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CHAPTER – III
HISTORY OF WOMEN EDUCATION AND EMPOWERMENT

3.1 Introduction

Women’s education in India plays a very important role in the overall development of the country. It not only helps in the development of half of the human resources, but in improving the quality of life at home and outside. Educated women not only tend to promote education of their girl children, but also can provide better guidance to all their children. Moreover educated women can also help in the reduction of infant mortality rate and growth of the population.

Men and Women are just like the two wheels of a chariot. They are equal importance and they should work together in life. The one is not superior or inferior to other. Unlike ancient times, though currently in majority of rural areas of India women are treated well, but with the orthodoxy they are cut off from the main stream of social life. The rural society did not respect them and give them the due position. They have to suffer and work inside the houses. Thus they are completely depended on men.

Gender discrimination still persists in India and lot more needs to be done in the field of women’s education in India. The gap in the male-female literacy rate is just a simple indicator. While the male literary rate was more than 75% according to the 2001 census, the female literacy rate was 54.16% and according to the 2011 census, the male literacy rate is 82.14 while female literacy rate is 65.46 only.

It is very important to know the historical background, if we are to make a study of status of women in India. It is not easy to find answers for questions like when did women start losing their status or who was responsible for this situation. The position that women occupied in the ancient, medieval and later the colonial period is of utmost importance. It is also important to know about the position of women education after independence and Government efforts towards women education. The researcher wants to show the period of women education into two categories – (i) Women education in pre-independence, (ii) Women education in post-independence.
3.2 **Women Education in Pre-independence**:

Women play a prominent role in the cultural, economic, political, religious and social life of a country. The ancient people of India fully realised this fact and accorded a reasonable status to women and encouraged their education.

3.2.1 **Women Education in Ancient Period**:

**Vedic Age**:

According to Vedas, women should have opportunity to attain knowledge of the Vedas from all the four courses (Rig Veda 14.9.64). The ‘Vedas’ accord a very honourable and respectable status to women. They were not only eligible for education but also received higher education and status.

Women were expected to participate in Vedic sacrifices and utter Mantras. Even some of the hymns of the Rig Veda were composed by poetesses Visvara, Lopamudra, Apala, Ghosa, Gargi, Maitreyi were notable among Vedic scholars.

The ancient women had equal rights with men in respect of education. The Upanayana (Vedic initiation) of girls should have been as common as that of boys. In Vedic period the women not only enjoyed privileged position but also possessed high standard of morality. They had contributed positively to the educational system. The number of women who used to receive general literacy and cultural education must have been fairly large. For a long time family was the only educational institution, and even boys used to receive education only from their fathers or elders. The same naturally was the case with girls.

In later times a class of women teachers came to being (Upadhyayani). There was no purdah custom in Hindu society and so there was no difficulty for women in taking to the teaching profession. Lady teachers may probably have confined themselves to the teaching of girl-students. Panini refers to boarding houses for lady-students, chhatrisalas, and these probably were under the case of lady teachers. Co-education was also prevalent in mild from. Sometimes boys and girls were educated together while receiving higher education.
Later Vedic Age:

Female education received a great set-back during late Vedic period primarily owing to the deterioration of the religious status of women. Upanayan began to be gradually prohibited to girls and by about 500 B.C. it had already become a formality. The discontinuance of Upanayane was a formality. The discontinuance of Upanayan was disastrous to the religious status of women and they were declared unfit to recite Vedic Mantras and perform Vedic sacrifices. Thus Vedic education was prohibited to women. With the advent of foreigners the Brahmanical Society became rigid and conservative. The pandits adopted measures of defence. For this the women lost their freedom. They were confined within the home.

At the time of Manu, women were in low esteem and were not allowed to study the Vedas. Early marriage had become by now the customs. In the Vedic period girls were married at about the age of 16 to 17, but in the later Vedic period (From 500 B.C. to 500 A.D.) girls were married at the age of 8 or 9. Early marriage of girls gave a death-blow to female education. Girls of rich, aristocrat and royal families were given a fairly good literary education but surely not Vedic literatures. Here duties mainly confined to rearing up her children, keeping everything clean, preparing food for the members of the family and looking after the household utensils. Thus education of girls was entirely domestic.

Buddhist Education:

Though Buddha had first refused admission, to women in Sanghas but later on at the request of his disciple Anand, he agreed to give admission to women in the Sangha. Even then, women were kept under stricter rules and their places were lower than that of male monks in the Sanghas. Besides this the rules of admission of women in Sangha were stricter. Two years of probation was fixed for nuns (bhikshunis) before their permanent membership. Moreover, they had to live separately.

Buddhist Sangha did not help much to spread education amongst women. Sangha had given attention to the cultural development and social uplift of the women. There are many examples, which slow that Buddhist Sanghas give high spiritual training to women. Those nuns who joined the order received instruction in
the Buddhist doctrines and also in reading and writing. It is true that some of them attained to higher proficiency in learning. There are numerous reference of Buddhist Literature to the intellectual attainments of many Buddhist nuns. Some of them even became famous as teachers known as Upadhyaya.

Women did not have educational freedom. Education was not considered as being of any importance to women. Their religious freedom, too, was restricted. As they had only little freedom, their chances of performing meritorious religious rites, too, were very limited.

Generally a woman was considered a burden on the family because the males had to bear the responsibility of looking after her. Besides, she was incapable of performing religious rites for the well-being of the departed parents, and therefore, she was considered as being of little use. This is why the birth of a female child was considered as a sign of misfortune in a family. Parents prayed for the birth of sons, both to carry on the family name and traditions and also to perform the necessary religious rites for their benefit when they are dead and gone. How miserable the father felt at the birth of a daughter is seen from the event connected with King Pasenadi of Kosala. When this King was informed that his queen gave birth to a daughter he came to the Buddha and lamented. The Buddha had to pacify him saying that good daughters are as good as good sons.

Buddhism does not consider women as being inferior to men. Buddhism, while accepting the biological and physical differences between the two sexes, does consider men and women to be equally useful to the society. The Buddha emphasises the fruitful role the women can play and should play as a wife, a good mother in making the family life a success. In the family both husbands and wives are expected to share equal responsibility and discharge their duties with equal dedication. The husband is admonished to consider the wife a friend, a companion, a partner. In family affairs the wife was expected to be a substitute for the husband when the husband happened to be indisposed. In fact, a wife was expected even to acquaint herself with the trade, business or industries in which the husband engaged, so that she would be in a position to manage his affairs in his absence. This shows that in the Buddhist society the wife occupied an equal position with the husband.
3.2.2 Women Education in Medieval India:

Medieval period witnessed a radical transformation in the Indian subcontinent. The country was invaded by various foreign rulers and several traders from around the world came and settled in the country. The tradesman and the invaders brought with them their own cultures and intermingled with the people of each district of the State. Besides, religion, society and culture, education in medieval India also experienced a new perspective.

Later on when the Muslim rulers established permanent empire in India, they introduced a new system of education. Consequently the ancient system of education was greatly changed. In fact, the education during the Muslim period was much inferior than that of the Hindu period.

Before the advent of the Muslims in India, there was a developed system of education, but education in medieval India was shaped with the founding of the institutions of learning. They founded primary schools (maktabs) in which students learned reading, writing and basic Islamic prayers, and secondary schools (madrasas) to teach advanced language skills in India.

Education for girls was the exception rather than the rule Muslim girls of affluent families studied at home Quranic exegesis prophetic traditions, Islamic law and related subjects. Often attached to mosques, Islamic schools were open to the poor but were gender segregated, often only for boys. Muslim girls of affluent families studied at home, if they received any education beyond learning to recite the Quran.

Purdah system has been a part of Muslim culture since long. This system was observed strictly during the Muslim rule in India. Although there was Pardah system during the Muslim period yet Islam did not oppose the education of women. These two contrary factors influence the education of women in two ways. Girls were not allowed to go to a Madrasa for receiving higher education. However, they were allowed to go to a maktab for primary education. The girls could learn only reading, writing and arithmetic. The girl to higher classes used to continue their studies at home. But during the Muslim period there have been some very learned Muslim women who made unique contributions to the development of literature. Music was taught to princess in the palace by carefully selected Ustads.
However, as only the royal princesses and ladies and daughters of very rich people could receive education during the Muslim period, education of common Muslim women was completely ignored. Sultana Razia, Princess Gul Badan, daughter of Babur, Zebunnisa, daughter of Aurangzeb were examples of learned royal ladies in Islamic period.

During the Muslim rule in India, many of the rich and aristocratic Hindu families were ruined by the political turmoil. The result was a sharp decline in women’s education. Only a small fraction of the total Hindu girls now received education. No separate schools existed exclusively for the Hindu girls, they taught in some places along with the boys, but only up to the elementary level. The Hindu society, as a whole, became prejudiced against women’s education. The decline of literacy among the women population of our country was so sharp and rapid during the Middle Ages that by the beginning of the 19th century hardly one woman in a hundred could read and write. The girls of medieval India and especially Hindu society were not given formal education. They were given education related to household chores like cooking, spinning, grinding, recitation and many more.

As compared to Hindu society, other societies such as Buddhism, Jainism were a bit lenient. Women in those societies enjoyed far more freedom. They had easy access to education and were more liberal in their approach. According to those religions gender was not the issue in attaining salvation. Any person whether a man or a woman is entitled to get the grace of God.

It is cleared that neither Muslim nor Hindu rulers has established a state education system, both groups considered the support of education a religious obligation. The system of education, by and large was dominated by religion. The women education is deprived for this reason.

3.2.3 Women Education in Modern India:

This modern period is divided into two – (a) Missionary activities and (b) Colonial period.
Women Education under Missionaries Activities

The missionaries, who came to India with the Europeans, for the first time in the history of modern India strongly advocated in favour of women education and raising the status of women. It is education, they pleaded, which can bring economic self-sufficiency for women and self-consciousness for graceful living and honourable status in the society. The Christian Missionaries ritually established a few schools for Indian girls who were mainly recruited from the lower strata of the Hindu society because conservative Hindu elite disapproved those schools for Indian girls. But even in the face of this strong elitist disapproval the English mission schools for girls continued to exist.

But the main object of the missionaries was proselytization and not education. Education was regarded by them as a means to an end. It was the secondary object and not the principal one. Their sole aim was to propagate Christian doctrines. They mainly aimed at religious conversion. They took up educational work in order to meet the needs of the converted Indian.

Colonial Period

The East India Company came to India exploring business possibilities but it ultimately thought to establish its own empire in the country. They paid attention to education in order to show that they were really interested in the public welfare. They primarily continued the government grants to educational institutions, though they did not think it wise to introduce any change in the educational set up.

The East India Company as a policy of religion neutrality and political expediency had refrained from assisting and promoting educational activities for girls. Macaulay was strictly secular minded. He did not like to interfere with the religions of Indians in any way. In Macaulay Minute (1835), Macaulay advocated Western education and English medium schools for education in India. He proposed to stop the grants of oriental institutions and save the unnecessary expenditure. Minutes was based on the notorious ‘Downward Filtration Theory.’ Consequently the education of Indian Girls was neglected.

Through English education Macaulay wanted to create “a class of persons,
Indian in blood and colour, but English in taste, in opinions in morals and in the intellect.” Of course, his policy succeeded to a great extent. He did create a group of WOGS (Western Oriented Gentlemen) who would always co-operate with British rulers in exploitation of Indians.

Macaulay have a clear religious motivation. He tried to divide the unity of Hindu and Muslim religion in India. In a letter to his father in 1836, Macaulay wrote “Our English schools are increasing with leaps and bounds and now the condition has reached to a position that it has became difficult to accommodate the students. Hindus are much influenced with education. There is no Hindu, who may keep real faith in his religion after studying English. I have full confidence that if our education policy succeeds then no idolater will be left in Bengal. All thus will be done naturally without any religious preaching and interference”. This statement clearly unravels the sinister motives of Lord Macaulay.

The Wood’s Educational Despatch (1854) has a very important place in the History of Education in India. It may be regarded as an important landmark in the educational policy in relation to women also. It outright rejected the earlier ‘Filtration Theory’ and accepted officially the principle of mass education. It made a specific mention of the need to encourage the education of women through a policy of grant-in-aid from public funds. It approved the declaration of Governor-General that the Govt. should favourably assist the female education in India. It way candidly confessed and recognised that the Indian society would be much more benefited by the education of women rather than education of men.

Moreover, about Muslim education, Wood approved that Muslims are too backward in education. He suggested that they should be encouraged to gain more education and efforts should be made in this direction.

The Indian Education Commission (1881–82) strongly recommended to promote education of girls through local public funds. It advocated a policy of liberalising grants-in-aid to girls school and providing substantial assistance to teachers training. According to the recommendation of the Commission some schools for women were opened with Govt. grant. They suggested the different curriculum of girls because literacy or general education is not useful for them. So they should be
given education of useful subject in their life. The local board should be made responsible for women’s education. Only lady teachers and inspectress should be appointed for girls schools. These policy would encourage women education also.

The English people wanted to win the sympathy and support of influential Hindu and Muslim people. The higher class section of the Muslim population demanded the establishment of a Madrasa for higher education. The English people accepted this demand at once. Govern-General Warren Hasting laid the foundation stone of the Calcutta Madarsa in October, 1780. Its main purpose was to educate the higher class Muslim gentry and to make them faithful supporters of the English Govt. by providing good Govt. services. During this period the policy of the company was narrow and its centered round its own selfish interest.

Though the efforts of Miss Mary Carpenter and other English Social reformers like Willian Carey, Lady Amherst, Rev May and Miss Cooke, the earliest institutions for the training of women teacher were established. But inspite of all these efforts the disparity between the number of boys and girls at school remained wide.

During the vice-royalty of Lord Curzon, education in India was reviewed very critically and steps were taken to improve the various branches of education. Lord Curzon clearly confessed that the progress of education among Indian women was not satisfactory. Out of 40 girls only one could read and write. Curzon liberally sanctioned Govt. grants for the spread of women education. He established more primary schools for girls, appointed lady inspector of schools in large number and emphasised training of lady teachers.

Like Woods Despatch, Indian Education Commission gave an attention towards Muslim education. The Commission was encouraged the existing Muslim school and special provisions should be made for scholarship for Muslim students. Muslims should be given greater assistance in the field of higher English Education.

At that time, certain private organisations also came forward and opened many schools and colleges from girls. By the beginning of the twentieth century there were about 6,108 schools for girls and there were 4,47,470 girls studying in them.

Curzon gave an eyewash to the Indians as he had first said that secular education was to be given in Governmental schools and religious education in non-
govt. schools. But actually this was not his intention – he wanted to carry on religious propaganda. He just played a trick on the Indians saying or claiming that secular education was being given. But the elites of Indian society read through his intentions and were not deceived.

In the 2nd half of 19th century there was a social and cultural awakening in India, particularly in Bengal. This awakening is known a Renaissance. The reformers like Rammohan Roy, Vidyasagar, Drinkwater Bethun etc. vigorously supported the cause of women’s education. The force like the introduction of widow remarriage, the campaign against child marriage, the abolition of the practice of Sati and growth of self-consciousness and individual liberty among women undoubtedly proved helpful in promoting the education of girls. Women education also received a strong fillip from the contemporary Indian belief that the lack of education among women acted as a hindrance to social progress.

Among others, Sir Syed Ahmed Khan was also interested in social reform. Like many other Indian Muslims he realised that there was no alternative but to make friend with the rulers and embrace their polity. Despite as social reformer, his attitude towards women was quite biased. He was in favour of ‘purdah’ or ‘veil’ for Muslim women and also believed that women should only receive education at their homes. Indian Muslims including Syed Ahmed though that allowing Muslim women would be wrong as they would mix with other girls of all classes, castes and creeds were studying jointly. This was a cause of concern for Muslims. They thought that this will obliterate their civilisation and their values would be trampled underfoot. However, Sir Syed Ahmed convinced his co-religionists that they must be equipped with modern education to enable them to meet the requirement of the modern age through their scientific, technological and religious education.

Most female social reformers, however, supported female education and were against the practice of wearing a veil. The notable exception among them was the Begum of Bhopal. When Sheikh Abdullah and his wife started a girls school in Aligarh, the Begum of Bhopal gave much financial aid. In 1911, on the occasion of Muhammadan Educational Conference, the veil-clad Begum of Bhopal, along with Sarojini Naidu, Sharala Devi and Chandrani, delivered a very impressive speech.
Despite the objection to the veil and the desire for equal rights and education on the part of many progressive women, there still remained some hesitation on the part of many Muslim women to take education like other women and to participate in political activities. Those who did so must be lauded. The courage of this action, at that time when Shurfa women seldom stepped out, can not be minimized. To say that purdah is necessary to protect the moral purity of women within the four walls of the home is as absurd in theory as it is a gross libel on women.

Gandhiji’s educational policies reflected ‘Nai Talim’ (Basic Education), a spiritual principle which states that knowledge and work are not separate. It was a reaction against the British educational system and colonialism in general, which had the negative effect of making Indian children alienated and career-based. Gandhiji also gave an emphasized on spread of women education in his scheme of Basic Education. He strongly favoured the emancipation of women, and he went so far as to say that “The women have come to look upon men as one of themselves”. He strongly opposed of ‘Purdah’ of Muslim women and recruited women to participate in the political movement against British.

In the beginning of the 20th century some steps for the educational development of Muslim women were taken. Many women’s journals appeared. This journals were published to motivate more and more Muslim women to opt higher education. In 1915, All India Muslim Ladies conference was held and the burning topic was the female education. It is true that amongst Muslim women the struggle to make education for women as socially acceptable.

The Calcutta University Commission 1917–1919 made some recommendations for the expansion of women’s education: “Govt. should start purdah schools for those girls whose parents want to educate them up to the age of 15 to 16 years”. A special board of women’s education be created in Calcutta University, should organised special courses for women education and should offer them special facilities for teacher’s training and medical education. “The Calcutta University Commission formulated two principles in its report regarding female education, the modification of curriculum to suit the needs of different classes and the utilisation of the advice of the ladies in formulating a suitable scheme of instruction”.

3.3 Women Education in Post-Independence Period:

After independence (1947), Govt. of India appointed number of commissions for improvement of education in India. Some of the committee were engaged specially for women education.

Dr. Radhakrishnan (1948–1949) recommended for provision of necessary facilities in the co-education colleges, expansion of educational opportunities for girls, establishment of right status for girls, provision of some kinds of special education for girls and provision for equal remuneration in case of female teachers as males. The Commission referred that “Women’s present education is entirely irrelevant to the life they have to lead. It is not only a waste but often a definite disability. The present system of women’s education, based as it is upon men’s need, does not in any way make them fit for coping with the problems of daily life”. The Commission suggested a new education for women which will be given an opportunity for women to express their views and opinion.

The Secondary Education Commission (1952–53) on the issue of girls education stated interalia “in a democratic society where all citizens have to discharge their civic and social obligations, differences which may lead to variations in the standard of intellectual development achieved by boys and girls can not be envisaged”.

A National Committee on Women Education was appointed by the Govt. in 1958 to go into the difficulties that hindered the progress of the girls education and to make recommendation in order to bring girls education at part with the boys. The Committee had recommended several measures, these were: top priority for the expansion of girls education at the elementary stage, campaign against the traditional prejudices against girls education, appointment of women teachers, on demand separate schools for girls at higher secondary stages, incentives, special central assistance, earmarking special fund by UGC for higher education of women, and establishment of National Council for Women’s Education.

Accordingly in 1959 National Council for Women Education was set up under the Chairmanship of Durgabai Desmukh. A special unit was opened in the Central Ministry of Education to look after women education.
The Govt. appointed another Committee on differentiation of curricula for boys and girls in 1961. The Committee proposed common curricula for both boys and girls up to primary stage. The Committee also recommended a core curricula of home-science for both sexes at the middle stage and inclusion of crafts or handwork or productive labour on the general courses at the secondary level. It also suggested co-education at the primary stage. Girls should be encouraged to receive science, vocational and technical education.

In 1961 National Council for Women Education appointed a Committee under the Chairmanship of Hansa Mehta to solve the problems of a separate curriculum for girls. The committee strongly recommended in favour of rapid expansion of women education to minimise the disparity in education among men and women. It also recommended co-education at the primary level. Women teachers should be appointed in secondary schools and colleges. At primary level the same curriculum should be followed. In the appointment of teachers at primary level women should be preferred. According to the abilities and aptitudes of girls and boys the curriculum at the secondary level should be diversified. Steps should be taken to encourage girls in Science, and Mathematics education. Girls should also be encouraged to receive vocational and technical education.

The Education Commission (1964–66) which discussed at great length almost all aspects of education, on the issue of women’s education endorsed all recommendation made by the previous committee on girls education. In addition the Commission recommended that “education of women should be regarded as a major programmes for some years to come and bold and determined effort should be made to face difficulties involved and to close the existing gap between the education of men and women in as short a time as possible .................”. The Education Commission made an attempt to equalise educational opportunity between men and women and to minimise the disparity in education between men and women.

In the year 1968, the Bhaktavaslam Committee was appointed to look into the causes for the lack of public support particularly in rural areas for girls education and to enlist public cooperation. The Committee after going into details of the causes suggested interalia that the strategy for the development of the education of girls and
women will have to take two forms – the first for the emphasise on the special programmes of women education and the second is to give attention to the education of girls at all stages and in all sectors as an integral part of the general programmes for the expansion and improvement of education.

Accordingly the board recommendation of the Education Commission, the Govt. declared a **National Policy on Education in 1968**. Regarding girls education the policy stated that the education of girls should receive emphasis not only on grounds of social justice but also because it accelerates social transformation.

With the changing social and economic conditions in the country, various new problems relating to the advancement of women emerged. For this purpose, the Govt. of India, Ministry of Education and Social Welfare formulate a **Committee on the Status of Women on 1971**. This committee recommended regarding both formal and non-formal system of education for women. This committee was of the view that the educational gap between boys and girls is narrowing more rapidly at the higher level than at till primary and secondary level.

The year 1975 must be regarded as a Watershed when rethinking on women’s issues started when United Nationals declared 1975-85 as women’s decade. The year coincided with the publication of the report of the committee on the status of women in India, the findings of this report provided shock to many people. Most of the recommendations made by the committee were accepted by the Empowered Committee and thus were incorporated into the **National Plan of Action of Women** (Balaji Pandey).

The post 1975 phase saw more, official concern towards improving women’s access to education. The draft of **Sixth Five Year Plan (1978 – 83)** mentioned that the benefits from the education system failed to reach majority of population due to inadequate principle of national education policy. The plan envisaged to change in the priorities in order to bring everyone into the fold of education system.

The Sixth Five Year Plan emphasised eradication of illiteracy, universal primary education and introduction of job-orientation. The plan for the first time include a chapter on “**Women and Development**” which deals with the issues of education, health and employment of women.
3.4 Government’s Efforts towards Women Empowerment:

After independence, Government of India took several initiatives, programmes and policies, apart from constitutional and legal safeguards for the empowerment of women in the country.

Constitutional Provisions in India

The Indian constitution grants equality to women and also empowers the state to adopt measures of positive discrimination in favour of women to neutralize the cumulative socio-economic, educational and political disadvantages faced by them. The principle of gender equality is enshrined in the Preamble, Fundamental Rights, Fundamental Duties and Directive Principles of the Indian Constitution. Article 15 of the Indian Constitution forbids discrimination on grounds of caste, religion, sex, race and place of birth, whereas Article 16 ensures equal opportunities of employment. Some of the provision of Indian Constitution safeguarding the women rights include: Equality before law of women (Article 14), State not to discriminate against any citizen on grounds of religion, sex, caste (Article 15(1)), State to make special provision in favour of women and children (Article 15(3)), Equality of opportunity for all citizens in matters relating to employment or appointment to any office under the State (Article 16), State to direct its policy towards securing for men and women equally, the right to an adequate means of livelihood (Article 39(a)), equal pay for equal work for both men and women (Article 39(d)), State to promote with special care the educational and economic interest of the weaker sections of the people and to protect them from social injustice and all forms of exploitation (Article 346), not less than one-third 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)) etc.

Legislative Provisions in India

The Government of India has enacted several women-specific legislations to uphold the constitutional mandate and to protect women against social discrimination, violence and atrocities and also to prevent social evils like child marriage, dowry,
rape, practice of sati etc. The ‘crime against women’ under various legislations of Government of India could be broadly classified within two categories: First, the crimes identified under the Indian Penal Code (IPC) which includes Rape (Sec. 376 IPC); Kidnapping and Abduction for different purposes (Sec. 363 – 373), Homicide for dowry, dowry deaths or their attempts (Sec. 302 / 304 – BIPC), Torture, both mental and physical (Sec. 498–AIPC), Molestation (Sec. 354 IPC) Sexual harassment (Sec. 509 IPC) and importation of girls (up to 21 years of age). Secondly, the crimes identified under the Special Laws (SLL) which are though not gender specific, but some do have special provisions to safeguard women and their interests. It includes the Employees State Insurance Act 1948, the Special Marriage Act, 1954, The Hindu Marriage Act 1955, The Maternity Benefit Act 1961 (Amended in 1995), Dowry Prohibition Act 1961, The Child Marriage Restraint (Amendment) Act 1979, Indecent Representation of Women (Prohibition) Act, 1986, The Marriage (Amendment) Act 2001 etc.

The constitutional and legislative provisions in India not only grants equality and protection to women, but also empower the state to adopt measures of positive discrimination in favour of women. In India, within the framework of a democratic polity, laws and development policies, programmes have been aimed at women’s advancement in different spheres of life. From Five Year Plan (1974–78) onwards, there has been a marked shift in the approach to women’s issues in India, from ‘welfare’ to ‘development’ of women.

3.4.1 Government Policies in India regarding Women Empowerment

The Government of India has ushered in the new millennium by declaring the year 2001 as ‘Women Empowerment Year’ to focus on a vision ‘where women are equal partners like men’. Government policy has been to promote women’s participation in political, social and economic life of the nation and identical access to health care, quality education, career and vocational guidance employment, equal remuneration, occupational health and safety, social security and public office etc.
National Policy for the Empowerment of Women (2001)

The goal of this policy is to bring about the advancement, development and empowerment of women. The policy will be widely disseminated so as to encourage active participation of all stakeholders for achieving its goals. The Policy includes creating an environment through positive economic and social policies for full development of women to enable them to realize their full potential; the de-jure and de-facto enjoyment of all human rights and fundamental freedom by women on equal basis with men in all spheres – political, economic, social, cultural and civil; equal access to women to healthcare, quality education at all level, career and vocational guidance, employment, equal remuneration, occupational health and safety, social security and public office etc. strengthening legal systems aimed at elimination of all forms of discrimination against women; changing societal attitude and community practices by active. Participation and involvement of both men and women; elimination of discrimination and all forms of violence against women the girl child; and building and strengthening partnership with civil society, particularly women’s organisation.

The National Policy for the Empowerment of women (2001) outlines three policy approaches:

i) Judicial Legal Empowerment : by making the legal system more responsive and gender sensitive for women’s need.

ii) Economic Empowerment : by mainstreaming gender perspectives in the development process, enhancing women’s capacity & access to economic opportunities.

iii) Social empowerment : Through focused efforts on education, health and nutrition

Five Year Plans

In the first five year plan, the issue to provide equal status to women in India was focused. In fact the first four five year plans were focused on organising various welfare activities for women with priority to women’s education. The fifth and sixth plans witnessed a shift in approach from welfare to entire development of women in India. The eighth plan made a significant shift from development to women’s
empowerment. It recommended 30% reservation for women at all levels of government. The Ninth plan ensured that a minimum of 30% of benefits or funds flow to women from all ministries and departments of the Govt. As a result, some positive indicators of women’s development in India can be seen in the female literacy rate, which rose from 8% in 1947 to 54% in the 2001 census. The total fertility rate has also come down from 5.07% in 1961, to 3.3 in 1997 and to 2.97 in 2001.

There is no doubt about the fact the development of women has always been the central focus of planning since independence. However, a clear vision is needed to remove the obstacles to the path of women’s emancipation both from the Government and women themselves. Efforts should be directed towards all round development of each and every section of Indian women by giving them their due share.

**Political Participation**

Women’s political participation has been considered a major measure of women’s empowerment. Unfortunately, despite their numerical strength, the role of women has been grossly underplayed. It is an established fact that Indian women, in spite of the constitutional and legal safeguards, are still in the process of struggling for equality of status and equality of participation in the development process. In this struggle the Women’s Reservation Bill has brought a ray of hope in the minds of Indian womenfolk. March 9th, 2010 turned out to be a great day of achievement for womenfolk, when the women reservation bill of 33% placed in Rajya Sabha could be passed. The new bill granted 33% reservation to women in Parliament and State Legislative bodies.

If we try to look at the background of this bill we will find that the need for this bill was realised even a couple of decades ago. In 1974, the Report of the Committee on ‘Status of women’ highlighted low number of women in political bodies and recommended that seats be reserved for women in Panchayats and municipal bodies. The National Perspective Plan for Women (1988) recommended a quota of 30% panchayats, municipalities and political parties. Representation for women in panchayats and municipalities was done through the 73rd and 77th Amendments passed in 1993 by mandating a minimum one-third reservation for women.
The Women’s Reservation Bill aims to bring about gender equality in Parliament and State legislatures. Still the percentage of women in Lok Sabha is found between 7% and 11% even after 64 years of independence. In state assemblies, too, representation of women is abysmally low. Hence effective measures are needed to bring women (nearly 50% of the population) at part with men in the Lok Sabha and State assemblies. The new bill will definitely create an army of a new breed of women political activities. It will not only lead to tremendous mobilisation of women but also empower them politically enabling them to be decision-makers so as to control their destinies. The successful passing of the bill would overcome inhibitions which are centuries – old among women and encourage them to gradually shoulder responsibilities in the Legislative Assemblies and in the Parliament. Women empowerment is the key issue of this bill where people have realised that empowerment of women is necessary not just for their own welfare but the well being of the entire country because it enhances both the quality and quantity of human resources available for development. The reservation for women would facilitate them to realise their status, to feel the importance of their being, to know their rights and claims through which they can lead a peaceful and dignified life.

A major contribution to Mahatma Gandhi to women’s empowerment was to set a tone of equality by asking them to come out of their protected environments and join the movement for freedom. This become not only an exercise in confidence building but a lesson in the skills of reformative action. Gandhi travelled throughout the country with his wife Kasturba Gandhi by his side and she became a personification of what the Indian women could contribute to the struggle for independence. Under Gandhi’s leadership women took the first step in their forward march towards greater empowerment. Further, he also presented an alternative vision of power, exercising control and influence through innate feminine qualities like compassion, determination, perseverance, patience and forbearance – a vision which is so necessary in the conflict ridden world of today.
Position of Women in National Parliament:

Table – 3.1

Women’s Representation in Lok Sabha

<table>
<thead>
<tr>
<th>Lok Sabha</th>
<th>Year</th>
<th>Total Seats (No.)</th>
<th>Members (No.)</th>
<th>Percentage of Female Members to Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Males</td>
<td>Females</td>
</tr>
<tr>
<td>I</td>
<td>1952</td>
<td>499</td>
<td>477</td>
<td>22</td>
</tr>
<tr>
<td>II</td>
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<td>III</td>
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<tr>
<td>IV</td>
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<td>V</td>
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<td>VI</td>
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<td>VII</td>
<td>1980</td>
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<td>IX</td>
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<td>517</td>
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<td>X</td>
<td>1991</td>
<td>544</td>
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<td>XI</td>
<td>1996</td>
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<td>504</td>
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<td>XIII</td>
<td>1999</td>
<td>543</td>
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<td>49</td>
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<tr>
<td>XIV</td>
<td>2004</td>
<td>543</td>
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<td>44</td>
</tr>
<tr>
<td>XV</td>
<td>2009</td>
<td>543</td>
<td>484</td>
<td>59</td>
</tr>
</tbody>
</table>

Source: ‘Lok Sabha Members’, Lok Sabha Secretariat, New Delhi.
Table – 3.2

Women’s Representation in Rajya Sabha

<table>
<thead>
<tr>
<th>Lok Sabha</th>
<th>Total Seats (No.)</th>
<th>Members (No.)</th>
<th>Percentage of Female Members to Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Males</td>
<td>Females</td>
</tr>
<tr>
<td>1952</td>
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<tr>
<td>1957</td>
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<td>1962</td>
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</tr>
<tr>
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<td>1971</td>
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<tr>
<td>1977</td>
<td>244</td>
<td>219</td>
<td>25</td>
</tr>
<tr>
<td>1980</td>
<td>244</td>
<td>220</td>
<td>24</td>
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<tr>
<td>1984</td>
<td>244</td>
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<td>1989</td>
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</tr>
<tr>
<td>2006</td>
<td>242</td>
<td>218</td>
<td>24</td>
</tr>
<tr>
<td>2013</td>
<td>243</td>
<td>216</td>
<td>27</td>
</tr>
</tbody>
</table>


Economy:

Women comprise the majority of the population below the poverty line of India and given the harsh realities of intra-household and social discrimination, macroeconomic policies and poverty eradication programs is the focus area of the govt. to address the needs and problems of such women. Government intends to implement the programmes which are women oriented with mobilisation of poor women and convergence of services, by offering them a range of economic and social options, along with necessary support measures to enhance their capabilities. In order to enhance women’s access to credit for consumption and production, the government has proposed the establishment of new and strengthening of existing micro-credit
mechanisms and micro-finance institution so that the outreach of credit is enhanced. Government also intends to recognise their contribution to socio-economic development as producers and workers in the formal and informal sectors (including home based workers) and initiate appropriate policies related to employment and working conditions.

The Rajiv Gandhi Scheme for Empowerment of Adolescent Girls (RGSEAG) or Sabla, is a centrally sponsored scheme aimed at all-round development of adolescent girls of 11 – 18 years. The focus is all out-of-school adolescent girls. It aims at making them ‘self-reliant’ by promoting awareness about health, hygiene, nutrition, adolescent reproductive and sexual health family and child care through various interventions such as guidance and counselling and vocational training. Government tried to intend the self-dependence of women by this vocational training. Nearly 100 lakh adolescent girls per annum are expected to be benefitted under the scheme.

Health:

Women must have access to comprehensive, affordable and quality health care. A holistic approach of women’s health which includes both nutrition and health services with special attention to the needs of women and the girl at all stages of the life cycle is another priority of the government. The reduction of infant morality and maternal mortality, which are sensitive indicators of human development, is a major concern. The government policy reiterates the national demographic goals for Infant Mortality Rate (IMR), Maternal Morality Rate (MMR) set out in the National Population Policy 2000. Government is also focused many programmes for checking the spread of sexually transmitted diseases like HIV / AID and communicable diseases.

National Mission for Empowerment of Women:

The National Mission for Empowerment of Women (NMEW) was launched by the Government of India on International Women’s Day in 2010 with the aim to strengthen overall processes that promote all-round development of women. It has the
mandate to strengthen the inter-sector convergence, facilitate the process of coordinating all the women’s welfare and socio-economic development programmes across ministries and departments. The Mission aims to provide a single window service for all programmes run by the Government for women under aegis of various central ministries.

**Education:**

The policy of Government of India has been to ensure access to education for women and girls. Special measures were taken by the government to eliminate discrimination, universalise education, eradicate illiteracy, increase enrolment and retention rates of girls and to facilitate life-long learning as well as development of occupational, vocational and technical skills of women in India. Provision of educational opportunities for women has been an important part of the national endeavor in the field of education since independence.

The National Policy on Education (NPE, 1986) as revised in 1992 was a landmark in the field of policy on women’s education in that it recognised the need to redress traditional gender imbalances in educational access and achievement. The NPE also recognised that enhancing infrastructure alone will not redress the problem.

The Programme of Action (POA, 1992) which translates the above guidelines into an action strategy, in the section “Education for Women’s Equality (Chapter XII pages 105–07 focuses on empowerment of women as the critical precondition for their participation in the education process.

(a) **Mahila Samakhya Project:**

The Mahila Samakhya programme was initiated in 1989 to translate the goals of NPE and POA into a concrete programme for the education and empowerment of women in rural areas, particularly of women from socially and economically marginalized groups.

(b) **Mahila Sanghas:**

Women’s collectives under the MS programme, called Mahila Sanghas, play an active role in working towards removal of barriers to the participation of girls and
women in education at the community level and play an active role in school management / running of alternate schooling facilities where needed.

(c) Kishori Shakti Yojana (KSY) :

The KSY is a redesign of the Adolescent Girls Scheme which was under the ICDS. The KSY seeks to benefit girls of 11 to 18 years of age. Its objectives involve improving the nutritional, health and development status of adolescent girls promoting awareness of health, hygiene, nutrition and family care, sending out of school girls back to school through bridge courses and non formal education channels as well as imparting vocational training and sex education.

Schemes for Education of Girls and Women of Ministry of Human Resource Development (MHRD)

The Development of Elementary Education and Literacy is in charge of the MHRD’s most ambitious schooling project – The Sarva Shiksha Abhiyan (SSA). The SSA serves as an umbrella scheme for schemes directly and indirectly beneficial to the girl child – the National Programme for the Education of Girls at an Elementary Level (NPEGEL) and the Early Childhood Care and Education (ECCE) programme. Other MHRD scheme is the Kasturba Gandhi Balika Vidyalayas (KGBVs). The objective of KGBV is to ensure access and quality education to the girls of disadvantaged groups i.e. SC, ST, OBCs and minorities of the society by setting up residential schools with boarding facilities.

The empowerment of women has become one of the most important concerns of 21st century not only at national level but also at the international level. Efforts by the government are on to ensure gender equality but government initiatives alone would not be sufficient to achieve this goal. Society must take initiative to create a climate in which there is no gender discrimination and women have full opportunities of self decision making and participation in the social, political, economic life of the country with a sense of equality. It would be apt to quote Swami Vivekananda “There is no chance of the welfare of the world unless the condition of women is improved. It is not possible for a blind to fly on one wing”.

3.5 Role of NGO’s in Women Empowerment:

Government organisations are formal agencies working for the empowerment of women. But this work requires multidimensional approach and hence a large number of voluntary organisation / NGO’s have gained increased attention in the field from grass root level to national and international level. Their role is so impressive because they work with missionary zeal and commitment. The working style of NGO’s is open, transparent, and personal. So, they are more effective in this direction. They organise seminars, conferences and workshops for the awakening of the masses. Their mass appeal-style contributes to a better understanding of women’s rights and of the means to ensures the enjoyment of those rights and the elimination of discrimination. They prepare urban and rural uneducated women for self-employment, which is vital for the economic empowerment of the women. In short, all these programs and functions of NGO’s contribute towards the realisation of sustainable community development and hence women empowerment.

3.6 Role of International Agencies for Women Empowerment:

Promotion of equality between women and men and the empowerment of women is central to the work of United Nations. The UN actively promotes women’s human rights and works to eradicate, discourage of violence against women, including in armed conflict and through trafficking. There are various UN agencies working for the empowerment of women like The commission on the status of women, The committee on the elimination of discrimination against women, The Division for the advancement of women, The United Nations Development Fund for women etc. These international agencies work to ensure that women have a real voice in all government institutions, from the judiciary to the civil service, as well as in the private sector and civil society. So they can participate equally with men in public dialogue and decision making and influence the decisions that will determine the future of their families and countries.
3.7 Status and Customs of Muslim Women:

Islam brought about liberation of women from bondage and gave her equal rights and recognised her individuality as a human being. Islam improved the status of women by instituting rights of property ownership, inheritance, education, marriage (as a contract) and divorce.

There are five principles, known as pillars of Islam. These pillars are pilgrimage to the holy city of Mecca, fasting during the month of Ramadan, giving charity, praying five times a day and the belief in the oneness of the Almighty and that Mohammad was his final prophet. Islam requires both men and women to fulfill these obligation, especially the belief in one God. Pregnant and nursing women do not have to fast, but that does not excuse them from their religious duties.

Muslim women enjoyed more rights than women in any other society until the liberation of women in the western world. The Quran, the principal authority for all Islamic rules and regulations, put women on an almost equal footing with their male counterpart, and the rights conferred on Muslim women by the Quran were supported and supplemented by the authentic Hadith of the Prophet Muhammad (pbuh).

However, from the very beginning of the Islamic era (610 AD onwards) male dominated Arab society resisted the ideals of sexual equality prescribed by the Quran and the Hadith. By the time Islamic law (Shariah) began to be codified in the eight century A. D. all sorts of pre-Islamic (Arab) and non-Islamic influences (from the Hellenic and Sassanid culture) had affected the thinking of the Muslim Jurist. Conservatives and the traditionalists upheld the status quo of male domination of pre-Islamic Arab society and endeavored to justify their position.

Perhaps the stronger support for the equality of men and women in the Quran found in 4: 124. This verse clearly states men and women will be rewarded equally based on their deeds. Verse 3: 195 further supports the concept of equality in judging the work of members of both sexes. Even the most conservative Islamic Jurist is unable to question the clarity of these verses in their equal treatment of men and women. The only permissible sexual relationship under Islamic law is through marriage. Both the Quran and the Hadith prefer marriage to celibacy.

Dower is prescribed even for female staves married to a man according to
verse 4:25.

The other essential of the Islamic marriage is publicity of the marriage, which is ensured by witnesses. The Quran insists on the publicity of the marriage as the Quran prohibits secret sexual relationships. Hadiths also insist on such publicity and there are Hadiths, which say marriage must be made known publicly, even with the beating of drums. The Quran and the Hadith confer the right of independence to a Muslim women to enter into a marriage contract without the interference of the marriage guardian.

There is nothing in the Quran about child marriage, pre-Islamic Arab custom that allowed child marriage played a major role in introducing child marriage to Islam. Besides, there are some Hadiths that refer to child marriage. The Shariah, therefore, permits child marriage of both sexes.

It should be noted that all the innovative rules of child marriage introduced by the various schools of Muslim law are not as fundamental as the Quranic injunctions or the injunctions of the Hadith. Therefore, Muslims of modern times, by the exercise of Ijtibad, can change these rules if the needs of modern society demand it. Some changes in this area of law have been made on the Indian sub-continent and it other countries in the 20th century.

Generally speaking, Islamic law recognises monogamy or the union of one man and one woman as a valid form of marriage. However, Islamic law also allows polygamy under exceptional circumstances. The conditions for polygamy are dealt with by the following verses of the Quran, which are also relevant for treatment towards orphans.

In the late 19th century the Egyptian theologian and Islamic jurist, Mohammad Abdah declared that the current regulation of Islamic Shariah regarding polygamy did not belong to the essentials of Islam, but were subject to modification according to needs and circumstances.

Although divorce is permitted in Islamic law, it is discouraged by both the Quran and the Hadith. The prophet said, with Allah the most detestable of all things permitted is divorce” (AD 13:3). The Quran recommends reconciliation between the couple before a breach between the husband and wife leads to divorce.
Talaq (or divorce by husband) literally means preaching or ungoing of a Knat. This is one of the three models of dissolution of marriage in Islam, the other two being divorce by the wife in special circumstances and divorce by judicial decree. Although divorce by talaq is the exclusive right of the husband it has limitations. Thus, despite being an extrajudicial proceeding, the role of the arbiter in the talaq mode of divorce makes talaq a quasijudicial proceeding.

The jurists of Islamic law recognise three forms of talaq namely talaq absan, talaq basan and talaq bid’i. Talaq absan (the method of talaqi) is the only form of talaq recognised by the Quran. Talaqi basan (the good method of talaqi) is a mode of talaq in which the husband divorces his wife for the first time in one tuhr, followed by a second divorce in the second tabr and followed again by a third divorce in the third tuhr. In this way, he divorces his wife thrice in one iddat.

The doctrine of the delegation of the power of divorce is based on an incident mentioned in the Quran wherein the prophet (peace be upon him) told his wives that they were at liberty to live with him or to get separated from him as they choose. Talaqi-i-Bidah means innovated (or sinful) from Divorce. It is defined as a divorce which is pronounced thrice in one sitting when the wife is in the state of purity (tuhr).

Talaqi bid’i (triple divorce in one sitting) is an innovation of talaq introduced after the death of the Prophet Muhammad (pbud). According to this form of talaq, a man would pronounce talaq (divorce), three times in one sitting and this would be understood as if lataq (divorce) has been given thrice. This is the most widely practiced form of talaq among Muslims, particularly in India, Pakistan and Bangladesh. This mode of talaq has raised tremendous controversy between the supporters and opponents of triple talaq. (No Quranic verse has ever supported the triple talaq in one sitting. There is no mention of triple talaq in one sitting in the Quran or in the Hadith. This position changed when the four schools of Sunni law were established.

The wife’s right to claim divorce is recognised by the Quran and by the Hadith and is accepted by the jurists of Islamic law. It can have either of the two forms, namely ‘Kula’ and ‘Mubaraa’. If the desire to separate comes from the wife, it is called ‘Khula’ or ‘Khul’. If the divorce is the result of mutual aversion (and consent) it
is called ‘mubaraa’.

The Quran makes no reference about women pronouncing talaq on their husbands, but at the same time there is no indication in the Quran that the woman’s right of repudiating her husband by divorce, prevailing in pre-Islamic Arabic was removed by Islamic laws. It can be argued that as the Quran prescribes mutual and peaceful reconciliation or separation on peaceful terms after the decision of the arbiter, the wife also has the right of repudiating her husband.

One of the most controversial and difficult topics a Muslim confronts in his social life is the subject of Pudah in Islam. On the one hand we have the present system of purdah as practiced by Muslims in the present time, particularly by the Muslims coming from the Indian subcontinent. On the other hand, we have various Quranic and Hadith regulations and injunctions which provide the rules and methods. Muslims are obliged to follow with regard to their dress, privacy and manners while coming across the members of the opposite sex. A careful consideration of the duties and obligations which Muslims are asked to follow by the Quran and authentic Hadiths of the Prophet show the so-called system of purdah, as we know it today, has very little to do with Islam.

When Muslims conquered India from the Hindus, they found the Hindu custom of the seclusion of women even worse than the Iranians and Byzantians. In India, Hindu women prided themselves in not even coming into contact with sun rays, as they called themselves ‘Ashurjampashsha’ (untouched by the Sun). It was the influence of Indian Hindus that made the purdah system of Indian Muslims the worst and most restricted form of seclusion of women in the whole of the Muslim world. It was thus that the purdah system gradually crept into the Muslim society.

On burkha Sir Sulaiman (1935) says “Its use is only traditional as copied from other nations and which Muslims gradually exaggerated, giving to it a religious significance. It is therefore clear that Islam can not be blamed for the attending evils and the social causes of the purdah, the portable black hole carried by the Muslim women of the Indian sub-continent, has no religious basis whatsoever”.

So far the researcher discussed on the text of the Quran as interpreted by commentators with the help of authentic Hadith and in the context of the history of
Muslims. However, we are aware the Quran has given us only the fundamentals of Islamic principles and the detailed rules on various matters are not always available within it.

The prophet said, “It is permitted to you (the women) to go out for your needs” (B4 : 13, 67 : 116). Going out of the house obviously requires a woman to come into contact with men and intermingling of the two sexes can not be avoided. The views of many Muslim conservatives that a woman’s real place is at home has no support either in the Quran or the Hadith. In fact, Muslim women are in the same position as Muslim men who also come out of their houses only for their needs. The study of the Hadith and the history of Muslims show clearly the circumstances when Muslim women came out of their houses for their needs.

Regarding Muslim women leaving their houses for religious purpose, there are innumerable Hadiths and many historical instance to show women’s participation in religious services in the mosques and other places. The Prophet (pbuh) said “When the wife of one of you asks permission to go out she should not be prohibited from doing so”. (B10 : 166).

Islam has never asked for the unnatural barrier between men and women as are find in the modern purdah system. The spirit of the purdah the Quran and the Hadith prescribe in the sense prescribe in the sense of chastity and decorum that can restrain the sexual passions of men and women, and can prevent indecencies. Muslims women are free to transact the business and occupations of modern life as much as their male counterparts, provided they remain within the limits of Islam.

In Islamic law, the technical term for the custody of children is hizanat. Elaborate rules have been made by jurists of Islamic law regarding hizamat. Despite being enormously biased in favor of the father in male dominated Muslim society, conservative jurists of Islamic law could not deny the mother’s right of custody of very young children. If there is no clear guidance from the Quran regarding hizanat, jurists of various schools of Muslim law gave different decisions on the question of hizana.

In the Indian subcontinent (India, Pakistan and Bangladesh) is curtailed women’s rights to custody (hizanat) of their children under certain circumstances
(Baillie, 1875). These are: (a) if she marries a man not related to the child (b) if she goes to reside at a distance from the child’s father’s place of residence during the subsistence of her marriage with said father of the child (c) if she is leading an immoral (d) if she neglects to take proper care of the child (e) if she becomes an apostate.

The courts of law in India, Pakistan and Bangladesh have not always agreed with the conservative Muslim jurists in the matter of hizanat and in many cases have awarded hizanat to the mother in direct contradiction to Shariah law. In particular, the Lahore High Court took bold steps on various occasions to disentitle the father from custody on account of his conduct (PLD 1953 Lahore 73). Another court order is issued regarding this custody of children.

The Muslim world is waiting impatiently for the day when liberated Muslim women will be free to contribute their best towards the political, social, economic, moral and intellectual development of their community along with the Muslim men. The researcher hopes that day is not far.

3.8 Constitutional Provisions of Minority:

The post independent India has provided more confidence to the minorities including Muslim community by making strong provision for their rights to be better protected and this could be viewed through the following constitutional commitments:
Table – 3.3

Constitutional Provisions of Minority

<table>
<thead>
<tr>
<th>Article</th>
<th>Provisions</th>
</tr>
</thead>
<tbody>
<tr>
<td>14</td>
<td>Insures equality before the law and equal protection by the law.</td>
</tr>
<tr>
<td>15</td>
<td>Prohibits discrimination on the grounds of religion, race, caste, sex and place of birth.</td>
</tr>
<tr>
<td>21</td>
<td>No person shall be deprived of his life or personal liberty except through the produce established by law.</td>
</tr>
<tr>
<td>22(I)</td>
<td>No religious instruction shall be provided in any educational institution wholly maintained out of state funds.</td>
</tr>
<tr>
<td>25</td>
<td>Insures freedom of conscience and the right to freely profess, practice &amp; propagate religion.</td>
</tr>
<tr>
<td>26</td>
<td>Insures right to manage religious institutions, religious affairs, subject to public order, morality and health.</td>
</tr>
<tr>
<td>29</td>
<td>Protects minorities right to conserve their language, seraph or culture.</td>
</tr>
<tr>
<td>30</td>
<td>All minorities whether bases on religion or language, shall have the right to establish and administer educational institutions of their choice. The state is directed not to discriminate against minorities institutions in granting aid.</td>
</tr>
<tr>
<td>350</td>
<td>Directs the state to provide facilities for instruction in the mother tongue at the primary stage of education.</td>
</tr>
</tbody>
</table>

3.9 Government Efforts towards Improvement of Minority Girls’ & Women’s Position:

Women education and women empowerment is closely connected with each other. Empowerment is impossible without education. So the Government of India as well as the State Government of West Bengal has taken several measure to improve the education and empowerment of Muslim girls and women.

**Government of India** adopted many schemes for improving the condition of minority women.

1. The ministry of minority affairs had launched a new scheme for leadership development of minority women. The broad objectives were to contextualise
women’s empowerment under XII Five Year Plan.

2. To achieve the objective of women empowerment through women’s education, the National Commission for Minority Educational Institutions (NCMEI), Ministry of Human Resource Development, Government of India, constituted its committee on Girls Education of minority, particularly Muslim girls education.

3. ‘New Prime Minister 15 Points Programme’ for the empowering minorities with education and skills specially for women welfare.

4. Scholarship scheme at pre-matric, post-matric, merit-cum means scholarship for minority student to provide financial assistance to poor and meritorious students belonging to minority communities.

5. Maulana Azad Education Foundation adopted a scheme for promotion and assistance of meritorious minority girls student, namely ‘Maulana Azad National Scholarship Scheme for Girls belonging to Minorities’.

The State Government of West Bengal has drawn up the follow measures to improve the states of minority women:

- State allotted funds for construction of hostels for minority girl students in Kolkata.
- Stipend was given to meritorious minority students.
- State provided financial assistance to the poor and meritorious students belonging to the minority community which enable them to pursue professional and technical courses.
- State adopted Minority Women Empowerment Programme (MWEP) for betterment of socio-economic statues of minority women.
- State Government adopted the scheme for development of leadership of minority women.
- Divorces among Muslim women.

3.10 Some Causes for Low Literacy among Muslim Women in India:

Women education in India plays a key role in the social and economic development of the country. Educating a woman uplifts her life as well as the quality
of her life and her entire family. It is a fact that any educated woman will definitely support the education of her children especially a girl child and provide a better guidance to her children. An educated woman will easily imbibe an independent and progressive outlook in her children. More importantly, an educated woman in a society like India will assist in reducing the infant mortality rate and control the blossoming of the population. Education for women plays an important role in women empowerment.

Women education is a multidimensional phenomenon. No single factors or cause can be held responsible for very low rate of Muslim women in India. Subsequently it is associated with combination of many factors including social, cultural, economic, demographic, political & so on. The following are the some of the important factors which could be attributed for the present poor education status of Muslim women.

High Drop-out Rate among Muslim Girls from Schools

The incidence and prevalence of drop-out among Muslim girls especially in rural and slums areas seen to be quite high. There is non availability of schools with in easy for girls at lower levels.

- **Early marriage**: There is high association of female literacy with female age at marriage. By and large the female age at marriage of 18 (recently 21 years) as prescribed by various legislations not at all followed in India. This obnoxious practice discourages female children to continue their schooling and higher education.

- **Orthodox attitude**: Absence of girls hostels and female teachers are also impeding factors. Many religions books point to the fact that women are not treated badly by Islam. Unfortunately, in actual practice, the tendency seems to be to over look or misinterpret the principles and orders of the Quran and consequently to accord to the woman an inferior status.

- **Poverty as a barrier**: In many poverty stricken families, children especially girls are considered as economic asserts as they bring income for livelihood as well to save from economic rises due to death or incapacity of parents.
- **Trafficking of girls**: Trafficking or trade in humans constitute one of the worst forms of crimes against humanity. According to the National Crime Records Bureau (NCRB) West Bengal stands very high in women trafficking.

- **Child labour practice**: A large segment of child population in India is engaged in child labour practice. In most of the industries girl children are preferred for high productivity and low cost.

The role of women in Islam has been misunderstood due to the general ignorance & education of the true Islamic system and the Islamic way of life. The need of the hour is to come to gather to find a new approach which will overcome the short comings and limitations of the above approaches. It is now necessary for the Muslim women to realize and enjoy their full human rights and start a process of reform within the community and empowerment through affirmative action programmes for their greater access to educational, economic and political institution and opportunities. Women are agent of change and education is considered a key instrument for this change, which is responsible for the national development.

3.11 **Reservation of Muslims in West Bengal**

The Government of India has provided reservation to some Muslim communities under other Backward Classes (OBC) category on 2010.

The Backward Classes Welfare Department of Government of West Bengal issued a notice on 11th May, 2012 in continuation of the previous notice of 24th September, 2010. The previous notice declared 108 total OBCs which included 53 Muslims. The notice had list of 56 more Backward OBC which is ‘A’ category and 52 Backward OBC which is B category. Among the 56 ‘A’ category OBCs, Muslims were 49, six Hindus and one Buddhist. In the 52 ‘B’ category OBCs, there were only 4 Muslim castes.

The new list of May, 2012 has included a total of 35 more OBC’s which include 30 Muslims. Of 35, Category ‘A’ has 9 castes, which include 8 Muslims and Category ‘B’ has 26 castes which include 22 Muslims. Now the entire list of OBCs stands at 143 that include 83 Muslims. Of 143, Category ‘A’ has 65 OBCs that include 57 Muslims and Category ‘B’ has 78 OBCs that include 26 Muslims.
### Table – 3.4

**OBCs in West Bengal**

<table>
<thead>
<tr>
<th></th>
<th>Total</th>
<th>Muslim</th>
<th>Others</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total OBCs</td>
<td>143</td>
<td>83</td>
<td>60</td>
</tr>
<tr>
<td>‘A’ Category OBCs</td>
<td>65</td>
<td>57</td>
<td>8</td>
</tr>
<tr>
<td>‘B’ Category OBCs</td>
<td>78</td>
<td>26</td>
<td>52</td>
</tr>
</tbody>
</table>

Source: Backward Classes Department, Welfare Department of Govt. of West Bengal, 11th May, 2012.

It is surprising that the Central Government list of OBCs has not included any Muslim OBC caste from West Bengal. If ‘A’ Category of OBC of West Bengal is included in Central Government OBC list, then Muslim OBCs of West Bengal will be benefited more as there is 27% OBC reservation in Central Government jobs. So, some groups of Muslims have started a movement to include the Muslims of OBC in Central Government list.