

**India's Gender Inequality:  
A Historical Institutionalism and Socio-  
Cultural Explanation**

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## Research Question

Although India is classified as a developing country, it has frequently been cited as a positive example of rapid economic growth and development. India, the world's largest democracy, has made significant strides in its education, industry, and information technology sectors, leading to an expanded middle class and significant modernization. Despite its advanced economic development and democratic success, India still struggles with gender inequality issues. Gender inequality, which can be defined as "allowing people different opportunities due to perceived differences based solely on issues of gender," persists in contemporary Indian society in the household, the media, the legal system, the workplace, and in schools (Parziale, 2008). Indeed, in 2017, India had a Gender Inequality Index (GII) value of 0.524, ranking it 127th out of 160 countries compared to a 0.189 GII in the U.S., which ranks 41st out of 160 countries (Gender Inequality, 2017). Gender inequality in India is not uniquely a human development issue, but also an economic development issue. If India plans on becoming a developed country, it must recognize its failure to combat gender inequality and put appropriate measures in place to advance women's rights.

Though recent laws have been signed to promote women's rights, they are often bypassed without consequence. For instance, the Indian Penal Code indicates rape and sexual harassment as severe crimes, yet only "26 percent of rape cases tried in court in 2011 resulted in convictions, and only four out of ten cases were reported" (Xu, 2013). Further, India's continued preference for sons has led to the killing or abandonment of millions of girls (McKirdy, 2018). Sex-selective abortions also continue to occur despite a 1996 ban, leading to an uneven gender ratio so dramatic that "in 2011, there were 914 girls for every one thousand boys among children up to six years old" (Xu, 2013). Women in India are often groomed to be tolerant and submissive from

childhood on due to cultural and religious factors, leading them to normalize and contribute to their own discrimination (Ghosh, 2016). Not only is a woman conditioned to accept patriarchal values by her family, but gender inequality is even exalted in Bollywood films, which commonly portray rape scenes and place more importance on male characters than female (Aron, 2019). Additionally, Indian society often discourages women from pursuing a secondary education or entering the workforce, and those that try to get employed are turned away by managers who believe that hiring a woman will come at an additional cost (Aron, 2019).

India is a strong democracy whose constitution outlines fundamental human rights, and it is becoming an important player in the global market economy, leading to increased modernization. Therefore, why is gender inequality still a major issue in India? According to Renu Batra and Thomas Reio Jr., India's current standing on gender inequality can be traced to its cultural and historical roots, beginning with its patriarchal society (Batra & Reio, 2016). This paper will begin by discussing existing literature on gender inequality in India and the relevance of history and socio-cultural factors on its persistence. Then, this paper will argue that India's gender inequality can be explained by historical institutionalism and socio-cultural factors, such as colonialism, the caste system, religion, and culture. Finally, this paper will conclude by proposing valid counter-arguments and detailing an appropriate research strategy.

## **Literature Review**

The existing literature about gender inequality in India is expansive, ranging from general discussions to specific studies. All of the existing literature, however, recognizes that India still struggles with gender inequality despite modernization. Most of the literature also makes a connection between India's gender inequality and its historical societal context. "Gender and Diversity in India" by Rajashi Ghosh provides a societal argument for persistent gender

inequality, arguing that diversity in India is “not just about demographics, but [...] largely about identity and power, where a certain group of people is privileged by the virtue of their caste, gender, or creed” (Ghosh, 2016). The author also argues that Indian women perpetuate gender inequality by practicing tolerance and enduring discrimination and violence, but acknowledges that this behavior is an outcome of deep-rooted patriarchal values that are “reinforced by cultural beliefs and norms [...] and legitimized by familial, social and institutional structures” (Ghosh, 2016).

In “Gender Inequality Issues in India” by Renu Batra and Thomas G. Reio Jr., the authors discuss the origin of gender inequality as the Indian home, where Indian women are expected to sacrifice their needs for their families and are viewed as part of a collectivist group rather than as individuals. They state that from a young age, female children are less nurtured and cared for than male children, making them more susceptible to future diseases and a shorter life span. The authors also explore the Indian woman’s struggle to participate in the workforce, highlighting minimal bargaining power, minimal family support, limited access to education, and limited access to financial or health resources as barriers (Batra & Reio, 2016).

Another study, “The Roots of Gender Inequality in Developing Countries” by Seema Jayachandran, also discusses India’s patriarchal system, but places more emphasis on the prevalence of son preference than workforce impediments. The author explains that upon marriage, an Indian woman must leave her family and join her husband’s family instead. Under this system, parents prefer to have sons rather than daughters due to future financial returns to investment that they will receive from a son’s education. Indian parents today also prefer having sons because the value of a dowry, money or property that is given by a bride to her husband, has significantly increased. Son preference, which is evident in the ancient Hindu texts called Vedas,

also leads to inequality in the provision of medical care. For example, in a study using 405 parents whose children needed heart surgery, 70% of boys but only 44% of girls actually underwent surgery within the year. The author also finds that India's northern region has more pronounced gender inequality than its southern region, and that since 1901, the sex ratio in the south is less male-skewed (Jayachandran, 2015).

In their analysis, “‘Whatever she may study, she can’t escape from washing dishes,’” Renu Singh and Protap Mukherjee use qualitative interviews and quantitative statistical data to examine Indian girls’ experience in education. They find that girls have a higher chance of attaining a secondary education if they live in a metropolitan area and grow up in less patriarchal families. They also find that girls from a certain caste, socio-economic standard, or religious sect are more likely to drop out of school and experience more discrimination in general. In addition, the authors cite “household work, lack of parental guidance, large family size, poor economic conditions, [... and] punishment by teachers” as the primary reasons for drop-outs (Singh & Mukherjee, 2017). Other existing studies on India’s gender inequality will be referenced in the argument section of this paper.

## **Argument**

This paper argues that the continuation of gender inequality in India today can be explained by historical institutionalism and socio-cultural factors, such as the caste system, colonialism, religion, and culture. Historical institutionalism can be referred to as a research method to examine “how temporal processes and events influence the origin and transformation of institutions that govern political and economic relations” (Fioretos, Falleti & Sheingate,

2016). Some of the core premises of historical institutionalism include temporality, critical junctures, and path dependence (a political or social development punctuated by critical junctures that is hard to reverse) (Pierson & Skocpol, 2002). Socio-cultural factors encapsulate the ideas, thoughts and behaviors that govern human interaction between individuals and groups. Avner Grief defines cultural beliefs within this framework as being “an integral part of institutions [...] affecting the evolution and persistence of diverse societal organizations.” (Greif, 1994). Based on these definitions, the British colonization of India and the Indian caste system are examples of historical institutions, while Hinduism, Islam, and the Indian culture make up the socio-cultural factors, all of which contribute to the persistence of gender inequality in modern-day India.

Pre-colonial India was comprised of multiple religions, tribes, and castes which formed a fragmented and heterogenous population and political structure. By the time British colonial rule was transferred from the East India Company to the Royal Crown in 1858, British feminists had already made it their mission to civilize the Indian women and provide them with rights. Due to struggles of power between the native Indian men, British men, and the British feminists over women’s rights, most laws that were passed did not consider previous tribal customs of marriage, divorce, or inheritance rights and ended up benefitting the existing Indian patriarchal power structure rather than reforming it. Indeed, any gender reform attempted during the colonial period was actually “motivated by a desire to strengthen elite, patriarchal, and upper-caste political power” (Chitnis & Wright, 2007). Further, in disregarding the presence of various traditional tribal customs, the colonial authorities often imposed English laws that were inconsistent with India’s culture and society at the time, and that inadvertently worsened women’s rights. For instance, the 1869 Indian Divorce Act, introduced by the English,

“contradicted many of the local customs of marital dissolution by community-based arbitrations” while another, Widows’ Act, eroded customary laws that had previously allowed for remarriage (Chitnis & Wright, 2007). Therefore, although the British feminists’ colonial mission was partially based on righting the wrongs of Indian women, it actually prevented them from constructing their own identity.

Further, the colonists’ propensity to fashion Indian laws on the basis of England’s laws perpetuated itself in India’s political structure long after its independence from Great Britain in 1947. In 1971, India passed the Medical Termination of Pregnancy Act, which highly resembled England’s 1967 Abortion Act. The act allowed for abortions, but only if the pregnancy posed a risk to the mother’s life. Thus, due to differences in cultural values between India and Great Britain, the law was unsuitable with India’s patriarchal system and son preference. Instead of providing females with more protection, the law actually led to an increase in female feticide – abortions outside of legal methods – which were often forced upon women by family members and which still occur at a high level today (Chitnis & Wright, 2007). Clearly, British colonialism played a role, whether directly or indirectly, in upholding India’s patriarchal system and creating a path-dependency in the area of abortion.

India’s caste system represents another historical institution that continues to contribute to gender inequality, even after its constitutional abolition. The caste system, which dates back 3,000 years, created a hierarchy among Hindus and dictated every aspect of one’s life, including who one married, which job one worked, and even how much food one consumed (Chaudhary, A., 2019). At the top of the pyramid were the Brahmins, followed by the Kshatriyas, then the Vaishyas and the Shudras, and finally the Dalits, or the ‘untouchables.’ Though the caste system was eliminated in 1950, prejudice, discrimination, and violence still occur today based on the

previous caste divisions. Today, gender-based discrimination is especially rampant against Dalit women, who are frequently “raped, sexually harassed, assaulted, stripped and paraded around naked. If that is not enough, they are then ostracized by their own community” (Amza, 2018). According to the Indian National Crime Records Bureau, crimes against Dalits increased by 66 percent between 2007 and 2017, while rape against Dalit women doubled (Crime in India, 2019). Unfortunately, crimes against Dalit women often go unreported, and even if they are reported, police rarely initiate investigations, letting perpetrators go without consequence and propagating the violence (Amza, 2018).

In addition, inter-caste marriages are viewed negatively in India because of the perception that a “spot” which belonged to someone within the same caste is being taken by someone from a different caste. To combat this, severe punishments are threatened by group members within each caste to ensure endogamy, and punishments for violations are much harsher for women than for men. Also, women from higher castes are subjected to punishment simply for interacting with those from a lower caste, as this action is considered a “pollution” of the woman’s “purity” (Bidner & Eswaran, 2015). India’s caste system is a clear example of path dependency, as it is a social and political development which unfolded in a certain time period and which continues to shape social life in India today. The caste system is also reflective of Paul Pierson’s argument of increasing returns in path dependency, specifically in regards to power asymmetry (Pierson, 2000). Power asymmetry can be defined as “a state in which differences in status exist between individuals and groups of individuals within an organizational hierarchy” (Power Asymmetry, 2019). For Pierson, power asymmetry also involves the allocation of authority to certain actors and the widening of disparities between various groups “over time as positive feedback sets in” (Pierson, 2000). All in all, India’s gender inequality can be traced



directly to its caste system, which is a historical institution that renders path dependency through power asymmetry.

Moving on from historical institutionalism, gender inequality in India can also be explained by sociocultural factors, specifically religious and cultural beliefs. There are many religions in India, each with its own personal laws on marriage, divorce, inheritance, and guardianship. Under these religious personal laws, defined as “scriptural mandates and customary practices,” women have less rights than men and often feel unable to speak out against societal discrimination (Chaudhary, P., 2015). In Hindu personal law, a woman cannot claim to be the guardian of her children while their father is still alive, and she has no right to adopt a child. Further, women are not given a share in their father’s property unless he deems it so, and if a son exists, he automatically gets the rights to the entire property. Even following a spouse’s death, the widow cannot lay claim to her husband’s property unless he transfers it to her rather than to a third party, which is the usual route followed. Under Islam personal law in India, the age of marriage depends on puberty, which means that girls may get married off as early as they mature, often as early as nine years old. Muslim women also often have little choice in selecting their spouse, and following marriage, they have little to no rights and usually cannot refuse sexual advances by their husband. Additionally, a woman has no right to obtain a divorce under Muslim law and if she is divorced by her husband, she receives no separation or child care payments. Finally, women inherit much less than men, and often only receive property in the case of a male absence (Chaudhury, P., 2015). While some of these religious practices have been cast aside over time due to modernization and generational differences, the basic tenets of the religious laws are still widely held and practiced in India, showing how socio-cultural factors such as religion can give rise to gender inequality.

The cultural traditions practiced by some Indians also legitimize the subordinate position of women in Indian society. As early as 200 B.C., Manu, the law-giver, wrote that a woman “should do nothing independently, even in her own house. In childhood subject [her] to her father, in youth to her husband, and when her husband is dead, to her sons. She should never enjoy independence” (Sharma, 2017). As a result, Indian women have remained subjugated for centuries and have submitted to cultural traditions such as child marriage, dowry payments, and female feticide. Although the minimum age for a child marriage was raised to eighteen years old for girls in 1978, in 2006, the National Family Health Survey “found that 45% of women aged 15-24 [...] were married before the legal age of 18, and 20% of these had a child within their first year of marriage” (Sharma, 2017). In addition, the cultural practice of the dowry, which became the only legal way to get married during the colonial period, has been on the rise despite a ban that outlawed it in 1961. The persistence of dowry system participation today is also accompanied by an increase in dowry violence, which is usually perpetrated by the husband or in the in-laws in order to receive more money from the bride’s family (The Dowry System, 2019). Finally, as mentioned before, female feticide has not been curbed by abortion laws, as they do not take into account the cultural dominance of son preference among Indians. Socio-cultural factors can therefore explain India’s gender inequality since the outlined cultural traditions and their outcomes on gender are still prevalent in India today.

### **Counter-Arguments**

One counter-argument relates to the method in which I approach gender inequality. As mentioned above, the definition of gender inequality is “allowing people different opportunities due to perceived differences based solely on issues of gender” (Parziale, 2008). Yet this definition does not make clear what ‘gender’ is. Though gender traditionally refers to either of

the two biological sexes, male or female – and their respective roles – the term also refers to a person's internal sense of being male, female, a combination of the two, or neither (Merriam-Webster, 2019). Today there are a broad range of gender identities, which means that gender inequality can refer to a disparity between any one of these genders, rather than solely inequality between males and females. In my paper, however, I assume that gender inequality exists only between men and women, and that the women suffer most from the gap in equity. While this may be true in India's case, I need to 1) clarify my definition of gender inequality as accounting simply for the differences between men and women, or 2) research and provide evidence, or lack of evidence, for gender inequality between all genders and gender identities in India.

Another counter-argument to my paper is that I write about gender inequality in India on a broad level. India is a massive country, separated into 29 distinct states and 9 union territories, each with their own unique tribes, populations, languages, religions, and cultural beliefs (Indian States, 2019). Therefore, the levels of gender inequality in one state or region may be entirely different from the levels in another region. For instance, a Women Empowerment Index (WEI) using data from 2015-2016 shows that the ten worst performing states in India lie in a belt cutting across north and central India, starting with Rajasthan in the west and ending with Assam in the east. Further, a higher percentage of married women reported spousal violence in the eastern half of India, while a lower proportion of women were employed in the northern region than the rest of India (Bansal, 2017). Clearly, the levels of gender inequality and women's access to resources vary immensely between states. In order to fully account for this in my paper, more extensive research and data collection would need to be done.

## **Research Strategy**

To wholly test my argument, I would collect a substantive amount of both quantitative and qualitative evidence. For my quantitative data, I would reference existing sources, such as the World Bank, the United Nations, and the World Economic Forum. However, I would also collect and create my own data sets by dispersing a survey to Indian women. My survey would ask specific questions on the number of times women face discrimination, domestic violence, disregard by authorities, employment barriers, etc. and if they had to (or will have to) pay a dowry, have an arranged marriage, or get married at a young age. This survey will have been prepared meticulously and reviewed extensively before being distributed and the questions listed on it will have been thought out thoroughly and structured effectively. The survey will also be disseminated into each Indian state in order to find variances in gender inequality among the different states and regions. Issuing the survey in this manner will also serve to account for the ‘states’ counter-argument outlined in the previous section.

In addition to quantitative survey data, I would conduct extensive qualitative interviews with Indian women living in India. I would ask them about their personal experiences with discrimination and whether they felt that the caste system, colonialism, religion, culture, or any combination of the four, has contributed to their individual perceptions of gender inequality. This type of evidence would allow me to test my argument by proving whether or not historical institutionalism and socio-cultural factors are credible explanations for India’s gender inequality. If the data collected shows that a majority of women believe that the caste system or colonialism have in any way made a lasting impact on gender inequality, it would support my argument that historical institutionalism is a valid explanation. The same goes for if a majority of women believe that religion or culture have made a lasting impact, in which case my argument that socio-cultural factors explain modern gender inequality would also be supported. If less than

51% of women interviewed agree that historical institutionalist or socio-cultural factors have played a role in India's current gender inequality issues, my argument will need to be re-examined.

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