



Status of Women

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ABSTRACT

A prominent scholar, depicting the picture of Women in India, today, has maintained: There is no doubt that we are in the midst of a great revolution in the history of women. The evidence is everywhere; the voice of women is increasingly heard in Parliament, courts and in the streets. While women in the West had to fight for over a century to get some of their basic rights, like the right to vote, the Constitution of India gave women equal rights with men from the beginning. Unfortunately, women in this country are mostly unaware of their rights because of illiteracy and the oppressive tradition. Names like Kalpana Chawla: The Indian born, who fought her way up into NASA and was the first women in space, and Indira Gandhi: The Iron Woman of India was the Prime Minister of the Nation, Beauty Queens like Aishwarya Rai and Susmita Sen, and Mother Teresa are not representative of the condition of Indian women.

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Introduction

The role of women has evolved drastically since their hesitant advent into the corporate world through "soft" jobs, more in keeping with their roles at home - stereotypes like "caring" jobs such as labour welfare, cosmetic jobs like Public Relations and Receptionists, creative jobs like advertising and subordinate/subservient jobs like secretarial/clerical jobs.

The rising number of women in the workforce may seem to indicate that they have finally attained a high degree of empowerment. But the ground reality is that every third woman in Mumbai and Delhi feels unsafe, eve-teasing [a euphemism for sexual harassment] tops Kolkata's problems, and sexual and financial discrimination is common in Chennai. While 97 per cent of women surveyed in Kolkata said they had to deal with sexual harassment, Hyderabad emerged as the only exception, with the city's women saying they enjoyed a high level of security, both on the roads and at work.

These are some of the findings of a study conducted by FICCI Ladies Organisation (FLO), comparing situations faced by working women in the five metros of Delhi, Mumbai, Hyderabad, Kolkata and Chennai. The survey's findings also raise the uncomfortable question: if this is how things are in the so-called enlightened metros, just how bad is the situation in rural areas?

More than 30 per cent women in Delhi feel the city is unsafe for them. Two out of every five women rate the public security system as inefficient. Eve-teasing in the city tops the fear list of a working woman. Landlords harass women and staying alone is considered risky.

Constitutional Rights

The Constitution of India guarantees equality of sexes and in fact grants special favours to women. These can be found in three articles of the Constitution. Article 14 says that the government shall not deny to any person equality before law or the equal protection of the laws. Article 15 declares that government shall not discriminate against any citizen on the

ground of sex. Article 15 (3) makes a special provision enabling the State to make affirmative discriminations in favour of women. Moreover, the government can pass special laws in favour of women. Article 16 guarantees that no citizen shall be discriminated against in matters of public employment on the grounds of sex. Article 42 directs the State to make provision for ensuring just and humane conditions of work and maternity relief. Above all, the Constitution imposes a fundamental duty on every citizen through Articles 15 (A) (e) to renounce the practices derogatory to the dignity of women. All these are fundamental rights. Therefore, a woman can go to the court if one is subjected to any discrimination.

Before modern Hindu laws were passed, child marriages were the norms, inter-caste marriages were banned, the girl became a part of the husband's family, and polygamy was common. In the 19th century, the British rulers passed several laws to protect customs and traditions while abolishing detestable practices like Sati. Some such revolutionary laws were Hindu Widows Remarriage Act 1865 and the Brahmo Samaj Marriage Act 1872, the forerunner of the present Special Marriage Act. In the beginning, the Act sets four essential conditions for a valid Hindu marriage. They are: 1. Monogamy 2. Sound mind 3. Marriageable age 4. The parties should not be too closely related.

Polygamy was permitted among Hindus before the Act was passed in 1955. However, after the act was passed, any man marrying again while his wife is living will be punished with fine and imprisonment up to "seven years. Formerly, child marriages were common. The Child Marriage Act of 1929 was not very effective as such marriages were continued to be performed. Now, however, the bridegroom must be 21 years old and the bride 18 years. However, there is a separate Muslim Code of Conduct, which allows polygamy of up to four wives as per Islamic laws.

A marriage may be invalid without the boy or the girl realising it at the time of the wedding. A civil marriage would be

void if four essential conditions are not complied with. These conditions are listed in the Special Marriage Act (Section 4), as enumerated below:

- If it is bigamy.
- If either party was suffering from mental disorder.
- If the boy has not completed 21 years and the girl 18 years.
- The boy and the girl are too closely related, or in legal language, are "within degrees of prohibited relationship" unless custom governing at least one party permits the marriage between them. Prohibited relationships are listed in the Special Marriage Act.
- A fifth reason for invalidating a marriage is impotence of either party.

There are some grounds available to the wife only, both in Hindu and civil marriages. One such ground available exclusively to the wife is her husband's commission of rape, sodomy or bestiality. Under the Hindu Adoptions and Maintenance Act 1956, a Hindu wife is entitled to be maintained by her husband. Section 125 of the Criminal Procedure Code also deals with maintenance of wife and children. If there is a decree of maintenance against the husband and the couple have been living apart for over one year, it would be a ground for the wife to seek dissolution of marriage. Here again the Muslim Personal Law has a different set of conditions for the annulment of an Islamic marriage.

The Dowry Prohibition Act of 1961 says that any person who gives, takes, or abets the giving or taking of dowry shall be punished with imprisonment, which may extend to six months or with fine up to Rs. 5,000 or with both. Dowry that started off as a practice to give away presents to the departing daughter, usually some resources to begin her new married life, slowly assumed extraordinary proportions and turned into a social evil.

Brides were expected to bring the "gifts" regardless of their personal willingness. The bride's family could no longer have an individual say; lists were prepared and sent to the girl's house before the final agreement between the two families. The condition being that the boy would marry the girl only if the demands were met. Such a custom is being practiced not only in India but also in other countries like Bangladesh and Nepal. The reason behind this custom is the poor economical condition of the people along with a lack of education; unawareness of legal rights among women and a general bias against the women.

Crimes like rape, kidnapping, eve teasing and indecent exposure can be grouped as crimes against women. Rape is the worst crime against women after murder and the maximum punishment under the Indian Penal Code (IPC) is life imprisonment. An abortion or miscarriage due to natural causes is not an offence. Therefore, the law does not deal with it. However, violent and forceful abortion is a crime. Sections 312 and 316 of the Indian Penal Code deal with, abortion as crime. Section 313 deals with abortion without the consent of the woman. The punishment could even be life imprisonment.

The Hindu Succession Act gives male and female heirs almost equal right to inheritance. Section 14 says that any property possessed by a female Hindu shall be held by her as full owner and not as a limited owner.

National Commission for Women

The National Commission for Women (NCW) is a statutory body for women established in 1992 by Government of India under the provisions of the Indian Constitution, as defined in the 1990 National Commission for Women Act. The present head

of the Commission is Ms. Yasmin Abrar who succeeded Ms. Girija Vyas.

Activities

The objective of the NCW is to represent the rights of women in India and to provide a voice for their issues and concerns. The subjects of their campaigns have included dowry, politics, religion, equal representation for women in jobs, and the exploitation of women for labour. They have also discussed police abuses against women. The commission regularly publishes a monthly newsletter, *Rashtra Mahila* in both Hindi and English.

Positions

In December 2006 and January 2007, the NCW found itself at the centre of a minor controversy over its insistence that the law not be changed to make adulterous wives equally prosecutable by their husbands. But the grounds on which Ms. Vyas resists the logic of making this a criminal offence — particularly for women, as often recommended — are not as encouraging. She is averse to holding the adulterous woman equally culpable as the adulterous man because women, she believes, are never offenders. They are always the victims.

The NCW has demanded that women should not be punished for adultery, as a woman is "the victim and not an offender" in such cases. They have also advocated for the amendment of Section 198 of CrPC to allow women to file complaints against unfaithful husbands and prosecute them for their promiscuous behaviours. This was in response to loopholes in the Indian Penal code that allowed men to file adultery charges against other men who have engaged in illicit relations but does not allow women to file charges against their husbands. The Commission has also worked to guarantee women security in unconventional relationships.

The NCW came under sharp criticism for their response to the an attack by forty right-wing Sri Ram Sena Hindu men on eight women in a bar in Mangalore in late January 2009. Video from the attack shows the women were punched, pulled by their hair, and thrown out of the pub for acting immorally.

NCW member Smt Nirmala Venkatesh was sent to assess the situation, and said in an interview that the pub did not have adequate security and that the women should have protected themselves. Venkatesh said, "If the girls feel they were not doing anything wrong why are they afraid to come forward and give a statement?" On 6 February, the NCW said they decided not to accept Venkatesh's report but would not be sending a new team to Mangalore. On 27 February, The Prime Minister's Office approved the removal of Nirmala Venkatesh on disciplinary grounds.

Women Literacy

According to last census held in 2004, the percentage of female literacy in the country is 54.16 per cent. The literacy rate in the country has increased from 18.33 per cent in 1951 to 65.38 per cent as per 2001 census. The female literacy rate has also increased from 8.86 per cent in 1951 to 54.16 per cent. It is noticed that the female literacy rate during the period 1991-2001 increased by 14.87 per cent whereas male literacy rate rose by 11.72 percent. Hence the female literacy rate actually increased by 3.15 per cent more compared to male literacy rate.

Contribution of Literacy Campaigns to Female Literacy

The provision of educational opportunities for women has been an important part of the national endeavour in the field of education since India's Independence. Though these endeavours did yield significant results, gender disparity persists with

uncompromising tenacity, more so in the rural areas and among the disadvantaged communities. This is not only a matter of national anxiety and concern but also a matter of national conscience. It is with this concern that the Government of India launched the National Literacy Mission in 1988 for eradication of adult illiteracy. Since women account for an overwhelming percentage of the total number of illiterates, the National Literacy Mission is for all practical purposes a Mission of imparting functional literacy to women. Total literacy campaigns launched since 1988 under the aegis of the National emphasis on making efforts to: Create an environment where women demand knowledge and information, empowering themselves to change their lives; Inculcate in women the confidence that change is possible, if women work collectively; Spread the message that education of women is a pre-condition for fighting against their oppression; Highlight the plight of the girl child and stress the need for Universalisation of elementary education as a way of addressing the issue.

Census of India 2011: Rise of Literacy

India's effective literacy rate has recorded a 9.2 per cent rise to reach 74.04 per cent, according to provisional data of the 2011 census. Effective literacy rate in the 2001 census was 64.83, which improved to 74.04, said. Registrar General of India and Census Commissioner C. Chandramauli. Interestingly, literacy rate improved sharply among females as compared to males. While the effective literacy rate for males rose from 75.26 to 82.14 per cent marking a rise of 6.9 per cent, it increased by 11.8 per cent for females to go from 53.67 to 65.46 per cent.

Literacy rate has gone up from 64.83 per cent in 2001 to 74.04 per cent in 2011, showing an increase of 9.21 percentage points, as per provisional population figures. The overall percentage growth in literacy rate 2001-2011 is 38.82, while for males it is 31.98 per cent and for females is 49.10 per cent. A significant milestone reached in Census 2011 is that a decline of 31,196,847 among illiterates is noted. Out of total decrease in number of illiterates, the female 17,122,197 outnumber males 14,074,650.

Ten States and Union Territories, namely, Kerala, Lakshadweep, Mizoram, Tripura, Goa, Daman & Diu, Puducherry, Chandigarh, NCT of Delhi and Andaman & Nicobar Islands have achieved literacy rate of above 85 per cent, the target set by the Planning Commission to be achieved by 2011-2012.

The gap of 21.59 percentage points recorded between male and female literacy rates in 2001 Census has reduced to 16.68 percentage points in 2011. Planning Commission has set up target pi reducing this gap to 10 percentage points by the year 2011-2012.

The States/Union Territories which have achieved male-female gap in literacy rate of 10 percentage points or less are Chandigarh, Nagaland, Mizoram, Tripura, Meghalaya, Lakshadweep, Kerala and Andaman & Nicobar Islands. Kerala topped the list in literacy rates With 93.91 per cent age, followed by Lakshadweep with 92.28 per cent. Bihar fared the worst in this respect with 63.82 per cent literacy rate, followed by Arunachal Pradesh with 66.95 per cent.

District-wise, Serchhip and Aizwal districts of Mizoram topped the list with literacy rates of 98.76 per cent and 98.50 per cent respectively. Alirajpur (Madhya Pradesh) and Bijapur (Chhattisgarh) are placed the lowest with literacy rates of 37.22 per cent and 41.58 per cent respectively.

State-wise Percentage of Female Literacy in The Country as Per 2001 Census

Sl.No	Name of the State	Percentage of Female Literacy
1	Andhra Pradesh	51.17
2	Arunachal Pradesh	44.24
3	Assam	56.03
4	Bihar	33.57
5	Chhattisgarh	52.40
6	Delhi	75.00
7	Goa	75.51
8	Gujarat	58.60
9	Haryana	56.31
10	Himachal Pradesh	68.08
11	Jammu & Kashmir	41.82
12	Jharkhand	39.38
13	Karnataka	57.45
14	Kerala	87.86
15	Madhya Pradesh	50.28
16	Maharashtra	67.51
17	Manipur	59.70
18	Meghalaya	60.41
19	Mizoram	86.13
20	Nagaland	61.92
21	Orissa	50.97
22	Punjab	63.55
23	Rajasthan	44.34
24	Sikkim	61.46
25	Tamil Nadu	64.55
26	Tripura	65.41
27	Uttaranchal	60.26
28	Uttar Pradesh	42.98
29	West Bengal	60.22
Union Territories		
1	Andaman & Nicobar Islands	75.29
2	Chandigarh	76.65
3	Dadra & Nagar Haveli	42.99
4	Daman & Diu	70.37
5	Lakshadweep	81.56
6	Pondicherry	74.16

Political Empowerment Of Women

In democratic system, the process of election is the main wheel exercise. With the prevalence of indirect democracy in almost all the democratic countries of; the world, it assumes great importance as a mechanism for choosing representatives for elective offices by means of votes by the people. By voting, we constitute the government and choose our law-makers and law-executors. It is not only primarily a legitimising instrument for those in, authority and for their governance, it is a positive right of the people, through which they decide the destiny of their political system.

Conclusion

In order to be functional, the overall employment strategy for women should be viewed as a package comprising employment opportunities, legal safeguards, training support and social services, awareness generation and mobilization. Only then will a purposeful synergy be achieved. The corrective strategies are broadly addressed to the factors which have been reviewed earlier as constraints. Those strategies must aim to create new avenues as well as productivity and employment potential, make them a more articulate and conscious work force, and assure them better status and recognition as workers.

Reference:

1. Mahapatra Subhasini (2006) 'Status of women Towards Employment' Rajat publications New Delhi.
2. Desai, Neera (1986) "Indian women; change and challenge" population prakashaanra Bombay.
3. Nimbkar K.B (1986) "Development work among Rural Women" Indian Adult Education Association New Delhi.
4. Ahuja Ram (2000) 'Criminology' Rawat publications Jaipur.
5. Paranjape N.V. (1996) 'Criminology and Penogy' Central law publications Allahabad.
6. Srivatasava S.S. (1996) 'Criminology and Criminal Administration' Central law publications Allahabad.