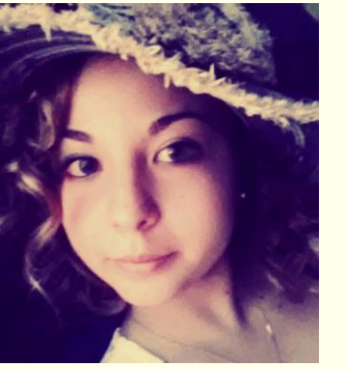


# India: How have society and the government contributed to women empowerment?



## Research Objectives

- ❖ Evaluating the relationship between women's socio-economic condition and the development of society;
- ❖ Investigating the impact of societal and governmental interventions on women empowerment in the last two decades (2000-2019) in India;
- ❖ Seeking potential evidence of the mutual influence and cooperation between society and the government on women empowerment.

The question arises here of how in some countries discriminatory laws get abrogated through proving that they are unjust and inhuman with respect to women, but in many countries whose laws are based on Islamic law, it takes a long time to achieve even a tiny amendment of discriminatory laws <sup>(1)</sup>.

The principle of gender equality is enshrined in the Indian Constitution. The Constitution not only grants equality to women, but also empowers the state to adopt measures of positive discrimination in favour of women <sup>(2)</sup>.

## Exhibits

**Hindu laws of inheritance:** In the case of Hindus, the property of a woman who dies without a will is handled differently from that of a man. In the absence of spouse and children, the husband's heirs inherit the woman's estate. Even if the deceased woman was ill-treated in her marital home, her husband's mother or father will get her property instead of her own mother or father.

**Parsi laws of inheritance:** Despite shrinking numbers, Parsis still penalise those who marry outside their community - and it's allowed. A non-Parsi woman who is either a wife or widow of a Parsi cannot inherit. Their children still can, although those born to a Parsi woman married to a non-Parsi man are not considered part of the community.

**Prohibition of Child Marriage Act:** The marriage of a 1-year-old or 10-year-old is valid. The law only prevents the marriages of children; it does not render them illegal once they actually happen. The married children, however, have the right to declare it void. A woman can call off a marriage until she turns 20, whereas a man has till age 23.

**Age of consent:** Sexual intercourse with a girl below the age of 18 is considered rape. But since child marriages are not illegal, a man can legally have sex with his wife even if she is a minor, as long as she is above the age of 15. Further, marital rape is not criminalised in India.

**Rape of a separated wife:** The rape of a separated wife carries lesser punishment than the rape of any other woman.

**Marriageable age:** The minimum age for marriage for a boy is 21, but 18 for a girl. This is a legal extension of the patriarchal mindset that believes that a wife should always be younger than the man.

**Hindu Minority and Guardianship Act:** Women are still not equal guardians of their children. A father is considered the "natural guardian" of a child, although the custody of offspring under the age of 5 will ordinarily be awarded to the mother.

**The Goa Law on polygamy:** A law recognises the second marriage of a "Gentile Hindu" man of Goa if his previous wife does not have any children before age 25 or if she does not have a male child by 30. The new BJP government has promised a uniform civil law applicable to all Indians, irrespective of religion. But it also holds up Goan Civil Code as the model to be enforced all over the country. This polygamy provision hardly makes it upstanding.

**No right to marital property:** Upon separation or divorce, an Indian woman is the entitled only to maintenance from her husband. She has no right on the assets, such as house or commercial property, bought in her husband's name during the marriage. Indian government policies do not consider the work done at home by a woman as having an economic value <sup>(3)</sup>.

"But I thought you were worried you would lose your identity if you were just a housewife".  
[Banu]: "So what? If I want my identity, then why get married in the first place? If I want my own identity, then there's no need to be married. A woman needs to give herself to her family and not be obsessed with her identity. We ape the West. People read the papers and they're full of women's equality. But what is equality? Is equality just about making the same amount of money as in the West?" <sup>(4)</sup>

'Daughters are not ours, they belong to other people' (old saying in Western India) <sup>(5)</sup>.

Girls are socialised to be mothers, wives and workers under others' authority <sup>(5)</sup>.

## Why

Although feminist movements and development agencies are increasingly concerned about women empowerment, the issue is largely uncovered by academic literature. This research sheds a light on the dynamics of gender relations in India - the influence of the culture, and the link between interventions from society and the government. This study derives from the wish to explore the reality of women empowerment, an issue constantly changing with the development of society, but which struggles more than others to receive the deserved attention and most importantly, support.

## How

Firstly, I conducted an extensive literature review. I then researched documentary sources, traditions or legislations concerning women's reality in India - some of which are presented in the 'Exhibits'. These resources, together with the literature review and study of Indian context (quantitative data), helped me to draw links and find correlations.

## Themes and Discussion

### Gender Equality and Indian Society

Several factors play a role within the gender equality debate: location, religion, culture, traditions, society, level of overall development, type of government.

The most relevant aspect within Indian reality for women is their supposed, or expected, lack of independence throughout their life <sup>(6)</sup>. "Women's place in the home" still dictates their position in society; confining public space and work outside the home to a secondary role. The patriarchal structure is still reflected in male-favouring legislation, and the environment exerts a strong resistance to challenging this historical system <sup>(1)</sup>.

In the labour market, women are seen as having a "secondary status" <sup>(6)</sup>, which can be read as a manifestation of the Eastern feeling (culturally derived) of men being superior to women. Furthermore, career advancement for women is more challenging compared to men, because of their stronger commitment to family responsibilities <sup>(7)</sup>. In India, career choices are heavily affected by family's expectations related to status in society, values, and religion <sup>(8)</sup>.

Besides, corruption (bribery and nepotism) contributes to preventing the implementation of existing policies to protect women's rights and improve gender equality <sup>(9)</sup>.

Misogyny is the manifestation of a wide gender difference, be it addressed as gender inequality, patriarchal viewpoints, or cultural traditions.

### Education

Education is suggested as a potential leveller, in that comprehension derives from an awareness of one's position in society and of his/her rights <sup>(10)</sup>. Interestingly, it was observed how mass media do sometimes compensate for the absence of education.

Education in India has historically been elitist <sup>(11)</sup>. Broadly speaking, the majority of Dalit male Indians do not perceive the need to seek an education, since they cannot change their caste position in any case. They aim to obtain a corporate or government job and to achieve this, being educated is not strictly necessary <sup>(12)</sup>. Education is not attractive to the young also due to potential salary differences compared to an MBA degree <sup>(13)</sup>.

Nevertheless, Barefoot College is an interesting instance of women empowerment occurring without education, relying solely on women's extraordinary intelligence, talent and skills, and their wish to help the community. This contradicts Western beliefs that certified education is the only way to progress in society <sup>(14)</sup>.

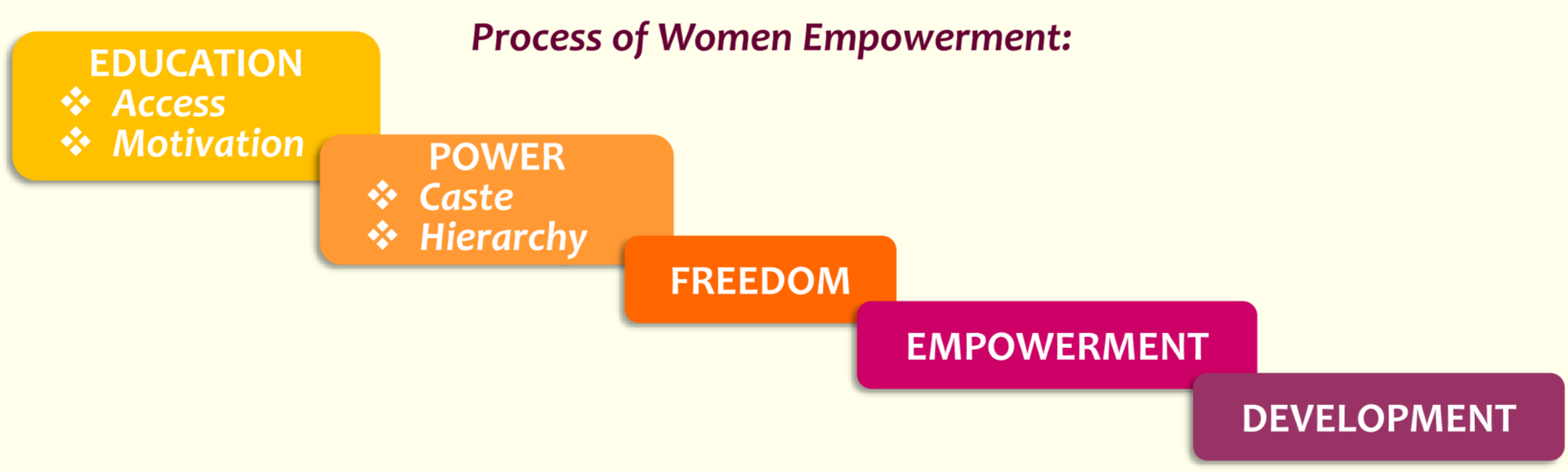
### Development and Empowerment

Gender equality and women empowerment are argued to be two important aspects that help assess development <sup>(10)</sup>. Demographics also contribute to assessing the development of a country, as improved demographic outcomes derive from a higher level of women empowerment. In 2004, the average Indian woman was found disempowered both in absolute and compared to men and it was proved that women empowerment over time has not significantly occurred <sup>(15)</sup>.

Power, for Indian women, is informed by caste and hierarchy <sup>(16)</sup>. In general, some degree of choice is required for an individual to speak or act differently, and having more choice compared to the past indicates empowerment <sup>(17)</sup>.

Microfinance is a key enabler of women empowerment <sup>(18)</sup>. However, access to microfinance does not automatically entail women's capacity to challenge power systems in place at home and societal level <sup>(19)</sup>.

In conclusion, empowerment can be identified in any improvement against the limiting factors debated above - which confine women to a much smaller sphere of action and independence than men.



## Conclusions

**#1 Positive correlation between women empowerment and development of society.** Better demographic outcomes demonstrated a positive correlation between a higher level of women empowerment, and a greater degree of social development.

**#2 Efficacy of interventions.** Many interventions succeeded in improving women's reality; nevertheless, resistance set by Indian culture creates a limiting environment which prevents from advancing at a faster pace. There is still a wide gap between the conditions wished for women within the community, and the results achieved.

**#3 Link between society and government.** Social interventions compensate for governmental shortcomings, or the government acts upon societal pressure by implementing policies to improve women's socio-economic condition. However, the US exert a controlling influence over India, subtly directing it towards Americans' desired structure <sup>(20)</sup>.



Feminist movement in India <sup>(21)</sup>.

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