

JOURNAL FOR LAW STUDENTS AND RESEARCHERS**WOMEN EMPOWERMENT : A TIMELINE OF
REPUTATION****Author: Ritika Tejpal****Rayat College of Law, Punjab****ABSTRACT**

This paper lays down the focus on the Era of women empowerment in India. The reputation and status of Indian women has been subject to various changes over the span of recorded Indian history. Being a women in contemporary world means having the responsibility without actually having the authority. Women empowerment is all meant for allowing women to make their life determining decisions by passing through various problems of society. The government had taken many steps to uplift status of Indian women by many schemes. A commission named National commission for Women was set up by an Act of parliament in the year 1990 to safeguard the rights and legal entitlements of women. The “Integration of Women in Development ” was introduced by the government of India in its 7th Five-year plan and afterwards schemes like mahila udyam nidhi , women in agriculture and micro credit scheme for women etc. were introduced .The Empowerment basically includes the action of raising the status of women by using various tools of education, awareness and training etc. The year 2001 was declared as ‘the year of Women’s Empowerment’ (Swashakti) by the government of India and National policy for Empowerment of women was also passed in this year. “**United we stand ,Divided we fall**” best fits the situation of women in the contemporary India. Women themselves brings the ‘Power’ in Empowerment as there’s no limit to what a woman can accomplish. In this research I’ve used the Doctrinal method which includes all the facts susceptible to women empowerment.

Key words:- i.Legal Entitlements

ii.Swashakti

INTRODUCTION

The concept of women empowerment has undergone a sea change from ancient India to modern period. There is no other tool for development of a country as effective as the women empowerment. Women empowerment stimulates the confidence within the women by giving them everything that in their capacity will help them to recognize the skills that they contain and are dormant within them. In ancient India, women enjoyed equal rights and status with men. They were educated and there were no bars on their lifestyle. For instance, 'Vishpala' mentioned in the Rigveda can be taken as one of the reference to a warrior queen. To understand the status of women, one has to go through the timeline so as to get a complete picture of women empowerment over the years.

ANTIQUITY AND WOMEN

During the Era of Indus valley civilisation of India, many evidences show the worship of the mother goddess i.e. there was reverence for the mother during this era. Education of young ladies was thought-about as a very important qualification for wedding. Education opportunities were provided to both boys and girls. Girls used to study the Vedas and fine arts. Women never observed the purdah in that period.

There are references in Veda that within the Hindu society, brides had privilege of choosing their own consorts i.e. 'Swayamvara'. There was general observance of monogamy, though Bigamy was additionally practiced by some patrician categories. There was a paternal system, there have been expectations from women to give birth to sons as they were required to perform the last rites and were necessary for continuation of the lineage. There have been no prohibitions on the marriage ceremony of widows. The widows had the proper right to marry the brother of her husband and ladies enjoyed complete freedom and were termed as 'Ardhanginis'.

Women were indulged in housework, spinning/weaving of garments and agriculture. If there was no son within the family then the female offspring had full legal rights in property of her father, though unwedded daughters additionally had a share in their father's property. The property of mother was equally divided amongst the unwedded daughters and sons when her death. on it account, married ladies had no share in father's property and a lady had no direct share within the property of her husband. The ladies had equal rights in social and non

secular fields however had restricted rights in economic field. It may be deduced from the time that in sacred writing amount the standing of girls wasn't incapable that of men.

MEDIEVAL INDIA AND WOMEN

This phase spreads over 500 years approximately. It is basically the history of the Muslim rulers, which is divided into two categories i.e. Delhi sultanate Era and Mughal Era. Razia sultan was one of the only women to occupy the throne of Delhi. There was another woman, Gulbadan Begum with remarkable poetic talent who wrote Humayun-namah. Nur Jahan was the best ever Muslim queen of the Republic of India. The social life of women underwent many great changes during this phase but not the revamped ones which were expected at this stage. There was dependence of women on their husbands and other male relatives. Women were restricted to attend the public functions and were not independent so as to participate as men's equals in spiritual functions. There were practices of female infanticide and sati system along with child marriage and purdah system etc. which prevailed during that phase.

INDIAN WOMEN DURING THE 19TH CENTURY

There were some enlightened Indians who supported the British attempt to reform the oppressive social order of India. The first was the abolition of sati by law, on humanitarian grounds. Raja Ram Mohan was the one who represented the true opinion of the enlightened Indians who argued that sati practice had no religious sanction. He tried to indicate through his writings that the following of widow burning i.e. sati had no sanction in ancient texts. In this phase several British officers had conjointly begun to criticise Indian Traditions and customs. On the 4th December 1892 the British government in India passed the famous resolution by which sati was made offence of culpable homicide with punishment of imprisonment, fine and even both of them.

After the abolition of sati there was recognition of Widow's right of remarriage. Widow's remarriage restriction was among high caste and high class families. Widow Remarriage was high caste issue, as it was widely in practice among many low caste groups. Widow's remarriage in levirate form was commonly accepted among the Jats of Haryana.

WOMEN WRITING ABOUT WOMEN IN EARLY 20TH CENTURY

During this phase, Begums of Bhopal were one of the Muslim women who played a remarkable role in promoting education amongst the girls. A primary school was started at

Aligarh by them. One of the another remarkable women includes Begum Rokeya sakhawat Hossain who founded schools in Patna and Calcutta for the Muslim girls.

Additionally not forgetting, Pandita Ramabai, a good Scholar of Sanskrit, felt that Hinduism was oppressive towards ladies, and wrote a book concerning the miserable lives of upper-caste Hindu ladies. She based a widows home at Poona to produce shelter to widows World Health Organization had been sick treated by their families or husband's relatives. These ladies wrote books, altered magazines, based colleges and coaching centres and discovered women's associations. From early twentieth century, they fashioned political pressure teams to appear laws for feminine right to vote and higher aid and education for ladies.

EMPOWERING THE WOMEN IN 20TH CENTURY

“You can tell the condition of a nation by looking at the status of its women” - Jawaharlal Nehru.

In 20th century there were many schemes which were laid down by the government, especially in the Five years plans such as Mahila vikas/Udyam nidhi and Integration of the women for development scheme.. There were many aspects which were taken into consideration to focus primarily on the need of the hour and a few schemes and steps taken by the government are briefed below:

1. Entrepreneurial Motivation

The entrepreneurship plays an important role in women empowerment as well as the nation's development. There are following measures of government to empower women in entrepreneurial sector:

a. Integration of Women in Development

This chapter was introduced by the government of India in the 7th Five-year plan with the suggestions on arranging training facilities, marketing assistance, decision making process and developing new equipment.

b. SIDBI Mahila Udyam Nidhi

SIDBI Mahila Udyam Nidhi was designed to assist meet gap in equity in start-ups by the women entrepreneurs. SIDBI or Small Industries Development Bank of Bharat is that the principal establishment for the promotion, finance and development of trade within

the small scale sector. The aim of Mahila Udyam Nidhi is to assist these entrepreneurs meeting equity funds demand whereas putting in place a brand new business. Loans were provided to ladies to begin their venture within the fields like spinning , weaving, knitting , embroidery and block printing etc.

2. The National Commission for Women Act

It is a statutory body which was established by the government of India in the year 1992 on 31st January as per the provisions laid down by the constitution of India. It's objective to represent women's rights in India and also to give them a voice for all their problems and issues. Their campaigns included various subjects such as the dowry , religion, job sector ,women labour and politics etc. along with abuse against the women. In the 73rd and 74th Amendments in 1993 of constitutions the reservation of seats in local bodies of panchayats and Municipalities for the women was provided which laid a great foundation for women's participation on local level decision making aspects.

3. Discrimination and Equality

It can be said that Gender equality will only be reached if we are able to empower women of our nation. Although there are many landmark judgements passed regarding the discrimination and equality, especially as in **Air India v. Nergesh Meerza**¹ , certain rules regarding the retirement age of Air Hostess laid by Air India were challenged on the grounds of being Discriminatory and regressive in nature. The court held them unconstitutional and had to struck them down. It was held that the rules were arbitrary in nature and in violation of A.14 of constitution.

4. Marriage Laws

'Once married, a woman should only leave her in-law's house when she is taken for her final rites' , is a cliché which is used in cinema and TV serials. Although the reality is not the same, there are certain marriage laws made for protection of the rights of women in marriage. Marriage is not solely about filling a predetermined role that you have after marriage rather it's all about commitment and happiness, and it's a personal choice and a right every woman must exercise. There are various law governing the marriages such as The

¹ 1981 AIR 1829

Hindu marriage act 1955, The Hindu widow Remarriage Act 1956 and The marriage laws (Amendment) Bill 1981 etc.

The constitution has provided various rights to married women , which include Right to get the streedhan , right to have a residence , right to live with dignity and self respect , right to have maintenance by husband and also the right to have child maintenance etc. Although there are many cases regarding marriage laws and one of the landmark judgements includes **Sarla Mudgal, & others. v. Union of India**² , issue of bigamy was discussed in this case and it is considered as a landmark judgement that highlighted the requirement of the uniform civil code. It was held that marriage would have to be dissolved as per the Hindu Marriage Act, 1955. First marriage of man would be valid and second marriage after conversion will be illegal u/s 494 of the Indian Penal Code, 1860.

5. Women & Evil of the Dowry

Dowry is some sort of gifts or amount of cash which is paid to the bridegroom's family along with bride at the wedding. It is a very widespread practise. Although the payment of dowry is prohibited as per the Dowry Prohibition Act, 1961 in the Indian civil law, along with Indian penal code u/s 304B and 498a .It is nothing but a social evil that not only exploits the women but also their families. Sometimes there may be false cases, but although there's some true cases that prevail and shows the worst effects of dowry on the life of women, leading to Dowry deaths too.

Some of the landmark judgements on dowry in India includes, **Smt. Paniben v. state of Gujarat**³, it was held that Dying declaration made by the deceased is of huge importance unless until it is resulting out of any tutoring or imaginary product.

Another similar case is **Om Prakash Etc. v. State Of Punjab**⁴,It was held that on the instance of dowry death resulting out of torture and demand of dowry the court shall examine all circumstances and all evidences adduced by parties on their behalf, for recording and finding the question as how the dowry death has occurred.

² AIR 1995 SC 1531

³ (1992) 2 SCR 197

⁴ (1992) 3 SCR 921

CONTEMPORARY INDIA AND WOMEN

Today most of the women are fierce, tough, ambitious and they know exactly what they want. Over the years the thing women have got to learn is that nobody give you power, you just take it. I think women are mistaken to pretend that they are equal to men, actually they are far superior and always have been. A strong woman stands up for herself and a stronger woman stands up for everyone else. The contemporary Indian women have been empowered by various aspects i.e. by the schemes, rules & laws made by the government and with the cooperation of women by themselves.

ROLE OF THE GOVERNMENT

The government has always played as an eminent character and an idea role in women empowerment as by laying down various schemes and rules. Although in the 21st century the women as compared to earlier times are very much aware about their rights and duties. The year 2001 was declared as the “Women Empowerment Year” and it is also known as ‘Swashakti’.

Some of successful implications and initiatives by government so as to empower women are:-

1. Self Employment Schemes

It's usually same that a freelance girls lands up with a very rough deal for themselves, as a result of they don't get the advantages that'd get on offered as associate worker. though it's true that by running their own business they miss out on things like paid maternity leave, generous vacation allowances and personal care. It includes various schemes and a few of them are as follows:

- a) **SEWA (self-employed Women's Association):** In the year 1972 it was registered as a trade union in the Ahmedabad ,India. Over past 25 years it has grown as a movement. It includes cooperative movement , labour movement and women's movement. Basically it includes consultation with women on various cooperative efforts and providing empowerment and leadership skills by literacy classes and Video SEWA.
- b) **The Mahila Coir Yojana (MCY):** It is one of the schemes emphasising upon the self-employment programmes for rural women in the coir industry. It aims at

providing the self-employment to the artisans women of rural regions. It provides scope of large scale employment, better productivity and quality, good working conditions and higher scale income. It is being implemented through Coir Board by the government and it is prevalent in coir producing coastal states such as Tamil Nadu , Kerala, Karnataka and Odisha etc.

2. Entrepreneurial Sector

The Women Entrepreneurship is one of the untapped sources of the economic growth of the country. It is an important aspect for the achievement of the development goals. Women Entrepreneurs are affected by many factors such as large scale production costs, poor and ineffective infrastructure , ineffective business environment and political instability etc.

Some Schemes for the Women Entrepreneurs in India are :

a. Annapurna Scheme

It is offered by State Bank of Mysore to those women entrepreneurs who are willing for setting up food catering industry so as to sell packed products like meals and snacks etc. The loans up-to Rs. 50,000 is granted to them so as to fulfil their capital requirements and this loan has to be re-paid within 36 months on the instalment basis. The interest rate depends upon the prevailing market rate.

b. Dena Shakti Scheme

Women working in the fields of retail, small enterprises, manufacturing and agriculture etc. requiring the financial aid are provided assistance by the Dena Bank. As in case if the amount extends up-to maximum limit i.e. Rs. 20 lakhs for the retail trade the amount of interest rate gets reduced by 0.25 %.

WOMEN SAFETY LAWS

The safety laws indeed lays down the various steps, policies and strategies etc. which merely aims at the reduction of the gender-based violence acts. It includes safe places for the women and their rights to get valued , loved and respected along with getting empowered. The achievement of the goal of the women's safety can be accomplished by changing and improving the knowledge and attitudes of the society.

Certain landmark judgements related to rape laws, acid attacks and domestic violence include, **Mukesh v. State For NCT Of Delhi**⁵, also known as Nirbhaya rape case, after this case there were many amendments which were provided as in the Indian penal Code, Code of Criminal Procedure, 1973 and Indian Evidence Act etc. related to the sexual offences.

Laxmi v. Union of India⁶, The court gave directions that a victim must be provided with full medical assistance free of cost from medicines to food and bed in hospital. Central government and state governments were directed for overseeing the ban placed on the sale of acid in the market.

V.D. Bhanot v. Savita Bhanot⁷, it was held by the Supreme court that the intention of parliament has always been the protection of women's rights which are enshrined in the article 14 and 15 along with those in article 21 and as such Domestic violence Act would be applicable too cases where the cause of action arose before the Domestic violence act was enforced. It was held ,the wife in instant case was to be provided with accommodation and maintenance in accordance with the Domestic violence Act

OTHER INITIATIVES FOR WOMEN: BUILDING PILLARS OF EMPOWERMENT

- a) **Entry and Access to Places of the Worship:** Since the ancient times the women were constantly battling for their right to equality and this topic has always been a unique debate , it owed influence from various ethnic and cultural aspects. Many places like the Hindu temples, Muslim Dargahs and mosques along with some churches of the Christians limits the entry and access of the women. This can be related to Sabarimala temple i.e. **Indian Young lawyers Association & others v. the State of Kerala & others**⁸, it is one of the landmark judgements and an historic verdict that actually takes over all laws of land, the customary practices, beliefs and traditions of various religions . It focused on the women's rights in the equality along with men and established the constitutional supremacy over the customary laws and traditions.

⁵ (2013) 2 SCC 587

⁶ (2014) 4 SCC 427

⁷ (2012) 3 SCC 183

⁸ 2018 SC

b) Politics and women : In the contemporary India, it can be noticed how the reservations affect enforcement of gender equality reforms, the reservations create various incentives for everlasting social and economic equality. ‘Approach to women’s political participation is not only about women, because equality based on gender is not a mere women’s issue. True gender equality enables all people to reach their full potential, and therefore, requires the support and commitment of both men and women. Furthermore, gender equality requires a commitment from every leader, at every level of power, in every sector.’

CONCLUSION

Thus in a nutshell, Being a woman today means having the responsibility without the authority. Status of women since antiquity to contemporary India has been like a roller coaster. From an esteemed life in ancient India towards an attitude of irreverence towards Medieval India and then laboriously to period of hardship and anarchy in the 19th century and early 20th century. **“An Empowered Woman Empowers Women”**. In the contemporary India, the women themselves bring the ‘Power’ in the ‘Empowerment’ , as the women in the 21st century is much more fierce and confident as compared to earlier. There’s a subtle role of social reformists like Raja Ram Mohan roy, Ishwarchandra Vidyasagar and Pandita Ramabai etc. and the government in women empowerment. **“United we stand, Divided we fall”** best fits the situation of women in contemporary India each woman have to support the another like a pillar, so that the vision of empowerment of women remains immortal and makes women even more stronger and confident than ever.

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