Women and Empowerment
CHAPTER - VIII
WOMEN AND EMPOWERMENT

Empowerment is an active, multi-dimensional process which enables women to realize their full identity and powers in all spheres of life. But, power is not a material to be transacted nor could it be handed over. Power has to be acquired and once acquired it needs to be exercised, sustained and preserved\textsuperscript{1266}. It is also a process of capacity building leading to greater participation in decision making power and to establish control over material assets, intellectual resources and ideology. It enables women to participate effectively in developmental process.

In ancient Tamil Nadu, while men engaged in heroic deeds, women looked after the affairs of the family. Tiruvalluvar, the great law giver of Tamil Nadu, considered agriculture as the primary occupation of both men and women\textsuperscript{1267}. Similarly, in production and distribution in industries, both men and women shared their labour as is evident from the industrial complex discovered at Kodumanal Archaeological site, on the Noyyal river bed, near Erode. Various kinds of industrial products from ordinary metal items to costly diamond, beryl, ivory, gold and silver industrial goods were produced and exchanged. Commercial activities went on smoothly and transactions were done by means of barter or by means of coin exchange. Tiruvalluvar calls wealth by the term \textit{madus}\textsuperscript{1268} which literally means cattle and by implication means wealth. In those days, wealth of a man was measured by the number of cattles and women possessed by him. Marriage was very simple in expensive. Costly jewellery was not a sign of wealth, but married women were generally accompanied by their girl friends or servants. The system of dowry was not practised, not even tying \textit{tali} (trinket); neither the practice of \textit{kanyadhana}, \textit{stridhana}; nor the ritual of \textit{saptapati} and consummation.

\begin{footnotesize}
\begin{enumerate}
\item[1267] \textit{Kural}, 1031-1033.
\item[1268] \text{\textit{கூற்று\ தொழில்வியலை \ கல்வியும் \ கொள்ழு\ விளக்கம். Kural, 400.}
\end{enumerate}
\end{footnotesize}
after seeing the *Arunthati* star. All these point to the fact that both men and women jointly
decided the nature of their family.

But with the advent of Brahminic customs and ritual, practices, the simple Tamil
Society became very complex and women lost their prudence and rights – right to choose
their partners, to accept the payment of parisam, separation, right to have children, right to
parental property, etc. Their right to education was curtailed and they were driven mostly to
secluded life.

In the Medieval Tamil Nadu high caste women - Brahmin, royal and merchant
women - enjoyed some rights in society. They could donate lands, cattles, lamps and oil to
the temples. They enjoyed the right to education and empowerment. It is evident from the
roles played by some Brahmin women and royal women like Sembian Mahadevi or
Kunthavai Nachiyar, the sister of Rajarajal. Right to education, performance of the arts and
owning property was mostly enjoyed by the *devadasi*. The gifts, donations and rights enjoyed
by these categories of women were registered in inscriptions. When compared to the
*devadasi*, even the Brahmin women enjoyed less exclusive rights in the medieval time.

Hindu Law gives no place to women in the family, as proprietors and as rightful
heirs to the property of their husbands. The women were always dependents and remained
ever dependents. She lived according to Hindu law eligible for ‘maintenance’ and nothing
more. Divorce and widowhood were common in the Modern times among the Hindus.

Having watched the deplorable condition of widows, *Periyar* pleaded to the
government to give equal rights to women on par with men to inherit property as that would
make them economically independent. *Periyar* stressed the importance of property rights
to women in the issue of *Kudi Arasu* on December 1929. To quote his words, ‘women
should have property rights like that of men, men should have all virtues and good
characters like that of women and laws enforcing these should be enacted without any

---


1270 A resolution passed in the Chengleput Conference of SRM in 1929.
delay. In connection with this, Periyar passed two resolutions in the Self-Respect Conference held at Tirunelveli on 28th November, 1927. They were:

- In Hindu families where the widows refuse to remarry, they should be given right to property of their deceased husbands.
- Properties in Hindu families should be equally distributed between men and women without any sex discrimination.

Periyar viewed that the non-possession of property by women was the main reason for the subjugation of women throughout their life. There was no doubt that if we remove the obstacles with revolutionary spirit they would progress in all fields. Periyar viewed that the Hindu (male) law giver framed laws, excluding women from property rights in view of keeping women as permanent slaves to men throughout their life. They were forced to do service to their fathers, brothers and husbands and face a lot of hardships. They had no liberty to empower their abilities. They had to pass through their life only as a living corpse. Besides, widows faced untold miseries in their life. They had to live at the mercy of menfolk. Periyar suggested that the enactment of legislation for women’s property right was also very essential for their liberation from all the shackles of life.

Periyar remarked that when all the independent states in India, Mysore and Baroda came forward to introduce legislations in every field to bring reforms, the nationalists, the independent and the public spirited people in British India did not even think of the necessity of introducing such legislations. It showed their irresponsibility as well as their dishonesty.

Periyar added that the nationalists cheated the people by postponing the introduction of reforms or legislation by cunningly saying that, ‘Reforms could not be

---

1272 Ibid.
1273 Kudi Arasu, Erode, October 5, 1930.
1274 Ibid.
introduced through legislation, it could be achieved only by campaigning’. He also said that leaders who were involved in the propagation of bringing reforms said that it was against nation and it could be enacted only after getting independence. So, the foremost duty of ours is to give up the idea that menfolk would venture to bring reforms for providing the property rights to women\textsuperscript{1276}. Initially, women should agitate for obtaining property rights on par with men. If women acquire property rights, all sorts of hardship faced by them would disappear\textsuperscript{1277}.

\textit{Periyar} had an unflinching faith in the British Government in India and believed that they alone could introduce reforms and did not expect any reform from the sanatanists and the orthodox reactionaries\textsuperscript{1278}. Meanwhile, the Baroda State enacted a Legislation in 1933 to provide property rights to women\textsuperscript{1279}.

Earlier, no one had the idea about women’s liberation and their right to inherit property. At the same time, women should change their mentality that they are naturally weak and they have been created to be under the protection or patronage of men\textsuperscript{1280}. They should overcome the feeling of fear and mental subordination. The Self-Respect Movement of \textit{Periyar} created awakening among the public to think about granting property rights to women.

Innumerable bills were introduced earlier by both the Central and the Provincial Legislatures towards the realization of \textit{Periyar’s} idea on inheritance of property rights to women in 1929, 1937\textsuperscript{1281} and 1938\textsuperscript{1282} (Amendment Act) and in 1947\textsuperscript{1283}. But all these did not

\textsuperscript{1276} Ibid.
\textsuperscript{1277} Ibid., p. 170.
\textsuperscript{1279} Premalatha, P.N. \textit{Indian women from ancient to 1947}, Mother Theresa Women’s University, Kodaikanal, 1997, p. 110.
\textsuperscript{1280} Veeramani, K., \textit{Periyar} on Womens’ Rights, p.51 and see also \textit{Kudi Arasu}, Chennai, October 26, 1930.
\textsuperscript{1281} The \textit{Hindu Women’s Right to Property Bill} was introduced by G.V. Deshmukh in the Legislative Assembly with the objective of removing the disabilities of Hindu women to inherit the properties and to consider Hindu women as human beings. G.O. No. 119, Legal Department, dt 26.08.1936.
\textsuperscript{1282} G.S. Motilal introduced a Bill in the Council of State on 18\textsuperscript{th} July 1938 to amend the Hindu Women’s Rights to Property Act, 1937 in order to enlarge the rights of Hindu women’s property from their limited interest into absolute ownership. G.O. No. 6113, Home Department, dt. 20.12.1938.
\textsuperscript{1283} The Madras Provincial Government also passed Madras Hindu Women’s Rights to Property (Extension to Agricultural Land) Act in 1947 with effect from 26\textsuperscript{th} of November 1946. It extends the property rights of Hindu women to agricultural land also. G.O. No. 174, Home Department, dt. 16.01.1948.
provide them property right clearly and properly. Besides, all these Acts had some anomalies. Since these legislations were the piecemeal legislations they could not bring far-reaching changes in the Hindu law. But Periyar’s idea of equal inheritance right to women is not yet fulfilled. Periyar observed that women in fact, had no property and educational rights. The Hindu Laws are very partial and cruel towards Hindu women in providing them property Rights. There is no way for women to enjoy property rights and freedom, whereas the prostitutes and Devadasis have the right to own property and enjoy freedom in Hindu Society\textsuperscript{1284}.

Therefore, the Central Government appointed a Hindu Law Committee under the leadership of B.Narasinga Rau in January 1941 to examine the whole question of the rights of women under the Hindu Law\textsuperscript{1285}. The Committee, initially, would review the matter of Law of succession and thereafter consider the Law of marriage which also favour the subject matter of various bills introduced in the Central Legislature\textsuperscript{1286}. Finally, it would codify the laws of the Hindus and the Code should recognize that men and women are equal in status with appropriate obligations as well as rights\textsuperscript{1287}. Periyar believed that marriage and denial of property rights were mainly responsible for the enslavement of woman. It was taken up by the Central Government in order to frame laws to remove gender discrimination.

**Hindu Succession Act 1956**

The Hindu Succession Act 1956 (Act 30 of 1956) was enacted by the Parliament to amend and codify the law relating to intestate succession among Hindus. Dr.B.R.Ambedkar, the then Minister for Law, moved the Bill on February 24, 1949, in the Legislative Assembly\textsuperscript{1288}. The main draft of the provisions relating to intestate succession contained in the Rau Committee’s Bill underwent certain changes in the hands of the Select Committee\textsuperscript{1289}.The Hindu Succession Act 1956 provided for the first time, the equal

\textsuperscript{1284} *Kudi Arasu*, Erode, 14.07.1935.
\textsuperscript{1285} G.O. No. 3670, Home Department, dt. 15.08.1941.
\textsuperscript{1286} Letter No. 22609 G, Home Department, dt. 04.08.1941.
\textsuperscript{1287} *The Indian Express*, Madras, dt. 26.07.1941.
inheritance rights to the daughters along with the sons. But, it is confined only to the separate property left behind by a Hindu male\textsuperscript{1290}.

Section 14(1) of the Hindu Succession Act, 1956 provided full ownership of any property possessed by a female Hindu instead of a limited ownership\textsuperscript{1291}. It is a step forward for women’s emancipation towards her property either to sell, mortgage or dispose of during their lifetime as they desire\textsuperscript{1292}. While interpreting the provision of section 14, the Supreme Court pointed out that:

The Act has made far-reaching changes in the structure of Hindu law of inheritance and succession. It provides Hindu females full rights of inheritance and sweeps away the traditional limitations on her powers of disposition which were regarded under the Hindu law as inherent in her estate\textsuperscript{1293}. It did not touch the ancestral property of a Hindu governed by Mitakshara Law\textsuperscript{1294}.

In Chockalingam vs Alamelu case, her share becomes an absolute property under section 14(1) and devolved on her heirs on her death\textsuperscript{1295}. In the case of V.Tulasamma vs V.Sesha Reddi the Supreme Court of India clearly laid down the scope and ambit of sections 14 (1) and (2) of the Hindu Succession Act which recognized the female’s right to maintenance\textsuperscript{1296}.

Under section 3(1) of the Act XVIII of 1937, the widow, under Mitakshara Law, is entitled to the same share of a son in the separate property of her husband. But the quantum of share would be diminished under the Hindu Succession Bill since she has to share along with the daughter in addition to her son. But the widow gets a right to share as a preferential heir in her father’s separate property along with her brother and others.

\textsuperscript{1290} Ibid.
\textsuperscript{1291} Gupta S.V., Hindu Law, 1982, p. 497.
\textsuperscript{1292} Tara Ali Baig, \textit{Op cit.}, p. 81.
\textsuperscript{1293} AIR 1962 SC 1493,p. 1500.
\textsuperscript{1294} Usha Sharma, \textit{Women’s Emancipation – Rights vs population control}, Authors press, Delhi, 2001, p.123.
\textsuperscript{1296} AIR 1977 SC 1944; (1977) 3 Scc. 99.
An important change has been brought about by Section 6 of the Hindu Succession Act, 1956. It was that where a coparcener dies, the property devolves upon his mother, widow and daughter, along with his son, by testamentary or intestate succession as the case may be, not by survivorship. Again, this Act does not establish equal inheritance right to the daughter who lost the right to be a coparcener by birth\textsuperscript{1297}. It is the violation of the fundamental right to equality under the Constitution of India\textsuperscript{1298}.

Section 23 of the Hindu Succession Act 1956 denies a married daughter the right to reside in an inherited parental home. She does not claim partition of the dwelling-house left by her deceased father until the male heirs decide to partition\textsuperscript{1299}. The daughter is entitled to reside in the dwelling-house only if she is unmarried, widow, deserted or separated by her husband\textsuperscript{1300}.

In the cases of Mookambal V.Chitravadi\textsuperscript{1301}, Janakiammal.V, T.A.S.Talani Mudaliyar\textsuperscript{1302} and Gurusamy.V.Meenakshiammal,\textsuperscript{1303} the High court of Madras held the contrary view that if the intestate dies leaving behind only one male heir this section does not come into operation. The Supreme Court overruled the decision of the High Court and held that the right of residence to the male member in the dwelling – house of the Hindu intestate should be respected even though he is the sole male heir of the intestate\textsuperscript{1304}. Even though the Hindu Succession Act 1956 introduced equality of women in acquiring property to some extent it did not recognize women as coparceners to inherit ancestors’ property.

\textsuperscript{1297} Kader, S.A. \textit{Op cit.}, p. 149.
\textsuperscript{1298} Nomita Agarwal, \textit{Op cit.}, p. 85.
\textsuperscript{1300} Ibid.
\textsuperscript{1301} AIR 1980 Madras 243.
\textsuperscript{1302} AIR 1981 Madras 62.
\textsuperscript{1303} (1989) 2 MLJ 506.
The Dravidian Governments steps towards Property Rights of Women

To fulfill the ideas of Periyar on property rights of women, the DMK Government introduced the **Land Ceiling Act** in **1970**. Accordingly, the farmer should possess only 15 acres of land as a maximum limit. By this Act of Registered partition deed, the period from February 15, 1970 to October 2, 1970 both the father and the son could possess only 15 acres of land separately on each head, if the son was living in a separate family. At this juncture, the then Chief Minister M. Karunanidhi announced a provision that the father may donate or gift to his own daughter acres of land in accord with his whim which should not exceed the ceiling and yet, this gift to the daughter would not be taken into the father’s account of land he possessed.\(^{1305}\)

Following the footpath of *Periyar’s* ideologies, Chief Minister M.Karunanidhi wanted to empower women by providing them an opportunity to obtain land property from their father.

*Periyar* criticisingly commented that a Hindu widow could inherit her husband’s property only when she becomes a prostitute. If she remarries she had no chance or right to inherit atleast a penny from the deceased husband’s property. Moreover, the Hindu **Sashtras** permit male to inherit his property solely inspite of his bad behaviour.\(^{1306}\) So, to remove such anomalies, the AIADMK Ministry implemented the following Act.

The **Hindu Widow’s Remarriage (Repeal) Act** was passed in 1983 in the Parliament,\(^{1307}\) which was implemented during the Ministry of Chief Minister M.G.Ramachandran in Tamil Nadu. Under section 2 of the Hindu Widow’s Remarriage Act, 1856, widow forfeited all her rights in her deceased husband’s property by way of maintenance, or by inheritance to her husband or by virtue of any will or testamentary

---


disposition conferring upon her on remarriage\textsuperscript{1308}. But, this section was repealed by the **Hindu Widow’s Remarriage (Repeal) Act 1983\textsuperscript{1309}**.

**The Hindu Succession (Tamil Nadu Amendment) Act 1989, (L.A. Bill No. 9 of 1989)**

A landmark legislation, which has legally helped women’s empowerment of parental property in the first Self-Respect Conference at Chinglepattu held on 17\textsuperscript{th} February 1929, Mr. Sabapathi Mudaliar moved the resolution:

This conference declares its conviction that women should be given the same right to property and to inheritance as men\textsuperscript{1310}. To bring the vision of *Periyar* into reality Chief Minister M.Karunanidhi stated that “we have decided to amend the Hindu succession Act, 1956, in order to provide equal property rights for female children on par with male children. Legislation for this purpose will be brought forward in this session\textsuperscript{1311}.

The Hindu Succession (Tamil Nadu Amendment) Bill, 1989 was introduced in the Legislative Assembly on May 6, 1989\textsuperscript{1312}. Thiru.S.J.Sathick Patcha, the Law Member, explained the reason for introducing the Amendment Bill that the daughters could not become a member of coparcenary under the Hindu Succession Act 1956. They were disqualified to claim partition in coparcenary property. Further, the exclusion of women from the right to share in coparcenary property led to the emergence of great social evil called the Dowry problem in the society. It is essential to make amendment in Hindu Succession Act 1956 to establish Gender Justice\textsuperscript{1313}.

Dr.T.Santhakumari, Member of the Assembly remarked that this legislation was an attempt to mend the attitude of male chauvinistic society and it was a silent and strong


\textsuperscript{1310} *Namadu Kurikkol, Periyar Self-Respect propaganda Institution*, Chennai, 2001, p. 5.

\textsuperscript{1311} Speech of C.M.Karunanithi, on 25\textsuperscript{th} March 1989, Budget Report for 1989-90, p. 32.

\textsuperscript{1312} TNLAD, Madras, Vol.XV, Madras, 6\textsuperscript{th} May 1989, p. 422.

\textsuperscript{1313} *Ibid.*
revolution. The Law Minister explained that women would obtain ‘right by birth’ to inherit the property. She would also become a member of coparcenary\textsuperscript{1314}.

It thus removes discriminatory provision incorporated in the concept of Mitakshara coparcenary in section 6 and disability with respect to the daughter’s right to demand partition of the inherited dwelling house under section 23 of the Hindu Succession Act of 1956\textsuperscript{1315}. Further, the Law Minister added that this Act entitles women’s right by birth equal to male section in the society. A member remarked that the provision of providing equal share to women in ancestral property was an important mile stone towards the progress of women\textsuperscript{1316}. She also pleaded to the government to remove the section 29A (iv), which excludes married daughter from claiming the share in coparcenary property\textsuperscript{1317}. Another member asked if a poor man had only a hut and then how could a hut be partitioned? Chief Minister M. Karunanidhi in his counter argument questioned him thus:

If the poor man had two male issues, how could that hut be partitioned? The member replied that it would be partitioned into two. But, a woman after getting married would leave for matrimonial home and she could not reside even after partition. He stated further that the male members of the family also left their huts for jobs even before their marriage.

Finally, the member opined that the legislation introduced for changing the status of slaves in the society was appreciable\textsuperscript{1318}.

Tmt. A. S. Ponnammal remarked that women have gained equal rights with men in inheriting parent’s property. We felt proud for creating such a situation of equality of women with men as per the adage of Bharathi “

\begin{footnotesize}
\textsuperscript{1314} Ibid., p. 451-452.
\textsuperscript{1315} Nomitha Agarwal, Women and Law in India, New Century Publications, New Delhi, 2002, pp. 87-88.
\textsuperscript{1316} TNLAD, Vol. XV, Madras, 6th May 1989, p. 424.
\textsuperscript{1317} Ibid., p. 427.
\textsuperscript{1318} Ibid., pp. 430-431.
\end{footnotesize}
She pointed out that if the Act had retrospective effect by including the right of married daughters to inherit the ancestral property, it might solve the Dowry problems of such women. Under section 29A - (iv) nothing in this chapter shall apply to a daughter married before the date of commencement of the Hindu Succession (Tamil Nadu Amendment) Act, 1989. Finally, the Amendment Bill was unanimously passed in the Legislative Assembly and got the signature of President on January 15, 1990. So, the Hindu Succession Act (Tamil Nadu Amendment Act, 1989) came into force with effect from March 25, 1989. (For further details see also Appendix – III)

The salient features of this Legislation are

- The daughter of a coparcener in a joint Hindu family governed by Mitakshara Law, shall become a coparcener by birth in her own right in the same manner as the son and can have similar rights in the coparcenary property and be subject to similar liabilities and disabilities;

- On partition of a joint Hindu family of the coparcenary property, the daughter will be allotted a share equal to that of a son. The share of the predeceased son or predeceased daughter on such partition would be allotted to the surviving children of such predeceased son or predeceased daughter, if alive at the time of the partition;

- This property shall be held by the woman with the incidents of coparcenary ownership and shall be regarded as property capable of being disposed of by her by will or other testamentary disposition.

- The amendments introduced in section 29-A, B & C in Tamil Nadu by the Act of 1989 will hasten the disintegration of the orthodox coparcenary system. In fact,

---

these amendments have already disintegrated the traditional coparcenary system beyond recognition\textsuperscript{1320}.

However, the \textbf{Hindu Succession (Tamil Nadu Amendment) Act 1989}, which is the crown of success of \textit{Periyar’s} ideology, establishes gender justice in the society. The Amendment Act was initially introduced in Andhra Pradesh by the Act 13 of 1986 (S.29-A, B&C). Later, it was followed by Tamil Nadu in 1989. Both Andhra Pradesh and Tamil Nadu stood as models not only to other states like Maharashtra (Act 40 of 1994), Karnataka (Act 23 of 1994). So, \textit{Periyar’s} idea of equal property rights to women created a stir in the minds of the administrator to implement such rights to empower women not only in the state but also in the whole nation. In the case of Mariappan \textit{vs} Kasiammal 2002 (3) HLR 261 (Mad), it was held that an unmarried daughter is entitled to a share in the joint family property in the partition, but she was not entitled to claim any provision for marriage expenses\textsuperscript{1321}.

Tamil Nadu stands as a role model to the Central Legislature to enact The Hindu Succession Act, 2005 to provide equal share to women on par with men in all sorts of properties of father\textsuperscript{1322}.

\textbf{Women and Politics}

The political status of women depends upon the level of equality and freedom enjoyed by women in the shaping and sharing of power and in the value given by society to this role of women\textsuperscript{1323}. These have been ensured by their power of decision-making, freedom moving about, voting right and their share in parental property.

\textsuperscript{1321} Kader S.A. \textit{Op. cit.}, p. 413.
\textsuperscript{1322} Dr. Vasanthi Devi stated in a G.T.V. Program that though women have equal property rights they were unable to claim it on account of separation of their relationship with the natal members. Only 5% of women are benefitted by this law. \textit{A program on sexual violence against Women in GTV} at 8.30 p.m. dt., 06.03.13.
\textsuperscript{1323} A Synopsis of the Report of the National Committee on the Status of Women (1971-74), The Indian Council of Social Science Research, New Delhi, 1975. p-103.
Periyar wanted that women should take part in political and public life and in decision-making body to empower themselves.

Women’s Franchise Right:

Political right is necessary for the emancipation and empowerment of women. The voting right for women on par with men would increase their position. Hence, Several Deputations of Women in India met the Secretary of State for India, the Joint Parliamentary Committee and the other committees appointed by the British Government to study the political situation of India before introducing the Government of India Act, 1919 and the 1935 Act, demanding the franchise rights for women on par with men\textsuperscript{1324}. The members of Parliament which considered votes for Indian women a “Domestic subject” and it was left to settle by Indian Provincial Legislatures.\textsuperscript{1325} The question of Female Franchise was shifted from the British Government to the Provincial Government in India.

Therefore, the Justice Party, which was noted for its egalitarian policies championed the cause of women, took the first step in the nation to move a resolution in the Madras Legislative Council eventhough it was the national problem\textsuperscript{1326}. It passed two important resolutions for the empowerment of women. The first one was the removal of sex disqualification for enfranchisement in 1921\textsuperscript{1327} which granted voting right to women on equal terms with men, but it limited the qualification of women to those who had certain amount of literacy, property, age, payment of taxes and length of residence\textsuperscript{1328}. Another regulation passed in 1926 was known as the Madras Sex Disqualification (candidature) Removal Regulation by which the sex disqualification prescribed by sub-clause (b) of clause (1) of rule 5 and by sub – clause (b) of clause (1) of rule 22 of the Madras Electoral Rules for

\textsuperscript{1324} Margaret E. Cousins, *Indian Womanhood Today*, Kitaibistan, Allahabad, 1942, pp. 32-33.
\textsuperscript{1327} G.O. 139, Law Legislative Department, dt., 4.7.21. Government of Madras.
\textsuperscript{1328} Margaret E. Cousins. *Op.cit.*, p.36.
election or nomination to Legislative Council was removed\textsuperscript{1329}. Another milestone attempt made by this Ministry was nomination of Dr. Muthulakshmi Reddi as the member of the Madras Legislative Council on the recommendation of WIA, after the failure of two women candidates in the General Election held in 1926. They were Kamaladevi Chattopadhyaya from her South Canara constituency\textsuperscript{1330} and Hanman Angelo, from the constituency reserved for the Anglo-Indian Community\textsuperscript{1331}. Dr. Muthulakshmi Reddi was a devoted social worker and the first women Medical graduate of the Madras University\textsuperscript{1332}. She was the first woman to become a member of the Council\textsuperscript{1333}. Later, she was unanimously elected as the Deputy President of the Madras Legislative Council. Thus, Madras became a \textit{pioneer in conferring the rights on women.}

Even though \textit{Periyar} demanded adult franchise for women\textsuperscript{1334} the act enacted by the British government granted only limited franchise right to women. For instance, According to the Government of India Act 1935, the first General Election took place in Madras in February 1937. The total number of women enfranchised under the new Constitution was about 6 million i.e., 2,00,000 by property, 4,00,000 by wifehood, 3,00,000 by literacy. The proportion between man and women was 1:5\textsuperscript{1335}. Only few women had owned property in their own right (stridhana). But the appreciable provision of 1935 Act was reservation of 5% or 15 seats for women in Central Legislature, (9 in the Federal Assembly and 6 in the Council of State) out of a total of 215 seats. In the Madras Provincial Assembly women had 8 seats – General 6, Muhammadan -1, Indian Christian - 1\textsuperscript{1336}.

Though \textit{Periyar} welcomed the provision of 5% reservation seats for women he was much pained that in our country 90% were illiterates. But, voting right was given only to the

\textsuperscript{1329} G.O.309, Law (Legislative) Department, dt 05.08.1926.
\textsuperscript{1330} Margaret E. Cousins, \textit{Op.cit.}, p.66.
\textsuperscript{1332} \textit{Some Illustrious Women of India}, Asian Book Company, Madras, 1975, pp.57-58.
\textsuperscript{1333} Thirunavukarasu, \textit{Dravida Iyakka Vergal}, (T1), p.186.
\textsuperscript{1334} \textit{Dravidian}, Madras, 3 June 1932 and \textit{NNPR}, Madras, June 1932, p.613.
\textsuperscript{1335} Kamaladevi Chattopadhyaya, \textit{The Awakening of Indian Women}, Everymans Press, Madras, 1939, p.12.
\textsuperscript{1336} \textit{Stri-Dharma}, Madras, Feb-March 1936, p.46.
literates. In our country, 80% of people had lack of property and they were poor hut dwellers as well as coolies. They lacked voting right as they had neither cultivable land nor any other property. Moreover, untouchables and tribals occupied 50% of population. They did not have any separate constituency for them. He also added that majority of people in our country were in need of welfare schemes, education and freedom. But, they were not provided with voting right or representation whereas the Brahmins, who were exploiting the others were almost literates and well-off. They were the only class who enjoyed the privilege of voting right. At this critical juncture, how could a nation and the society gain benefit?^{1337}

The Constitution of India, therefore, removes discrimination on the basis of creed, colour, class, religion and sex under Article 14 to 18 which reflects the idea of Periyarto establish equality of men and women and encourage equal participation of men and women in National Development. Article 326 of the Indian Constitution provided universal adult franchise for casting vote either in the State Legislative Assembly or in the Parliament.^{1338}

However, it is to be noted with interest that franchise based on taxation, property, literacy, community, etc. were removed. A large number of women voters had been enrolled by their own names^{1339}. Separate women’s booths were established in the places where the women voters found it difficult to appear at polling stations on account of local custom.^{1340}. At the same time, the reservation of 5% enjoyed by women during the British rule was given up after Indian Independence. The prominent women in politics during the time of independence, for example Sarojini Naidu and Aruna Asaf Ali, etc. were not in favour of reservation that was given by the British, because they expected that women would have to compete themselves on par with men^{1341} rather than expecting reservations.

^{1337} Kudi Arasu, Erode, October 27, 1945. 
^{1339} Ibid., p.72. 
^{1340} Ibid., p.124. 
^{1341} Personal Interview with Ms. Kalpana, Advisor-WPLF on 22.1.2011 at Madurai.
Participation of Women in Politics after Independence:

The introduction of *Universal Adult Franchise* enabled more and more women to participate in the political matters. In fact, it was with deep effort that the **Self Respect Movement** of Periyar created conducive atmosphere for intellectual awakening in the Madras Presidency and favoured the upliftment of women and aroused them to participate in public life.\textsuperscript{1342} The number of women voters has been increasing in every General Election. There was not much difference in the ratio between men and women electors. The following table substantiates the statement.

**The No. of Electors in Tamil Nadu during the following Elections.**\textsuperscript{1343}

<table>
<thead>
<tr>
<th>Year of General Elections</th>
<th>Electors</th>
<th>Who voted</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Men</td>
<td>Women</td>
<td></td>
</tr>
<tr>
<td>1967</td>
<td>8,172,972</td>
<td>7,755,323</td>
<td>15,928,296</td>
</tr>
<tr>
<td>1971</td>
<td>8,582,469</td>
<td>7,984,045</td>
<td>16,566,514</td>
</tr>
<tr>
<td>1977</td>
<td>9,429,521</td>
<td>8,824,623</td>
<td>18,254,144</td>
</tr>
<tr>
<td>1980</td>
<td>9,888,469</td>
<td>8,879,349</td>
<td>18,767,818</td>
</tr>
<tr>
<td>1984</td>
<td>11,647,911</td>
<td>10,944,032</td>
<td>22,591,943</td>
</tr>
<tr>
<td>1989</td>
<td>13,936,919</td>
<td>12,827,893</td>
<td>26,764,812</td>
</tr>
</tbody>
</table>

**Women Legislators after Independence**

A total of 12 women have been elected to the Madras Legislative Assembly in the Second General Elections held in 1957. Of these, eleven candidates belonged to the National Congress party and one belonged to the DMK Party. A total of 24 women contested the elections on behalf of various political parties and as independents. Among the 13 set up by the Congress Party, 11 were successful and the only one woman candidate who contested in reserved seat on behalf of the DMK was elected for the Tamil Nadu State Assembly General Election. In 1971, a total of 15 women contested in the election. Among them only 5 were elected and in 1989, a total of 105 women candidates contested in the Election but only 10 women were elected.

---
Despite the work of Periyar’s Self-Respect Movement, women contested and elected in General Election from 1967 onwards was not according to their population. The following table substantiates it.\textsuperscript{1344}

**The number of men and women who contested and got elected in the Assembly Elections:**

<table>
<thead>
<tr>
<th>Year of Elections</th>
<th>Contestants</th>
<th>Elected Candidates</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Men</td>
<td>Women</td>
</tr>
<tr>
<td>1952</td>
<td>1653</td>
<td>24</td>
</tr>
<tr>
<td>1957</td>
<td>766</td>
<td>24</td>
</tr>
<tr>
<td>1962</td>
<td>775</td>
<td>23</td>
</tr>
<tr>
<td>1967</td>
<td>762</td>
<td>16</td>
</tr>
<tr>
<td>1971</td>
<td>733</td>
<td>15</td>
</tr>
<tr>
<td>1977</td>
<td>1361</td>
<td>29</td>
</tr>
<tr>
<td>1980</td>
<td>1012</td>
<td>17</td>
</tr>
<tr>
<td>1984</td>
<td>1815</td>
<td>57</td>
</tr>
<tr>
<td>1989</td>
<td>2261</td>
<td>105</td>
</tr>
</tbody>
</table>


**Number of Women Candidates Contested and Elected to Lok Sabha:**\textsuperscript{1345}

<table>
<thead>
<tr>
<th>Year of General Elections</th>
<th>Women Contested</th>
<th>Candidates Elected</th>
</tr>
</thead>
<tbody>
<tr>
<td>1952</td>
<td>8*</td>
<td>2*</td>
</tr>
<tr>
<td>1957</td>
<td>3</td>
<td>1</td>
</tr>
<tr>
<td>1962</td>
<td>5</td>
<td>3</td>
</tr>
<tr>
<td>1967</td>
<td>3</td>
<td>0</td>
</tr>
<tr>
<td>1971</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>1977</td>
<td>5</td>
<td>2</td>
</tr>
<tr>
<td>1980</td>
<td>5</td>
<td>0</td>
</tr>
<tr>
<td>1984</td>
<td>6</td>
<td>2</td>
</tr>
<tr>
<td>1989</td>
<td>11</td>
<td>2</td>
</tr>
</tbody>
</table>

\textsuperscript{*} Figure relates to composite Madras State which include Andhra Pradesh and Kerala.

Women paid less interest to take part in decision-making bodies and hence the proportion of women contesting in election was constantly decreasing and proves inadequate in perspective with the whole of women population. Despite, increased participation of women in Third Geneal Elections, representation of women from Tamil Nadu in Lok Sabha and State Legislative Assembly was negligible. In the wake of this poor representation,

Periyar demanded the government to allocate reservation of at least 4 seats of ministerial posts in the Ministry of the Legislative Assembly and the Parliament for women with the view to empower them who constitute half of the population of our country, as they deserve 50% of reservation in every field similar to the low caste people who had already gained 16% reservation from the government.

Consequently, the AIADMK Government under M.G. Ramachandran had introduced the Tamil Nadu Panchayats (Third Amendment) Act, 1981 to reserve seats for women in the office of Presidents of Panchayats not exceeding 15% of the total number of such office in the State and villages of towns. National Perspective Plan for Women 1988 recommended for 30% reservation for women at Panchayat and Zilla or District Level and Municipal bodies to be filled by election. Later, in 1993 the Central Government made the 73rd Amendment in the Constitution to bring Panchayat Raj System in the three-tier local administrative system providing 33% of reservation for women. But, the same percentage of reservation was not introduced in the Parliament and in the State Legislature despite the reservation bill being passed in the Rajyasabha in 2011. The reservation issue is pending in Lok Sabha due to the problem of internal reservation system.

The propaganda of Periyar for the emancipation and the empowerment of women had succeeded when Tmt. Janaki Ramachandran assumed the post of Chief Minister on January 7, 1988 after the death of M.G. Ramachandran on December 24, 1987. The split of the AIADMK Party into two factions: one faction under Tmt. Janaki Ramachandran and another faction under Selvi. J. Jayalalitha, forced Janaki Ramachandran to abdicate her office. Consequently, the Tamil Nadu Legislative Assembly was dissolved on January 30, 1988. Again, Tamil Nadu had witnessed another woman Selvi. J. Jayalalitha as the Chief Minister.

---

1350 Chattamandra Pon Vizha Malar, Government of Tamil Nadu, Chennai, p.396.
Minister from June 24, 1991 to May 2, 1996\textsuperscript{1351}. No other state in India has witnessed a woman as the Governor than Tamil Nadu, Justice Selvi M. Fathima Beevi assumed her Governorship from January 22, 1997\textsuperscript{1352}.

The State of Tamil Nadu has been a role model in granting rights to women and to remove gender bias from the Ministry of Justice Party to the Ministry of DMK Party in 1989, in between the DMK and the AIADMK in office.

In fact, Periyar’s thought on women are radical from the 1930s to 1980s, when he was alive, they were all revolutionary. They were far beyond the comprehension of the world leaders. In particular, the women of Tamil Nadu owe a lot to Periyar for his relentless fight for women empowerment – education, employment, electoral rights and property rights. His arguments put forth to corroborate his demands were reasonable and logical. No one, at that time, or even thereafter, had the power to question his logic or reasoning. The ultimate aim of Periyar was to free women from male domination and to enable males to realise that women are also human beings and not slaves. If the present world has seen tremendous women power coming out in various capacities, it is all due to Periyar’s dedicated service to the cause of women emancipation. In a tradition – dominated society, it is not possible over night. Women of India, Tamil Nadu in particular, are indebted to Periyar and to the Dravidian Party Governments for their progressive ideologies and activities.

\textsuperscript{1351} Ibid., p.248.
\textsuperscript{1352} Ibid., p.246.