

# 2018

INTEGRATED LEARNING PROGRAMME, ILP

**IASBABA**



## **Women Issues I- GS I**

Integrated Learning Programme 2018 is a step towards 'Enabling a person located at the most remote destination a chance at cracking AIR 1 in UPSC/IAS'

## STATUS OF WOMEN IN INDIA

**Ancient India....when women enjoyed equal status with men!**

**Patanjali and Katyayana: Women were educated in the early Vedic period**

Rig Vedic Age (verses):

- **Women could marry outside their caste with a man they chose**
- **Existence of several women sages and seers (Gargi and Maitreyi)**

**Nagarvadhu—Bride of the city→ Competition amongst women;**

**Eg: In Amrapali**

**Declining phase:With Islamic invasion and advent of Christianity**

## Medieval India—further deterioration...

**How—**

- Child marriages
- Ban on widow remarriages
- Sati (voluntary; widow was immolated alive on her husband's funeral pyre)
- Jauhar (Rajput's of Rajasthan;voluntary immolation by wives and daughters of defeated warriors— to avoid capture and consequent molestation by the enemy)
- Purdah system (Muslims; From fear to subordination)
- Devdasi system (Sexual exploitation;"married" to a deity or temple)
- Polygamy (marrying many women)

## But they triumphed over the adversities—

**Razia Sultana:**Became the only woman monarch to have ever ruled Delhi

**Gond queen Durgavati:**Ruled for fifteen years before losing her life in a battle with Mughal emperor Akbar's general Asaf Khan in 1564

**Chand Bibi:** Defended Ahmednagar against the powerful Mughal forces of Akbar in the 1590s

**NurJehan (Jehangir's wife):** Effectively wielded imperial power, and was recognized as the real power behind the Mughal throne.

**Jijabai (Shivaji's mother):** Queen regent; her ability as a warrior and an administrator

### **Yatrnariyastupoojayanteramantetatrdevah-Rig Veda**

#### **Bhakti movements:**

- Attempted to restore women's status
- Questioned certain forms of oppression
- Female saint-poets: **Mirabai**, a female saint-poet, was one of the most important Bhakti movement figures as well as AkkaMahadevi, Rami Janabai and Lal Ded

**Advocation of social justice and equality amongst men and women:** Bhakti sects within Hinduism such as the **Mahanubhav**, **Varkari** and many others were principle movements within the Hindu fold

**Guru Nanak:** The first Guru of Sikhs

Preached equality between men and women; Advocated that women be allowed

- to lead religious assemblies;
- to lead congregational hymn singing called Kirtan or Bhajan;
- to become members of religious management committees;
- to lead armies on the battlefield;
- to have equality in marriage,
- to have equality in Amrit (Baptism)

**Rani Lakshmibai:** 1857 War of Independence

**Rani GaidinliuZeliang: RANI (Title by Nehru)**

- Naga spiritual leader and freedom fighter (Manipur)
- 1932: Imprisoned for life (16 yrs. Old)
- 1947: Released from imprisonment post-independence
- Awarded Padma Bhushan

***All nations have attained greatness by paying proper respect to women. That country and that nation which does not respect women has never become great ~ Swami Vivekananda***

## Legislations in Favour of Women

### Female Infanticide:

- Passed between 1795 and 1802
- Strongly enforced only by Bentick and Hardinge (1844 - 48)
- 1870- Compulsory for parents to register birth of all babies & providing verification of female children for some years post birth

### Abolition of Sati, 1829

- British sought legitimacy from scriptures, the 'dharma shastras', which were interpreted to them by the Brahmins
- BrahmoSamaj- Condemned Sati + Abolition of purdah system
- Steps taken by Cornwallis + Minto + Hastings (limited success)
  - Discouraged compulsion
  - Forbidding administration of intoxicating drugs to the widows
  - Ban on sati being committed by pregnant women or widows below the age of 16 yrs (presence of police officials compulsory at the time of sacrifice)
- Bentinck + Rammohan Roy:  
Frontal attack; Declared it illegal (Regulation XVII, 1829)

### Widow Remarriage Act of 1856

- 'Relief' especially to child widows whose husbands had died before their marriages could be consummated
- Punitive clause added: The widow who remarried lost her claims to the limited right to the property of her first husband
- BrahmoSamaj popularized it among Brahmins
- Pt. Ishwar Chandra Vidyasagar-
  - Dug up old Sanskrit references & proved their sanction for widow remarriage → Legalisation of the above Act
  - Himself refused to marry a teenager and married a Brahmin widow
  - Opened a Widow Home in Pune; helped them work and sustain
- Prof. D. K. Karve (W. India) & Veeresalingam Pantulu (South)

### **Child Marriage Act—**

- **Forbidden marriage below**
  - **Girls: <14 yrs**
  - **Boys: <18 yrs**
- **B. M. Malabari→ Crusade against Child Marriage→**  
**Age of Consent Act of 1891—** Raised the age from 10 to 12
- ✓ **Sharda Act of 1930—**Proposed to fix the minimum age of marriage for females at 14 and males at 18 (+Penal action)
- ✓ **Child Marriage Restraint (Amendment) Act, 1978:** Raised the age of girls for marriage from 15 to 18 yrs and for boys 18 to 21

### **Education of Women:**

- **Christian Missionaries: Set up the Calcutta Female Juvenile Society, 1819**
- **J.E.D.Bethune- Founded a girls school in Calcutta**
- **Pt. Ishwar Chandra Vidyasagar: Popularized female education; associated with not less than 35 schools in Bengal**
- **Elphinstone College in Bombay- Spearhead of the movement for women education**
- **Charles Wood Dispatch (1854)- Laid great stress on the need for female education**
- **Arya Samaj: Equality of sexes**
- **KhwajaAltaf Husain Hali and Shaikh Muhammad Abdhullah- Propagated importance of girls education**

### **Government of India Act of 1935—**

- **Increased the ratio of female voters to 1:5 and provided women with reserved seats in legislatures**
- **Congress and the women's organizations did not like the idea of reservation; preferred Universal Adult Franchise**
- **Accepted it post provision of the same**

**BrahmoSamaj:** Attempted to abolish restrictions and prejudices against women, which included child marriage, polygamy, and limited rights to inherit property

**Special Marriage Act 1954-** Fixed the minimum age of marriage at 21 yrs for males & 18 yrs for females

### **Hindu Succession Act 1956-**

- Equal share to daughter from property of father (A-2005; as well as ancestral property)
- Widow has the right to inherit husband's property

### **Immoral Traffic Prevention Act (ITPA), 1986-**

- Suppression of Immoral Trafficking in Women and Girls Act (SITA) 1956
- Amended in 1986 & renamed ITPA
- To prohibit or abolish traffic in women and girls for purposes of prostitution; amended to cover both the sexes & provided enhanced penalties for offenses involving minors

### **Maternity benefit Act 1961-**

- To regulate the employment of women for certain period before and after childbirth
- Provide for maternity benefits (paid leaves)

### **Medical Termination of Pregnancy Act 1971-**

- Legalize abortion in case if:
- Foetus is suffering from physical or mental abnormality
- In case of rape & unwanted pregnancy within 12 weeks of gestation period
- After 12th week (before 20th week) if the pregnancy is harmful for the mother or the child born would be severely deformed

### **Indecent Representation of Women (Prohibition) Act, 1986-**

Prohibits indecent representation of women through advertisements or in publications, writings, paintings, and figures or in any other manner and for matters connected therewith

## Torch-bearing Indian Women

### Aruna Asaf Ali

- **Participant:** CDM + Individual Satyagraha (went to prison)
- **Hoisted** tricolour @ Gowalia tank after Maulana Azad's arrest
- **Editor:** Of 'Inquilab' (a monthly journal of Congress)

### Durgabai Deshmukh

- Struggled to complete her education; graduated from Andhra (Law)
- **Practiced-** Madras High Court
- **Jail:** Salt Satyagraha
- **Women Emancipation:** Andhra Mahilasabha

### Jyotirmoyee Ganguli

**Work:** Govt. job; left during Civil Disobedience Movement

**Demanded:** Release of jailed INA soldiers

### Kasturba

- Took part in all the programs of Gandhi
- **Jail:** Quit India movement

### Madam Bhikaji Cama

- **Inspiration:** Dadabhai Naoroji
- **Work:** Ran a newsletter "Bande Mataram" + An organization "Free India Society"

### MatanginiHajra

- **Born:** Poor peasant family of Bengal- exploited by both Zamindars and the British
- **Participant:** Dandi March + Campaigned for non-payment of Chowkidari tax- arrested
- **Quit India Movement:** Planned an Attack on police station but killed while hoisting thenational flag

### Nehru Women (Jawaharlal's)

- **Mother:** Moral support and fought for freedom struggle
- **Vijay LaxmiPandit** (Sister): Jailed thrice during CDM
- **Wife Kamala Nehru:** Participated in CDM and No-tax campaign

### Rajkumari Amrita Kaur

- Influenced by Gandhi
- Jailed for Quit India Movement

### RehanaTyabjee

- Influenced by Gandhi
- **Activities:** Joined Sabarmati Ashram + NCM + Opposed Untouchability + Child Marriage + QIM (jailed)
- President of Youth congress

### Sarojini Naidu

- One of the first women to participate in Freedom struggle
- **Mentor:**G.K.Gokhale
- Participant: All programs of Gandhi
- Served as President of Indian National Congress



*Annie Besant was the first woman to become the President of the Congress in 1917 followed by Sarojini Naidu in 1925 and Nellie Sengupta in 1933*

**Cpt.LaxmiSahgal** (Revolutionary)

- **Captain** of All-woman Rani of Jhansi regiment of the Indian National Army (INA) under Subhash Chandra Bose
- **Led** the troops in Burma during WW2 (caught by the British army)

**KalpanaDutt Joshi** (Revolutionary)

Part of Surya Sen's Chittagong Republication Army

**Nanibala Devi**

- Associated with revolutionary movements
- Arrested for transporting weapons and ammunition
- Was the first and only woman to be tortured by the police under Regulation III of 1818
- Calcutta Jail's first woman prisoner

**PreetilataWaddedar**

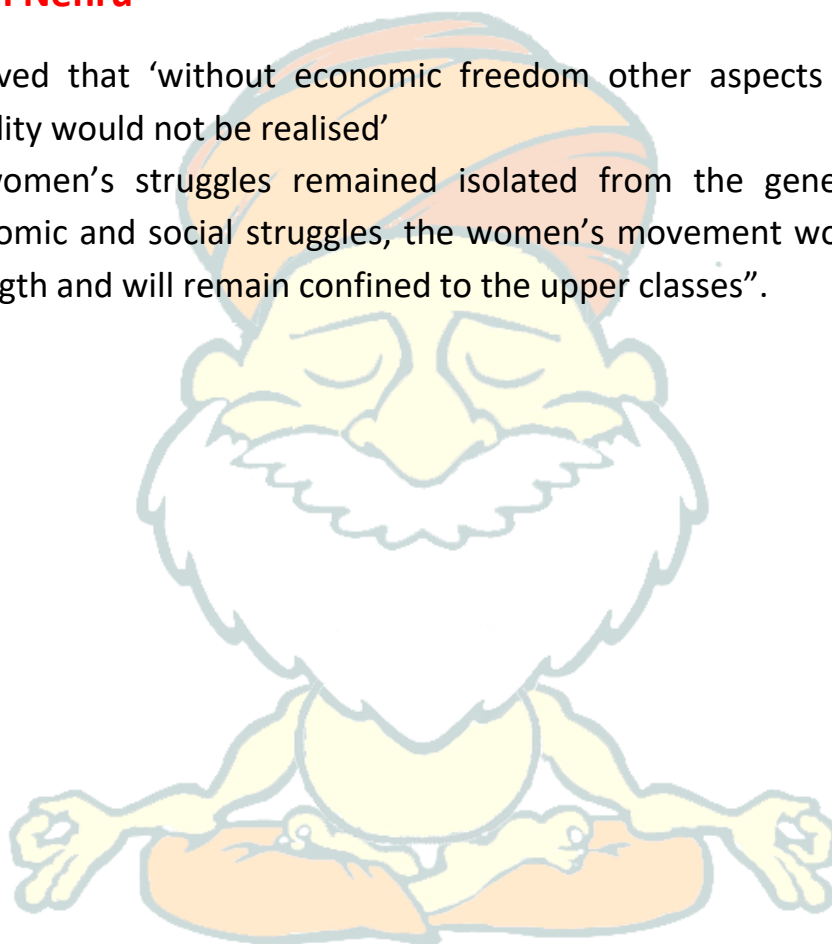
- Part of Chittagong revolutionaries of Surya Sen
- Organized attacks on British establishments in Bengal
- Consumed Potassium cyanide to evade detention and interrogation

## **Mahatma Gandhi:**

- “I am uncompromising in the matter of women’s rights”
- Stressed that participation of women in the freedom struggle was an integral part of women’s dharma (duty)
- Felt that women were most suited for Satyagraha (protest) as they have qualities appropriate for non-violent struggle and for constructive social uplift programmes of the Congress

## **Jawaharlal Nehru**

- Believed that ‘without economic freedom other aspects of women’s equality would not be realised’
- “if women’s struggles remained isolated from the general political, economic and social struggles, the women’s movement would not gain strength and will remain confined to the upper classes”.



## Forms of Women's Participation in the Freedom Movement

- Participated in political protests
- Picketed shops selling foreign goods
- Organised Prabhat Pheri (singing patriotic songs)
- Provided food and shelter for underground political activists and carried messages to political prisoners
- 1930: Women in large-number participated in Salt March; thousands of women were jailed



# WOMEN WORLD WARS

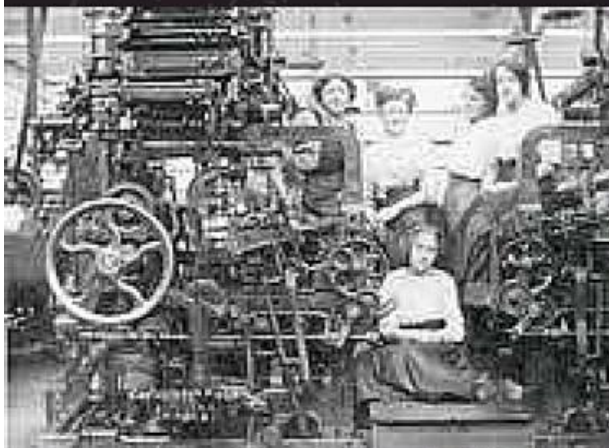
~IASbaba

## Prior to WWII

Stay at home-take care of kids & housework

During war-Men became soldiers & women had to join factories

1st time: Opportunity to enter workforce



## Post WWII

Post War: Return to traditional job roles

Fired or given low-paying conditions





## Factory Wages in Lancashire, 1830

Age of Worker	Male Wages	Female Wages
under 11	2s 3d.	2s. 4d.
11 - 16	4s. 1d.	4s. 3d.
17 - 21	10s. 2d.	7s. 3d.
<b>22 - 26</b>	<b>17s. 2d.</b>	<b>8s. 5d.</b>
<b>27 - 31</b>	<b>20s. 4d.</b>	<b>8s. 7d.</b>
<b>32 - 36</b>	<b>22s. 8d.</b>	<b>8s. 9d.</b>
<b>37 - 41</b>	<b>21s. 7d.</b>	<b>9s. 8d.</b>
<b>42 - 46</b>	<b>20s. 3d.</b>	<b>9s. 3d.</b>
47 - 51	16s. 7d.	8s. 10d.
52 - 56	16s. 4d.	8s. 4d.
57 - 61	13s. 6d.	6s. 4d.

The discrimination that women faced in the workplace was a major stimulus for the feminist movements in industrialized movements. After World War 2, when more and more women went to work, women started to protest job discrimination, pay differentials between men and women, and their lack of legal equality.

## IMPORTANT CONSTITUTIONAL AND LEGAL PROVISIONS FOR WOMEN IN INDIA

The principle of gender equality is enshrined in the Indian Constitution in its Preamble, Fundamental Rights, Fundamental Duties and Directive Principles. The Constitution not only grants equality to women, but also empowers the State to adopt measures of positive discrimination in favour of women.

**CEDAW**— Ratification of the Convention on Elimination of All Forms of Discrimination against Women (CEDAW) in 1993

Constitutional Privileges for positive discrimination in favour of women for neutralizing the cumulative socio economic, education and political disadvantages faced by them:

- (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 rotation to different constituencies in a Panchayat (Article 243 D(3))

(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))

## LEGAL PROVISIONS

To uphold the Constitutional mandate, the State has enacted various legislative measures intended to ensure equal rights, to counter social discrimination and various forms of violence and atrocities and to provide support services especially to working women.

These are broadly classified under two categories—

### **A. The Crimes Identified Under the Indian Penal Code (IPC)**

- (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) The Crimes identified under the Special Laws (SLL)**

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.

Some acts which have 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 (Amendment-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

**(i) National Commission for Women:** In January 1992, the Government set-up this statutory body with a specific mandate to study and monitor all matters relating to the constitutional and legal safeguards provided for women, review the existing legislation to suggest amendments wherever necessary, etc.

**(ii) Reservation for Women in Local Self-Government:** The 73rd Constitutional Amendment Acts passed in 1992 by Parliament ensure one-third of the total seats for women in all elected offices in local bodies whether in rural areas or urban areas.

**(iii) The National Plan of Action for the Girl Child (1991-2000):** The 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.

**(iv) National Policy for the Empowerment of Women, 2001:** The Department of Women & Child Development in the Ministry of Human Resource Development has 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.

# JUDICIARY & WOMEN

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## **Muthamma vs Union of India (1979) + Air India vs Nagresh Mirza**

*No need to obtain govt. permission  
before getting married  
No denial of employment to married &  
pregnant women*



## **Vishakha vs State of Rajasthan**



Equality in employment can be impaired if  
subjected to gender-specific violence  
SC: Guidelines to remove sexual  
harassment at workplace

## **Maya Devi vs State of Maharashtra**

No requirements of husband's  
consent for the wife to be employed



## **Ammini E.J vs Union of India**

Women to be granted equal right in the  
matter of divorce; cant be compelled to  
live as a wife against her will

## **Mackinnon Mackenzie vs. Audrey D'costa**

Mandatory to pay equal  
remuneration



## **Githa Hariharan vs. RBI**

Mother = Father = Guardianship;  
No difference

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## Demographic Profile of Women in India

### Sex Ratio—

- Number of females per 1000 of males
- Census 2011: Sex ratio for India is 940 females per 1000 of males
- Females- 47% of the total population
- Lowest sex ratio in India: Haryana
- Highest: Kerala

### Health-

More attention paid to the male counterparts

#### **Female:**

- Absolute Anaemic (2%)
- 12%- Repeated pregnancy (80% of their productive life is spent in pregnancy) & lack of nutrition (Poor reproductive health)
- 42.2 per cent of Indian women are underweight at the beginning of pregnancy
- Women in India gain only about 7 kilograms during pregnancy, which is substantially less than the 12.5-18 kg gain that the WHO recommends for underweight women

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### **Solution—**

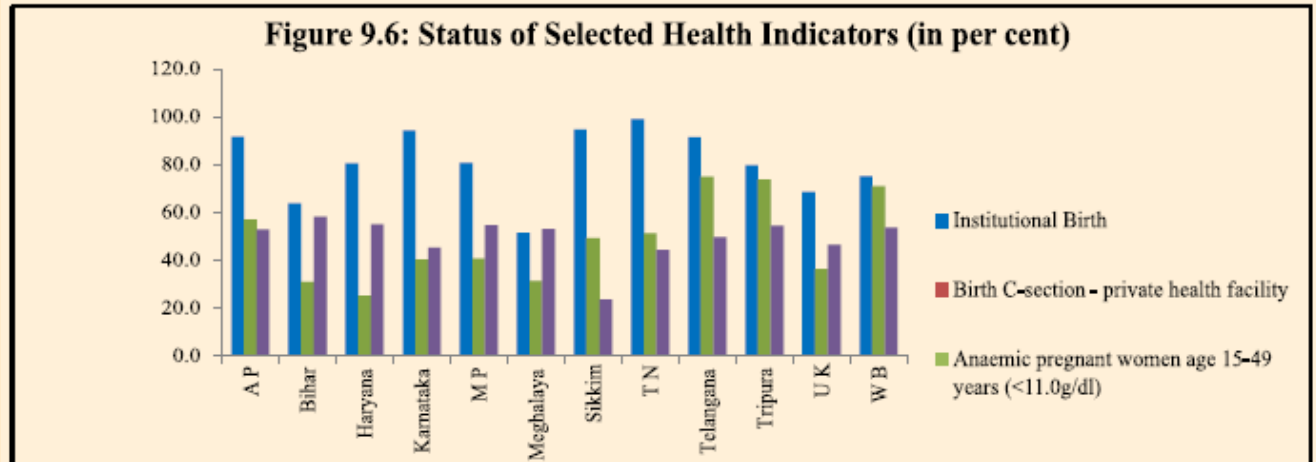
Cash transfer could be paired with education about how much weight a woman should gain during pregnancy and why weight gain during pregnancy is important

The cash transfer should be given in a single, lump-sum payment early in pregnancy to avoid delays, reduce administrative costs, and ensure that it is possible for the household to spend the money on better food during pregnancy.

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### Box 9.4: Pregnancy and women

The prevalence of anaemia among pregnant women is a serious concern as it affects the health of the unborn child. Among the 12 States, Andhra Pradesh, Meghalaya, West Bengal, Tripura, Madhya Pradesh, Haryana and Bihar have reported anaemia among more than 50 per cent pregnant women in the age group 15-49 years. A majority of States have reported anaemia among pregnant women (Figure 9.6).



The proportion of Caesarean section (C-section) births to the total births is considered an important indicator of emergency obstetric care. If it is below 5 per cent there are a substantial proportion of women who do not have access to surgical obstetric care or there is underuse of C-sections. However, if it is above 15 per cent, it implies an over-utilization of the procedure for reasons other than 'life saving' as per WHO.

Though the percentage of women reporting institutional births has improved and is above 50 per cent in a majority of the States, an increasing proportion of births in private facility with C-sections is an issue of public health with growing concern. In addition to the financial implication of C-sections on average household expenditure, there is a health impact of C-sections on the mother and the infant that warrants a campaign for greater awareness by public health authorities. Among the 12 states, more than 50 per cent of the births are in a private health facility and are delivered by C-section in the States of Tamil Nadu, Andhra Pradesh, West Bengal, Tripura and Telangana. This also accounts for the high out of pocket expenditure (OOPE) in the private sector.

Source: Based on NFHS-4 (2015-16) and World Health Organisation, 2010.

### Important

- Every five minutes, at least one Indian woman dies during pregnancy and child birth, the **World Health Organisation**
- According to WHO, of the 529,000 maternal deaths occurring every year, 136,000 or 25.7 per cent take place in India.
- In fact, two-thirds of maternal deaths occur after delivery, postpartum hemorrhage being the most commonly reported complication. The incidence of emergency postpartum hysterectomies is about 83/100,000 with a maternal mortality of 17.7 per cent and a perinatal mortality of 37.5 per cent

- Postpartum bleeding or postpartum haemorrhage (PPH) is defined as loss of more than 500 ml or 1,000 ml of blood within first 24 hours of child birth.
- As a result of high PPH incidences in India, it is unlikely that the country will achieve the Millennium Development Goal (MDG) 5 focused on reducing maternal mortality and achieving universal access to reproductive health care.
- The latest estimates of maternal mortality rate (MMR) in India from 2011-13, show an average of 167 deaths/100,000 live births. The same estimates also demonstrate that wide geographical disparities persist. The highest MMR can be found in Assam (300) and the lowest in Kerala (61)

### Literacy-

2011 census: 65.46% (female; male literacy rate is over 80%)

Highest: Kerala (100%)

Lowest: Bihar (46.40%)

**Table 9.3: GPI at All Levels of Education, 2013-14 (Provisional)**

Level	Total	SC	ST
Primary (I to V)	1.03	1.01	0.98
Upper primary (VI to VIII)	1.06	1.04	0.99
Elementary (I to VIII)	1.04	1.05	0.98
Secondary (IX to X)	1.00	1.00	0.99
Senior secondary (XI- XII)	1.00	1.03	0.94
Class I to XII	1.03	1.02	0.98
Higher education*	0.89	0.89	0.79

*Source:* Educational Statistics at a Glance 2014, MHRD.

*Notes:* \* For the year 2012-13; GPI is the ratio of the female-to-male values of a given indicator. A GPI of 1 indicates parity between sexes.



Launch: **International Women's Day in March 2015**

**Tool:** Has been developed in partnership with the United Nations Children's Fund (UNICEF) to help identify low-performing geographic pockets for girls, particularly from marginalized groups

Provides *comparative analysis* of individual gender-related indicators over the years

**India—**

- Data shows an improvement in girls education, with parity having been achieved between girls and boys at all levels of education, except higher education in the case of total and Scheduled Caste (SC) students
- In the case of Scheduled Tribe (ST) students, parity between girls and boys has not been achieved across all levels of school and higher education.

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