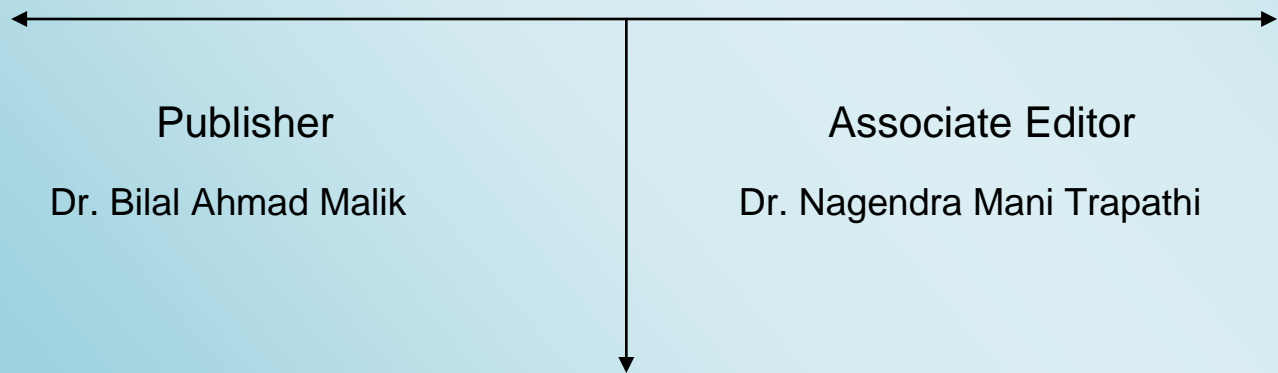


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WOMEN EMPOWERMENT FOR A BETTER INDIA

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Abstract

Women Empowerment is an exercise in improving the social, economic, political and legal strength of the women. There are several challenges that are currently plaguing the issue of women's rights in India. Women want to be treated as equals. The objective of this article is to bring out the status of women in India, discuss the various constitutional & legal safeguards and it outlines the need for processes, mechanisms and measures to empower Indian women.

Keywords: Empowerment, Better, Women, India

INTRODUCTION

Empowerment signifies amelioration in the spiritual, political, social or economic strength of individuals and communities. It helps in decision-making, spurs the growth process, enhances one's positive self-image and overcomes stigma.

Women Empowerment – It is an exercise in improving the social, economic, political and legal strength of the women, so that they become conscious of their rights and develop requisite confidence to exercise them such as¹:

- To live their life with a sense of self-worth, respect and dignity, without any restriction,
- To Exercise complete control of their life, both within and outside of their home and workplace,
- To make their own choices and decisions on financial & economic matters,

¹<http://www.unwomen.org/en/partnerships/businesses-and-foundations/womens-empowerment-principles>

- To enjoy rights to participate in social, religious and public activities without any gender bias,
- To have equal social status in the society,
- To have equal rights for social and economic justice,
- To get equal opportunity for education,
- To get equal employment opportunity at par with men,

There are several challenges that are currently plaguing the issues of women's rights in India. Women want to be treated as equals. The objective of this article is to bring out the status of women in India, discuss the various constitutional & legal safeguards and outlines the need for processes, mechanisms and measures to empower Indian women.

WHY WOMEN EMPOWERMENT IS IMPORTANT?

- (I) **Under-employed and unemployed:** Although women account for about 50% of the world population, the percentage of their employment is on the lower side. As a result of this discrimination in their employment at the work place, the world economy suffers.
- (II) **Equally competent and intelligent:** Women are no less competent than men. They are ahead of men in many social and economic spheres. Sadly enough, only 27% of adult women in India reach secondary level of education, in contrast to 56.6% of their male counterparts.
- (III) **Equally talented:** God has gifted women with talent comparable to men. For a long time women were deprived of the benefits which men enjoyed. It was a waste of their talent. It is a good sign that there is a change in this outlook and now they go for higher studies. It enables them to prove their talent, which not only benefits them individually, but it also helps the society at large.
- (IV) **Social benefits:** The important gain from the Women Empowerment is that society will benefit from this. The money earned by women does not only benefit them and their family, but it also helps in developing the society in as a whole.
- (V) **Economic benefits:** Not only the individuals but the society also gain economically as a result of women empowerment. Gone are the days when the women were confined to home doing household work only. Nowadays, they step outside to earn money like their male counterparts. Women empowerment enables women to stand on their own feet, to enjoy independence and to supplement the family income. This boosts country's economy.
- (VI) **Reduction in domestic violence:** Women Empowerment, since it implies liberal education, reduces the incidence of domestic violence which normally uneducated women have to bear.
- (VII) **Reduction in corruption:** Women empowerment, by virtue of imparting education to the women, help them to know their rights and duties and hence can reduce corruption.
- (VIII) **Reduction in poverty:** In many families, the money earned by the male member is not sufficient to sustain the family. The supplementary income of women helps the family to sustain.



- (IX) **National development:** There is increasing participation by the women in the national development process. The nation is proud of their prodigious performances in many spheres like medical science, social service, engineering, fine arts and performing arts.
- (X) **Irreplaceable in some sectors:** Women are considered irreplaceable for certain jobs like nurses, receptionist, air hostesses, teachers for kids etc.

STATUS OF WOMEN IN INDIA

- In the earlier days the women in India were relegated to inferior status vis-à-vis men, although they were accorded a higher status in scriptures. With their docility and humility they were considered fit to take care of home only. They remain completely devoted to their families. Hugh praises were showered on them by treating them at par with Goddess Saraswati, Durga, Parvati & Kali. But this did not contribute to change in the state of affairs. Taboos of the following nature overshadow them even in the modern India:
 - People find it hard to reconcile with a situation where women enjoy right of liberty & equality.
 - Women were cursed and humiliated when they give birth to girls.
 - There were restrictions in allowing women to cross the precincts of the house either for education or a job.
 - They were expected to take their meals after their husbands have finished or even sometimes they have to eat what has been left over by their husband.
 - Women were not permitted to participate in external as well as domestic matters. The parents controlled their pre-marriage days and their husbands took all decisions about them after marriage. However, their status varied a lot depending on the period in which they were living as illustrated below:

WOMEN'S STATUS IN THE ANCIENT INDIA

- During the ancient India, women enjoyed equivalent status & rights like their males counterparts. In the early vedic period they received education also. These are borne out from the works of Grammarians such as Katyayana and Patanjali. The system of 'Swayamvar' (practice of choosing a husband from among suitors by a girl of marriageable age) implied that they had freedom to select their husband. There are reasons to believe that during this period the women had superior position compared to males.

WOMEN'S STATUS IN MEDIEVAL INDIA

- There was deterioration in the status of women in India during the medieval period. It was beset with several evils such as female infanticide, sati and child marriage. 'Purdah' system was prevalent in the society. Women were also forced to practice 'zenana' (segregating female members of a family in inner apartments). Another stigma common during this period was 'Polygamy'. Despite these limitations, the women performed well in literature, music and arts. This period also saw during that period, ruler such as Razia Sultana, who was the only women-monarch to rule the throne of Delhi. Noor Jehan, Gond queen Durgavati who ruled for fifteen years before she was defeated in a battle by emperor Akbar, also ruled during that period. Historians still consider Noor Jehan as the most effective women ruler. Notwithstanding these powerful women, the condition of poor women did not change. Girls were forced into early marriage. The inhuman 'Sati' was practiced, in which women were forced to immolate in the funeral pyre of their husband. The shameful Devdasi tradition was in vogue in southern India where girls were forced get married to tree or deity.

WOMEN'S STATUS IN MODERN INDIA

- During this time, there was some improvement in lot of women. This period witnessed some women reformers in India dedicated to uplift & betterment of their female counterparts. The Begum of Bhopal did away with the 'purdah' & fought in the revolt of 1857. The standard of education was elevated and English was introduced during this period. The society witnessed various female writers.
- In the modern India, women were given freedom of expression, right to equality as well as well as right to education. Women held many prestigious positions. They're accorded the 'ladies first' facility in different fields. However, social stigmas such as dowry, domestic violence, sex selective abortion, female infanticide still plague the society. Preventive measures need to be taken to ensure that women are empowered in India.

CURRENT STATUS OF WOMEN'S EMPOWERMENT IN INDIA

The following figures are based on the last survey conducted by the National Family Health Survey (NFHS-3)² 2005-06. Another survey has been conducted in 2014-15. Its outcome is still awaited:

²NFHS-3 - National Family Health Survey retrieved from <http://rchiips.org/nfhs/nfhs3.shtml>

EMPLOYMENT AND FINANCIAL INDEPENDENCE

- Employment – while 99% of the married men were employed only 40% of married women found employment.
- Remuneration – One quarter of the employed women did not get paid for their work. 12% were paid in kind.
- Financial Independence – Above 80% of married women receiving cash payment decide either alone or in consultation with their husbands as to how their earnings will be spent. One in six have no voice in this matter.
- Decision making – The following domestic matters are significant as regards decision making:-
 - (i) Healthcare
 - (ii) Large household purchases
 - (iii) Household purchases for daily needs
 - (iv) Visiting their own family or relatives.

Only 37% of the married women make their presence felt in the above matters. The lucky ones include the following categories of married women:-

- Those in nuclear households.
- Those employed for cash
- Women in urban areas
- Those with 10 years of education
- Christians
- Those belonging to 30-49 years age group.

Such blessed women, participating in decision making, mostly belong to the North-East states (except Tripura), Delhi, Tamilnadu, Kerala and Goa.

- **Freedom of Movement**-As regards freedom of movement for married women, the situation leaves much to be desired:

S. No.	Purpose	Women enjoying the facility
1.	To visit market, health centre or places outside their community	One third
2.	Freedom to travel outside their own village or community	38%
3.	To go to market alone	51%



The following categories of women account for greater number in the above concessions:

- Urban women
- Older women
- Women in nuclear households

Gender role attitudes

It is a distressing matter that 54% of women in India acquiesce in beating of wife by husband in certain cases like showing disrespect to her in-laws (41%), neglecting the household or children (35%). This is in sharp contrast to the attitude of men of whom 51% only justify wife beating under certain circumstances, including 37 % on the ground of disrespect for her in-laws. Over 75% of women justify themselves in refusing to have sex with her husband known to have contracted sexually transmitted disease or having extra marital relation, or if she herself is tired or not in the mood. Such a stand by wife is upheld by a larger proportion of men.

HOW CAN WOMEN BE EMPOWERED?

Important Constitutional and Legal Provisions³

The Constitution of India embodies the principle of gender equality in its preamble and under the Articles on Rights, Fundamental Duties and Directive Principles of the State Policy. The Constitution not only confers equality to women, but it also enjoins the State to initiate positive measures in favour of women within the framework of a democratic government. Our laws, development plans, programmes and policies have envisaged place of pride for women in social & economic fields.

India has also ratified various international conventions and human right instruments committing to secure equal rights for women. Key among them is the ratification of the Convention on Elimination of All Forms of Discrimination Against Women (CEDAW) in 1993.

1. CONSTITUTIONAL PROVISIONS

Conscious of the need for social security and upliftment of the women, the Constitution of India not only grants equality to women but also empowers the State to adopt measures of positive discrimination in favour of women with the objective of neutralizing the cumulative socio economic, education and political disadvantages faced by them.

Fundamental Rights, inter alia ensure equality before the law and equal protection of law; prohibit discrimination against any citizen on grounds of religion, race, caste, sex or place of birth, and guarantee equality of opportunity

³Women Empowerment in India - Rights, Laws, Policies retrieved from www.indiacelebrating.com/social-issues/women-empowerment/

to all citizens in matters relating to employment. The following Articles of the Constitution are of specific importance in this regard:

Constitutional Privileges

S. No.	Description	Article
I	Equality before law for women	Article 14
II	The State not to discriminate against any citizen on grounds only of religion, race, caste, sex , place of birth or any of them	Article 15 (i)
III	The State to make any special provision in favour of women and children	Article 15 (3)
IV	Equality of opportunity for all citizens in matters relating to employment or appointment to any office under the State	Article 16
V	The State to direct its policy towards securing for men and women equally the right to an adequate means of livelihood (Article 39(a)); and equal pay for equal work for both men and women	Article 39(d)
VI	To promote justice, on a basis of equal opportunity and to provide free legal aid by suitable legislation or scheme or in any other way to ensure that opportunities for securing justice are not denied to any citizen by reason of economic or other disabilities	Article 39 A
VII	The State to make provision for securing just and humane conditions of work and for maternity relief	Article 42
VIII	The State to promote with special care the educational and economic interests of the weaker sections of the people and to protect them from social injustice and all forms of exploitation	Article 46
IX	The State to raise the level of nutrition and the standard of living of its people	Article 47
X	To promote harmony and the spirit of common brotherhood amongst all the people of India and to renounce practices derogatory to the dignity of women	Article 51(A) (e)
XI	Not less than one-third (including the number of seats reserved for women belonging to the Scheduled Castes and the Scheduled Tribes) of the total number of seats to be filled by direct election in every Panchayat to be reserved for women and such seats to be allotted by	Article 243 D(3)

	rotation to different constituencies in a Panchayat	
XII	Not less than one- third of the total number of offices of Chairpersons in the Panchayats at each level to be reserved for women	Article 243 D (4)
XIII	Not less than one-third (including the number of seats reserved for women belonging to the Scheduled Castes and the Scheduled Tribes) of the total number of seats to be filled by direct election in every Municipality to be reserved for women and such seats to be allotted by rotation to different constituencies in a Municipality	Article 243 T (3)
XIV	Reservation of offices of Chairpersons in Municipalities for the Scheduled Castes, the Scheduled Tribes and women in such manner as the legislature of a State may by law provide	Article 243 T (4)

2. Legal Provisions

To uphold the constitutional mandate, the state has enacted various legislative measures with the following objectives:

- Ensuring equal rights to women
- Redressing all forms of discriminatory imbalances
- Countering atrocities & cruelty inflicted on women such as honour killings, physical aggression, sexual coercion and psychological abuse.
- Providing support services (hostel, crèche) to working women.

crime against women

These are perpetrated by individuals as well as by the State (police). Although women may be victims of any of the crimes such as 'Murder', 'Robbery', 'Cheating' etc, the crimes which are directed specifically against women, such as rape, dowry death, outraging modesty, domestic violence etc. are characterized as 'Crime against Women'. These are broadly classified under two categories.

2.1 The Crimes identified under the Indian penal Code (IPC) come under this category. **Women specific legislations** deal with them:

- (i) Rape (Sec. 376 IPC)
- (ii) Kidnapping & Abduction for different purposes (Sec. 363-373)

- (iii) Homicide for Dowry, Dowry Deaths or their attempts (Sec. 302/304-B IPC)
- (iv) Torture, both mental and physical (Sec. 498-A IPC)
- (v) Molestation (Sec. 354 IPC)
- (vi) Sexual Harassment (Sec. 509 IPC)
- (vii) Importation of girls (up to 21 years of age)

2.2 Crimes identified under special laws come under this category:

Although all laws are not gender specific, the provisions of law affecting women significantly have been reviewed periodically and amendments carried out to keep pace with the emerging requirements. **Women related legislations** having special provisions to safeguard women and their interests are:

- (i) The Employees State Insurance Act, 1948
- (ii) The Plantation Labour Act, 1951
- (iii) The Family Courts Act, 1954
- (iv) The Special Marriage Act, 1954
- (v) The Hindu Marriage Act, 1955
- (vi) The Hindu Succession Act, 1956 with amendment in 2005
- (vii) Immoral Traffic (Prevention) Act, 1956
- (viii) The Maternity Benefit Act, 1961 (Amended in 1995)
- (ix) Dowry Prohibition Act, 1961
- (x) The Medical Termination of Pregnancy Act, 1971
- (xi) The Contract Labour (Regulation and Abolition) Act, 1976
- (xii) The Equal Remuneration Act, 1976
- (xiii) The Prohibition of Child Marriage Act, 2006
- (xiv) The Criminal Law (Amendment) Act, 1983
- (xv) The Factories (Amendment) Act, 1986
- (xvi) Indecent Representation of Women (Prohibition) Act, 1986
- (xvii) Commission of Sati (Prevention) Act, 1987
- (xviii) The Protection of Women from Domestic Violence Act, 2005

3. SPECIAL INITIATIVES FOR WOMEN

3.1 National Commission for Women (NCW)

It is a statutory body at the National level set up in 1992 with the mandate of protecting and promoting the interest of women. Its mandate include:

- To review the constitutional & legal safeguards for women and recommend remedial legislative measures.



- To receive complaints relating to domestic violence, harassment, dowry, torture, deprivation, gender discrimination etc.
- To ensure that police investigations are expedited and monitored.
- To resolve or compromise family disputes by counseling.

3.2 Reservation for Women in Local Self -Government

The 73rd Constitutional Amendment Acts passed in 1992 by the Parliament ensure one-third of the total seats for women in all elected offices in local bodies whether in rural areas or urban areas.

3.3 The National Plan of Action for the Girl Child (1991-2000)

This National plan of Action is to ensure survival, protection and development of the girl child with the ultimate objective of building up a better future for the girl child.

3.4 National Policy for the Empowerment of Women, 2001

The Department of Women & Child Development in the Ministry of Human Resource Development prepared a “**National Policy for the Empowerment of Women**” in the year 2001. The goal of this policy is to bring about the advancement, development and empowerment of women.

A major breakthrough in women empowerment will be discernible only by focusing on workable goals like education, skill development, basic & comprehensive obstetric care services and awareness about gender equality. Apart from legal provisions and government’s programmes and policies, the efforts are needed from private sector, NGOs, men, families, communities and from responsible citizens of the country. Women must be provided equal opportunities of education, health, nutrition and decision making without any discrimination at all the stages of their life time. India can become a truly developed nation when women, who constitute half of the population, become equally empowered.

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