' marriage prospects. This relationship between marriage prospects and education, however, operates in different ways. Since it is considered necessary to find bridegrooms with still higher education, education of girls contributes to an increase of dowry, and the double expenditure acts as a deterrent to girls education. Many parents said that this was the reason for their withdrawing their girls from schools after the primary stage.

One of the dismal features revealed by the 1971 census is the extremely low literacy rate. It was 18.7 for females, 39.5 for males and 29.5 percent for the total population. The highest literacy rate for females, 37.4 was in the age group 10-14, while the highest literacy rate for males, 63 percent was in the age-group 15-19. This shows the higher incidence of literacy amongst the males and females of the younger generation (See TABLE 8). However a sensitive index of literacy is the female literacy in rural areas. The rural female literacy rate in India is only 13.2 percent while the urban female literacy rate is 42.3 percent.

Kerala has the highest literacy rate both in rural and urban areas while Rajasthan has the lowest literacy rate both in urban and rural areas. The position is equally appalling in Bihar, Madhya Pradesh and Uttar Pradesh. (See TABLE 9). A detailed analysis based on the district data reveals that out of the 352 districts in India, in 83 districts the female literacy rate in rural area is less than 5 percent and there are another 113 districts where the female literacy rate is between 5 and 100 percent. Of the 83 districts belonging to the first category, 64 belong to the states of Uttar Pradesh, Rajasthan, Bihar and Madhya Pradesh. Of the 113 districts belonging to the later category, Uttar Pradesh, Bihar, Madhya Pradesh and Andhra Pradesh account for 73 districts.⁴

TABLE 8 :
Literacy rates by age-groups, India, 1971.

Age-groups	Males	Females	Total
5-9	26.7	18.5	22.8
10-14	60.3	37.4	49.7
15-19	63.0	36.9	50.8
20-24	59.8	27.9	43.8
25-34	49.3	18.8	33.9
34 +	37.0	10.4	24.5
Total	39.5	18.7	29.5

Source: Ibid., p. 31

4. O.P. Sharma Regional, Nov. 1971 in Towards Equality : Report of the committee on the status of women, Government of India, Dec. 1974.

TABLE 9 :

Female literacy rates in rural and urban areas, 1971.

States	Rural	Urban	Total
All India	13.2	42.3	18.7
Andhra Pradesh	10.9	36.3	15.8
Assam	16.5	50.9	19.3
Bihar	6.4	31.9	8.7
Gujarat	17.2	44.8	24.8
Haryana	9.2	41.5	14.9
Himachal Pradesh	18.2	52.2	20.2
Jammu and Kashmir	5.0	28.4	9.3
Kerala	53.1	60.6	54.3
Madhya Pradesh	6.1	37.0	10.9
Maharashtra	17.8	47.3	26.4
Manipur	16.4	40.4	19.5
Meghalaya	18.9	59.7	24.6
Karnataka	14.5	41.6	21.0
Nagaland	16.4	49.5	18.7
Orissa	12.1	36.1	13.9
Punjab	19.1	45.4	25.9
Rajasthan	4.0	29.7	8.5
Tamil Nadu	19.0	45.4	26.9
Tripura	17.3	55.0	21.2
Uttarpradesh	7.0	34.4	10.7
West Bengal	15.0	47.8	22.4

Source: Same as in table No. 1. p. 31.

Among the total female literates, 40 percent have no educational level (they are really semi-literates), 7.8 percent are matriculates while only 1.4 percent are graduates and above. The great majority of Indian women are illiterate or semi literate and only an insignificant fraction of is educated. The image of the Indian woman created by a few women holding high positions or academic qualifications is only that of a small elite group and does not, in any way reflect the actual position. (See TABLE 10).

TABLE 10 :
Distribution of literates by educational level, 1971.

Educational Level	Total	Males	Females
Total literates	100.0	100.0	100.0
Literates without educational levels	36.9	35.4	40.3
Literates with educational levels	63.1	64.6	59.7
Primary	31.5	30.5	34.2
Middle	18.0	18.8	16.0
Matriculation or Higher-Secondary	11.0	12.3	7.8
Non-tech, diploma or certificate not equal to degree	0.1	0.1	0.1
Technical diploma not equal to degree	0.3	0.3	0.2
Graduates and above	2.2	2.6	1.4

Source : Same as in Table No. 1 p.31.

3. WOMEN AT WORK AND ACCELERATED DECLINE IN WOMEN'S EMPLOYMENT :

Any appraisal of women's economic roles and their opportunities for participation in economic activities cannot be done in isolation of the society's stage of development, the socio-cultural attitudes towards women's role in the family and

in the wider society, and the social ideology concerning basic components of status. At certain stages of development, capacity for work may provide the highest claim to status. But when society becomes inegalitarian, leisure may substitute work as the indicator of status.

The debate regarding women's economic role and the need for equality of rights and opportunities for economic participation centres round three arguments:

- (1) That women's economic subjugation or dependence leads to exploitation and is a denial of social justice and human rights. Both Karl Marx and Mahatma Gandhi opposed the rigid distinction between men's and women's roles from this stand point.
- (2) That the development of a society requires full participation, and opportunities for full development of the potentialities of women. This is the Keynote of the U.N. Declaration on the Elimination of Discrimination against women.
- (3) That modern trends in demographic and social changes, e.g. rising age of marriage, rising costs, and standards of living and calls for greater participation in decision-making are introducing major changes in women's roles and responsibilities. A social crisis would result if women are unable to meet these challenges because of social handicaps.

The opposition to increasing women's economic activities springs from (1) the conservative view that women's role must be confined within rigidly defined limits (patterns of this division of labour between sexes have varied, not only between but even within societies) and (2) the fear that chronic unemployment may result if women enter the labour market on a large scale. This results in theories of women's marginal role in the economy. The theory is, however, inapplicable to agrarian societies where the family is the unit of production, and men, and women and children, all participate in the production process. Transition from traditional agricultural and household industry to modern organised industry and services, and from rural to urban areas, destroys the traditional division of labour, and substitutes the competitive

relationship between individuals as units of labour for the complementary one of the family. Technological changes in production methods call for new skills. Women, handicapped by lack of opportunities to acquire those new skills, find themselves unwanted by the new economy.

This is the situation that the large masses of Indian women face today. Among cultivators, the artisans and those performing menial services in the traditional village economy, women played a distinctive and accepted role in both production and marketing, and continue to do so wherever the traditional economic forms prevail, particularly among marginal and landless agriculturists, most scheduled castes and tribal communities, and traditional industries and crafts like weaving, basket-making, and food processing (by hand). Though there are regional variations in the norms governing women's work, a traditional upper class norm - that of excluding women from labour outside the family - still remains a status symbol, and is often emulated by many who want to enhance their social status.

The forces which have most affected and accelerated the 'Declining role of women in the Indian economy' are : the general decline of handicrafts; increasing pressure of population on agriculture; increase of poverty in the rural sector resulting in migration, development of modern industry with its increasing technological advances; the spread of education and the increasing cost of living particularly in urban areas. Among the different factors responsible for the economic dependence of the female members in Indian families, the institutional barriers are the most important of the economic backwardness is due to individual lapses it can be remedied by moulding the pattern of motivations. The institutional barriers on the other hand, generate a self perpetuating process, which makes it difficult to introduce changes. Economic status of women is thus a good indicator of the extent of discrimination against women in society.

A macro analysis reveals that women's economic participation has been declining since 1921, both in percentage of workers to total female population and in their percentage to the total labour force. While the total number of women workers declined

from 41.8 million in 1911 to 31.2 million in 1971, their percentage in the total labour force declined from 34.44 per cent in 1911 to 17.35 percent in 1971. The percentage of women workers to the total female population declined from 33.73 per cent in 1911 to 11.86 in 1971. (See TABLE 11).

According to 1971 census, there were 31.2 million women workers in India, out of which 28 million were in rural areas and 3 millions in urban areas. In rural areas the great majority of women workers namely 87 percent were engaged in agriculture and less than 2 percent were engaged in manufacturing industries, other than household industries. In the urban areas, the service sector claimed the largest percentage of women workers, namely 33 percent followed by agricultural labour 17.5 percent while manufacturing industries other than household industries accounted for about 13 percent of female workforce (See TABLE 12)

TABLE 11 :

Trend in Distribution of Women Workers, 1911-71 (in thousand).

Year	Agriculture	Industry	Service	Total	female workers as percentage to total female population	female workers as% to total labour
1911	30,898 (73.9)	6,137 (14.7)	4,767 (11.4)	41,802 (100)	33.73	34.44
1921	30,279 (75.5)	5,409 (13.5)	4,407 (11.0)	40,095 (100)	33.73	34.02
1931	27,177 (72.3)	5,147 (13.7)	5,276 (14.0)	37,600 (100)	27.83	31.17
1951*	31,062 (76.8)	4,554 (11.2)	4,923 (12.1)	40,539 (100)	23.30	28.98
1961	47,274 (79.6)	6,884 (11.6)	5,244 (8.8)	59,402 (100)	27.96	31.53
1971	25,030 (80.1)	3,307 (10.5)	2,931 (9.4)	31,298 (100)	11.86	17.35

1941 figures are omitted as they are based on 2 percent of the population on sample basis.

Note: figures within brackets denote percentages of women workers.

* figures do not include Jammu and Kashmir.

Source : (1) Census of India 1961 - Paper No.1. 1961 (final population).

(2) Pocket Book of population statistics - census

TABLE 12 :

Distribution of Women Workers into nine industrial categories, 1971.

Industrial categories	Total	Rural % of total	Total	Urban % of total	(figures in thousands) Total	Total % of total
I. Cultivators	9,127	32.6	139	4.2	9,266	29.6
II. Agricultural labourers	15,211	54.4	584	17.5	15,795	50.4
III. Livestock, Forestry Plantations, orchards and allied activities	715	2.6	68	2.0	783	2.5
IV. Mining and quarrying	91	0.3	33	1.0	124	0.4
V. Manufacturing, Processing, servicing and repairs						
a. Household Industry	999	3.6	332	10.0	1,331	4.3
b. Other than Household Industry	436	1.6	429	12.9	865	2.8
VI. Construction	107	0.4	96	2.9	203	0.6
VII. Trade and Commerce	282	1.0	274	8.2	556	1.8
VIII. Transport Storage and communication	39	0.1	1.7	3.2	146	0.5
IX. Other Services	959	3.4	1,270	38.1	2,229	7.1
Total Workers	27,966	100.0	3,332	100.0	31,298	100.0

Source: Same as in Table No. 1, p. 32.

In rural areas 13 percent of the women were in the workforce while in urban areas the comparable figure was less than 7 percent. Unlike western countries, even in the biggest cities, the participation rate for women does not exceed 9 percent. In western countries the service sector is 'manned' by women. Of late, in several Asian cities, women are being increasingly employed in the service sector but women continue to play a minor role in the urban workforce in India. The norms of social status of women and notions of social respectability condition the employment of women, especially married women in non-household industries and service sector. Conservative families have little hesitation in allowing women to work as teachers and doctors but would hesitate to see women working as shop assistants and office girls. However, there is some evidence that under the impact of economic necessity and the gradual process of modernization, the attitude towards such work is less rigid now, at least in the urban areas. But it is difficult to say if the attitudes are changing in rural areas.

More than 89 percent of women workers are illiterate. According to the census, the non-workers were divided into a number of categories. In the case of women, household duty was recorded as the main activity of 51 percent of the total number of non-working women. (See TABLE 14). In the age group 15-59 household duty was recorded as the main activity of 73.5 percent of the women in that age group. In the rural areas 73 percent of the women in the age group 15-59 reported household duties as their main activity while in the urban areas comparable figure was 75 percent (See TABLE 15). Thus the incidence of household duties as the main activity was a little higher in the urban areas compared to rural areas.

Table 12 indicates the distribution of women workers in nine industrial categories. It will be seen that only 2.8 percent of the women workers are engaged in manufacturing industries of the modern type, where as 4.3 percent are engaged in household industry. The great majority of women are engaged in cultivation. Taking all ages together, male workers constitute 52.5 percent of the male population while female workers constitute only 11.8 percent of the total female population.

It may be noted that even in the biggest cities of India, namely cities with population of over one million, the female participation rates are very low. For example, in Greater Bombay, only 8.4 percent of the female population is in the working force (See TABLE 13).

TABLE 13 :

Female Working force Participation rates in cities with population of over one million, 1971.

Million - plus-cities	No. of female workers	female working force participation rates.
Hyderabad	70,771	8.2
Ahmedabad	35,819	5.0
Greater Bombay	208,676	8.4
Bangalore	63,197	8.2
Madras	78,429	6.7
Kanpur	20,435	3.7
Calcutta	137,024	4.7
Delhi	82,657	5.1

Source : Same as in Table No. 1, p.33.

Table 14 shows the distribution of non-working females by type of activity. 51 percent reported household duties as their main activity. This table does not take into account the age groups. Table 15 gives the age-group composition and distribution by amount of women reporting household duties as their main activity. It is clear from these tables that 99 per cent of non-working women are in a state of dependence.

TABLE 14 :

Non-working women classified by main activity, 1971.
(figures in thousands)

Main activity	No. of females	% of total
Full time students	20,664	8.9
Household duties	118,404	51.0
Dependents and infants	91,722	39.5
Retired, rentiers and owners of independent means	477	0.2
Beggars, Vagrants etc.	275	0.1
Inmates of penal, mental and charitable institu- tions.	37	Negligible
Others	526	0.2
Total	232,075	100.0

Source : Ibid., p.33.

TABLE 15 :

Percentage of women reporting household duties as
main activity, India, 1971.

Age-group	Rural	Urban	Total
15-19	66.8	49.0	62.8
20-24	76.5	70.6	77.0
25-29	76.8	84.0	78.5
30-39	75.6	84.5	77.2
40-49	73.1	80.0	74.5
50-59	66.9	69.8	67.4
Total (15-19)	73.1	75.0	73.5

Source : Ibid., 1974.

MIGRANT WOMEN

The dependent status of women is further emphasized if we consider their proportion of internal migration. According to one demographer, "mobility in India is quite considerable, About one-third of the total population was enumerated outside their place of birth".⁵ A significant aspect of this mobility is the preponderance of women over men migrants, revealed by last two censuses. The rural to rural migration stress, which accounted for more than 70 percent of the total migration was dominated by women, who constituted nearly 80 percent of the total. Tables 16 and 17 indicate the relative position of men and women to type and distance of migration.

TABLE 16 :
Migration Streams, 1971.

Migration type	Total	Males	Females	females per 1000 males
Rural to rural	70.8	52.7	78.6	3447
Urban to rural	5.5	7.6	4.6	1398
Rural to urban	13.9	23.4	9.8	963
Urban to urban	9.8	16.3	7.0	990
Total	100.0	100.0	100.0	2310

Source : Ibid., p.34, 1974

TABLE 17 :
Distance and migration, 1971.

Migration type	Total	Males	Females	females per 1000 males
Short distance	67.4	54.9	72.8	3063
Medium distance	21.5	26.6	19.4	1682
Long distance	11.1	18.5	7.8	980
Total	100	100	100	2310

Sources: Ibid., 1974

5. Bose Ashish, Studies in India's Urbanization, 1901-71, 1973, p. 142.

The fact that migrant women are more than double the men migrants has been explained as "marriage migration" and "associational migration" (accompanying their migrant husband).⁶ The compulsion of marriage generally involves uprooting of the woman from her natal home, a compulsion seldom shared by the man. The figures however, indicate that most of the female migration, is confined within the rural areas, and to short and medium distances. Women outnumber men heavily in short and medium distance migration, but are considerably behind in long distance moves.

Apart from the dependence resulting from marriage we may draw certain other inferences from this data (Table 18). A substantial number of women, even when they have to move with their husbands, need employment to support themselves and their families. The migration data indicates that for majority of rural women, the urban environment is hostile from the point of view of economic opportunities. This is substantiated by the low proportion of migrant women workers in large cities.

TABLE 18 :

Percent of female migrant workers to total female migrants in million - plus cities, 1961.

Cities	Percent
Greater Bombay	10.9
Calcutta	9.7
Delhi	5.7
Madras	8.5
Ahmedabad	7.0
Hyderabad	16.8
Bangalore	13.4
Kanpur	4.2

Source: Ibid., 1974.

A third factor that may have a bearing on female migration, particularly short distance ones, is the severe under employment

6. Bose Ashish, Studies in India's Urbanization, 1901-1971, 1973 p. 142.

of women agricultural labourers. While they are deeply rooted in village life, and do not welcome moving out of the familiar boundaries, the low level of employment available to women agricultural labourers, drives them to seek short term, casual employment in nearby areas, during the non-agricultural seasons. Many seek work in construction—road building, stone breaking, major irrigation or flood control projects etc.

A fourth factor that calls for considerable investigation is the impact of broken marriage, widow-hood, desertion and abandonment of women on migration, as well as its obverse information in many places, tells that the number of such deserted women is increasing. The case of migrant labour is specially conducive to such desertion. Generally it is the man who moves away, leaving the women with the family to support. If the woman is still young then the options open to her are —(a) to return to her natal family which is becoming increasingly difficult with the break down of the joint family and the rising costs of living; (b) to continue on her own, risking starvation and other social dangers, for herself and her children; or (c) to link up her life with some other man.

The second alternative is possible only if employment opportunities are available and the woman's employability is adequate to support the whole family. Since both these situations are absent in most cases, a number of such women have to take recourse to the other methods — and most of them involve migration.

The relationship between destitution and migration becomes visible in all times of scarcity, drought, floods or other crises. The effect of this on women has seldom been investigated except during massive movements following political crises such as the refugees influx during Bangladesh liberation struggle.

The main inference that has to be drawn from the preponderance of female over male migration is the greater degree of helplessness and insecurity that affect the status of women in this country. The data now available is only suggestive and calls for much more detailed investigation than has been attempted so

far. The inferences in this regard are supported by the relatively high proportion of widowed, divorced or separated women, and low proportion of women workers and persons of independent means (Table 19).

In Table 19 is given a summary picture of male-female disparities measured as number of females per thousand males in regard to a number of demographic characteristics. The figures speak for themselves.

TABLE 19 :
Male-Female disparity in regard to selected demographic characteristics, India, 1971.

S.No.	Particulars.	Females per 1000 males
1.	Total population	930
2.	Rural	949
	Urban	858
3.	Literate and educated	474
	Illiterate	1,342
4.	Age-group	
	0-4	969
	5-9	935
	10-14	887
	15-19	883
	20-24	1,008
	25-29	1,027
	30-34	990
	35-39	916
	40-44	882
	45-49	839
	50-54	847
	55-59	867
	60-64	923
	55-69	916
	70 +	960
5.	Education level	
	Middle	371
	Matriculation or Higher Secondary	277

	Non-technical diploma and certificate technical	327
	Diploma or certificate	335
	Graduate and above	246
6.	Marital status	
	Total population	931
	Never married	762
	Married	1024
	Widowed	2772
	Divorced or separated	1630
	Unspecified status	328
7.	Workers	
	Total	210
	Cultivators	135
	Agricultural labourers	498
	Livestock, forestry, fishery, hunting and plantations, orchards and allied activity	232
	Mining and quarrying	155
	Manufacturing, processing, servicing and repairs	
	(a) Household industry	265
	(b) other than household industry	88
	Construction	101
	Trade and commerce	59
	Transport, Storage and communication	34
	Other services	165
	Non Workers	1726
8.	Non-Workers according to main activity.	
	Full time students	480
	Household duties	6745
	Dependents and infants	1084
	Retired, rentiers and persons of independent means	356
	Beggars, Vagrants etc.	587
	Inmates of penal, mental and charitable institutions	254
	Others	190

Source: Ibid., p. 35, 1974.

CATEGORIES OF WOMEN WORKERS :

It has been felt that the census categories alone are not really useful for a proper assessment either of the nature and extent of women's participation in the economy or of their problems and disabilities. Therefore, women workers should be classified into two broad categories according to the degree of 'organization' and nature of problems of their sector of employment, viz., the unorganized and the organized sectors. The difference between these two is not functional, as between agriculture, industry and services, because these functions may be found in both the sectors. The real difference between them lies in the organization of productive relations, the degree of penetration of public control and regulation, and recognition by data-collecting agencies and scientific investigators.⁷

The organized sector is characterized by modern relations of production and is regulated by laws that seek to protect the security and working conditions of labour as well as by labour organizations that can engage in collective bargaining. This includes the entire public sector of services and industry, as well as that part of the private sector which is regulated. The unorganized sector, which includes agriculture as well as various industries and services, is characterized by the absence of all these protective measures and machinery. Information about socio-economic condition and work opportunities in this sector is also exceedingly scanty. The status of women workers in India is obvious from the fact that 94 per cent of them are found in the unorganized sector leaving only 6 per cent in the organized sector — 'as economic discrimination against women'.

I WOMEN IN THE UNORGANISED SECTOR

General

The gradual commercialization and modernization of the

7. Towards equality : Report of the committee on the Status of women, Government of India, (1979).

economy and the efforts made by government to replace traditional by modern institutions of credit and marketing, to stabilize ownership of land and to maintain minimum wages have by no means succeeded in organizing the production relations or in controlling the degree of exploitation of the weaker sections, either in agriculture or in non agricultural occupations in this sector. Nor have they solved the problem of low productivity, poverty, unemployment, and under-employment. The impact of this intermixture has been greater on women whose wages are uniformly lower than those of men, even within the lower wage structure in this sector. A large number of them are unpaid family workers whose contribution to the family's earnings is not always recognized. Various estimates indicate that they form 15-17 percent of the male labour force and 41-49 percent of the female labour force, while relatively more information is available on agricultural workers, there is practically no reliable information on non-agricultural occupations. The census classification of workers by primary activity ignores the overlapping nature of agricultural and non-agricultural occupations and the seasonal and fluctuating nature of these occupations.

In spite of the difficulties in estimating employment, unemployment, and under-employment in this sector, the committee on Unemployment found women to be a greater victim of both unemployment and under-employment. The number of unemployed women in rural areas was estimated to be 4.5 million as against 3.2 million males in 1971. Women constitute nearly 60 percent of the rural and 56 percent of the total unemployed in the country. As this estimate takes into account only persons recorded as 'cooking work', the actual number of unemployed women will be much higher, since there is a large number who need employment, but do not seek it in the absence of employment opportunities, information and training. Similarly, the number of under-employed women becomes higher than that of men when the hours of work available to them during a week is 22 to 28 hours -- in both rural and urban areas. When the hours of work are less, their proportion is less than men,

The basic problems that affect women's roles and opportunities for employment in this sector spring from their helpless dependence, caused by lack of adequate employment opportunities, limited skills and illiteracy, restricted mobility, and lack of autonomous status. The occupational status of the woman worker is linked to that of her husband or father, particularly in rural areas. The lack of control over productive resources and a persistent gap between consumption and expenditure, leading to perpetual indebtedness, deprive them of all bargaining power and occupational mobility.

No reliable data are available for estimating the number and proportion of women below the poverty line. But the higher level of unemployment and under-employment has led to conclude that their proportion is likely to be higher than that of men. Components of this vast group are the unskilled workers, landless agricultural labourers, members of households with uneconomic holdings, and those in traditional menial jobs. A large number of them are engaged in traditional village and cottage industries. There are reports of increasing destitution among women from various quarters though no reliable data are available.

The special disabilities that characterize the rights and opportunities for women's economic participation are more predominant in the unorganized sector and will require special attention and remedial measures, since structural changes in the economy which may reduce the share of this sector can at best be regarded as a very distant objective.

Agriculture :

According to the census of 1971, 80.1 percent of women workers are in agriculture, constituting 87 percent of the female work force in rural areas and 17.5 percent in urban areas.

(1) Decline in Employment Opportunities :

The system of land relations and labour utilization is

closely inter-connected with the hierarchic structure of the village community where status is linked with land, caste and economic power. The census classifies agricultural workers into only two categories, ignoring the various intermediate categories of both cultivators and labourers, viz., absentee land-owners; lease holders; tenants of different categories including share-croppers and marginal farmers; casual, daily wage labourers; and attached workers — both contracted and bonded. It is difficult to clearly demarcate these categories because of a process of movement from one to the other through changes in their income position, land values, rates of return, and degrees of indebtedness. While there is a certain degree of upward mobility among a very small minority, caused by improved productivity, rising land values and ownership, increasing pressure of growing families on small holdings, and indebtedness leading to loss of land, makes the general pattern of change a downward one for the majority.

The impact of this process is visible from the sharp decline in women cultivators from 18.3 millions in 1951 to 9.2 millions in 1971. This can be attributed to increasing pauperisation leading to loss of land, and inadequate growth of productive employment opportunities on family farms leading to withdrawal of women from active cultivation. The increase in the number of women agricultural labourers from 12.6 millions in 1951 to 15.7 millions in 1971, a shift from less than one-third to more than half of the total women work force, is the greater indicator of increasing poverty and decline in the level of employment, and not of increasing opportunities. The first (1950-51) and the second (1956-57) Agricultural Labour Enquiry and Rural Labour Enquiry (1964-65) and some intensive studies of rural households (1967-70) show that the level of female unemployment is considerably higher than that of males.

(2) Wage Discrimination :

The low rates of wage for the women farm labour are due to the unorganized nature of employment, the ease with

which hired labour can be substituted by family labour, the seasonal nature of the demand for labour, and the traditional classification of certain jobs as the monopoly of women. The machinery for wage fixation, and enforcement of minimum wages fixed under the Minimum Wages Act, is not uniform; and many areas have still not been brought within the ambit of the Act. Farm labourers, particularly women who are handicapped by poverty, illiteracy, ignorance of the law, and the casual nature of employment, are not able to employ methods now common to industrial labour. The wage fixing machinery in some states maintain wage differentials between men and women for the same operations, and prescribes lower rates for the jobs traditionally done by women. Another factor contributing to low wages for women is the practice of identifying a workday as equivalent of 7-9 hours. Women reporting even half an hour late because of domestic responsibilities are paid wages for half a day only.

Though its enforcement is inadequate, the Minimum Wages Act has helped to reduce wage discrimination and some State Governments, e.g. Bihar, have recently stopped prescribing different rates for some jobs.

(3) Disabilities and Exploitation :

The decline of village and cottage industries and the consequent loss of alternative employment as well as skills, has resulted in occupational immobility — a disability for women. The rural works programmes may meet short-term needs, but their impact is not continuous, either in maintaining a steady level of employment or in generating new skills.

Women agricultural workers prefer to seek employment in their own village or within a short distance from home. Apart from the voluntary reasons for this restricted mobility which is due to socio-psychological reasons and family responsibilities, the decision is involuntary for many of them, because of the status of their husband or sons as attached labour.

The vulnerability of a woman becomes still greater

when her husband is reduced to the status of bonded labour. The National Commission on Labour admitted that this system grew out of acute indigence and helplessness of tribal and semi-tribal communities in the grip of a precarious subsistence economy. There was a combination of reasons for the depression of this class like uneconomic holdings, tenurial insecurity, high incidence of rent, inadequacy of loans from institutional sources, coupled with the problem of wide gap between consumption and income. The System of bonded labour sometimes lead to various forms of exploitation of women. Some recent studies in the hill regions of U.P. revealed a close relationship between the incidence of bonded labour and trafficking in women from such families.

Although it is difficult to establish a quantified relationship between social status and economic position in the agricultural system, there are indicators to show that a large proportion of women agricultural labourers are drawn from the socially depressed communities of scheduled castes and scheduled tribes. In 1961, 42.9 percent of women workers of the former and 21.33 percent of the latter were agricultural labourers.

Another problem that affects women's participation in agriculture is the introduction of modern methods of cultivation which is resulting in a gradual displacement of women and shrinking of their activities. This is due to the biased approach of agricultural extension workers, who teach new methods to men only thus precipitating changes which will have an adverse effect on women.

The basic solution for discrimination against women and for exploitation of agricultural workers lies in redistribution of land, but legislation for this purpose has been grossly ineffective so far. What is worse, some of the land ceiling laws discriminate against women. In the ceiling laws of Punjab, Madhya Pradesh, and Karnataka, while a major son is entitled to a unit of land outside the family ceiling, no such provision is made for a major

daughter, married or unmarried. Side by side, agricultural labour needs to be organized to improve its bargaining power and to prevent exploitation and low wages.

Non-Agricultural Occupations :

Except for some rough estimates based on the 1961 census, no reliable information is available regarding the volume of employment and characteristics of this amorphous group, employed in the unregulated industries and services. These widely scattered and small establishments, with low capital investment, include the traditional village and cottage industries, household and small scale industries, and unregulated services like sweepers, scavengers or domestic servants. The industries suffer from poor techniques, low productivity and inadequacy of institutional credit. The decline of domestic and small-scale industries as a consequence of unequal competition from factory production started much earlier, but data regarding women's participation in household industries are available only for the 1961 and 1971 censuses. During this decade the number of women in household industry declined from 4.6 millions to 1.3 millions. In the absence of any reliable data about employment in other small-scale enterprises and unorganized services, estimate of the number of women engaged in this sector is only deductive. Out of 31 million women returned as workers by the 1971 census, 25 millions were in agriculture and about two millions in the organized sector. The remaining four millions were in non-agricultural occupations in the unorganized sector and suffered from insecurity of employment, lack of standard minimum wages, excessive hours of work, and absence of any welfare amenities. Their helplessness stems from their lack of organization and failure of the public regulatory services to protect them. The women who work at home for various industries are even more vulnerable to various forms of discrimination and exploitation. The minimum wages formulated for certain scheduled employments in these industries remains unenforced. Recent attempts by government to regulate working conditions in this sector through the Contract Labour (Regulation and Abolition) Act, 1970, or the

Bidi and Cigarette (Conditions of Employment) Act, 1966, and the various State Acts to regulate conditions of employment in shops and commercial establishments, can only be effective with strong labour organisations and a vigilant enforcement machinery.

The disabilities of women in these industries are manifest in the illiteracy, helpless dependence on intermediaries to obtain employment and ignorance of agencies or laws which can give them protection and a fair deal. The variety in the pattern of organization of these industries (which range from workshops to individuals working in their homes with short duration of employment and a high rate of turnover) present difficulties in organizing or even identifying the different types of labour. Their subsistence level of living and indebtedness to the employers or contractors make them vulnerable to all forms of discrimination and exploitation.

In the absence of any systematic or comprehensive study, only an analysis of the special problems of the wage-paid and self-employed women in this sector through a few illustrations is given in the paragraph that follow.

(1) Construction Industry :

The construction industry which employs a large number of women as contract labour provides a typical illustration of these workers, mostly employed as unskilled manual labour. Two studies initiated by the National Committee on the status of women in India (1974) in Bihar and Delhi reported wage discrimination, deferred payment, unexplained fines and deductions generally made by the contractors or the sub-contractors as well as a high degree of indebtedness of the workers to these persons. The women are mostly drawn from the rural poor and their earnings constitute the major share of the families' income. Nearly 80 percent of the sample were young women below 35 who began their working life as wage labourers early in childhood, and 98 percent were illiterate. Most of them were married in childhood. Infant

mortality is very high and in absence of maternity relief or minimal health facilities, coupled with continuous malnutrition, the life expectancy of these workers remains low. The study has discovered that, inspite of commitments made by the contractors to government regarding fair wages, housing and sanitary services as well as welfare facilities like creches, little attempt is made to provide these. Government, which insisted on these conditions in the contract, has not also provided any enforcing agency.

(2) Bidi Industry :

The bidi industry is notorious among the most sweated industries in the country. The committee⁸ was appalled by the conditions of women and children working both in workshops and in their homes. Their wages are frequently cut through various devices. While welcoming the judgement of the Supreme Court (in 1974) making the provisions of the Bidi and Cigarette Act⁹ and provision of maternity relief applicable to the home workers, there is a feeling that a special machinery has to be created for the purpose because, without it, it will be impossible to implement this decision effectively.

(3) The Chikan Industry :

About 97 percent of these workers are women and they include contract workers (95.0 percent), self-employed cum contract workers (3.6 percent), and a handful of direct employees (0.5 percent), mainly illiterate Muslim women, whose seclusion provides a reason for their dependence on intermediaries. The majority of these workers live below the poverty line. A large number are widowed or deserted women supporting their families. The intermediaries

8. Towards Equality : Report of the Committee on the status of women, Government of India, Dec. 1974.

9. The Bidi and Cigarette (condition of Employment Act) 1966, prescribes a working day of 9 hours and 48 hours a week.

who control both production and marketing are traditional money-lenders. The wholesalers' margin of profits ranges between 60 and 70 percent. The difference between wages paid by government agencies and those by wholesalers' ranges from 20 to 30 percent. The women interviewed by the committee on the status of women (1974) complained of frequent cuts in their wages, not only by the ordinary intermediaries, but even by cooperative and voluntary organizations which marketed their products. Their desire to become self-employed is defeated by lack of capital, education and inaccessibility of the market which is now highly commercialized.¹⁰

(4) Self-employment :

The commercialization of production and marketing and the rise of intermediaries have caused hardships to a large number of women who were self-employed earlier either as producers or as retailers. The rapid increase in unemployment has recently led to emphasis on the need to promote self-employment and government is providing assistance through training and credit facilities. Self-employment is successful only where women are in a position to market their own products as in Manipur where this is institutionalized through the women's market. Whenever they get dependent on intermediaries for this purpose, their returns are very meagre. The efforts of welfare organizations to develop self-employment in the production of processed food, handicrafts, garments, etc., frequently fail through lack of control over the marketing system. Handicapped by illiteracy, lack of resources and ignorance of modern marketing methods and techniques of sales promotion, women's efforts at self-employment cannot produce good results. Credit agencies like banks often discriminate against women as they are considered poor risks. A programme

10. The full report of committee gives similar illustrations regarding sweepers and scavengers, domestic servants, workers in readymade garments industry, casual or daily wage earners etc., they have not, however, been discussed here for reasons of being precise.

for generating self-employment among women has to be based on an integrated network of training, production, and marketing and should be designed in relation to local resources and marketing potential. The present programmes tend to display an urban bias and cannot meet the employment needs of the large masses of women in villages and small towns.

II WOMEN IN THE ORGANISED SECTOR.

General

This sector includes all public sector establishments and non-agricultural private sector establishments employing 10 or more persons.

It is governed by various laws and regulations and detailed information regarding workers is collected regularly by the Ministry of Labour. The number of women employed in this sector has increased from 1.37 millions in 1962 to 2.14 millions in 1973 i.e., an increase of 56.2%. While this increase was faster than the total increase of employment in this sector, women's proportion in the total employment has remained practically constant at 11 percent during this period. The size of this sector has been steadily growing. Women employed formed only 6 percent of the total women workers in 1971, 2.7 percent being in industry and 3.3 percent in the services and professions. The number of women employed in public increased by 110.4 percent but in the private sector this increase was only of 26.9 percent. Women's proportion in the public sector has increased from 35 percent to 47 percent while their share in the private sector has declined from 63 percent to 52.8 percent during this period. The share of public sector employment is provided by State Governments local bodies, and public undertakings. Their position in the Central Government is not very satisfactory.

The employment of women is likely to 'stagnate' in public sector industries, a study taken up by the Indian Council of Social Science research in 1979, says. There may be a marginal increase in terms of actual numbers but in proportion to total

employment the possibility of a declining exists, it says. In all the units studied, which included pharmaceuticals, coal, watchmaking, textile, electronics and heavy industry, improved technology is not likely to lead to any expansion of women employment. On the other hand, it is likely to arrest further employment of women, the study, which presents data from single units in each industry, predicts. Though there was no overt discrimination in recruitment policy, women were preferred only for a small number of jobs. In some units only unmarried women were preferred while in others, wives of employees were given preference.

Conducted by Sabha Hussain and Vijay Rukmini Rao of the Public Enterprises Centre for continuing education, the study says : very few women are enrolled in engineering trades and, therefore, are not found suitable to work in high technology geared industries. The study says that the Government Schemes for training women did not take into account the actual job market. Also, women were not encouraged to enter courses which are considered unconventional.

In 1968, the total employment in coal mines was 1,10,200 and women employment showed a gradual decline till 1971, after which there was a significant increase from 1972 onwards. This however, is not an actual increase in women's employment but a result of nationalization of coal mines, the study says.

In cotton textile industry the employment pattern for women remains stagnant' whereas it fluctuates in total employment. From 1972 onwards there was a substantial increase both in total and women employment. This increase however can be attributed to the Government take over of sick mills which were restarted, the study points out. In pharmaceutical units studied, women employment was insignificant (below 800 till 1973 and not exceeding 1000) and even the slight increase in proportion to total employment (which registered a substantial increase over the years) is very low, the study says. An increasing trend is evident in electronics, both in total and women employment.

In heavy industry, women's employment was negligible except in group one (machinery other than electrical) where

it touched 1,000 mark in 1971. The total employment shows an increase over the years in prime movers and boilers, machine tools and heavy electrical machinery groups. As watch-making was not considered a separate industry, sexwise data was not available except for the year 1973. Total and women employment is absolute number during this year was 2,300 and 700 respectively.

The four Industrial Training Institutes (ITI), meant exclusively for women, have a very low percentage of females engaged in engineering trades. Whereas Dohra Dun and Chandigarh show zero involvement of women in engineering trades, Madras registered the highest number of women trainees over the years and Delhi had a few women trainees from 1972 onwards. In the four training centres meant exclusively for women the focus on training is not sufficient. The requirement of minimum educational qualification prescribed, and lack of information regarding job prospects and facilities prevent their access to much of the training institutes particularly in the trades so far considered unconventional for women.

Though legislations have provided some benefits to women, they have also acted as hindering factor in promoting employment. Managers often mentioned that the legislation, preventing night work for women acted as hindrance to their further employment, the study says. Moreover, legislation about dangerous work has been interpreted by managers differentially (since all dangerous machines are not listed) with the effect of eliminating women from working at many machines which may not be dangerous. In all the units studied women were discriminated against in petty fashions. For example in one unit, women had to sign a register to avail of toilet facilities, the study says. Since the majority of women were pathetic to trade union activities, they were unable to voice legitimate demands or grievances. In the textile unit, where women took an active part in trade union activities, the union had managed to negotiate the extent of women's continuing employment the study says.

Industry :

Though total employment in factories has ^{been} increasing steadily,

women's employment in this sector has decreased since 1964, their share being reduced from 11.43 percent in 1951 to 9.1 percent in 1971, i.e., a decline of 21.7 percent. In mines, the number of women declined from 1,09,000 to 75,000 during 1951 and 1971 whereas total employment increased from 549,000 to 630,000. The women's share of employment declined from 21.1 percent to 11.9 percent, i.e., a decline of 47.4 percent, the heaviest decline being in coal mines, from 55,000 to 2,000. Plantations, which require female labour for specific purposes, provide the only sector where women's employment has remained steady or has increased slightly during this period (in tea plantations, their numbers increased from 250,000 to 270,000 between 1954 and 1962, representing an increase from 46.1 percent to 49.2 percent of the labour force in these plantations. Similar marginal increases have taken place in coffee and rubber plantations also.

The declining trend of women's employment in industries and mines is generally attributed to the adverse effect of protective labour laws for women, the policy of equalizing wages and structural changes in the economy leading to modernization and rationalization of production methods. The report of the National Committee on the status of women in India have examined the validity of these assumptions in considerable detail with actual cases of specific industries. In their view, the first two assumptions are invalid and stem from an attempt to justify non-employment of women. It has been found that the provision of maternity benefits or welfare amenities like creches and separate sanitary facilities required by the law for women permanent workers constitutes a negligible expenditure in the budget of an establishment. Besides, in areas covered by the Employees' State Insurance Scheme, maternity benefits are no longer a burden on employers. A study done by the International Labour Organisation (ILO) as well as the National Commission on Labour dismissed the argument that the reason for retrenchment of women in industries was due to the cost of

maternity benefits. Similarly, argument that the ban on night work has adversely affected women's employment can apply to a few industries which have adopted a multiple shift system. There are two distinct views in this regard. Some employers and a few representatives of trade unions suggested that permission to extend the period upto 10 P.M., if made available to all industries, would enable women's employment on two shifts and remove the present excuse for retrenching them. The other point of view, expressed by trade unions, labour officials, and experts, stated that the most operations in which women are engaged, even in industries like textiles, are performed during the day. Since permission to extend the period of work up to 10 P.M. is provided by State governments to specific industries on request, there is little doubt that this legal restriction does not constitute a serious obstacle to women's employment. While the ban on hazardous occupations, particularly the lifting of weights, has to a certain extent, affected the employment of women in the jute industry, the view that the ban on underground work is the primary factor responsible for decline in women's employment in mines cannot be accepted, since the reduction in the number of women workers in mines began long before this law was enacted.

Official agencies admit that no assessment has been done as to the extent to which the equal pay principle has resulted in the displacement of women workers. After examination of different industries the report of the National Committee on the status of women in India came to the conclusion that the principle of equalization has not been seriously applied in most industries which continue to maintain wage differentials by direct or indirect methods. Evidence for this is available in the Occupational Wage Surveys conducted by the Ministry of Labour, indicating differences in the minimum, maximum, and average earnings, of women in most industries. Though the Survey reported that employers evade this principle by not employing men and women for the same jobs in the same establishment, it was found that differentials existed even within the same establishments in some cases. A more successful method

for evading this principle is by restricting women to certain jobs and prescribing lower wage rates for them. A study conducted by the National Committee on the status of women in India, covering a sample of 200 undertakings in the public and the private sectors revealed the concentration of women at the lower levels of the production process in mostly unskilled and semi-skilled work. They were found at the skilled level only in some engineering, pharmaceutical, electronics, and textile industries. In the public sector, women are found at supervisory level in some of highly technical industries like electricals, telecommunications, etc. But in the private sector they are conspicuous by their absence at the supervisory level. Restricting women to a few limited types of occupations is the manifestation of (1) prevailing social attitudes regarding their aptitudes; (2) resistance of employers; (3) denial of training opportunities in higher skills to women; and (4) the ignorance of most women regarding opportunities open to them. There is no definite policy or criteria for determining jobs as suitable or unsuitable for women. Wage discrimination is maintained on grounds of the low productivity of women without any scientific appraisal of their capacity. Only in a few industries, mainly in the public section, any system of scientific assessment of women's aptitude and productivity in particular jobs was found.

After examining the situation in the particular industries where the decline in women's employment has been most substantial viz; the textile, jute, and mines, the report of the Committee on status of woman in India (1974) has found that the most important factor contributing towards this decline is the extent and nature of modernization methods. Industries which have adopted a higher capital intensive technology resulting in displacement of labour have justified this on the ground that women lack skills and are illiterate and unwilling to learn new processes. While a chance for on-the-job training is generally denied to women, there is evidence to show that wherever such training has been provided, women have proved themselves capable of acquiring new skills and a few have even

proved to have greater aptitude than men (e.g., in some of the new industries). In the more labour intensive industries like plantations, there has been no displacement of women though wage differentials are still maintained, due purely to social prejudices. The common argument about the traditionalism of women in matters of dress and occupations seems unappealing; as it is non-applicable to modern industrial workers whose exposure to urban influence and the mass media have made them much less traditional than the industrial workers at the beginning of the century.

Apart from illiteracy, ignorance regarding alternative job opportunities and absence of training opportunities, the decline in women's employed is also due to the rising level of general unemployment in the country. Their restricted mobility has also affected women's competitiveness. These problems will require special attention and consideration from government, employers and trade unions.

Services and Professions :

The immediate factors responsible for the emergence of women in non-traditional services and professions in the post-independence period are :

- (1) Constitutional guarantee of non-discrimination and equality of opportunity in matters of employment ;
- (2) Development of women's education and their subsequent entry into areas of education and employment hitherto monopolized by men;
- (3) A gradual change in social values relating to women's paid employment among the urban middle class, due to growing economic pressure; and
- (4) Expansion of the tertiary sector as a direct consequence of development in the post-independence period.

In the public sector, the number of women employees in the categories of professional, technical, and related workers including teachers, has been continuously rising since 1960, although their proportion to total employees has remained more or less constant. The number of women as administrative,

executive, and managerial workers, which increased from 10,000 in 1960 to 12,000 in 1966, showed a downward trend in 1968. In the category of clerical and related workers, the number of women has gone up from 37,000 in 1960 to 79,000 in 1968. Their proportion to total workers in the same period has gone up from 4.2 to 7.6 percent. The number of women workers in transport, storage, and communications has remained steady. But in services, sports, and recreating, their number has gone up from 5,000 to 13,000 during 1960-68 (from 1.1 to 2.4 percent). In this category, however, the majority of women were working as maids, cooks, house-keepers, cleaners and sweepers. The number of women unskilled office workers has declined from 25,000 to 16,000.

In the private sector, the categories where both the number and proportion of women workers has shown a steady increase are : clerical and related workers, service, sports and recreation workers and primary and middle school teachers. There was a general slump in the employment of women in all categories in 1963. This decline was more marked among administrative, executive, and managerial workers (from 5,000 to 1,000), and professional, technical and related workers (from 55,000 to 31,000). Some of the new industries, like advertising, market, research, hotel management and cottage industries are employing women in the management cadre. The traditional industries have not yet accepted women at this level.

While it is difficult to give a correct statistical profile of women in services and professions, a review of the available data does indicate a change in the occupational pattern and two trends are clearly visible :

- (a) The concentration of women in the professions of teaching and medicine; and
- (b) recognition of certain low prestige jobs in the clerical services as particularly suited to women.

(1) Teachers : In 1970, only 17 percent of the professional, technical, and related workers were women, of which three-fourths were teachers. Among them scientists, social scientists

formed the major section, as research and social work are emerging as new occupations suitable for women. The ratio of women to men in selected professions are : physicians and surgeons 7.1 percent, lawyers 1.2 percent ; teachers 30.3 percent; nursing and other health technicians 72.2 percent and scientists 10.9 percent.

Primary schools account for 71 percent women teachers, followed by secondary (21 percent). This concentration of women in teaching represents both opportunity and preferences. In the prevailing social ethos, a long-term professional training for women needed for professions like engineering, medicine etc; is still accessible to a small minority in the upper middle class. Teaching is approved by society for women as they can easily combine their home roles with it.

(2) Doctors : In 1967-68, the medical work force of 120,000 doctors included 12,000 women. While the number of qualified women doctors is 25 per hundred men, according to the 1971 census (1 percent sample data), the ratio of women physicians and surgeons employed is only 6.1 per 100 men. This indicates under-utilization of women doctors and also their migration to other countries for employment. Since the majority of their clients are, women, most women doctors specialize in obstetrics and gynaecology though they have recently entered other fields like paediatrics, surgery, pathology or radiology. About 20-40 percent of them are concentrated in urban areas.

(3) Nurses : There has been great expansion in the number of nurses, midwives, and health visitors during the past two decades. In spite of government's assurances, the discrimination against married women in this profession still continues, particularly in the army, which neither recruits them nor provides maternity benefits to married nurses and doctors.

(4) Lawyers : While the number of women lawyers has increased, only one has been appointed a high court judge. Women lawyers complain of lack of opportunities in the judiciary.

(5) **Social Workers :** This new profession has emerged after independence. The majority of professionally trained social workers are employed in institutions and departments engaged in social welfare - both public and voluntary. According to a study in 1968,¹¹ there were 3,153 social work graduates whose number is estimated to have increased to 6,000 by 1971. In the sample covered by the study 30 per cent were women. Women find employment in this profession with greater ease than men, because their personal inclination for this profession makes them less selective about the type of employment and because more of them specialize in primary social work and community organization. Men in this profession tend to concentrate on labour and industrial relations, job opportunities in which are not adequate. In spite of large number of women in this profession only a few of them hold key posts.

(6) **Clerical and Related Jobs :** All available data indicate that jobs as receptionists, clerks, stenographers, and typists are absorbing more and more educated women. Data collected from various Ministries and other agencies of the Central Government showed the largest concentration of women at the level of Class III, i.e. ministerial and related staff. The increase in the number of women at this level has been much faster than at any other level of the public services. One interesting trend visible from the replies from the Ministries is that the scientific Ministries, e.g., Atomic Energy, Department of Science, and Culture and Education and Social Welfare have employed more women at different levels, while the older Ministries like Home Affairs, Finance, Railways, or the economic Ministries have engaged very few women. The replies received from 200 undertakings from the public and the private sectors also indicate a concentration of women in clerical work. In the public

11. P. Ramachandran, and A. Padmanabhan, Professional Social Worker in India, 1969.

sector, the proportion of women in clerical work outstrips their proportion at the production level. While their presence at the managerial level is negligible in the private sector, a few women have achieved these positions in the public sector.

(7) Central Services : In the Central Services which give equal opportunity to women candidates to compete, there is a steady increase. In the I.A.S./I.P.S./I.F.S. examinations, the ratio of women to men, recommended for appointment, has improved from 1 : 81.6 in 1960 to 1 : 7.6 in 1972. But in the other services, viz., the Indian Economic Service, Statistical Service, and the Engineering Service, their proportion remains very low. Out of ten Class I Services of the Railway Ministry, women are accepted only in Accounts and Medical Services and have been denied the opportunity to enter the traffic or other services.

An important issue concerning women in Central Services came up in regard to the constitutional validity of Rule 5(3) of the I.A.S. Recruitment Rules which empowered government to demand the resignation of a married woman officer on grounds of efficiency. This rule was cited by a pharmaceutical concern before Supreme Court in 1967 in defence of its own service rule which terminated the services of women employees automatically on marriage. The Court, while striking down the rule in the said concern, upheld the I.A.S. rule which was, however, deleted in 1972 in response to representations from some women officers.

Disparities in the proportion of women at higher levels of responsibility are due to both prejudices and discriminatory recruitment policies, as well as to lack of career-orientation and commitment on the part of women. Many private concerns and even a few in the public sector, do not recruit women at the managerial level as a matter of policy.

While there is no doubt that the opportunities for women have widened in the tertiary sector it has to be remembered that part of this is the reflection of the rapid

growth of the tertiary sector in general and public sector in particular because of the expanded role of government at all levels of the development process in recent years. With increasing constraints of resources the growth of this non-productive sector will inevitably slow down considerably in the near future. Since most of the increase in opportunities for women's employment has taken place in this sector, there is a possibility that the slowing down of its growth will result in the reduction of women's employment. Unless opportunities for women develop in the productive sectors it will not be possible either to arrest the declining trends or to reduce the present imbalance in women's employment.

The sector-wise examination of women's employment trend indicates that the major forces affecting women's employment stem from structural changes within the economy as a whole (from a traditional to a modern market economy, from a laissez-faire to deliberate planned development, from unorganized to organized production, from unregulated to regulated relations of production or from labour to capital intensive technology), and from the intensification of socio-economic inequalities. As women are a vulnerable group with fewer opportunities, they have been affected more adversely than men. Whether this situation improves or is aggravated further depends upon the level and extent of the infra-structure provided. This will include education, vocational and technical training, and several important special measures to adjust women's employment to their special needs as housewives and mothers and to prevent discrimination and exploitation.

4. WOMEN AND HEALTH :

It is depressing to learn that there is a glaring disparity between men and women (especially among the poorer sections of population) in access to health care and medical services. The health status of women which includes their physical, mental and social condition is affected, in addition to their biological and physiological problems, by the prevailing norms and attitudes of society regarding their needs

and capacities. These attitudes influence the provision and utilization of preventive and curative health care facilities, including maternal care services. Several studies have shown a definite correlation between the low status of women (due to discrimination) and deficiencies in the knowledge and utilization of preventive health services.

The cultural norms that particularly affect women's health are attitudes to marriage, age of marriage, fertility rate, and sex of the child, the pattern of family organization, the place of the woman in the family, and the expected role of the woman as defined by social conventions. All these factors have important demographic implications. Cultural insistence on early marriage, high fertility, idealization of roles of mother and house-wife affect her physical and mental health. According to a survey,¹² 48.33 respondents stated that women serve the family first and eat last. In poor families, this results in still greater malnutrition of women. This process of subservience starting at a young age, taboos and restrictions which start with menstruation and reluctance to consult a doctor, particularly a male doctor, result in a general neglect of women's health.

Various studies particularly from developing countries, indicate that the main health problems of women are : higher maternal and infant mortality, maternal morbidity, lower expectation of life at birth, malnutrition, mental disorders, high suicide rate, and certain sex-selective diseases. As children bearing and rearing is still the dominant role assigned to women, maternity becomes a special problem in context of the socio-economic status of the bulk of the population with inadequate housing, sanitation and poor medical facilities.

The indications of women's health in India are drawn from two sources :

Demographic trends and Access to health service.

12. Towards equality; Report of the Committee on the status of women, Govt. of India, New Delhi 1974.

1) Demographic Trends :

The census studies drew attention to the declining sex ratio and higher female mortality (specially in the age-groups 15-44). Neglect, rather than under enumeration is the explanation of the adverse sex ratio. The census of 1931 drew pointed attention to the higher female mortality in the age group 5-10 and 'at the reproductive age'. According to vital statistics of India, the incidence of female mortality in the age group 15-29 is high, both in rural areas and in the whole country. Female mortality in the age group 1-4 has increased during 1960-69. Some scholars observe that vital statistics regarding infant deaths and births are under-estimates, particularly in the case of females, the difference between estimated and reported deaths being as high as 75.69 percent for rural and 59.07 percent for urban areas. The recent SRS data for 1968-69 also indicate that female mortality continue to be higher in the age-groups 0-4 and 15-34. It is also observed that the reason for the low sex ratio is the high maternal mortality which is reported to be 252 per 1,00,000 live births in 1964 for the whole country and as high as 573 for 1,00,000 live births in rural areas in 1968.

Recent medical research, while trying to identify the contributory factors for higher female mortality, has concentrated more on maternal mortality and has identified different factors such as pregnancy wastage (abortions and still births) which have remained constant over the period 1957-58 and mostly prevail in low-income groups. One study reported that pregnancy wastage of mal-nourished mothers was as high as 30 per cent in 1972.¹³ Still births constituted 11 per 1,000 live births. Perinatal mortality was the result of maternal malnutrition, iron deficiency and anaemia. Another cause of infant and maternal mortality was related to higher birth orders and frequent pregnancy, causing protein malnutrition. 10-20 percent deaths are known to be due to nutritional anaemias and 16.44 percent to pregnancy complications and morbidity. Besides,

13. C.Gopalan, and A.N. Naidu, "Nutrition and Fertility"
The Lancet No. 18, 1972.

a WHO report indicates that psychiatric morbidity is more prevalent among women than men.¹⁴

(2) Access to Health Services :

The broad objectives of the health programmes have been to provide both curative and preventive health services in rural areas through the Primary Health Centres, (P.H.C), and to train medical and para-medical personnel. The fifth plan, while realizing the shortfalls and inadequacy of staff, medical supplies and equipment, and trained personnel, envisages an integrated programme of family planning and maternity and child Health Services. The lowest unit of Health Services Structure is the P.H.C. The Ebere Committee (1946) had recommended that each centre should cater to a population of 40,000, with a 30-bed hospital, two medical officers, four mid-wives, and four trained 'daies' as the 'irreducible minimum'. The Mudaliar Committee (1964), while reiterating these recommendations, suggested the additional provision of three specialists in medicine, surgery, obstetrics and gynaecology, and 75 maternity and 50 paediatric beds for each district hospital. When PHCs were established they had to serve a population of 60,000-70,000. Their number has increased from 17,522 in 1967 to 32,218 in 1972. From 1963, family planning services were initiated with one medical officer, one extension doctor, one auxiliary nurse-midwives (ANM) and two family workers to supervise four sub-centres. Each sub-centre was expected to cater to a population of approximately ten thousand.

An expert committee appointed by the Ministry of Health and Family Planning in 1973 to examine the full utilization of the existing beds in PHCs. Observed that, apart from West Bengal and Kerala where utilization was 50 percent in states such as Bihar, Rajasthan, U.P., Orissa, M.P. and Jammu and Kashmir it was hardly between 5 and 15 percent. The reasons were the apathy of the staff, the status barriers between the doctor and the people of a low socio-economic group and the absence of a lady doctor in many centres. Emphasizing the need to improve maternity and child welfare services, this

14. WHO, Vital Statistics of South East Asia Region, 1966.

committee recommended the provision of domiciliary maternity services.

The present pattern of health services puts more emphasis on curative services on which the expenditure is three times more than on preventive services, and most of it is urban-centred. Only 10 percent of the hospital beds are meant for four-fifths of the population living in rural areas.

Maternity services show wide regional variations. The report of the study Group on Hospitals (1968) estimated that maternity beds (45,000) constituted less than 17 percent of total hospital facilities.

The health statistics for the states reveal that Kerala, which stands out for provision of maternity services, also has the highest expectancy of life for women which is 60.7 as compared to Uttar Pradesh where it is 53.7, nearly the lowest in India. Kerala also has the lowest infant mortality rate. Other states such as Tamil Nadu, Andhra Pradesh, Punjab, Assam, Karnataka and West Bengal which have paid some attention to these services have helped to improve the expectations of life for women.

The impact of these services have not been uniform because factors such as education, employment and cultural norms are important variables influencing the utilization of these services. Apart from regional variations in both attitudes and norms, the accessibility of health services is also affected by rural-urban and socio-economic differentials, including a broad pattern of sex differentials. Sex differentials are deep-rooted in attitudes regarding the need of women for care and assistance during ailments. The studies in nutritional deficiencies of women indicate that though the incidence of diseases caused by malnutrition is higher not only among adult women but also among female infants, the hospital records reveal that more male children are treated for such diseases.

Two-thirds of the total number of doctors and nurses and most hospitals are concentrated in urban areas (which have only one fifth of the total population) and the rural population get a much smaller share. The National Sample Survey (19th round)

found that 46 percent of all births in urban India are attended by trained medical personnel as compared to 9 percent in rural areas and that the average per capita private monthly expenditure on medicine and medical services is Rs. 1.01 in urban areas and about half of that in rural areas. A recent study on the rural health services pointed to the inadequacy of medical personnel, especially ANMs (auxiliary nurse-midwives) in the villages. Consequent upon the small number of ANMs the area covered by one ANM is too large, with consequent difficulties of transport and accommodation, and night halts and problems of security which affect their functioning. Second, for an outsider like the average ANM, a degree of acceptance and security by influential members of the village community is essential. But as they very often monopolize her services, the gap between the ANM and the masses of women who need her services is widened.

FAMILY PLANNING : RELATIONSHIP WITH WOMEN'S STATUS :

The neglect of maternity and child health services and over-concentration of efforts on family planning have contributed to the trends discussed above and have defeated the ultimate objective of the family planning programme itself. Propagators of the family planning movement in India have been keen to emphasize improvement in the status of women as one of the direct consequences of family planning. Recent Researches in this field, however, seem to agree more on the obverse of the relationship, viz. improved status of women, with a rise in the age of marriage, better education, employment, better living conditions, and greater general awareness, has a direct impact on the acceptance of family planning methods. There is no doubt that the knowledge of family planning releases women from the bondage of repeated and frequent child births, gives them a greater control over their life and future, and prevents excessive drain on their physical resources. A third consequence which is sometimes emphasised is the possible change in husband-wife relationship and improved position in decision-making within the family. Each of these developments is integrally connected with a complex set of variables - social, economic, demographic, and

political, among which the woman's ability to control the size of her family could be a contributory factor for improving her status, and thus a positive indicator of negation of discrimination (non existence of discrimination) to a certain extent.

An enormous volume of research has developed out of the need to evaluate the progress of family planning in India. The results of a national survey¹⁵ indicate that the percentage of couples using family planning methods increases with the age of wife, number of living children, education of wife, family income, size of city or village. Some studies reported a reluctance for family planning among Muslims, but others, do not indicate any disapproval on religious grounds as such. Most studies found a direct relationship between education and employment status of women and their readiness to accept family planning. Other associational factors include :

- (i) rise in age of marriage;
- (ii) standard of living and socio-economic status of the couple;
- (iii) mobility; and
- (iv) exposure to mass-media and knowledge of diverse methods of contraception.

The IUCD (intra uterine contraceptive device) which was introduced in 1965 was initially successful, but showed a reverse trend. During a survey conducted by National Committee on status of women (1974) it was found that careless handling of IUCD insertions by the paramedical staff and inadequate follow-up treatment had caused the loss of popularity.

Tubectomies accounted for two-thirds of all sterilizations during 1956-58, and upto 1959, they exceeded the number of vasectomies. After 1960, the number of vasectomies increased more rapidly and in 1965 and 1972 accounted for more than 80 percent of all sterilizations. Since this is a terminal method, women are reluctant to adopt tubectomy because of uncertainty regarding the survival of their children. Women doctors specify two specific arguments against tubectomy : (1) cases of post-ligation syndrome' and (2) cases where the operation is dangerous because of extremely anaemic conditions of a large number of women.

15. Conducted by the operations Research Group, Ministry of Health and Family Planning during 1970-71.

Another measure adopted by Government, viz., the medical Termination of pregnancy Act, 1971, aims to reduce the incidence of criminal abortions. The act allows termination of pregnancy on therapeutic grounds, eugenic grounds, humanitarian grounds, and social grounds. Hospital records indicate that 15 percent to 20 percent of maternal deaths arise from abortions. The vital statistics, 1966-67, indicate that abortions form a high percentage of causes of all deaths due to childbirth. Two studies of the National Institute of Nutrition, Hyderabad, show that pregnancy wastage from miscarriage and abortions ranges from 16-19 percent to 28-32 percent among low-income groups.

While the Medical termination of Pregnancy Act emphasizes its importance as a health measure, the permission given under section 3(2)(b) for termination of pregnancies for married women in cases of contraceptive failure, emphasizes its importance as an instrument of population control. The available evidence shows that it is used more for birth control than as a health measure.

All the studies indicate that most of these women who go in for induced abortions are in favour of small families, if not planned parenthood, and can be persuaded through counselling, to adopt safer methods of birth control. Medical practitioners, are convinced of the serious psychological hazards of both unwanted pregnancies and sterilization. Systematic research in this field is imperative. Several medical practitioners are reluctant to perform this operation because of ethical considerations, long recording procedures and paperwork, and lack of proper medical facilities especially in rural areas. The 'National Committee on status of women in India survey Team' were informed that some hospitals insist on sterilization or the husbands consent before performing abortion. It is felt that while the doctors should have the authority to discourage an abortion when it poses a definite risk to health, the imposition of such conditions will only drive women to unqualified persons and defeat the main purpose of the Act.

CHAPTER IV

POLITICAL AND LEGISLATIVE DIMENSION

After having discussed economic and demographic dimensions of discrimination, we shall now examine political and legislative dimensions.

I

The political discrimination against women can be described as the degree of equality and freedom enjoyed by women in shaping and sharing of power and in the value given by the society to the role of women. The recognition of women's political equality in the Indian constitution was a radical departure, not only from the inherited norms of traditional Indian society, but also from the political norms of most advanced countries at that time, i.e., with the exception of socialist countries, no other state in the world had accepted women's equality as a matter of course. The two major forces which acted as catalysts in the achievements of political equality of women were the national movement and the leadership of Mahatma Gandhi.

The nineteenth century reform movements had limited their efforts to improving the position of women within the traditional family structure. The turn of the century, however saw a minority of women participating voluntarily in social welfare activities outside their homes, particularly in the cause of women's education, welfare of the weaker sections in society and relief to distressed persons. A still smaller group participated in the revolutionary movement. The early twentieth century saw the births of women's organizations and the beginnings of the demand for political rights. In 1917, a deputation of Indian women led by Sarojini Naidu presented to the British Parliament a demand for the enfranchisement of women on the basis of equality with men. The

Reforms Act of 1921 extended the franchise only to wives who had property and education. The foreign rulers could not believe that Indian society would ever regard women as equal partners of men. Nor did they regard women as a separate political force.

In sharp contrast to such attitudes was that of Mahatma Gandhi. He had declared himself to be 'uncompromising in the matter of women's rights'. He believed that women had a positive role to play in the reconstruction of society, and that the recognition of their equality was an essential step to bring about social justice. He had also extended his continued and unqualified support to the enfranchisement of women. This, added to the massive participation by the women in the Freedom Movement, had a direct impact on the political and social elite, including women of these classes. In 1930, a meeting of representative women's organizations demanded immediate acceptance of adult franchise without sex discrimination. Though rejected by government, the Karachi session of the Indian National Congress in 1931 accepted the demand and committed itself to women's political equality, regardless of their status and qualifications. This promise was redeemed after independence, when the Constitution pledged the nation to the principles of equality and dignity of the individual, and proclaimed the fundamental right of women to political and legal equality and guaranteed non-discrimination in employment and office under the state.

In examining the impact of these rights in the years since independence, the plausible position of construing is the same as that of Mahatma Gandhi who looked upon them as instruments for achieving general equality of status and opportunities and social, economic and political justice. Three main indicators may be proposed to assess the political status of women, viz.,

- (i) participation in the political process as voters and candidates in elections;
- (ii) political attitudes such as awareness, commitment, and involvement in politics and autonomy in political action

- and behaviour; and
 (iii) their impact on the political process.

I. PARTICIPATION AS VOTERS AND CANDIDATES IN ELECTIONS.

Election statistics indicate a general trend of increase in the turnout of women voters. Their percentage increased from 46.6 percent in 1962 to 55.4 percent in 1967 and 49.1 percent in 1971, when there was a general decline in participation of all voters. The difference between percentage turnout of men and women voters declined from 15.4 percent to 11.8 percent during this nine years period (see Table 1). The States of Orissa, Bihar, Madhya Pradesh, Rajasthan, Madhya Pradesh, Rajasthan, Uttar Pradesh, and Himachal Pradesh which are generally known for the educational and social backwardness of their women have had persistently low mobilization of women voters during elections. While States with a high literacy rate show a higher mobilization of women, it is not possible to establish a similar correlation between education or economic development and exercise of franchise by women. Patterns of political behaviour from different regions indicate influences of various inter-related factors such as the social status of women, their economic position, the cultural norms, and the overall regional outlook towards women's participation in the wider society.

TABLE 1 :

Turn out of women voters - Lok Sabha Elections.

Year	Total voting percentage	Percentage turnout of female voters.	Difference between percentage turnout of male and female voters.
1962	54.76	46.63	15.42
1967	61.33	55.48	11.25
1971	55.33	49.13	11.83

Source : Towards Equality: Report of the Committee on the status of women, Government of India, Dec. 1974. P.287.

TABLE 2:

Women Contestants for the Lok Sabha.

Year of General Election	Total seats contested	Number of women contestants	Percentage	Number of women elected	Percentage of winners
1962	491	65	13	33	50.6
1967	515	66	13	28	42.4
1971	518	86	17	21	25.9

Source : Towards Equality : Report of the Committee on the status of women, Government of India, Dec.1974 P.288.

In the case of candidates, the difference between men and women is much sharper. For the Lok Sabha, only 17 percent of the total seats were contested by women in 1971, the highest so far (see table 2). As compared to the total number of candidates, women have never exceeded 4 percent. Interestingly enough, the maximum number of candidates are found in Uttar Pradesh, Bihar and Madhya Pradesh, where the general mobilization of women voters has been consistently low. This indicates that there is no correlation between the level of women's participation and the selection of women candidates. Punjab, where women voters have outstripped the men in the urban areas, had an extremely poor number of candidates. Kerala and Maharashtra, with a high level participation, show a slow increase in the number of candidates over the years, and West Bengal a sudden one in 1971. But the most visible trend is of stagnation or even decline in their number in most States. Karnataka, which is not a backward State, did not put up a single woman candidate in the three general elections, and only one in the other two. Women in Manipur, Andhra Pradesh, Tamil Nadu, Karnataka and Orissa were extremely vocal in criticising the political parties for not sponsoring women candidates. In their view, the small number of candidates

represented not the aspirations of women, but the indifference of political parties.

The general conclusions, to which the election data and the discussion with different groups of women, leads are :

The steady increase of women voters at each election shows that the response of women to the political rights conferred on them by the Constitution is improving. Keeping other things equal, development of literacy, and mass communication may help to draw an even larger number of women into the political mainstream.

While there has been a substantial number of new entrants among women candidates, a large number of the older ones have also dropped out from the active participation in politics. Where these come from families with long political traditions such dropout indicates a degree of disillusionment with the political process.

Muslims and tribal women show a lower level of participation, both as voters and as candidates, although there are exceptions to this rule. A large number of Muslim women and tribal women in Tripura, Meghalaya, and Bastar(M.P.), who, though not formally educated, took a keen interest in politics and participated regularly.

Women of the intermediate and scheduled castes have a higher participation rate. Many women of these communities in villages in different states are determined to participate in elections.

Rural-urban differences in voting participation of women is narrowing down, though the belief in the lower participation of rural women still remains widespread. Urbanization does not have much influence on women's participation in politics. In fact, urban women, particularly those from the middle classes, plead that domestic duties prevent their participation.

Awareness of the power that the right to franchise gives to them is far more widespread among women than is

generally believed. This was found even among Muslim, tribal and scheduled caste women of M.P., U.P. and Tripura. Most of these women were also aware of the reasons for the secrecy of the ballot and observed that this permitted them to exercise their independent judgement in voting.

There is a general feeling that political parties have neglected their task of politically educating and mobilising women adequately.

The majority of women candidates come from relatively well-to-do families, with a sprinkling of members of old princely houses. Most of them are educated though the levels of their education vary. A smaller group comes from families with fairly long traditions of political activity. Consequently they are more articulate and have continued in the struggle to power for a longer period. The larger group are new entrants, with no previous political experience; and their entry into the political arena has been through elections only.

Factors which deter women from active participation in politics are : the increasing expense of elections (this constitutes the biggest handicap, as the majority of women do not command any independent means); threats of violence; and character assassination. The two latter factors have increased recently and have also prevented many women from contesting elections.¹

II. POLITICAL ATTITUDES

Levels of political awareness of women vary from region to region, class to class, and community to community. They are conditioned greatly by the political culture of the area, the approach of political parties to woman, and the quality of local leadership. The influence of education, urbanization, and exposure to mass media is not always uniform. While

1. Towards Equality : Report of the committee on the status of women, Government of India, Dec. 1974.

literacy seems to have a direct influence on both awareness and participation, the relationship between education and awareness does not always extend to participation. Political awareness of women also does not differ significantly between urban and rural areas.

On the whole, working women, including professionals, have greater awareness but this is not always reflected in participation. Nor is there any positive relationship between higher socio-economic status and political awareness. Ironically, political awareness is less among women in the higher income groups, who have negligible interest in politics, though many of the women legislators come from well-to-do families.

The influence of husbands on women exercising their right of franchise seems to be on the decline. In rural areas, the influence of village elders is still strong, but there are significant exceptions to this rule. In spite of such changes, the differences in the level of political information and understanding between men and women still continue, mainly due to the indifference of political parties to women. Women's organizations and pressure groups have also failed to provide political education to women.

There is some evidence of disillusionment among women with the political process, partly because of the prevalence of corruption and inefficiency in political circles, and also because women feel that politics has not solved the problems which affect their daily lives. About 42 percent of women interviewed supported revolution for social progress as opposed to the 'ritual' of election. The majority felt that the greatest problems before the country were unemployment and poverty, inflation, corruption, nepotism, and breakdown of law and order.

Investigation in different states indicates one common trend, that women are more concerned with problems that affect their day-to-day lives. They have shown themselves ready to protest against inflation, adulteration of food, unemployment, and poverty. The unity between political, economic, social

issues that characterized the freedom movement was one of the causes for the high degree of women's participation. The absence of a similar movement in the period after independence and the divorce between social problems that affect women directly and political process has been one of the major causes for lower participation of women in politics in recent years,²

III. IMPACT OF WOMAN ON THE POLITICAL PROCESS

Women's participation in politics has not been reflected in their record of success at elections. The number and percentage of successful woman candidates for the Lok Sabha has been declining steadily from 33 (50.6 percent) in 1962 to 21 (25 percent) in 1971 (see table 2). The sharp decline in 1971 is due to the increase in the number of independent women candidates most of whom were defeated. The increase in independent candidates was mainly due to the failure of the parties to sponsor an adequate number of women. It has generally been found that the success of women candidates depends upon party backing, the campaign strategy adopted and personality including the family background of candidates. Since 1952, 212 women have served in the Indian Parliament - 129 in the Lok Sabha and 83 in the Rajya Sabha. In the State legislatures, the most significant trend is either a decline or stagnation in the percentage of successful candidates.

Role of Women Elite :

Women leaders in the period immediately after independence were mostly veterans from the freedom struggle. They had also worked in the movement for women's welfare and development, were spokesmen of the women's cause in the representative bodies, and played an important role in mobilizing public opinion in support of the social legislation that changed the legal status of women within the

2. Ibid. Dec. 1974.

first few years after independence. Some of them also helped to shape the policies and the programmes for women's development that were taken up by Government at that time. Most of these leaders, who had attained a national stature during the freedom struggle, became members of the Central Government or Parliament. In States, a new generation entered politics. Investigations, suggest that while experience of social work among women is still considered a qualification for candidates to local bodies, it has ceased to be so for entry to the legislature. Politics at the State level seldom reflects social differences at present. The women involved in State politics mostly come from the economic and political elite of States and enter the representative process, more because of support within a party, rather than through work among the people.

Women form the minority among the party workers when elected to the legislature, they see their role as representatives of the people with no special responsibility to women. In earlier years, their championship of women's causes was concerted, cutting across party lines. In recent years, however, women legislators have not shown such concern or interest in problems that affect women specifically. This criticism was voiced by many women outside the circle of active politicians. Debates and discussions in the legislative bodies have given very meagre attention to women's problems.

It seems that the political elite of the country, of both sexes, has perhaps come to believe that the problems of women had practically been solved with the legal and administrative measures adopted in the first few years after independence. The very articulate debates of earlier years on women's problems, in which women members played a major role, have not been repeated since. The absence of an active women's movement and the failure of political organizations to mobilize women for the solution of their problems have prevented women from exerting adequate pressure on political institutions.

Political Parties and Women :

The election manifestoes of the political parties agree that women constitute a backward section of the society to whom special privileges have been granted to bring them at par with men.

1. The Indian National Congress (Congress-I) whose recent manifestoes have emphasized development of education and employment opportunities for women (in the new - 20 point programme) has been sponsoring the largest number of women candidates at all elections, but has still failed to reach its repeatedly stipulated target of 15 percent. In spite of a woman being the undisputed leader of this party and also being the Prime Minister (Mrs. Indira Gandhi), the women's position in the party hierarchy, and in general is not particularly impressive. Though the Working Committee comprises of men and women members, it is evident that, without pressure from the Working Committee, party committees in many states would exclude women. Women workers in the party complain of denial of opportunities to develop or demonstrate their organizing ability and of neglect of women's demands by the leadership.

2. The Communist Party of India believes that women can be fully liberated only in a socialist system. They must play a role bringing about the social revolution. It has, therefore, been demanding equal pay for equal work and removal of all restrictions and discriminations against women in employment, inheritance of property, education and social laws. The party claims that 5 percent of its members are women. The party's representatives emphasized the removal of economic dependence and poverty to enable women to enjoy their legal rights, and argued that, without fuller participation in the process of social production, reservation of jobs in selected industries free legal aid, and greater educational opportunities, it will be difficult for women to achieve the equality to which they are entitled by law.

3. The Communist Party of India (M) holds similar views

regarding women and is critical of the poor progress in the field of women's welfare since independence. The nation cannot progress if its women remain in their present condition as victims of obscurantist customs and prejudices and with limited opportunities for development. Women constitute about 1 percent of the party's membership. The representation of the party emphasized the need for economic independence without which ^{women} were as good as private property of men. The growing problem of rural unemployment with an increasing landlessness and decay of village industries threatened the security and status of women in these areas, and made them unable to enjoy their constitutional and legal rights, even more than urban women. The party suggests mass employment and mass education (including the education of women about their emancipation), inclusion of the principle of equal pay for equal work in the Fundamental Rights, and equal shares of land and job facilities for peasant women, as necessary steps to achieve genuine equality for women.

4. The Bharatiya Janta Party supports advancement of women and special steps to remove their social and educational disabilities, without any change in the traditionally established principles of social organization. The party's representatives emphasized the need to increase political participation and consciousness of women since the conservation of women presents an obstacle to their development. They criticized the use of female figures in advertising and the image of women projected by other mass media as derogatory to women's status.

5. The Socialist Party believes that women still suffer from social inequalities. The party's representative emphasized the ignorance and indifference of women regarding their legal and constitutional rights. A determined effort has to be made by social workers to remove this difficulty. Government and other institutions should educate men and women against outmoded traditions and superstitions. The women's front of the Party has adopted a charter of Women's Rights, demanding free education, vocational and technical

training, part-time employment, uniform Civil Code, social mobilization against dowry and greater scope for women in elections and party organizations.

Positions in Government :

Though only a few women reached the highest level of power and authority, those who did so have been recognized for their administrative skills and capacity to manage their own affairs. Since 1952, thirteen women have served the Union Government as Ministers and several have served as Chairmen of both Houses of Parliament. Many have been members of Standing and ad hoc Committees. In states, two women have been Governors, two Chief Ministers, one Speaker, and one Deputy Speaker. Though few have held office in most of the States. Compared to their overall number in the legislature, the number of women holding offices was not low.

Effectiveness of campaigns to mobilize women :

Though women constitute 50 percent of the electorate, the experience of all the general elections proves that they are not aware of their strength nor this source has been adequately tapped by any political party. There has not been any bargaining on the part of organized women with political parties for their support, except in Jammu. The practices generally tend to seek the support of the male active heads of families expecting that their wishes would prevail with the women, particularly in rural areas. In larger cities, some attempt has been made to activate women voters, making specific promises to them and using a house-to-house approach.

Among the non-political organizations, the most important are the All India Women's Conference, the National Council of Women in India, the Bharatiya Gramen Mahila Sangh, and the National Federation of Indian Women. The first two are mainly deliberative bodies and have concentrated more on welfare and relief activities. The National

Federation aims to raise the political and social awareness of women and has been mobilizing women's protest against such issues as inflation, hoarding, and adulteration. The Bharatiya Gramin Mahila Sangh works among rural women and has been active in rural development. All these organizations admit that they have not been fully successful in carrying the message of their new rights to all the women in the country.

While women leaders in the trade union movement have played a major role in bringing about changes in labour laws to provide protection to women, most trade unions admit that they have not made many efforts to mobilize women to assert their legal and constitutional rights. Whenever these organizations have worked together to defend the rights of women, however, their influence as pressure groups has been fairly effective. They played an important role in the enactment of social laws after independence.

In spite of increase in participation, women's ability to produce an impact on the political process has been negligible. Parties have tended to see women as appendages of the males. Among women, the leadership has become diffused and diverse, with sharp contradictions in their regard and concern for the inequalities that affect the status of women in every sphere — social, economic, and political. The revolution in status of women for which constitutional equality was to be only the instrument, still remains a very distant objective. While the position of some groups has changed for the better, the large masses of women continue to lack spokesmen in the representative bodies of the State. Though women do not constitute a minority numerically, they are acquiring the features of one by the inequality of class, status, and political power. The chasm between the values of the new social order proclaimed by the Constitution

and the realities of contemporary Indian society as far as women's rights are concerned remains as great as at the time of Independence.

The right to political equality has not enabled women to play their role as partners and constituents in the political process, because Gandhi's message to treat political rights, not as an end, but only as a means, has been forgotten. Instead, these rights have helped to build an illusion of equality and power which is frequently used as an argument to resist special protective and ameliorative measures to enable women to achieve a just and equal position in society. In spite of special powers provided by Article 15(3) of the Constitution, almost no efforts have been made to redress the unequal status of women in different spheres. The fact that the country has been ruled by a woman (i.e. Mrs. Indira Gandhi) for the past 13 or so years, is not an indicator of the real status of women in this country. Though men recognize and advocate the desirability of giving equal opportunities to women in economic and political spheres, the norms and attitudes regarding a woman's role in society remain traditional. In this sense, the new rights provided to them seems to be only concessional.

Women in Local Bodies :

In order to provide greater opportunities to women to actively participate in the decision-making process, it is imperative to recognize the true nature of the social inequalities and disabilities that hamper them. This can best be achieved by providing them with special opportunities for participation in the representative structure of local government. The present form of associating women in these bodies, through co-option or nomination, has become a kind of tokenism. The time has come to move out of this token provision to a more meaningful association of women in local administration, and to counteract the general apathy and indifference of the local bodies to women's

development and change of status. What is therefore recommended is the establishment of statutory women's Panchayats at the village level with autonomy and resources of their own for the management and administration of welfare and development programmes for women and children, as a transitional measure, to break through the attitudes that inhibit most women from articulating their problems and participating activity in the existing local bodies. They should be directly elected by the women of the village and have the right to send representatives to the Panchayat Samitis and for Zila Parishads. A viable relationship with the Gram Panchayats should be maintained by the Chairman and Secretary of both bodies ex-officio members of the other.

At the level of municipalities, the principle of reservation of seats for women is already prevalent in some States. This should be adopted by all States as a transitional measure (this was a majority decision, two members dissenting). In addition, permanent committees should be constituted in municipalities to initiate and supervise programmes for women's welfare and development.

Reservation of Seats in Legislatures :

Political parties should adopt a definite policy regarding the percentage of women candidates to be sponsored by them for elections to Parliament and State Assemblies. While they may initially start with 15 percent this should be gradually increased so that, overtime, the representation of women in legislative bodies has some relationship to their position in the total population of the country or the State. Failing to do so should invite a suggestion for the reservation of seats for women in State Assemblies and Parliament. And to these reserved seats women may either be elected (by the masses or nominated (by the President)). This obviously is debatable.

Women should be included in all the important committees, commissions, delegations that are appointed to examine

socio-economic problems.³

The study in section I reveals that women's participation in the political process has shown a steady increase, both in elections and in their readiness to express their views on issues directly concerning their day to day life. But their ability to produce an impact on the political process has been negligible because of the inadequate attention paid to their education and mobilisation by both political parties and women's organisations. The structures of the parties make them male dominated and inspite of outstanding exception, most party men are not free from the general prejudices and attitudes of the society. They have tended to see the women voters and citizens as appendages of the males and have depended on the heads of families to provide block-votes and support for their parties and candidates. All the indicators of participation, attitudes and impact came up with the same results — the resolution in social and political status of women for which constitutional equality was to be only the instrument, still remains a very distant objective. While there is no doubt that the position of some groups of women have changed for the better by opening to them positions of power, and dignity, the large masses of women continue to lack spokesmen who understand their special problems and be committed to their removal, in the representative bodies of the state.

From this point of view, though women do not numerically constitute a minority, they are beginning to acquire the features of a minority community by the three recognised dimensions of inequality : - Inequality of class (economic situation), status (social position) and political power. If this trend is allowed to continue the large masses of women in India may well emerge as the only surviving minority continuously exposed to injustice.

3. Ibid. Dec. 1974.

II.

This section will examine "discrimination against women from the legal point of view and especially with reference to marriage, divorce, adoption and guardianship of children, maintenance and inheritance, and certain relevant issues such as matrimonial property, family courts, uniform civil code, and reforms in criminal law and law relating to nationality. Here an effort has been made to point out the areas where the law is lagging behind the principles which have already been accepted by our constitution.

LAW AS AN INSTRUMENT OF SOCIAL CHANGE :

During the British period, the general policy of non-intervention in social and religious matters perpetuated multiple systems and by preventing normal adjustment to socio-economic changes, led to stagnation and hardening of differences between the various religious communities and even within the sub-sections of the communities. The nineteenth century social reformers attempted some marginal adjustments arising from humanitarian considerations and social demands, their most significant achievement being the law against the practice of sati. Such social legislation however was not attempted after 1857. With the strengthening of the national movement and the efforts of Mahatma Gandhi, a demand began to be put forward for bringing about major changes in law and for removing the legal inferiority of women and ending discrimination against them in matters like marriage, divorce, inheritance, or guardianship of children which affected their life and personality. ✓ Reform of Hindu Law was thus initiated even before independence although, because of conservative resistance, it could only be given effect to during the 1950s in a piece-meal fashion.

Over-dependence on legislation to bring about social change is a characteristic, not only of our country, but of

several modern societies, particularly those emerging from foreign rule. There is no doubt that law does serve some useful purpose in promoting social change. But it must be emphasized that legislation by itself cannot change society. ✓ The judiciary has often failed to give effort to the principles underlying legislation, as for instance, in cases of bigamy or cases involving the wife's right to work. The executive has often failed to implement these laws or to spread awareness about them through the mass media. If ✓ legislation reflects the social value of a country, the degree of women's emancipation is the measure of its cultural advance.

I. MARRIAGE :

The major issues relating to marriage that need meticulous attention are polygamy, effective enforcement of the provisions against bigamy under the Hindu Law, age of marriage, compulsory registration of marriages and dowry.

Polygamy :

Full equality of the sexes is hardly possible in a legal system which permits polygamy and a social system which tolerates it. Fortunately, the institution of polygamy which prevailed traditionally in India has been declining in the last few decades. Monogamy has been accepted in the laws for Christians, Hindus, Parsees, and Jews, so that 88 percent of the Indian population is legally governed by this principle. It is only Muslim law which has remained unaffected by this changing trend towards monogamy.

1. Muslim Law on Polygamy : Three different sets of views were expressed by Muslim women who were interviewed: (a) the educated middle classes in U.P. were opposed to any change whatsoever; (b) the poorer women of the same state expressed a desire for monogamous marriage and denounced the inequalities of polygamy; and (c) there was a uniform and emphatic demand, from women in Kashmir, for the banning of polygamy.⁴

4. Towards Equality : Report of the Committee on the status, Government of India, Dec., 1974.

Muslim Law regards marriage as a contract. Some jurists have advocated the adoption of a standard contract providing, *inter alia*, that the wife shall have the power to divorce her husband if he takes a second wife. Although this remedy is advocated for the prevention of polygamy, it will not obviously provide any substantive relief to the first wife with children, nor seriously affect the position of the husband because the second marriage would remain valid and the act of bigamy would not be legally wrong. It would also be ineffective to prevent fake conversions to Islam to evade the prohibition of bigamy under other laws.

While the desirability of reform in Muslim Law is generally acknowledged and polygamy has been prohibited in most other Muslim countries, the Government of India has taken no steps in this direction, on the ground that public opinion in the Muslim community does not favour this change. Ignoring the interests of Muslim women in denial of equality and social justice, and therefore there can be no compromise on the basic policy of monogamy being the rule for all communities.

2. Enforcement of Provision against Bigamy under the Hindu Marriage Act : While Bigamy has been an offence for the Hindus and the second marriage is void in law, such marriages are still prevalent, as evidenced by a census study in 1961⁵ and cases brought to the notice of the Committee during its tours in the States of Manipur, Andhra Pradesh, Bihar, Uttar Pradesh, West Bengal, and Madhya Pradesh. Uneducated and economically dependent women find it difficult to go to court and are not always supported by their families in lodging prosecutions. Technical interpretation of the word 'solemnization' of marriage poses difficulties. It is therefore necessary to make the following changes in the law to make its enforcement more effective.

(a) With the permission of the court, the right to initiate

5. Incidence of Polygamous Marriages in India, Census of India, 1961 (mimeographed).

prosecution for bigamy should be extended to persons other than the girl's family to prevent the current widespread violation of the law.

(b) In section 17 of the Hindu Marriage Act, 1955, the words 'solemnized' should be replaced by the words 'goes through a form of marriage'. Further, an explanation should also be added to the section to the effect that an omission to perform some of the essential ceremonies by parties shall not be construed to mean that the offence of bigamy was not committed, if such a ceremony of marriage gives rise to a de facto relationship of husband and wife.

(c) A provision should be introduced in Section 6 of the Hindu Marriage Act, 1955, to the effect that nothing contained in the Act shall prevent a court from granting an injunction against a proposed bigamous marriage.

3. Laws in the Former French and Portuguese Territory : Even after the merger of these territories with India, the pre-merger laws have not been abrogated. Hindus in Pondicherry are governed by four systems and Christians by two systems. In Goa, Daman and Diu, polygamy is permissible among some Hindu communities. The continuation of such laws permitting polygamy is contradictory to our social policy and is totally unjustified. They should therefore be immediately replaced by the Hindu Marriages Act, 1955.⁶

Age of Marriage :

The disastrous effects of child marriages persuaded social reformers to restrain them by legislation. The Civil Marriage Act, 1872, fixed the minimum age of marriage at 14, and attempts to prevent early consummation resulted in various measures which gradually raised the age of consent to 13. Finally the Child Marriage Restraint Act, 1929, fixed the minimum age for marriage for males at 18 and for females at 14 (which was later amended to 15). While the practice of child marriage was made a penal

6. Towards Equality : Report of the committee on the status of women, Government of India, Dec., 1974.

offence for parents or those performing, conducting, or directing it and for the adult bridegroom, the validity of such marriages was left untouched. Apart from this general Act which applies to all communities, the various personal laws also have their minimum age for marriage. There is no uniformity either in the minimum age or in the consequence of violation of the law. Only the special Marriage Act, 1954, fixes the minimum age at 21 and 18 for males and females respectively. In all the personal laws, a lower age is prescribed for girls and it is below 18 in all of them.

It is hardly necessary to argue the case against child marriages. It may be pointed out however that the Suicide Enquiry Committee appointed by the Government of Gujarat⁷ reported that child marriage is one of the significant factors leading to the high incidence of suicide among young married women. Increasing the age of marriage to 18 is desirable because until then, a girl is not physically and mentally mature for the responsibilities of parenthood.

While penalizing the performance of child marriages is necessary, the benefit of such legislation is greatly offset by the fact that the marriage itself is held valid. It should be a long-term objective to amend this aspect of the law and to declare child marriages as legally void. Moreover as immediate measures to deter the practice and to alleviate their consequences, it is necessary to introduce the 'option of puberty' on lines similar to that in Muslim law. The right to repudiate a child marriage by a girl on attaining majority is provided under Muslim law if the following facts are established:

- (i) that she was given in marriage by her father or other guardian before she attained the age of 15;
- (ii) that she repudiated the marriage before she attained the age of 18; and
- (iii) that the marriage was not consummated. This right to repudiate the marriage on attaining majority should be made available to girls in all communities, irrespective of the fact whether or not the marriage was consummated.

7. Report of the suicide Enquiry (Pushpaben), Committee Government of Gujarat, 1964.

Gujarat has made child marriage a cognizable offence and provided for the appointment of a Child Marriage Prevention Officer. This is a good lead; and to ensure better enforcement, it is necessary that all offences under the child marriage Restraint Act, 1929, should be made cognizable and Special Officers appointed to enforce its provisions.

The Parsee Marriage and Divorce Act, 1865, provides that 'no suit shall be brought in any court to enforce any marriage between Parsees or any contract connected with or arising out of any such marriage, if, at the date of the institution of the suit the husband shall not have completed the age of 16 years or the wife shall not have completed the age of 14 years'. It is necessary to include a similar provision in the personal laws of all communities.

Compulsory Registration of Marriages :

✓ Compulsory registration of marriages as recommended by the U.N. will be an effective check on child and bigamous marriage, offer reliable proof of marriages and ensure legitimacy and inheritance rights of children. Registration of marriages is compulsory among Parsees and Christians and for all marriages performed under the special Marriage Act, 1954. Section of this Act which permits registration of marriages celebrated under other laws has failed to evoke much response. It is therefore necessary to introduce a system of compulsory registration for all marriages.

Dowry :

The Dowry Prohibition Act, 1961, has signally failed to achieve its purpose. In spite of the rapid growth of this practice, the cases dealt with under this Act are extremely few. During the debate on the Dowry Bill, it had been claimed that awakening of social conscience rather than legislation was necessary to solve this problem, and that the evil will be reduced with increasing avenues of employment and other opportunities for women. There is little evidence of either of these developments. Social conscience is still asleep as is evidenced

by many cases of ill-treatment of the girl by her in-laws or her husband for failure to bring adequate dowry which were reported by the victims⁸ and by the fact that none of the persons reporting such cases mentioned the need to call the police or socially censure such families. Education has proved to be ineffective to arrest the evil since the educated youth appear to be unashamedly contributing to its perpetuation. Existing economic conditions also suggest that increasing job opportunities and economic freedom for women will be a long drawn-out process. Under these circumstances, stringent enforcement of the policy and purpose of this law has become absolutely essential. The specific measures suggested are :⁹

- (i) making the offence cognizable;
- (ii) entrusting its enforcement (as well as of other social laws) to a separate administration which would be associated with social workers and enlightened members of the community in its functioning;
- (iii) including two ancillary provisions in the Act to prohibit gifts made to the bridegroom or his parents in excess of Rs. 500 or which can be so used as to reduce his own financial liability and to penalize display of dowry which helps to perpetuate and encourage this practice; and
- (iv) penalizing the taking and giving of dowry under the government servants conduct rules as done in the past in respect of bigamous marriages. The impact of the amended Act should be evaluated after five years.

It should be a long-term objective to set a ceiling even on gifts to the bride.

II. DIVORCE :

Monogamous marriage without the right of divorce causes great hardship to both parties. The concept of 'union for life' or the sacramental nature of marriage which renders it indissoluble has been eroded gradually and the right of divorce has

8. Towards Equality, op.cit.

9. Ibid., 1974.

been introduced in all legal systems in India. The laws are however characterized by variations and unequal treatment of sexes. According to the census of 1971, there are 670,000 divorces or separated women of whom 743,200 are in the rural areas and 127,500 in urban areas, the ratio being 1,630 women per 1,000 men. The figures for 1961-71 indicate a distinct drop in the percentage of divorced and separated persons over the decade, although the proportion of women was higher than that of men in both rural and urban areas. A census survey in 1961 indicated wide acceptance of divorce by the village community.¹⁰ Its incidence was the highest among Muslims followed by Hindus, Buddhists, Jains, Sikhs, and Christians. Adultery, barrenness, and extreme poverty were the most common grounds for divorce.

1. Hindu Law: Contrary to the general notion regarding the indissolubility of Hindu marriages, customary forms of divorce, recognized both socially and judicially, have been widely practiced among the lower castes. The most usual forms are: divorce by mutual consent, by the husband and by deeds. Under customary law, there is no waiting period after divorce for remarriage. The other advantage of these forms is that they save both time and money which is generally lost in litigation; but since some of these forms are against public policy or morality, a divorce under customary law may be rejected by a court. As a solution an exhaustive record of these customs should be prepared and scrutinized by a panel of socio-legal experts to determine which forms should be made available to the people and to the panchayats.

The Hindu Marriage Act, 1955, permits divorce to both parties for (a) living in adultery; (b) conversion; (c) insanity; (d) communicable leprosy; (e) venereal disease; (f) renunciation; (g) disappearance for seven years or more; (h) failure to resume cohabitation for two years after a decree of judicial separation; and (i) failure to comply with a decree of restitution

10. Position of Divorce in India-Census of India, 1961
(mimeographed). Also village surveys conducted by same census.

of conjugal rights. A wife has two additional grounds : (j) if the husband has another living wife; and (k) if he is guilty of rape, sodomy or bestiality. So, cruelty and desertion should be included as grounds for divorce in this Act, to prevent the circuitous route of obtaining a judicial separation first and then seeking divorce after two years.

The interpretation of 'reasonable cause' for desertion or restitution of conjugal rights as made by the judiciary is not satisfactory; and in certain cases, the judiciary's attitude to the women's right of equal opportunity in education or employment has been ambiguous. As the court either upheld the authority of the husband to compel his wife to resign her job in a place away from his place of work, or conceded the right to the wife only in cases of genuine necessity. Therefore it is desirable that, difference in the place of work should not be regarded as a ground for desertion or restitution of conjugal rights.

2. **Muslim Law :** Under Muslim law a husband has an absolute and unlimited right to repudiate the marriage at his will, but a Muslim wife has no such right. Traditional law permitted her to seek dissolution under three forms: (i) divorce where the husband delegates the right of divorce to the wife in the marriage contract stipulating that she may divorce him on his taking another wife; (ii) divorce by agreement on the wife's giving some consideration to the husband, and (iii) divorce by mutual consent. Taking advantage of the law enunciated by the Maliki- and Shafi schools the dissolution of Muslim Marriages Act, 1939, recognizes the wife's right to divorce on the following grounds:

- (a) husband's disappearance for four years;
- (b) neglect and failure to provide maintenance for two years;
- (c) husband's imprisonment for seven years or more;
- (d) failure to perform marital obligations for three years;
- (e) Impotency;
- (f) insanity, leprosy, venereal disease;
- (g) option of puberty; and
- (h) cruelty or any other ground recognized as valid for divorce under Muslim Law.

This act has benefited many Muslim women. The most frequently used grounds are the option of puberty and failure to provide maintenance. In the latter case, courts have occasionally denied the right to a wife where her conduct was such as to absolve her husband from his duty to provide maintenance. In such cases, however, a more reasonable view is that taken by Justice Krishna Ayyar who has observed that there is no merit in trying to preserve a marriage which has in fact broken down. Therefore, the right to divorce on the failure of husband to provide maintenance should be irrespective of the wife's conduct.

In spite of the rights provided by the Act of 1939 and the customary forms, a Muslim wife continues in a position of legal inferiority and insecurity as long as the husband's unilateral right to divorce continues to be recognized. Other Muslim countries have already restricted this right. So, immediate legislation should be undertaken to eliminate this unilateral right of divorce by the husband and to introduce parity of rights for both partners regarding grounds for seeking divorce.

3. Christian Law : The Indian Divorce Act, 1869, which governs all Christians, discriminates between the husband's and wife's right to seek divorce. The husband can do so if the wife has committed adultery. The wife has to prove a second offence along with adultery (incest, bigamy, cruelty, desertion) in order to obtain a divorce. The Law Commission prepared (in 1960) a draft bill to reform this law on the lines of provisions for divorce under the Special Marriage Act, 1954. The failure of government to give effect to this suggestion is much to be regretted. So, immediate steps should be taken to reform the Indian Divorce Act, 1869, on the lines suggested by the Law Commission.

4. Parsi Law: The Parsi Marriage and Divorce Act, 1936, provides in addition to the usual grounds, an additional right to the wife to obtain a divorce if she has been compelled by her husband to prostitution. Therefore this provision should be included in all others personal laws.

5. **Jewish Law :** The Jews are not governed by statutory law; but divorce can be obtained through the courts on grounds of adultery or cruelty. Monogamy is generally practised except in certain specified cases. It is necessary to codify and reform the Jewish law on the subject, introducing the principle of monogamy and the normal grounds for divorce provided for in the Special Marriage Act, 1954.

6. **Special Marriage Act, 1954 :** Divorce under this secular form of marriage can be obtained by either party for adultery, desertion for three years, cruelty, unsound mind, leprosy, venereal disease, continuous absence for seven years, non-resumption of co-habitation for one year following a decree of judicial separation or restitution of conjugal rights. In addition, the wife can obtain divorce on the grounds of rape, sodomy, or bestiality. A special feature of the Act is the right to divorce by mutual consent. So, mutual consent should be recognized as a ground for divorce in all the personal laws so that two adults whose marriage has, in fact, broken down can dissolve it honourably.

Two general principles should be adopted for reform of all divorce laws :

- (i) there should be parity of rights regarding grounds for divorce for both partners; and
- (ii) conversion to another religion should not be recognized as a ground for divorce as it offers an easy way of avoiding matrimonial obligations.

III. ADOPTION AND GUARDIANSHIP OF CHILDREN

In India, the only personal law which recognizes adoption in the true sense of the term is Hindu Law. It regards adoption as 'taking of a son as a substitute in case there is no male issue'. The Hindu Adoption and Maintenance Act, 1956, made three clear departures from the previous law on the subject :

- (a) it permitted the adoption of either a son or a daughter;

(b) it insisted on the consent of the wife for giving or taking in adoptions; and

(c) it gave a woman the right to adopt if she is unmarried, widowed, or divorced. A married woman can adopt only if her husband has renounced the world, become insane, or has ceased to be a Hindu. While this act has certainly improved the status of women, it is necessary to improve it further and to provide that both husband and wife shall have an equal right to adopt with the consent of the other spouse. From this point of view the Adoption of Children Bill, 1972, is hailed as a uniform and secular law which would benefit the entire community and recommended is, its early enactment. While contemporary thought regarding guardianship draws a distinction between parental (earlier seen as synonymous with paternal) rights and the interest and welfare of the child, and subordinates the former to the latter. Our laws do not clearly reflect this trend.

1. Hindu Law : The Hindu Minority and Guardianship Act, 1956, upholds the superior right of the father and makes him the first (the mother being the second) natural guardian for boys and unmarried girls. The father has however lost his previous right to deprive the mother by appointing a testamentary guardian. The prior right of the mother is ordinarily recognized only to custody of children below five years of age. She has also a better claim than the father in the case of illegitimate children. The Act also directs that, in deciding guardianship, courts must take the 'welfare of the child' as a paramount consideration. A recent decision of the Supreme Court observed that, in special circumstances, the mother could be the natural guardian even when the father was alive. It is hoped that this decision will guide lower courts and prevent them from invariably upholding the father's right even against the child's interest.

2. Muslim Law : A Muslim father's position is dominant and his rights with regard to guardianship are very wide indeed. The mother is not recognized as a natural guardian even after the father's death, though she may be appointed

as such under the father's will (Shias do not recognize this where the mother is a non-Muslim). Muslim Law, however, recognizes her prime right to custody of minor children which cannot be deprived even by the father except for misconduct. There is a difference between the Shia and the Hanif schools regarding the age when the mother's right of custody terminates. In case of a minor son the Shia School holds that the mother's right is only during the weaning period, i.e., till the child reaches the age of two years. The Hanif school extends this period to seven years of age. In case of minor girls, the Shia law upholds the mother's right till the girl reaches the age of seven, and the Hanif law till she attains puberty. Both schools agree that only the mothers should have custody of a minor married girl till she attains puberty.

3. **Guardian and Wards Act, 1890 :** Under this law which governs all communities other than Hindus and Muslims, the father's right with regard to guardianship is primary and no other person can be appointed unless the father is unfit.

Supporting the recommendations of the U.N. Commission on the Status of Women regarding equality of rights and duties between men and women in respect of guardianship of minor children, the exercise of parental authority over them, and non-discrimination between father and mother regarding custody of children in event of divorce or separation, the supplementary recommendations are :

- (a) that the control over the person and property of a minor cannot be separated and should vest in the same person;
- (b) that the question of guardianship should be determined entirely from the point of view of the child's interest and not on the basis of prior right of either parent;
- (c) that the parent who does not have guardianship should have access to the child; and
- (d) that whatever the decision taken earlier, the child's choice of guardian should be obtained when he reaches the age of 12.

IV. MAINTENANCE

1. **Criminal Law :** The new Criminal Procedure Code, 1974, continues to reflect the old attitude to women and provides the right to demand maintenance to divorced wives and indigent parents. The obligation has been placed on men only : this is irrational in the changing social situation when many women are economically independent. With a view to achieving equality of status between husband and wife and son and daughter, what may be beneficial, is an amendment of law to oblige the economically independent woman to maintain her dependent husband to share with him the duty to maintain their children; and, with her brothers, the duty to maintain their indigent parents. The ceiling of Rs.500 p.m. must also be abrogated, which has now been placed on maintenance. The present exception in the law which denies maintenance to those divorced wives who have received 'some money payable under customary or personal law' excludes Muslim women who are divorced. This unjust exception should be done away with.

2. **Hindu Law :** Unlike criminal law where the wife's claim for maintenance depends on the husband's having sufficient means, under Hindu Law, this right is absolute but is lost if the wife becomes unchaste. In assessing the amount of maintenance the Court takes into account the position and the status of the parties, the reasonable wants of the claimant and the obligations of the husband. It also judges the justification for the wife's living separately. This Act does not also limit the obligations of maintenance to the man only.

3. **Muslim Law :** While maintenance of the wife is the highest obligation of the husband in Muslim law, the wife must be accessible to the husband and obey his reasonable commands. A divorced Muslim wife has no right to maintenance beyond three months. There is no justification for such a - discrimination, thus, the right to maintenance should be extended to divorced Muslim wives.

4. **Parsees and Christians :** The rights of maintenance

for Parsees and Christians are very similar, both concede the right only to women. In fixing the quantum of maintenance, the courts, bear in mind the husband's ability, the wife's own assets and the conduct of the parties. The Indian Divorce Act, 1869, which governs Christians gives discretion to the court to order the settlement of the wife's property for the benefit of the husband or the children if divorce has been obtained by the husband because of wife's adultery. If the court has decreed damages to the husband against the adulteror, it may order the settlement of the whole or part of this amount for the benefit of the children or maintenance of the wife.

In order to minimize the hardship caused by non-payment of maintenance and to ensure certainty of payment, all maintenance amounts should be deducted at the source by the employer as in the case of income-tax. Where this is not possible, arrears of maintenance should be recovered as arrears of land revenue or by distress as in the case of fines under the Criminal Procedure Code. The best solution lies in entrusting the entire question of maintenance to specialized courts like family courts which could take into consideration the incomes and degrees of financial dependence of both spouses in settling such matters.

V. INHERITANCE

The Indian Succession Act, 1925, which governs Christians, Jews, Parsees, and those married under the Special Marriage Act confers no restriction on the power of a person to will away his property, and the protection enjoyed by a Muslim widow to a share of the estate and by the Hindu widow for maintenance is denied to other widows under this law. It is desirable to place some restriction on the right of testation similar to that prevailing under Muslim law to prevent a widow from being left completely destitute.

The amended law provides that, in cases of intestate succession, the widow with no lineal descendant is entitled to the whole property if its value does not exceed Rs.5,000 or to a charge of Rs.5,000 in cases where it exceeds this amount.

This provision is not extended to Indian Christians and Hindus, Buddhist, or Jains, succession to whose property is also governed by this Act. Since this provision gives rights to childless widows, its denial to these groups cannot be justified.

1. **Christians in Kerala :** Christians in Kerala are governed by the Travancore Christian Succession Act, 1916, and the Cochin Christian Succession Act, 1921. Apart from multiplicity, these laws give only a life interest terminable on death or remarriage to a widow or mother inheriting immovable property. A daughter's right is limited only to Stridhanam. Even in cases where she is entitled, she takes a much smaller share. So the Christian women of Kerala should be subsumed under the Indian Succession Act, 1925.
2. **Christians of Goa and Pondicherry :** In Goa, the widow is relegated to the fourth position and is entitled to only fruits and agricultural commodities. In Pondicherry, the laws relegate women to an inferior position and do not regard her as full owner even in the few cases where she can inherit property. What is needed is the extension of the Indian Succession Act, 1925, to these territories.
3. **Parsee Law :** For intestate succession among Parsees, the rules of devolution of property of male and female intestates differ, resulting in discrimination against daughters and mothers. The son is entitled to an equal share in mother's property along with a daughter but the daughter is not entitled to the same right to the father's property. There is no justification for such discrimination.
4. **Muslim Law :** Muslim law, while recognizing the rights of women to inherit, discriminates between male and female heirs of the same degree, the share of the latter being half that of the former. A legislation is called for, giving an equal share to the widow and the daughter along with sons as has been done in Turkey.
5. **Hindu Law :** Pre-independence India had several systems of succession among Hindus, in most of which the position of

women was one of dependence with rarely any proprietary rights. Even when they enjoyed some rights, they had only a life interest and not full ownership. The Hindu Succession Act, 1956, made some radical changes, the most important being equal rights of succession between male and female heirs in the same category (brother and sister, son and daughter). It also simplified the law by abolishing the different systems prevailing under the Mitakshara and Dayabhaga schools and extended the reformed law to persons in South India previously governed by the Marumakkattayam. Its greatest progressive feature is the recognition of the right of women to inherit and the abolition of the life estate of female heirs. The Class I heirs of a man who take the property in equal shares as absolute owners are the widow, the mother, son, daughter, widow of a predeceased son, and sons and daughters of predeceased sons or daughters.

Unfortunately, traditional resistance led to some compromises in the original intentions. For instance, the one major factor responsible for continuing the inequality between sons and daughters is the retention of the Mitakshara coparcenary, whose membership is confined only to males. A number of decisions and laws like the Hindu Women's Right to Property Act and the Hindu Succession Act have made inroads in the concept of the coparcenary. The Hindu Code Bill, 1948, as amended by the Select Committee, had in fact suggested abolition of the coparcenary, i.e., the male right by birth, but traditional resistance was too strong. The compromise which the law now incorporates ensures that the female heirs of a male member of the coparcenary get a share of his property which is demarcated by a notional partition. In consequence, the sons get a share of the father's property in addition to their own interest as coparceners. Under the Dayabhaga system the daughters get equal shares with the brothers as there is no right by birth for sons. The right of a coparcener to renounce his share in the coparcenary and to transform his self-acquired property into joint-family property is frequently used to negate or to

reduce the share of a female heir. The way out, is the abolition of the male right by birth and the conversion of the Mitakshara coparcenary into a Dayabhaga one.

Section 4(2) of the Hindu Succession Act, 1956, excludes the devolution of tenancy rights on agricultural holdings under State laws from the scope of the Act. This has led to the elimination of the beneficial effects of the Hindu Succession Act under the land legislation in many states. Some States do not have special provision for succession to tenurial interest. The dominant conservative groups in some States have, however, successfully excluded widows and daughters without giving any particular economic justification for such laws. A typical example is the Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950, which is likely to apply to all agricultural land in that State in course of time. Similar discriminatory features are seen in some of the recent land ceiling laws adopted in different States, e.g., Karnataka, Punjab, or Madhya Pradesh. In order to achieve the social equality of women as also in the interests of uniformity, the abolition of Section 4(2) of the Hindu Succession Act, 1956, is the right measure to be adopted.

Section 23 of the Hindu Succession Act, 1956, relating to the right of inheritance to a dwelling house has also resulted in some discrimination between unmarried, widowed, and married daughters. This section asserts the primacy of the rights of the family against that of an individual and restricts partition, so far as good. Only the removing of this facade, manifests the invidious distinction between married and other daughters and the right of residence which consequently is restricted only to those daughters who are unmarried or widowed and are deserted by or separated from their husbands. This discrimination has to be eradicated so that all daughters enjoy the same right.

The unrestricted right of testation often results in depriving female heirs of their rights of inheritance. This right has to be restricted under the Hindu Succession Act, 1956.

6. General : The medley of laws governing rights of inheritance of female heirs, not only of different communities, but even of female heirs of the same community, require immediate reform based on principles like equal rights of sons and daughters and widows, and restriction on the right of testation. Moreover, there are large numbers of women who are ignorant about their rights of inheritance and so conditioned that they oppose the idea of sisters depriving brothers of the property. The purpose of the consolidated and general law would therefore be defeated unless adequate publicity is given to its provisions and women are educated about their rights. In absence of social security and adequate opportunities for employment, rights of inheritance in property provide financial security and prevent destitution of women. While it is true that property rights will benefit only a limited section, there is no doubt that they will make women independent and help them to improve their status, effectively checking the feeling that women are a burden to the family.

VI. MATRIMONIAL PROPERTY

In the socio-economic situation prevailing in the country, the contribution of the wife to the family's economy is not recognized. A large number of them participate in the family's effort to earn a livelihood, and even when they do not do so, the economic value of their effort in running the house, assuming all domestic responsibilities and thus freeing the husband from his avocation, is not accepted in law, either directly or indirectly. Married women who do not have an independent source of income or give up employment after marriage to devote all their time to family obligations are economically dependent on their husbands. In the majority of cases, movable or immovable property acquired during marriage is legally owned by the husband, since it is paid for out of his earnings. In case of divorce or separation, women without any earnings or savings of their own are deprived of all property which

they acquire jointly. Even property received by them at the time of marriage from the husband or his family is denied to the women in some communities. The principle of determining ownership on the basis of financial contribution thus works inequitably against women; and the fear of financial and social insecurity prevents them from resorting to separation or divorce even when the marriages are unhappy. It is therefore necessary to give legal recognition to the economic value of the contribution made by the wife through housework for purposes of determining ownership of matrimonial property, instead of continuing the archaic test of actual financial contribution. Therefore, on divorce or separation, the wife should be entitled to at least one-third of the assets acquired at the time of and during the marriage.

VII. FAMILY COURTS

The statutory law in all matrimonial matters follows the adversary principle for giving relief, i.e., the petitioner seeking relief alleges certain facts and the respondent refutes them. In addition, most of the grounds in these statutes are based on the 'fault principle' instead of on the breakdown theory. As a result, strong advocacy rather than family welfare is often the determining factor in these cases. The absence of distinction between matrimonial cases and other civil suits leads to inordinate delay which stands in the way of conciliation and further embitters the relationship of the parties. Conciliation, which ought to be the main consideration in all family matters, is not the guiding principle in the statutes dealing with them. Therefore, what is required is the abandonment of the established adversary system for settlement of family problems, and the establishment of family courts which will adopt conciliatory methods and informal procedure in order to achieve socially desirable results.

VIII. UNIFORM CIVIL CODE

The absence of a uniform civil code even 35 years after independence is an incongruity which cannot be justified, especially in view of all the emphasis that is placed on secularism, science, and modernization. The continuance of various personal laws which discriminate between men and women violates the Fundamental Rights and the Preamble to the constitution which promises equality of status to all citizens. It is also against the spirit of national integration and secularism. There has to be an expeditious implementation of the constitutional directive of Article 44 by the adoption of a uniform Civil Code.

IX. REFORM LAW

1. Consent to Sexual Intercourse : Consent to sexual intercourse is strictly interpreted and excludes consent given by woman under duress or fraud. It should also exclude consent obtained by threatening someone else in the presence of the woman, as recommended by the Law Commission. Consent to have sexual intercourse requires more maturity than to have an abortion. The same age limit should therefore be applied in both cases. The age of consent (below which a girl's consent to sexual intercourse is not legal) should be 18, permitting some degree of flexibility to the court in border-line cases to decide whether or not the girl is mature enough.

2. Bigamy : The present law restricts jurisdiction of the court to the place where bigamous marriage was performed or where the husband and wife last resided. This causes difficulties to the wife who may have to move away after being abandoned by her husband. To stem this, in addition to the two jurisdictions under the Criminal Procedure Code, provision should also be made for inquiry and trial for bigamy in a court within whose jurisdiction the wife is residing.

3. **Adultery :** Adultery should be regarded only as a matrimonial offence, the remedy for which may be sought in divorce or separation. Retention of this as a criminal offence brings out clearly the values of the last century which regarded the wife as the husband's property. It also prevents lawyers and others from giving help to an oppressed wife. Therefore, continuing to regard adultery as a criminal offence is against the dignity of an individual should be removed from the Penal Code.

X. NATIONALITY :

In the absence of any provision in the Citizenship Act, 1955, for dealing with the case of Indian women marrying foreigners, many of them have become stateless. The Act should be amended to provide a special rule for Indian women marrying aliens to the effect that she will in no case lose her Indian nationality as a result of her marrying to a foreigner.

The present rule prevents the children of Indian women who have married aliens from being considered as Indian citizens. Where the father and mother are separated and the mother is the guardian, there is no justification for the rule that the child's nationality will be transmitted through the father. Therefore, there has to be an amendment of section 4(1) of the Citizenship Act, 1955, which will read as follows:

'A person born outside India on or after the 26th of January, 1950, shall be a citizen of India by descent if his father or mother is a citizen of India at the time of his birth'.

Now coming to a finale of the discussion, the concern for women and their problems, which received an impetus during the freedom Movement, has suffered a decline in the last two decades. The social laws that sought to mitigate the problems of women in their family life have remained unknown to a large mass of women in this country, who are as

ignorant of their legal rights today as they were before independence. Though the Indian women achieved political and social rights easily with independence, and did not have to struggle for them as women in many other countries the plight of Indian women is far from satisfactory.

Legislation by itself cannot change society. To translate these rights into reality is the task of other agencies. Public opinion has to be moulded to accept these rights. The judiciary and the executive have a major role to play in this. This effort has not always been forthcoming. Sometimes the judiciary has interpreted new legislation strictly and failed to give effect to the principle underlying the legislation as for example in dealing with cases of bigamy or the right of women to work. The executive branch of the government has seldom made an effort to set up the machinery to educate the people about the socio-economic changes. The mass media used for publicity for certain measures taken by government has been conspicuously silent about social legislation. If legislation reflects social values of a country 'the degree of womens' emancipation and their discrimination is the natural measure of the general emancipation in any given society'. It is therefore, necessary not only to legislate but also to see that it is implemented.

CHAPTER V

CONCLUSIONS AND IMPLICATIONS

Now coming to the final chapter after having examined various dimensions of discrimination against women viz., Social and cultural; Economic and demographic; and Political and Legislative; we attempt to conclude and see the implications of the study with reference to some of the general ideological positions which will help us possibly to arrive at a solution to the problem of discrimination against women in India.

It is agreed that women are discriminated and at present their status is lowest as compared with men specially in less developed countries and India as well. This state of affairs is unjustified and must be changed in order to improve their conditions. In this regard within the women's movement to fight against discrimination three major ideological positions emerge: (i) moderate view of women's rights view, (ii) the radical view and (iii) the Socialist view point. Not all women active in the movement can be neatly placed into one of these categories, nor do all adherents of any one of these positions agree among themselves on all matters. These ideologies are still flexible and in the process of further development. The discussion that follows will sketch the ideas prevalent within each of the three groups.

I. MODERATE VIEW OR WOMEN'S RIGHTS VIEW :

Moderate feminists have been less inclined toward abstract analysis and theorizing than their more radical sisters - Their ideology is the least integrated and least clear-cut of the three major positions. Most start from liberal principles - that all people are created equal and that there should be equal opportunity for all. They see that these principles have not been applied to women and demand that henceforth they should be.

No moderate has written on the origin of women's lower status. Most would probably subscribe to a biological explanation

similar in content to Firestone's but very different in tone. Before reliable contraceptives and baby bottles were available, a woman had no choice but to spend the greater part of her life bearing and rearing children. By the time the technology to free women from this biologically determined role became available, the male-female division of labour had been so completely accepted as natural and right that little changed. Thus tradition maintains a form of social organization that is no longer necessary.

In the *Feminine Mystique*, Betty Friedan analyzes the cost of maintaining the traditional male-female division of labour. She concentrates on the sterile life of the middle-class housewife. Under mid-twentieth-century circumstances, housework and child rearing are not sufficiently challenging for any adult. Yet women have been taught the true self-fulfilment lies in being wife and mother exclusively. When women do not realize the promised self-fulfilment, and in fact become miserably unhappy, they blame themselves, not their situation. Friedan's solution is an education and a profession for women.

Since 1963, when her book was published, Friedan's analysis has broadened considerably. She and other moderates no longer concern themselves only with the plight of middle-class women. Friedan's early analysis implied that only the brainwashing of women by the schools and the media kept them from achieving professionally. Moderates now realize that legal inequalities, employment discrimination, and the lack of facilities such as child care centres are also real barriers. They realize that

women's secondary status has been institutionalized and that women cannot free themselves individually through a change in consciousness. A mass movement of women is needed.

Moderates do not carry their critique of motherhood and the family to the same basic level as the radical feminists do, but they agree that as now constituted, the institution of family is oppressive. Betty Friedan says that as long as women are relegated to being mothers and mothers only, "motherhood is a bone and a curse".¹ When women are free to be full, equal human beings, the family will no longer be oppressive. Moreover, other life styles will also be available for those who prefer them.²

While moderates have picked up some of the vocabulary of the other wings of the movement - they speak of the oppression of women - and see many of the same problems, their analysis of the functions that sexism serves is quite different. In the *Feminine Mystique*, Friedan points out that keeping women in the home is profitable for business because it fosters ^{over-}consumption. Middle-class women with nothing interesting to occupy their time will go out and buy unneeded products. More generally, however, moderates see sexism as dysfunctional for society - it deprives society of the talents of half its members. Furthermore, moderates do not see sexism as performing a vital function for an appreciable segment of society. It does not really help anyone. Opposition to feminists, demands is interpreted most frequently stemming not from self-interest but from false consciousness due to sexist socialization.

Given this analysis, moderates place great emphasis on the benefits to men from ending sexism. "Man... is... the fellow victim of the present half-equality".³ Radical feminists point out that men will also have to give up advantages they now enjoy. The moderates, because they do not see men as truly benefiting from sexism, do not consider men the enemy".⁴

1. Betty Friedan, "Our Revolution is Unique" in Mary Lov Thompson, Voices of the New Feminism Boston: Beacon 1970, P.36

2. Ibid., P.38

3. Ibid., P.32

4. Ibid., P.36

Moderate feminists have been relatively optimistic about working with men. Organizations like NOW admit male members. Nevertheless, moderates believe that women must depend primarily on themselves. ".... it would be as much of a mistake to expect men to hand this to women as to consider all men as the enemy, all men as oppressors."⁵ Like "any other oppressed group", women must lead the fight for their own liberation.

While moderates are increasingly using the term "revolution", they do not mean it literally. A non-sexist society can be attained by working through the present system. Many may hope that an accumulation of reforms will transform society, but radical re-structuring, such as that envisioned by the socialist or radical feminists is not considered necessary.

Two beliefs explain the moderates' optimism that the needed changes can be accomplished within the system. As no significant segment really benefits from sexism, opposition to feminist demands should eventually wither away under the impact of education. Furthermore, the moderates, working from a liberal ideology, see the distribution of power in the U.S. as pluralist. Competition among many groups determines government policy; no single group dominates. Organized women can get into the game and, like other groups, can expect to have their demands met if they put on enough pressure.

The moderates have not sketched out their ideal society very clearly. They are often accused by their more radical sisters of demanding "let us in", not "set us free" - of simply wanting a slice of the pie. Although this may have been a fair criticism in the early days of the movement, it is considerably less so now. Moderate groups have increasingly

5. Ibid., P.39.

concerned themselves with the problems of poor women - welfare mothers, for instance - and of social outcasts - lesbians, and prison women in particular. The notion of androgyny has also taken hold. Moderates do not advocate that women adopt the more unattractive male traits, such as aggressiveness and super-competitiveness, in order to be successful. Like socialist feminists and radical feminists, moderates believe that each person should be free to develop his or her full humanity independent of what is now labelled masculine or feminine. In a good society, valued human traits such as independence (now labelled masculine) and tenderness (now labelled feminine) would be characteristic of both men and women.

The moderates' ideal society, then, is an androgynous and socially just society. Their aim cannot be faulted. Whether the ideal can even be approximated through the methods they advocate is, however, questionable. While the moderates' proposals are getting more and more radical the proposals do not stem from any real analysis and critique of the system. Thus the moderates do not realize that some of their demands are merely palliatives that would have little real effect, while others are a basic threat to the system and, as such, are going to require more than a little lobbying to attain. If any President could appoint a woman to the Supreme Court, given the sort of woman he would choose, would not be much of a victory. In contrast, a really adequate guaranteed annual income, and free, community-controlled, universally available child care would radically transform society.

The danger with moderate position is that when the difficulty of bringing about truly significant changes becomes apparent moderates will settle for palliatives and tokens or get discouraged and give up the struggle completely.

To conclude, the diversity of view points and the number of independent groups that are involved in the women's movement is a strength—not a weakness. There is great need for experimentation, both in organizational forms and in tactics. As long as there are many groups, if one or another gets sidetracked into non-productive activities or even disintegrates, the movement is not endangered.

Building a movement that is viable for an extended period of time is crucial. One cannot expect a quick and easy victory. But if one can avoid the mistakes of the suffragists, who limited their goals too much and were too easily satisfied, the chances of building a humane, non-sexist society are good. After all, women do constitute more than half of the world's population.

Women, even movement women, are not yet all sisters. Class and race divide them. Old fears, prejudices, and suspicions are hard to overcome. Yet, they do have many basic interests in common. Even those women who benefit materially from the status quo do so, by and large, only as adjuncts to men. They pay for their comforts through their dependency. As more and more women begin to realize that the present system does not serve their interests — that it serves only the interests of a few, upper-class, males—a mass movement aimed at basic socio-economic change may emerge.

II. SOCIALIST VIEW :

Having the rich tradition of Western socialism to draw upon, socialist feminist ideology is the most elaborate and extensive of the three. Following Engels, socialist feminists see the oppression of women as stemming from the class system. Women did not always occupy an inferior place. Throughout primitive society, which was the epoch of tribal

collectivism, women were, in fact the equals of men and recognized by man as such.⁶ Women were, in fact, the social and cultural leaders in an equalitarian society because during the hunting and gathering stage their labour was the more important. Hunting which was done by the men, is an unreliable source of food, the vegetable foods that the women found and prepared were the staples of primitive peoples' diet. Women discovered agriculture, domesticated small animals and developed the arts of pottery and weaving. Thus in the primitive society there was a sexual division of labour and women worked very hard. But the assumption of some anthropologists that women were therefore oppressed is completely wrong. "The primitive woman is independent because, not in spite of her labour."⁷

How, then, did women lose their position of equality? "The downfall of women coincided with the breakup of the matriarchal clan commune and its replacement by class-divided society with its institutions of the patriarchal family, private property and state powers."⁸ Hunting and gathering were gradually replaced with agriculture and stock raising. A more complex division of labour developed. Increasingly a surplus product above subsistence needs was produced. Society, which had been homogeneous, began to be differentiated into groups that differed in the labour in which they engaged. These divisions eventually led to classes, in which some produced and others received the surplus.

By virtue of the directing roles played by men in large-scale agriculture, irrigation and construction projects, as well as in stock raising, this surplus wealth was gradually appropriated by a hierarchy of men as their private property. This, in turn, required the institution of marriage and the family to fix the legal ownership and inheritance of a man's

6. Evelyn Reed, Problems of Women's Liberation, New York Path Finder Press, 1969, P.65. The discussion of the socialist theory of origins closely follows Reed.

7. Robert Briffault, quoted in Ibid, P.43.
8. Ibid., P.65

property. Through monogamous marriage the wife was brought under the complete control of her husband who was thereby assured of legitimate sons to inherit his wealth.⁹

Thus women's inferior status is due to the institution of private property and class-divided society and to their corollary, the family. The family did not develop to fulfil human needs for companionship, emotional support, and children - needs amply fulfilled by the communal clan. Its function at origin was the preservation of wealth within the paternal line. Woman's function within the family was pre-eminently that of breeder; she became in effect a possession of her husband.

Women have continued to be oppressed as a sex in all succeeding class societies. In modern capitalism, women are oppressed by their subordinate role in the family and are doubly exploited as workers. Women are still defined in terms of the traditional female role as primarily housewives, and this is a role with little status. As Margaret Benston points out, "in a society in which money determines value, women are a group which works outside the money economy. Their work is not worth money, is therefore, valueless, is therefore not real work".¹⁰ Even when women do work at paid jobs, their position in the labour force is not taken seriously - it is not really where they belong. Therefore women serve as a reserve army of labour - to be employed when needed, and fired, without political repercussions, when not.

Sexism, like racism, is seen as functional for the capitalist system.

9. Ibid., p.63.

10. Margaret Benston, "The Political Economy of Women's Liberation", in Edith Hoshino Altbach (ed.), From Feminism to Liberation, Cambridge, Mass: Schenkman, 1971, p.202.

..... It is not just male supremacist ideas, or individual men, who keep women doing unpaid labour in the home and the low paid labour outside. It is capitalism's need for a reserve labour force, to keep wages down and profits up. It cannot afford the social services necessary to allow women to be out of home Nor can capitalism afford to give women control in areas like child raising and reproduction, because they would then be free to demand jobs that do not exist.¹¹

The nuclear family, in which the husband is the major breadwinner, also serves important in a capitalist society. As an economic unit, the nuclear family is valuable stabilizing force in capitalist society. Because the husband is solely responsible for supporting his wife and children, his ability to strike or to change jobs is limited. Because the wife is economically dependent, she is also likely to become emotionally dependent and passive. Thus, her economic vulnerability is apt to make her fearful and interested only in security. Therefore, she will exert a conservative influence on her husband and children. The family, as currently organized, keeps both men and women from making trouble.

Capitalists, thus, gain from sexism. The low wages paid "working" women result in higher corporate profits; the unpaid work women do in the home is essential for the reproduction and maintenance of the work force. If women do not cook, clean and do laundry for their husbands and children, society would have to provide these services. Sexist socialization makes women docile as workers and easily fired when not needed. The present family structure supports the economic and political status quo. The indication

11. "Working Draft - Socialist Feminist Paper", in Women's Studies Programs: Three Years of Struggle Publication of Inside the Beast California State Univ at San Diego, May 1973, P.12.

of the sexist ideology through education and the media makes sexism, like racism, a basis for dividing the working class. When workers are split along sexual and racial lines, unions are weakened and the workers' economic bargaining power is decreased. Furthermore, such divisions make workers easier to rule politically and thus contribute to the capitalists' hold on power.

The socialist feminist explanation of women's oppression, then, places major emphasis on economic factors. The oppression of women is traced to the institution of private property and the first division of society into classes. Sexist ideology and structures such as the family, which maintain women's inferior status, persists because they are an integral part of and perform important functions for the capitalist system.

Juliet Mitchell, an English socialist feminist, enriches this analysis by emphasizing that, in analyzing the position of women at a given point in time, reproduction, sex, and the socialization of children as well as production must be considered. Women's position at any given point in history is determined by the particular combination of these elements that are in force at that time.¹² The extent to which reproduction is voluntary, the extent to which the socialization of children is considered primarily the women's task, and the extent of sexual freedom all affect the position of women. These factors are ultimately related to but not directly derivable from the economic factor—the mode of production.

The contemporary bourgeois family can be seen as a triptych of sexual, reproductive and socializatory functions (the women's world) embraced by production (the man's world) —precisely a structure which in the final instance is determined by the economy.¹³

Since private property and class divisions are at the origins of women's oppression and since that oppression is

12. Juliet Mitchell, 'Women The Longest Revolution', in Altbach, op cit., p.99.

13. Ibid., p.121.

useful for the capitalist system, a socialist revolution is needed to free women. 'As long as a system works better with sexism and racism, it will not be able to 'reform' them out'.¹⁴ The women's struggle is a part of the larger struggle that is based on class.

Unlike earlier socialists, socialist feminists do not believe that socialism will automatically free woman. The position of women in the Soviet Union and China, while much improved from that of pre-revolutionary days, is still not equal to that of men. Women must make sure, through their struggle, that the revolution is a socialist feminist one.

Socialism that is really feminist will only come about with sharp and conscious struggle led by woman. The ideas and concepts of sexism... will persist for a long time. In addition to changing these ideas, men's concrete power and privilege will have to be done away with. Some Socialist groups argue that men are sexist only out of false consciousness, since sexism divides the working class and keeps it from uniting against its real oppressors. But men also benefit from sexism: they gain material advantages (skills, jobs, positions), status power and service....Men, too, will benefit from ending sexism - by ending their own oppressive roles (tough, hard, competitive, etc.) and by having more human relationships - but they will also have to give up that power and privilege.¹⁵

To free, women, the objective conditions and structures, that now keep women in their place must be changed. Margaret Bonston emphasizes that fighting for free and equal entry into the productive sector is not sufficient. Housework must be socialized. Other wise the "'working'" woman simply ends up with two jobs. Child care, cooking, cleaning, and other work that is done in the home must not remain the women's private responsibility. Mitchell makes the same point in a more general way when she calls for changes in all four factors that determine women's position. While economic demands are more

14. "'Working Draft - Socialist Feminist Paper'; op.cit., p.12..

15. Ibid., pp. 12-13.

basic, the other elements must not be neglected. Furthermore, strategy will sometimes dictate emphasizing one or another of the non-economic elements over the economic.¹⁶

Working for present reforms so long as the ultimate objective is not forgotten is imperative. Marxist women should struggle with their sisters for equal pay for equal work; equal opportunity in education and employment; free abortion on demand; and free, community-controlled child care centres. "Mobilizing women behind these issues not only gives us - the possibility of securing some improvements but also exposes, curbs and modifies the worst aspects of our subordination in this society".¹⁷

Women must maintain their independent struggle for liberation but must not fall into the trap of believing that men per se are the enemy. "No segment of society which has been subjected to oppression ... can delegate the leadership and promotion of their fight to freedom to other forces -- even though other forces can act as their allies".¹⁸ During the course of the struggle men can and must be re-educated. Male workers must learn that "their chauvinism and dominance is another weapon in the hands of the master class for maintaining its rule".¹⁹

What, then, is the socialist feminist vision of the good society after the revolution? No one has drawn blueprints, but the general outlines, are clear. The society would be democratic both politically and economically. The means of production would be publicly owned and the fruits of production equally distributed. Factors like sex and race would no longer predetermine one's status or life style. Most of the functions that the family now performs -

16. Mitchell, op cit., p.121.

17. Reed, op.cit., p.75.

18. Ibid.

19. Ibid., pp. 75-76

childcare, for example - would be socially performed, and as a result, the oppressiveness of the present bourgeois family would cease. According to Mitchell, the result would be, not the destruction of the family, but "a plural range of institutions - where the family is only one..."²⁰

III. RADICAL VIEW :

Because it is a newer ideology, radical feminism is less fully developed than socialist feminism, and there is less agreement among its adherents. All radical feminists agree, however, that the oppression of women is the first and most basic case of domination by one group over another. "Male supremacy is the oldest, most basic form of domination. All other forms of exploitation and oppression (racism, capitalism, imperialism, etc.) are extensions of male supremacy: Men dominate women and few men dominate the rest".²¹

The problem, then, is the sex class system through which women have been relegated to being breeders and have been excluded from the creation of and any real participation in culture. "Radical feminism recognizes the oppression of women as a fundamental political oppression wherein women are categorized as an inferior class based upon their sex."²²

The function of sexism is primarily psychological, not economic. According to the New York Radical Feminists, the purpose of male chauvinism is primarily to obtain psychological ego satisfaction, and ... only secondarily does this manifest itself in economic relationships. For this

20. Mitchell, op.cit., p.123.

21. "Redstockings' Manifesto", in Betty and Theodore R^Szak, eds., Masculine/Feminine, New York: Harper and Row, 1969 p.273.

22. "Politics of the Ego : A Manifesto for N.Y. Radical Feminists", in Anne Koedt, Ellen Levino, and Amita Rapone, eds., Radical Feminism (New York: Quadrangle, 1973), p.379.

reason we do not believe that capitalism, or any other economic system, is the cause of female oppression, nor do we believe that female oppression will disappear as a result of a purely economic revolution. The political oppression of women has its own class dynamic; and the dynamic must be understood in terms previously called "non-political" - namely the politics of the ego.

... Man establishes his "manhood" in direct proportion to his ability to have his ego over-ride woman's, and derives his strength and self-esteem through this process.²³

Among radical feminists, only Shulamith Firestone has developed a comprehensive theory of the origins of women's oppression. The origins of sex class system, she says, lie in the biologically determined reproductive roles of men and women: Women bear and nurse children. "Unlike economic class, sex class sprang directly from a biological reality: men and women were created different and not equally privileged".²⁴ Until reliable birth control methods became available, women were "at the continual mercy of their biology".²⁵ Biology made women dependent on males for their physical survival. Thus "the biological family is an inherently unequal power distribution".²⁶ The result is power psychology and the economic class system. "Natural reproductive differences between the sexes led directly to the first division of labour at the origins of class".²⁷

The exploitation of woman by man and of man by man has its origins in biology, not economics. The male's biological advantage is not being the bearer of children made the female dependent on him. This dependency of female

23. Ibid., pp.379-380.

24. Shulamith Firestone, The Dialectic of sex, New York: Bantam, 1970 p.8.

25. Ibid.

and
26.

27. Ibid., p.9.

on male is the prototype of all power relationships and the origin of the power psychology - the desire to dominate others. The first division of labour - that between man and woman - contained power component. From this developed the exploitative economic class system. According to Firestone, "current leftist analysis [is] outdated and superficial because this analysis does not relate the structure of the economic class system to its origins in the sexual class system, the model for all other exploitative systems and thus the tape worm that must be eliminated first by any true revolution".²⁸

Women's oppression has its origins in biology but is not, therefore, immutable. Technological developments - reliable birth control and, in futuro, artificial reproduction (i.e. test-tube babies) - have the potential for freeing women. However, oppression will not cease just because its biological determinants are overcome. The supporting structures for maintaining that oppression are still functioning. A feminist revolution is needed, and its first stirrings are already occurring.²⁹

While not all radical feminists would subscribe to Firestone's exclusively biological explanation, all would agree that all past and present societies are patriarchies. Men institutionalized their domination over women via social structures such as the family and religion. "The oppression of women is manifested in particular institutions, constructed and maintained to keep women in their place. Among these are the institutions of marriage, motherhood, love, and sexual intercourse (the family unit is incorporated by [these])".³⁰ To free women, these institutions and the sexist ideology that they foster must be destroyed. Revolution, not reform is needed.

28. Ibid., p.37.

29. Ibid., p.31.

30. "Politics of the Ego: A Manifesto for N.Y. Radical Feminists", op.cit., p.351.

According to Firestone, revolution is possible because of the control over reproduction that technology has made possible; it is necessary simply for survival. The population explosion must be controlled, and soon, if disaster is to be averted. But the family structure and the psychology it fosters make such control impossible. People have too many babies and for the wrong reasons — to satisfy ego needs by possessing and living through a child. The reduction of population growth and the rearing of psychologically healthy children will be possible only when the family is destroyed.

The revolution, then, aims at a total restructuring of society. The abolition of capitalism and the institution of a socialist economy, while necessary, are not sufficient. Nor is it reforms in the status of women that are sought. "The end goal of feminist revolution must be ..., not just the elimination of male privilege but of sex distinction itself: genital difference between human beings would no longer matter culturally." ³¹ Thus all sex role typing must be abolished. Integrating women into the male world is not the answer. We believe that the male world as it now exists is based on the corrupt notion of "maleness vs femaleness", that the oppression of women is based on this very notion and its attendant institutions... We must eradicate the sexual division on which our society is based. ³²

Women must make the revolution they can expect little help from men. The first step is to free themselves from the self-destructive, sexist notions that they have internalized. We must begin to destroy the notion that we are indeed only servants of the male ego, and must begin to reverse the systematic crushing of women's egos by constructing alternative selves that are healthy, independent and self-assertive. We must in short, help each other to transfer the ultimate power of judgment about the value of

31. Firestone, op.cit., p.11

32. Bonnie Kreps, "Radical Feminism", in Koedt, op.cit., p.329.

our lives from men to ourselves.³³

The destruction of the sex class system will ultimately benefit men by freeing them from the masculine role, which is also oppressive and thus make possible genuinely human relations. Men cannot, however, be expected to realize this. They have been warped by the power of psychology, and they derive real benefits from the present system. "All men receive economic, sexual and psychological benefits from male supremacy. All men have oppressed women."³⁴ Thus only women working together can bring about a non-sexist, non-oppressive society.

What, then, will the new society be like? Firestone sets out four conditions that it must fulfil.

- (i) Women must be freed from the "tyranny of their reproductive biology",³⁵ Childbearing will become the responsibility of the society as a whole. Men, as well as women, will be involved.

Further advances in the biological sciences should make artificial reproduction possible for those who wish to make use of it. Changes in childrearing require radical social reorganization.

- (ii) "The full self-determination, including economic, of both women and children"³⁶ will be necessary. Feminist socialism in a land of plenty will provide economic independence for everyone whether they "work" or not. With increasing automation, work, as we know it, would disappear. Dull, repetitive,

33. 'Politics of the Ego', op.cit., pp.382-383.

34. "Redstockings' Manifesto", op.cit., p.273.

35. Firestone, op.cit., p.206.

36. Ibid., p.207.

uncreative tasks would be done by machines. Human beings would be free to occupy themselves at whatever they found interesting, whether socially useful or not.

- (iii) "The total integration of women and children into all aspects of the larger society"³⁷ would be required.
- (iv) Full sexual freedom must be guaranteed to both women and children.³⁸

The fulfilment of the first two conditions would strip the family of its reproductive and economic functions and thus destroy it. The latter two would ensure an end to any form of social oppression.

While disclaiming any intention or desire to provide a detailed blue print of the future society. Firestone does present sketches meant to stimulate further thought. "The most important characteristic to be maintained in any revolution is flexibility."³⁹ There should - she says, be a multitude of options. People should be able to choose the life style that suits them best and change it at will. This would be possible in an affluent, highly automated, socialist society in which no one had to work.

She suggests two non-reproductive styles - single professions and "living together". The first she describes as "a single life organized around the demands of a chosen profession, satisfying the individual's social and emotional needs through its own particular occupational structure".⁴⁰ More satisfactory for some people would be "living together" - the loose social form in which two or more partners, of whatever sex, enter a non-legal sex/companionate arrangement the duration of which varies with the internal dynamics of the relationship".⁴¹

37. Ibid., p.208.

38. Ibid., p.209.

39. Ibid., p.227.

40. Ibid.

41. Ibid., p.228.

These two forms provide for various combinations of privacy and companionship, and one or both would probably be the choice of most people for at least part of their life. They are not, however, suitable for children. For children and adults who like and want to be around children for part or all of their lives, there would be households — a group of adults and children living together. To provide the stability needed for the children the adults would contract to live together for a specified time — seven to ten years, Firestone suggests. After that period each individual and the group as a whole could decide whether to remain together. Both child care and other chores would be equally shared by all the adults, and thus would not be burdensome. Children born into a household would have the right to transfer out if they so wished. This set up makes it possible for children to form close relationships with adults and other children without being anyone's "property", as is the case in the nuclear family.

Radical feminists and socialist feminists, thus differ over the origins and the present function of women's oppression. Socialist feminists see the origins in the institution of private property and the division of society into classes; radical feminists emphasize female biology — particularly the women's reproductive role.

Sexism, according to the radical feminists, primarily serves a psychological function for men. Social feminists, in contrast, see sexism as primarily serving an economic function for the capitalists.

Radical feminists, then see patriarchy (male supremacy) as the defining characteristic of our society; for social feminists the defining characteristic is capitalism. They agree that to free women a revolution that is both socialist and feminist is necessary; but, differing in their prior analysis, they place differing emphases on the two elements. Socialist feminists see a socialist revolution as a necessary

but not sufficient condition for a non-sexist society. Participation by active, committed socialist feminists in the revolutionary struggle and in the new society will ensure the demise of sexism. Radical feminists believe that a feminist revolution against the patriarchy will destroy sexism and also institute socialism. The two groups' ideals of the good society, then, do not differ greatly.

Socialist feminist and most radical feminists believe in androgyny to be a major defining characteristic of the good society. With the destruction of sex roles, both male and female would be free to develop and express the full range of valued human traits. Creativity, independence, nurturance, and sensitivity would be considered desirable characteristics in all human beings. Liberation consists not in women "becoming" men but in both male and female being free to become truly human. In a good society both men and women would be different from what they are in our society. Personality differences among people would still exist, but they would not be related to sex. Furthermore, society would be structured so as to encourage the development of traits such as cooperativeness and sensitivity towards others.

A few women have rejected androgyny and substituted the notion of matriarchy. These women have tended to glorify all traits presently labelled feminine -- even those that most feminists see as self-destructive. One version of this position is based on the biological differences between the sexes. Women are, by nature, mother, it is claimed; but rather than justifying women's inferior place, the capacity for motherhood makes women superior. "Female biology is the basis of women's powers.

While this position is rare in the movement, the publication in the August 1973 Ms of an open letter by Jane Alpert gave it considerable publicity. Alpert, formerly closely associated with the Weathermen and now under indictment and living underground presents a theory of "mother right." The feminist revolution, she says, "must be an affirmation of the power of female consciousness of the Mother".

The good society will be one in which women are revered and powerful because of their capacity to bear children. " ... the point of Mother Right is to reshape the family according to the perceptions of women, and to reshape society in the image of the new matriarchal family".

This position is unlikely to gain many adherents because of the theoretical and practical problems it presents. To base the argument for women's liberation on the female capacity to bear children at a time when motherhood will occupy decreasing amounts of women's times seems foolhardy. A reversal in the status of present sex roles will not end oppression. The sex roles must themselves be destroyed.

The women's liberation movement in the west, through a variety of protests has sensitized as it were the role of women in society at various levels. Women's lib says Romila Thapar⁴² does not have immediate relevance to the Indian situation. It is a product of an urbanized middle class with a large number of women trained in profession as a result of expanding educational facilities whose professional skills are wasted by their having to limit themselves to domestic work. It relates to the crisis in the concept of domestic work being somehow inferior both in terms of human intelligence and the use of Labour and energy. Thus either the status of domestic work will have to be raised to bring it on par with other professional work or else, through a highly mechanized system the energy and intelligence spent on cooking and cleaning will have to be drastically reduced. In either case, the participation of men in household chores will be a crucial factor. It also relates to the changing situation of the family as a component of society in a developed industrial system, where the women

42. Romila Thapar, 'Looking back in History' in Devaki Jaine (ed). - Indian Women, Publication Division, New Delhi, 1975.

ceases to be essentially only the procreator of children and the property of the husband. The significance of the movement to the Indian scene is that by radicalizing the analysis of the role of women in society generally, it has introduced a number of fresh perspectives to understanding of women and society.

Veena Majumdar speaking about the Women's Movement in India puts forth a few assumptions of progress of women in India which are as follows :

- (a) Women's lower position in society stems from their exclusion from participation in the wider public social progress — political and economic and their confinement to task of home making which was private.
- (b) This exclusion has been perpetuated by denial of certain basic rights to women — education, franchise and other political rights and equality of status with men in civil law — governing marriage, property etc.
- (c) Generations of customary oppression had developed traditional attitudes among both men and women, which accepted the inequality between the sexes and distinction in their roles as the natural order of things and resisted all efforts to change this order.
- (d) The remedy was therefore seen as primarily one of removing discriminatory prohibitions — from law, education, professions, politics etc; to provide women equality of opportunities and access to the coveted and significant sectors of the social power structures.
- (e) Secondly, the problem was seen as a long term one — of changing social attitudes to persuade people to accept institutional forms, to ensure equality of treatment between the sexes within and outside the family. It was admitted that this could not be achieved very quickly and would require generations of re-education.

While there was near unanimity on these assumptions, there were always serious differences of opinion among them on the broad social implications^{of} these desired changes. Many saw them as changes needed for women only, and sought to preserve their separate identity as a movement for women. Some however saw them as changes with critical implications for the principles governing social organisation. They saw sexual inequality as one dimension of the complex structure of a society based on inequality - between castes, classes, communities and races. According to her, the Report of the Committee on the status of Women in India gives ample evidence of the differential impact of development on different classes of women. The limited question of legal, political and educational rights was only mainly affecting women of middle and upper classes in power. Increasing economic pressure, and the widening of opportunities in political, social and economic activities precipitated the entry of a large number of women from these classes into different spheres which were till then shut to them. But the masses of our women have never led the confined, secluded and restricted lives of the upper class women. They had always formed part of the labour force in agriculture, household and other industry, handicrafts and traditional services. Their customs, different from those of elite classes, had permitted relatively much greater degree of freedom and protection to women in marriage, divorce and remarriage. Their economic roles guaranteed them some status in their family and their own community, though it did not guarantee them protection against the economically and socially dominant classes in society, since they were members of an exploited group.⁴³

The crucial questions which arises from the above points need attention. The legal, political and educational opportunities open to women since independence have been irrelevant to these women. And the change in the economy and the pattern

43. Veena Majumdar, 'Whither Women's movement in India?', Indian and foreign review, Vol. 14, No. 3, 1976.

of living has created new problems as many traditional occupations have now disappeared. For some women of this class even prosperity has resulted in a loss of economic roles - and with that a decline of status within the family. This brings us to the crucial questions - what was the women's movement about? For whom? Does equality mean, only equality with men of one's own class? What is the traditional attitude? The traditions of many communities in India have always accepted the women's right to work - to have an ultimate choice in the selection of their husbands and to break away from an unbearable marriage. We need to reexamine the basic assumptions, including the total rejection of all traditional models that we believe to be essential to achieve equality and dignity.⁴⁴

Speaking on the Women's Movement in India, Neera Desai feels that in India the leadership and initiative have not always been of women; women's issue has also not been sharply focussed. Equal status achieved in this manner, naturally makes Indian Women's Movement a unique phenomenon. According to her, few thinkers feel that Indian woman has got equality on a silver platter while there are others who think that the merging of women's movement with National Movement has not only helped the cause of women but has also prevented the development of man-woman antagonism of the West.

Kamla Devi Chattopadhyaya, the veteran woman leader feels that Indian Women's Movement was a positive and broad based social force with a large vision, not just a narrow circumscribed stream. It was in fact part of a great social upsurge for deep changes which provided it with healthy core and a rational demeanor. Society was not divided into varying parties, woman versus man, rather into two segments: the liberal versus the conservative.⁴⁵

Many analysts of the women movement in India are quite happy that women's movement here has not taken as violent a form that in the western countries. It is felt that the

44. Veena Majumdar, *Ibid.*, 1976

45. Kamla Devi Chattopadhyaya, 'The Women's Movement: Then and Now', in Devaki Jain's (ed.) Indian Women, New Delhi, publications division, 1975. pp. 29-30.

wider perspective gained by many women leaders and the decision to work for the liberation of all the oppressed and exploited rather than for women alone prevented the Indian movement from the self defeating and alienating elitism of its Western counterpart.⁴⁶

Discrimination against women and their emancipation has been directly linked with participation of women in the economic field. However it is a necessary condition for bringing an end to discrimination but not a sufficient condition. For example, we have two cases that of Soviet women and of Chinese woman that substantiate this point. In surveying the changing roles of Soviet women, it was found that a partial assimilation to male roles has occurred in the economy and polity. Levels of female participation in both the industrial labour force and in political system has increased enormously. Women have been successfully mobilized for these purposes, they have not, however achieved substantial equality in roles which involve managerial or political authority. Nor have they been freed from primary responsibility for family affairs, where no significant redefinition of male and female roles has occurred. The economic independence of women, however, far reaching its consequences, in other respects, has not dramatically transformed the structure of status and authority in economic and political life, nor has it radically altered the social and cultural definitions of male and female roles outside the work arena. It has been assumed that female productive labour results in a change of female status in that women will move from dependent to independent and from powerless to powerful roles. In case of China, despite the widespread incorporation of Chinese woman into social production, change in female status has been somewhat less than expected. In fulfilling one of the necessary conditions the experience of Chinese woman confirms the qualified assumption that although participation in social production is a necessary condition for ending discrimination and thereupon improving female status, it is not a sufficient condition. Discrimination against women, some people hold, will only end when the patriarchal family will disappear. However, when we have a look at the position

46. Neera Desai, 'Struggle for Indian Women's Emancipation', mimeographed, presented at the Indian sociological conference held at Chandigarh, 1976

of woman and the role she plays in the patriarchal family, it is observed that the woman is not emancipated and still she is subjugated and discriminated against by men.

Some people have expressed the idea that the women's liberation in India is a false consciousness. We certainly disagree here. Yes, we do not have a liberation movement like that in the West but then in our country the socio-economic conditions pose different problems for women than those in the west. Therefore, the liberation of Indian women, has to be defined in a different way. Of course, there are always some fundamental things which are common in all movements which are for the liberty of human beings. Indian women have to fight for a society which will not bring more discrimination between men and women.

We have very well learnt by now that there is formal equality between men and women; protection provided in the constitution, but on the other hand, there are inequalities inherent in the traditional social structure which has affected the status of women in different degrees. Complex processes like development, urbanization, modernization and industrialization have also played a role in creating and resolving imbalances. The present position of women is a product of the historical development and we see that the Indian woman has been the other. Her role in the family and society has been moulded according to the needs of men and their thinking and also as a result of the material conditions. If there was a need felt to bring her out of the house for example, during the National Movement, it was done. The state of dependence on the man has been instilled into the minds of Indian women. The oppression of and discrimination against the Indian women has a direct bearing upon their personality development and on their social roles. Envy, inferiority complex and the development of a weak super ego are the pronounced features of Indian women. Unless the women in India are aware and they do not organize to fight for their rights and against injustices no one from outside can bring an end to Discrimination against women and liberate them.

The analysis of the preceding chapters in the study 'Social dimensions of discrimination against women in India', reveals that Discrimination against women is a persistent fact of life for the women of India. The review of the second chapter indicates that the majority of women are still very far from enjoying the rights and opportunities guaranteed to them by the constitution. Society has not yet succeeded in framing the required norms or institutions to enable women to fulfil the multiple roles that they are expected to play in India. Generally speaking, Indian women belong to the deprived section of society. Lack of access to education; inadequate working conditions and medical facilities; employment problems; domesticating roles; not enough control over reproduction and sexuality; a low religious and cultural status etc., has pushed them into the 'deprived' & 'discriminated' class.

The declining rate in the employment of women is conservatively estimated at ten percent a year. A large number of women, mostly employed in rural areas have been displaced in the name of modernisation of techniques. The disparity is all the more glaring when one takes into account the fact that the birth rate of women has also been steadily declining over the years. In 1901 there were 972 females per 1000 males; in 1981 there were only 935 females per 1000 males. Women now find themselves in a restricted atmosphere where their employment opportunities have shrunk and they are being discriminated against. In a large number of establishments there is disparity in pay between men and women though they do the same work. This is in spite of the fact that there is in force the Equal Remuneration Act, 1976 which provides for payment of equal remuneration to men and women workers, and prevention of discrimination on the grounds of sex against women in the matter of employment. There have been several cases of suicide among young girls because of the dowry problem in spite of an anti-dowry law and young girls in their teens are still being 'married' to old people.

The constitutional provisions which have a bearing on the status of women and also on discrimination against women are not being strictly adhered to. This opinion has been backed

by the committee on the status of women in India and several well-known experts who must certainly know what they are talking about. Article 15(3) empowers the state to make special provisions for women and children. Even in violation of the fundamental obligation of non-discrimination among citizens, on the basis of sex. The state had in fact made special laws for women, particularly in the field of labour legislation, like the factories Act, the Mines Act etc. Article 16(1) guarantees 'equality of opportunity for all citizens in matters relating to employment or appointment to any office under the state. Article 16(2) specifically prohibits discrimination in respect of any employment or office under the state 'on the grounds of only religion, race, caste, sex, descent, place of birth, residence or any one of them.

In actual practice a large number of cases of discrimination have been noticed. The Committee on the status of women in India has itself cited one notable case. After spelling out the various constitutional provisions, it said: 'The obligation not to discriminate in matters relating to employment or appointment to any office under the state has thus at least normatively ensured a significant position and status to Indian women. However, the Supreme Court recently dismissed 'in limine' a writ petition of a woman lawyer who challenged her being prevented from employment in the Judge Advocate General's office for a five year short service commission in the law branch. The reasons given by the government for barring women from applying were that they are required to travel by rail, road, river sometimes for long periods of stretch; they will have to be present in Court Martial where Judge, accused and witnesses will be males, and the lady advocates are required to study life of soldiers (all males) in army units for several months'. The Government failed to appreciate the fact that these same grounds would also apply to the nursing and medical corps of the Army where women are employed.

There have also been instances of a few state governments refusing to have in their states women I.A.S. officers, or pleading that women should not be admitted to the I.A.S. We have

also known the furore raised over the right of women to property and one or two state governments pleading that the law or constitutional provision entitling women for the same should be done away with.

According to the Committee on the status of women, "there is a general consensus that the political parties have neglected their task of politically educating and mobilising women adequately. They have also tended to ignore the claims of women in nominating candidates for elections. This criticism was voiced even by successful legislators."

Other studies have revealed that women are considerably influenced by their husbands and family wishes in political matters. While the committee does not agree with this, it however says that inspite of changes it still evident that there is a difference in the level of political information and perception regarding the implication of the right of franchise etc. between men and women, 'both quantitatively'. Such patterns of behaviour will have to be gone into more deeply before any final verdict can be given but there is no gainsaying the fact that the results of the elections during the last decade or so do show that the strength of the women electorate had not at all been adequately reflected in the membership of parliament or the state Assemblies.

There has been a decline in the number of women candidates nominated by political parties over the years. Only a few women have been able to reach the highest level of power and authority in the Government. Since 1952 there have been 15 women ministers in the Union Governments — 6 of them were deputy ministers, seven became ministers of state, one attained cabinet rank and the other became Prime Minister. Thus there have been too few women in position of authority to have any say in decisions affecting women's rights and positions.

The committee on the status of women had this to say while discussing the matter: "An analysis of debates and discussions in legislative bodies indicates the very meagre attention given by those institutions to women's problems. It would appear that the political elite of the country of both sexes had come to

believe that the problem of women had practically been solved with the measures - legal and administrative - adopted in the first few years after independence. The very articulate debate on women's problems that took place in which women members invariably played a major role has not been repeated in the later years."

These are the factors which should be taken into consideration by the women of the country. In some states, while the committee on the Status of Women was collecting data, a demand was put up by some groups of women for a system of reservation of seats for women in legislative bodies in the states and in Parliament so that women could effectively participate in decision-making.

The committee has discussed at length and said this is not feasible. Instead it recommended that the political parties should adopt a definite policy regarding the percentage of women candidates to be sponsored by them for elections to parliament and state Assemblies. While they may initially start with 15 percent, this should be gradually increased so that in time to come representation of women in the legislative bodies has some relationship to their position in the total population of the country or the state.

Reasons for the persistent discrimination against women in the Indian society and barriers to change are both institutional and attitudinal. While institutional changes may be introduced by authoritative agency, (e.g. the government) changing the attitudes is a long and arduous process. It is largely because of the absence of the attitudinal support that the reforms to bring about improvement in the status of women through the introduction of new institutions or through moulding the older ones, have failed to make any definite impact and bring an end to, discrimination against women in India. Discrimination against women is a persistent fact of life in our society. A strong public opinion should be built up against all the forms of discrimination viz., social, cultural, economic, demographic, legislative and political if the women of this country have to live in honour and equality and play a vital role in national development.

BIBLIOGRAPHY

- Aiyar, Sivaswamy P.S., Evolution of Hindu Moral Ideals, Calcutta : University of Calcutta, 1935. PP. 57-59.
- Altakar, A.S., Position of Women in Hindu Civilization, Varanasi : Motilal Banarsidas, 1956. P. 390.
- , Education in Ancient India, Banaras, The Indian Book Shop, 1934.
- Andre, Beteille, The Social Inequality, Delhi, 1976.
- , " Women's Status : Projects and Investigations ", Eves Weekly 29 (No.19), 1975.
- Asthana, Pratima, Women's Movement in India, Delhi : Vikas, 1974, P.175.
- Dantjer, Anna M., Women in Industry, London, W.D. Saunder Co., 1946.
- Baig, Tara Ali (Ed.), Women in India, Delhi, The publication Division, 1959.
- Bailey, F.G., " The Joint Family in India : A Framework For discussion ", Economic Weekly, vol.XII., No.8, P.99-110.
- Bates, F.L., " Position, Role and Status : A Reformulation of concepts ", Social Forces, vol.34, No.4, P. 313-21.
- Beavoir, Simone De, The Second Sex, Penguin, London, 1993.
- Bendix, Rienhard, " Industrialization, Ideologies and Social Structure ", American Sociological Review, vol. XXIV, NO.5, P. 613-23.
- Benston, Margaret, " The Political Economy of Women's Liberation ", in Altbach, E.H.(ed.), From Feminism to Liberation, Cambridge, Mass : Schenkman, 1971. P. 202.
- Billington, Mary Frances, Women in India, London, Chapman and Hall Ltd. 1895.

- Blitz, Dated August 15, 1981. Weekly.
- Booth Meyrick, Women and Society, London, George Allen and Unwin Ltd. 1929.
- Bose Ashish, Studies in Indian Urbanization, 1901-71, 1973. P.142
- Boserup, Ester, Women's Role in Economic Development, New York : St.Martin, 1970.
- Boulding, Elice, Women in the twentieth century world, New York, 1977.
- Buhler, (ed.), Sacred Books of the East, Delhi, Motilal Banarasidass, 1955.
- Bullough, Vern L., History of Prostitution, New Hyde Park, N.Y. : University Books, 1961
- Burgess, W. and Locke, H.J., The Family, New York, American Book Co. 1953.
- Butler, Josephine E., Women's Work and Women's culture, London : Macmillan and Co., 1969.
- Chattopadhyaya, Sudhakar, Social Life in Ancient India, Calcutta : Academic publishers, 1965, PP. 110-111.
- Coale, Ansley J., et. al., Aspects of the Analysis of Family Structure, Princeton New Jersey : Princeton University Press, 1965.
- Cohen, Charlotte, Experiment in Freedom : Women of China ", in Morgan, Sisterhood is Powerful.
- Cornack, M., The Hindu Women, New York, Bureau of Publications, 1953.
- Cousins, M.E., Awakening of Asian Womanhood, Madras : Sames and Co., 1922.
- , Indian Womanhood Today, Allahabad : Kitabistan, 1947.
- Cunnington, C.W., Women, London : Burke, 1950.

- Curle, Richard, Women : An Analytical Study, London : Watts and Co., 1949.
- Dandekar, R.N., The Role of Man in Hinduism in Kenneth W. Morgan, The Religion of Hindus, New York : Ronald Press, 1953. P.140.
- Das, Frieder M. Purdah : the status of Indian Women, New York : Vanguard Press, 1932.
- Das, R.M., Women in Manu and His Seven Commentators, Varanasi, The Tata Printing Works, 1961.
- David and Maco Vera, Marriage : East and West, Garden city, N.Y : Doubleday, 1960, P.263.
- Deckard Barbara, The Women's Movement : Political, Socio-Economic and Psychological Issues, Row Publishers, New York, 1975.
- Desai, I.P., Caste and Joint Family : An Analysis, Sociological Bulletin, vol. IV, No.2, P.97-117.
- , The Joint Family in India : An Analysis, Sociological Bulletin, Vol. V, No.2, P.144-56.
- Desai, Neera, Women in Modern India, Vera and company, Bombay, 1957.
- , * Struggle for Indian Women's Emancipation * , mimeographed, presented at the Indian Sociological Conference held at Chandigarh, 1976.
- De Souza, Alfred (Ed.), Women in contemporary India : Traditional Images and Changing Roles, Delhi : Manohar, 1975.
- Devanandan, P.D. and Thomas M.M., The Changing Pattern of Family in India, Bangalore, Christian Institute for the study of Religion and society, 1960.
- Dodge, Sanford M. and Heer, David M., *The Evaluation of Work by Females 1940 to 1950*, American Journal of Sociology, vol. LXII, NO.1, P.27-29.
- Dube S.C., Indian Village, London, Routledge and Kegan Paul, 1955.

- Dubois J.A., Hindu Manners, Customs and Ceremonies, Oxford: Clarendon Press, 1906, p. 337.
- Eilben, Rose, Hindu Family in an Urban Setting, 1961.
- Floexner, Eleanor, Century of Struggle, New York: Atheneum, 1971.
- Fiele J.Z. and Smock A.C., Women: Roles and Status in Eight countries, New York, 1977.
- Figos, Eva, Patriarchal Attitudes, Greenwich-Conn: Fawcett Publication inc., 1970.
- Firestone S., The Dialectic of Sex, New York :Bantam 1970, p.8.
- Friedan, Betty, The Feminine Mystique, W.W. Norton and company, New York, 1963.
- _____, "'Our Revolution is Unique'", in Mary Lou Thompson (ed.), Voices of the New Feminism, Boston: Beacon, 1970, p.36.
- Gandhi, M.K., Women and Social injustice, Ahmedabad, Nav-jivan Publishing House, 1942
- Genness, Linda, Feminism and Socialism (ed.), Path finder Press, New York, 1972.
- Ghurye, G.S., Caste and Class in India, Bombay: Popular Book Depot, 1950.
- Goldberg, Marilyn, Women in the Soviet Economy, Review of Radical Political Economics 4'' (July 1972).
- Gupta, Son, Women's Education of India, Bombay, Asia Publishing House, 1962.
- Hate, Chandrakala A., Hindu Women and Her Future, Bombay: New Book Co. Ltd., 1948.
- _____, Changing Status of Women in Post Independence India, Bombay, Allied, 1969.
- Heer, David M., "'Dominance and the working wife'", Social Forces, Vol. 36, No.4, p.341-47.

Moltley, Winifred, Women, Bristol, Western Publishing Service Ltd., 1934.

Hornor, I.B., Women under Primitive Buddhism, New York, Dutton, 1930.

Hsu's, F.L.K., "The Myth of Chinese Family Size", American Sociological Review, vol.48, No.6, p.555-62.

Huber, Joan (Ed.), Changing Women in a Changing Society, Chicago : University of Chicago Press, 1973.

Illustrated Weekly of India, "Symposium : Status of Indian Women", Oct. 1, 1961, Vol.LXXXII, p.406-442.

I.L.O., The Employment of women with Family responsibilities, Report V (1) of the 49th session of International Labour Conference, 1965.

—————, Women Workers in a Changing World VI (1), of the 48th session of International Labour Conference, Geneva, 1964.

India, Towards Equality : Report of the Committee on the Status of Women, Government of India, Ministry of Education and Social Welfare, New Delhi, Dec 1974.

Indian Express, dated March 27, 1980. Daily.

—————, dated July 20, 1980. Daily.

—————, dated July 13, 1980. Daily.

Indra, M.A., Status of Women in Ancient India, Varanasi : Oriental Publishers, 1955, p.278.

Jain, Devaki, (ed.), Indian Women, New Delhi; Publication Division, 1975, p.312.

—————, "Indian Women : Some Reflections on a two sector Analysis", Social change, Mar - Jun 1975.

Joyce, T., et.al., Women of All Nation, New York : Metro Publications, 1942.

Kala Rani, Role Conflict in Working Women, New Delhi : Chetan Publications, 1976.

Kamath, M.S., Census of India - An Analysis and Criticism,
Theosophical Publishing House, Madras, 1914.

Kane, P.V., History of Dharma Shastra, Poona, 1930.

Kapadia, K.M., The Hindu Marriage and Divorce Bill :
A critical study, Bombay : Popular Book Depot, 1953.

—————, "Views and Attitudes of University graduates
in the Hindu Community on Marriage and family Relation-
ships", Sociological Bulletin vol. III, NO.1, March, 1954.

Kapur, Promilla, Marriage and the Working Women in India,
Delhi : Vikas Publications, 1970, p.528.

—————, Changing Status of the Working Women in
India, Delhi, Vikas, 1974, p.178.

Kapur, Rama, Role Conflict Among Employed Housewives,
Indian Journal of Industrial Relations, vol.5, No.1,
July 1969, p.39-76.

Karve, Irawati, "Some Aspects of the organization of Caste
Society of Hindus ", in Sovani and Dandekar (eds.),
Changing India, Bombay : Asia Publishing House 1961.

—————, Kinship Organization in India, Asia
Publishing House, Bombay, 1965.

—————, The Indian Women in 1975, The Indian
Institute of Public Administration, New Delhi, 1967.

Kapadia, K.M., Marriage and Family in India, Madras :
Oxford University Press, 1956.

—————, Hindu Kinship, Bombay :
Popular Book Depot, 1947.

Kaur, Amrit, Challenge to Women, Allahabad : New Literature,
1946.

Kaur Rajkumari Amrit and L.M., Women in India, Allahabad :
Swaraj Bhavan, 1935.

Lal, Kanwar, The cult of Desire : An Interpretation of
Erotic Sculpture of India, New Hyde Park, N.Y. :
University Books, 1967.

- Madan, T.N., Status of Hindu Women in Family and Household, (Paper prepared for the Committee on Status of Women in India), 1974.
- Maharani of Baroda and Mitra, S.M., The Position of Women in Indian Life, London : Longman Green and Co., 1911.
- Majumdar, R.C., Raychaudhuri, H.C., Datta K., An Advanced History of India, London, Macmillan, 1953, p.822.
- Majumdar, Vinc., "Whither Women's Movements in India?" India and Foreign Review, Vol.14, NO.3, 1976.
- Mc Lendon, Jonathan C. (ed.), Social Foundations of Education, New York, Macmillan Co., 1966.
- Mehta, Rama, The Western Educated Hindu Women, Bombay, Asia Publishing House, 1970.
- , Divorced Hindu Women, Delhi : Vikas, 1975.
- Meimsath, C.R., Indian Nationalism and Hindu Social Reform, Princeton : New Jersey, 1964.
- Merchant, K.T., Changing Views on Marriage and the Family, Madras : B.G. Paul and Co., 1935.
- Millet, Kate, Sexual Politics, Harv. Davis, London, 1971.
- Mitter, Dwaraknath, The Position of Women in Hindu Law, Calcutta : University of Calcutta, 1913.
- Mitchell, Juliet, "Women : The longest Revolution", reprinted in Edith Altbach (ed.), From Feminism to Liberation, Cambridge, Mass : Schenkman, 1971.
- Morgan, Robin (ed.), Sisterhood is Powerful, New York : Vintage Books, 1970.
- Mukherjee, Ila, Social Status of North Indian Women, Shivalal Aggarwal and Company, Agra 1972.

- Mxydal, Alva, and Klein Voila, Women's Two Roles : Home and Work, London : Routledge and Kegan Paul Ltd., 1956.
- Nadler, Eugene B. and Morrow, William R., Authoritarian Attitudes Towards Women, Their Correlates ", Journal of Social Psychology, vol.49, p.113-23.
- Parsons, Talcott and Bales, R.F., Family and Socialization and Interaction Process, Glencoe, Ill : The Free Press, 1955.
- Patriot, dated 18 July, 1970.
- P.E.P., Women and Top Jobs, London, Methuen and Sons Ltd., 1966.
- Pinicus, Lily, Marriage : Studies in Emotional Conflict and Growth, London : Methuen and Co., 1960.
- "Politics of the Ego : A Manifesto for N.Y. Radical feminists ", in Anne Koedt, Ellen Lovine and Anita Rebone (eds.), Radical Feminism, New York : Quadrangle, 1973, p.379.
- Prabhu P.P. Hindu Social Organization : A Study in Socio-Psychological and Ideological Foundations, Bombay : Popular Book Depot, 1958.
- Rao, M.S.A., " Caste and Joint Family : An Analysis in Kerala ", Sociological Bulletin, vol.IV, NO.2, p.122-29.
- Rao, Shakuntala, Shastri, Women in the Sacred Laws, Bombay : Bharatiya Vidya Bhawan, 1970. p.212.
- Redfield, R., Peasant Society and Culture, 1956.
- Reed, Evelyn, Problems of Women's Liberation, New York: Pathfinder Press, 1969, p.65.
- Ridley, Jeanne claire, "Demographic change and the Roles and Status of Women", in the Annals, Jan.1968, Vol.375.
- Ross, Aileen D., The Hindu Family in its Urban Setting, Oxford University Press, 1961.
- , "Caste and Joint Family : An Approach", Sociological Bulletin, Vol.IV, NO.2, p.85-96.
- "Redstockings Manifesto", in Betty and Theodore Roszak(eds.), Masculine/Feminine, New York : Harper and Row, 1969, p.273.

- Schneerier, Clive, Women and Labour, London :
T. Fisher Unwin Ltd. 1962.
- Sengupta, Padmini, Women Workers of India, Bombay :
Asia Publishing House, 1960.
- Shah, K.T., Women's Role in planned Economy :
National planning committee Report, Government of
India, 1961.
- Sharma, N.A., Women and Society, Padmaja Publications, Baroda,
1947.
- Shastri, Shakuntala Rao, Women in Vedic Age, Bombay :
Bharatiya Vidya Bhawan, 1952.
- Singer, M., When a Great Tradition Modernises, 1972.
- Singh, Y., Modernization of Indian Tradition, 1972.
- Shridevi, S., A century of womanhood, Mysore : Rao and
Raghavan, 1965. p.161.
- Smith, J.H., Managers and Married Women Workers,
The British Journal of Sociology, vol. XII, NO.1,
P.12-22.
- Smuts, Robert W., Women and Work in America, New York :
New York University Press, 1958.
- Srinivas M.N., Marriage and Family in Mysore, Bombay :
New Book Co., 1942
- , Social change in Modern India, Allied
Publishers, Bombay, 1966.
- , Changing Position of Women in India, unpublished
paper.
- Srivastava, Vinita, Employment of Educated Married Women ;
its causes and consequences : with reference to
Chandigarh, Ph.D. Thesis in Sociology, Punjab Univer-
sity, 1972.

The Educated Women in Indian Society Today : A study
carried out by Y.W.C.A. of India, Tata McGraw -
Hill publishing Co. Ltd., Bombay.

Thomas, Geoffrey, Women and Industry, London,
Social Survey Press, 1947.

Thomas, P., Indian Women Through the Ages, New York :
Asia Publishing House, 1964.

—————, Women and Marriage in India, London,
George Allen and Unwin Ltd., 1939.

—————, Kamakalpa or the Hindu Ritual of Love, Bombay :
D.B., Taraporewala, 1959.

Times of India, dated 19 July, 1970, daily.

Van Kleeck, Mary, "Women in Industry" Encyclopaedia of
social sciences.

Venkatappaya, K.N., Feminine Roles, Bombay :
Popular Prakashan, 1966.

Walker, G.B., The Hindu World : An Encyclopaedic survey of
Hinduism, New York : Praeger 1968.

Ward, Barbara (ed.), Women in New Asia, UNESCO. p.78. 1964.

Well, A.S., The Problem of Family, London : Purnell and Sons
Ltd., 1952.

Williams, Gertrude, Women and Work, London ; Nicholson
and Watson, 1945.
