Chapter 1
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STATUS OF WOMEN

1.1 WOMEN AS A SEGMENT OF SOCIETY - SPECIAL CARE GIVEN IN PRIMITIVE SOCIETIES

Half of the world humanity is a society represented by woman. In the last decade they have received considerable attention from the government, press and women themselves. This is because they have been relegated to a lower level. This treatment is not peculiar to any particular society. It is almost universal in the present day society. Only in a handful of the tribal societies or in some castes within the present societies women enjoyed a superior or equal status with men. Therefore there may be some truth in the statement that one half of the human society lives in perpetual subordination.

1.1.1 Role as Reproducers in Primitive Society

In primitive societies women were perceived as primarily reproducers although they invented agriculture and produced at least fifty percent of world's food. Their role as producers was not, it appears considered superior or essential as in the case of their role as reproducers of human race. It seems that woman's responsibility as reproducers made them lose not only their position as producers but also made them subordinate to
men. This was accentuated by the disabilities attached to the function of reproduction which demand the womenfolk to keep away from hard work involving the searching for food, agriculture and fighting against enemies.

The dominant role of the male continued to have its sway, as it was an accepted fact that it was the male who should protect the weak and the meek in the family and in the society. This superiority captured by male by way of their physical ability and agility had its impact on the social and political set up. The male always got the best and women were pushed to the background. This is discernible if one looks into the development of different cultures.

1.1.2 Influence of Greece Civilisation in European Countries

Greece, the cradle of democracy in the ancient world permitted only men to be the citizens of the polity. In ancient Rome the status of women and slaves improved slightly when women were incorporated into the family under the rule of “patria potestas” or the power of the father. This term designated the property relationship by which the eldest male member of the family gained control of the family. Women and slaves had no right to property as they were considered property. Thus women had no right outside the family. The relationship of the woman to a man was designated by the concept of ‘manes’ (hand) under which the women stood. Women could not go beyond the hand, which implied that they could never be free.
Her position was very precarious because even a slave could be free from his master but not a woman. The least that could happen was that she could move from the hand of one, father to another the husband. When the Roman law spread to other parts of the world some of its stringent laws were incorporated into canon law, which then passed to British Common law. British Common law found a hold in Europe and also gained entry into the USA.

It was felt that women could be kept within a framework because their mind is supposed to be conditioned for future role, when they reached adulthood. The significant role is to serve men as wives and raise next generation. What a boy has to do after twenty-five years is a choice left for him to decide when he grows up but what a girl has to do after twenty-five years is predetermined at birth itself.

1.2 STATUS IN ANCIENT INDIA — DEFINED ROLE

Traditionally the Indian woman constituted the very foundation of the family and the society in general. The woman had a free but not independent life an unrestricted but not wayward, movement, a respected, but not a self-opinionated personality.¹

A study of the customs, usages and tenets, tradition conventions and practices will show the status of women not only in the family but also in the society. She had well defined rights as a daughter, a wife and a mother.²

1.2.1 High Status in Vedic Period

There is evidence to establish that women enjoyed a high status in the Vedic times. Manu the great saint-jurist advocated for great respect for the women and prescribed norms and duties for a husband, a father and a son. Similarly there were duties prescribed for the women towards the family and the society. In running the family the men contributed economically by their earnings and the women did so emotionally by keeping the family well knit into one unit. On the whole their social position was safe.

1.2.2 Intervention of Religion

The concept of female in Hinduism presented duality. On the one hand the woman is fertile benevolent, the bestower, on the other she is aggressive malevolent, the destroyer. The dual character has a logic for it. The female is first of all ‘sakti’ the energizing principle of the universe. The female is also prakriti (Nature) the undifferentiated matter of the Universe.

In Hinduism the universal substratum from which all being arises is known as ‘brahman’. From this unmanifest substance beings are made manifest through the tension created by the opposition of cohesion and disintegration. This tension defines Sakti the creative principle. So Sakti underlies both creation and divinity and Sakti is female. So all creation and power are centered on the femaleness and there would be no being without this energy or power. Even though men are also endowed with this power or Sakti it is the female who embodies the original energy of the Universe, which is called Sakti.

Another common understanding that prevailed is that woman is the field or earth into which man puts his seed. This notion of the field or earth symbolizes a woman as prakriti (Nature). This is the second fact of femaleness. Nature is the active female counterpart of the cosmic person ‘purusha’ the inactive or male aspect. This unity of purusha-prakriti creates a new being. The unity of ‘purusha’ and ‘prakriti’ underlies the belief of biological conception. The contributors of the hard substance like bone, nerves is considered to be the man while the women contribute the soft substance the bone flesh, blood and skin.

The law of Manu has elaborated on this point. On comparing the seed and the receptacle the seed is more important as the seed determines the spring of all created beings. The hard substance (seed) is structure as opposed to the soft substance, which is non-structure (Nature).
Women are thus the ‘powers’ and ‘nature’. The Nature or non-structure in them dominates over coded Sprit and structures. But this Power and Nature becomes dangerous if it is not properly channelized.

A popular myth in Hindu religion speaks of how the power of Goddess Kali is controlled, by making it more benevolent and positive, by Lord Siva. The God Himself saved her rampage on the earth when he gained control of her.

Symbolically a woman is a part of her husband. The popular belief is that a woman who transfers her power to her husband is benevolent. Thus the two images of the woman in Hinduism as sakti and prakriti stands as a basis for the formulation of rules and role models she has to play.

The dominant norms for the Hindu woman are her role as wife, while the role for mother, daughter, sister etc. comes second. The rules for women’s behaviour are expressed in the passages from the Laws of Manu. Both the duties of the women to her husband and the corresponding duties of the husband to his wife are merited in passages of the Manu Smrithi. The highest duty imposed on the husband is to strive hard to guard his wife. Again Manu states that because of their disposition, which the Lord of creatures laid in them at the creation, every man should most strenuously

exert him to guard them. This protection of care is extended to the wife as long as she is virtuous and chaste.

The ideology of the wife as brought out in Manu Smrithi reappears in later Sanskrit and vernacular writings. The behaviour of a ideal Hindu wife is exemplified in Ramayana. To what extent she remained chaste is proved when Sita was unscathed by the flames to establish her wifely virtue. From all these texts the role of the woman as a wife is only stressed. This establishes that marriage is a must for the women and an ideal woman should possess all virtues and remain chaste.

A study of Hindu customs usages tenets traditions conventions and practices will show what the status of women the was, to speak purely in material terms of which much arguments are given in the present day, recognized not only in her own family but even in the society and she had her well defined rights as a daughter, a sister, a wife or a mother.4

There is no role model for the mother they are worshipped as goddess. She protects and aids her children. Santhiparva contains a verse, which has ranked the mother as the first guru. The five pandva brothers honoured their mother Kunti. The acharya excels by his greatness ten upadhyayas, the father excels a hundred acharyas, a mother excels a thousand fathers says Manu.

Other female behaviour, that of the daughter and sister is also mentioned. They are protected by their father and brother respectively. The norms for the women's behaviour is derived from two sources First the male dominated literature emphasizes the control and subordination of the woman. Second the folks and oral tradition propagated by women stresses on the welfare of the woman.

Women had very little access to religion but they were active religious practitioners. They were placed along with the Sudras and untouchables in this regard because they were not allowed to hear the vedas. Women's access to the vedas and other tests underwent a change around 600 BC. Fortunately the Hindu religious activity is not based on Vedic rituals.

1.3 STATUS IN MIDDLE AGE

Stemming from Bhagvat Gita and acquiring strength from an anti-vedic movement which started in about 700 A.D., bhakti (devotion) and associated ritual forms which do not require the services of a priest to approach ones deity formed the dominant form of ritual activity. This laid the road to bhakti cult.

As a result of this, women had direct access to the Gods and thus to salvation. There had been women saints too but they acquired this status at
the cost of leaving their homes and families to become either sanyasins or courtesans.

1.3.1 Influence of Muslim Rulers and British Settlement

An agricultural society like India where the central role of women and culture had distinctiveness and her dominant role in the growth of civilization was felt, underwent change in course of time. The Brahmamic tradition attempted to limit the dominance of woman in society. The migration of the Muslims and the settlement of the Britishers and European states further deteriorated the status down the ages. Cruel rituals, which are mentioned as indicators of Indian mediavalism, have centered on the goddesses. Sati or the enforced ritual suicide of women after the death of their husband; child sacrifices at Sagar Sangam; infanticide to ensure the longevity of dams, bunds and buildings. The thugs or men who robbed after quest, ritual murder of unwary travelers consider themselves devotees of Kali. The birth of a male child was hailed with joy whereas a female child was lamented. The lot of the widow was still worse as she is blamed

5 The Aryan attempt to contain the importance of women was more successful in the Brahmanic and Brahmanvyed sectors than in the rest of society, where women retained much of their traditional freedom of prerogatives. Zimmer Philosophies of India, New York, Meridian.


7 Ibid, p.73.
for the death of her husband. She was considered to be an evil whose presence in public is unwelcome. In traditional families she is even denied the daily comforts of life and is exhausted to live a hard life of austerity and abstinence.\(^8\)

The status of woman in the society is very much dependent upon her marital status. Spinsterhood is viewed with suspicion. Moreover spinsters face a lot of harassment from the male members of society.\(^9\) Besides being married a woman to be socially accepted has to bear children. A barren woman has lower status as compared to a woman who has brought forth children.\(^10\) Motherhood is an important achievement for a woman as the very justification of her existence depends upon it. The lot of mothers who bear male children is better than those who give birth to daughters.\(^11\)

1.3.1.1 Better Position in Buddhism, Jainism and Sikhism

Protest religion within the Hindu fold, like Buddhism Jainism and Sikhism contributed to some extent to improve the status of women but this was confined to religious and spiritual activities. They however failed to rectify in any significant manner the subordinate position attributed to


\(^11\)Ibid, p.296.
women by the traditional Indian Society. Later religions like Islam, Christianity or Zoroastrianism, which brought with their distinct images of women, adapted themselves to the Indian context often drawing on the prevalent customs of practices.¹²

1.3.1.2 Interpretation of Koran

The Koran regards women and men equal and it did not stand as an impediment in the pursuit of religion. However the various koranic interpretations acted as a great hindrance in their development. The unequal marriage laws made woman mere objects in the hands of her guardian. Widow’s remarriage and divorce though permitted for women, when it was not available to other religious communities, are generally frowned upon especially among the middle classes. Though some security for women against the possibility of divorce is provided by Mehr (dower) very few women are able to assert this claim and while Islam recognizes women’s right to inherit property, in practice these rights are not upheld.¹³

1.4 POSITION AFTER INDEPENDENCE

With the colonization of the Western World, Christianity entered India and intermingled with the local traditions of the various communities,

¹³ Ibid, p.15.
which follow this religion. The unique feature of this religion is its emphasis on monogamy and this has raised the status of woman. The mutual respect which the husband and wife have to accord to one another has also made the woman receive a better status in the family. The Bible emphasizes certain qualities of women such as her capacity to work, caring for her family, kindness and charity for the needy outside the home and wisdom.\textsuperscript{14} As marriage was not made a necessity, Christian women were able to pursue education and enter the field of employment as nurses and doctors and teachers. However marriage was considered as an inseparable bond and thus acted as a hindrance with no place for divorce. Thus women are subject to the husband’s authority being deprived of legal rights and an independent existence.

1.4.1 Struggle Made by Social Organisation and Freedom Fighters

From the foregoing discussion it is clear that there was not much variation among the religious group regarding the status of women. During the pre independent days ardent efforts were taken by social organisation like the Brahma Samaj, Arya Samaj and Prarthan Samaj to suppress the practice of child marriage, sati, and pleaded for the rights of woman to property and education. Their impact has been pronounced on the urban

\textsuperscript{14}Ibid, p.16.
middle class and so it failed to transform the whole society. It was left to Mahatma Gandhi and the Freedom movement to place the movement for women’s emancipation along with its agenda of freedom struggle and the removal of inequalities that oppressed all the weaker sections.\textsuperscript{15}

In India both the matrilineal and patrilineal system existed. In the matrilineal system the lineage is traced through the female, Matriliny is associated with an economic system in which women are not dependent on men so far as property rights are concerned. But there are other inherent conflicts. The husband is not incorporated in the wife’s in-group and has minimum rights over his wife and children. The wife's brothers, father and uncle control the property. With the disintegration of the joint family and social and political changes this matrilineal system is also disappearing. Adoption of new marriage laws has brought the dowry system into the group. This has resulted in the lower status of woman in the society.

1.4.2 Domination of Patrilineal System

The majority of the Indians follow the patrilineal system. The decent is traced through the male. The girl’s contribution is in her husband’s house only. The son can perform certain religious rites. Hence the birth of a male is hailed with joy whereas a female child may also be killed even before it

\textsuperscript{15}Ibid, p.18.
is born. They have restricted property rights and usually subjected to humiliation and tyranny by their men folk in some households. The daughter being a burden to the family, the members of the family seek the earliest opportunity to get her married. As she has no contribution to make to the economic growth of the family, discrimination is shown between the son and daughter in nutrition, medical care and education. Arranged marriages are preferred, as these notions are related to the importance of virginity. But these have many features, which highlight the unequal status of women. She has to present herself before the marriageable boys and their relatives for their acceptance. Another feature of the inequality of status between the bride givers and bride takers is the son-in-law and his parents are entitled to receive gifts from the girl’s parents but the latter are not supposed to accept any food at the son in law’s house.

1.4.3 Prevalence of Polygamy – Lower Status in Marriage

Polygamy that is its variant polygyny and polyandry are found in India. Polygamy having plurality of wives was prevalent in most parts of India. Social reaction against this practice led to many reforms in the nineteenth century. Due to the legislative demands of Mahatma Gandhi and women activists, laws were enacted even prior to independence. The laws however do not benefit the Muslim women. Polygamy is still practiced among the Muslims. There is widespread resentment among Muslim women
against legal sanction of this practice. Even among the Hindus it is practiced under some customs or due to the ignorance of the women. Allowing polygamy type of marriages reinforces the inequality, which women suffer.

The increase of social and economic inequality has been an important factor for dowry. This has degraded the status of woman to such extent that she is prized like a commodity in the market of marriage. It reinforces the belief that women are non-productive. Education has not brought any change. The Dowry Prohibition Act of 1961 was the legislative attempt to recognize Dowry as an evil to be eradicated from the society. The prevailing patriarchal value continues to overshadow legislative measures.

1.5 CHANGING ROLE OF WOMEN IN THE PRESENT SOCIETY

After independence, the legislative and political measures that were taken forced a section of women to take up the role contributing their share to the income of the family. But their role in home making has not changed. Decision making for the community and the exercise of political power is considered as an exclusive male preserve. Men can take cooking, tailoring or food processing as profession but these have to be done by women at

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home. Again between the middle class and lower middle class the demarcation of work between men and women is very prominent. However the status of the women in the aristocratic families is slowly changing. They are spared from the monotony of the domestic work. Hence the activities may depend upon the locality, educational level and extent of modernization. Marriage remains the main goal for girls and education is given as a security for unforeseen circumstances.

The relationship between earning capacity and status and autonomy within the family for the women depend to a great extent on the status of her earning activity.\textsuperscript{17} Society recognizes her gainful employment because it improves the standard of employment. But the freedom of movement with the outside world is not approved by many and a stigma is attached to her. Sexual harassment of women in work place has become another major problem.

The question remains as to what kind of treatment should be meted out to women. Awareness of inequality and oppressiveness is a precondition to any kind of social change. Sustained activity in a variety of fields by autonomous women’s group has been the source of greater social awareness amongst women about their problems in India. The legal machinery provides to enforce their rights and equality. The Constitution has given

\textsuperscript{17}\textit{Ibid}, p.30.
direction to make special laws to safeguard the interest of women. The judiciary protecting the Constitution has on various occasions shown discrimination towards women.\textsuperscript{18} As there is less awareness among them of the roots of the problem and the over riding effect of the patriarchal values they are seldom seen as victims of any oppression or of socially prevalent sex bias.

The lopsided progress achieved by the Indian society has thrown the women to the pitfalls of many a problem arising out of new situations and changed values. These changes in values are yet to be reflected in the laws and this situation creates lot of problem for women in society.

\textsuperscript{18}Balasubrahmanyan Vimal, Discrimination on Basis of Sex, \textit{In Search of Justice}, Shubhada Saraswat Prakashan, S.N.D.T. Research Centre for Women’s Studies, Bombay, 1990, p.197.