



## GENDER QUOTA TO ACHIEVE WOMEN EMPOWERMENT IN INDIA: AN HISTORIC ARGUMENT

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### ABSTRACT

India stand at a shameful position of 135th rank in health, 124th rank in economic, and 120th rank in education disparity indices. It is widely accepted that the Indian women had suffered severely in the hands of men particularly, from the Manu Smrithi period onwards. After independence, the Constitution of India had included special provisions to ensure gender equity in all walks of life and several legislations were also enacted and several women favouring programs are launched in pursuance of those constitutional provisions. As a result, the status of Indian women had started changing. On the literacy front, women had attained more than 70% literacy by 2011 from less than 9% in 1951. And in the occupational distribution pattern, their participation in the secondary sector was doubled and in the service sector it was trebled for the same period.. But on the political front, women representation is still lingering around 12 percent in the Parliament and 8 percent in the state legislatures. But in Panchayati Raj institutions, due to implementation of gender quota, women had grabbed about 50% seats in. Therefore, let the government of India enforce 50:50 gender quota in every walk of life to achieve women empowerment targets in India. Thus, gender quota in all walks of life is the straight path to achieve gender parity in India and occupy a respectable position in the world.

### Introduction

Though woman were similar to men in almost every aspect, men folk are enjoying the sweeter part of the life leaving the bitter part to women. Women are being purposefully and forcibly denied equal share of both material and nonmaterial resources required for a happy life. The data presented in Table 1 depicts the picture of 'gender deprivation' in India.

**Table 1: World Economic Forum: Gender Gap Index**

Area of Gender Inequality	India's Rank out of 130	India's Score
Economic Participation and Opportunity	124	0.4465
Educational Attainment	120	0.8574
Health and Survival	135	0.9312
Political Empowerment	9	0.3852
Global Gender Gap Index	101	0.6551

Source: World Economic Forum 2013. The Global Gender Gap Report.

It may be observed from Table 1 that the Indian women suffer the worst on health that placed India at the 135th rank followed by economic (124th rank) and education (120th rank) deprivations. However, due to long tenure of Mrs. Indira



Gandhi as the Prime Minister of India had placed India on the 9th rank in respect of their political empowerment. This dismal picture of India in the global scenario is a matter for concern that needs an in-depth study. This study is attempted to fill that need.

### **1. Main Objectives:**

This paper is written with the following four main objectives:

1. To make a brief review of the traditional life of the Indian women,
2. To identify the main factors for their enslavement by man folk,
3. To assess their current status in the Indian society, and
4. To suggest appropriate remedial measures.

### **2. The Null Hypothesis:**

The following null hypothesis is set up to be tested in this research paper basing on the available data and information:

India cannot achieve gender parity without gender quota in every field of activity

### **3. Sources of Data:**

This study is based on the data available from the national and international reports pertaining to gender parity in the world in general and in India in particular. Similarly books and the articles published in the reputed journals are also consulted to derive logical conclusions from the available data.

And for clarity of presentation, this paper is divided into the following seven parts i.e., 1. The Vedic golden age, 2. The Manu era, 3. The age of serfdom, 4. The age of liberalism, 5. The age of gender equity policies and programmes, 6. The noteworthy achievements, and 7. Summary and conclusions.

## **Part I: THE VEDIC GOLDEN AGE**

Though Vedas were meant for worship of the gods of Aryans, they also exhibit social, cultural, economic, and political features of that period. The period of Vedas was accepted as a golden period for women in India. Women were treated with great respect and dignity. They were given equal importance in all walks of life. The duties and rights were almost 'equal' between men and women. Women were educated on par with men. Writings of Patanjali and Katyayana endorsed women education in the Vedic period.

In respect of marriage, woman was given full freedom. She was given freedom to chose brahmacharya if preferred to live without marriage. The girls were married at an advanced stage and parents did not impose their preferences on their female children. Lady without children was also permitted to remarry and beget children. Similarly, widows were also permitted to remarry and were honoured in the society.



In the religious matters also the women were given equal importance. In addition, the sacrifice made by wife and husband together alone was thought to be acceptable to Agni and Indra, their chief gods. But sacrifice made by male person without spouse accompanying was treated to be only half fulfillment according to **Taithiriya Brahman**. Ill-treatment, harassment, and torture of women, which are still prevalent in the modern culture, did not arise in the Aryan culture. That is why it was called the golden era for women in India

## **Part II: THE ANTI WOMEN MANU SMRITHI ERA**

By the start of the Manu era around 600 BC, the status of women took an 'U' turn that continued for about 2500 years. Manu had framed an anti women 'code of conduct' that became the most authoritative statement on Hindu Dharma .It consists of 12 chapters with 2690 verses, of which many verses carry derogatory and shameful remarks against women which made women as slaves of men.

### **1. False Propositions of Manu:**

- a. He thought that independence to women was harmful to the society. In no circumstances is she allowed to assert herself independently. (Chapter 5, Verses 147-167)
- b. He had depicted women as the most dangerous person to be left free. She must be under constant watch of a male person. Manu went a little further and cautioned all men to be on their guard against sedition by women. (Chapter 2, Verses 213 and 214).

### **2. False Prescriptions of Manu:**

Since Manu had started with false proposition he tumbled in reasoning and arrived to false conclusions as shown below:

- a. She is to be kept under the custody of her father as child, under her husband as a woman and under her son as a widow, (Chapter 9, Verse 3)
- b. It is the duty of all husbands to exert total control over their wives. Even physically weak husbands must strive to control their wives,(Chapter 9, Verse 6)
- c. The women were to be confined to the house and constantly worship and serve her husband even though he may be lacking virtue, be sexual pervers, immoral and devoid of any good qualities,(Chapter 5, Verse 157).

### **3. Manu was Afraid of Exogamy:**

Basically, Manu wanted to protect the Hindu caste system and tried to impose severe restrictions, even up to death penalty, for inter caste marriages. And as a part of his protection of endogamy, the liberty and progress of women was sacrificed on the altar of caste and religion as shown below.

- a. Women shall not move freely in the society (Chapter 9, Verse 13), lest they eye on the men from other castes,



- b. Women have no right to education as they are impure and represent falsehood, (Chapter 9, Verse 18), lest they acquire knowledge and seek freedom from male dominance,
- c. They shall not work and live independently, (Chapter 9, Verses 3 & 80), lest they become economically self sufficient and assert independence from male chauvinism.
- d. They shall not claim marital rights at any stage of life (Chapter 9, Verse 80).

#### **4. Manu was Afraid of Buddhism:**

Manu was afraid of Buddhism on two counts as stated below:

- a. Buddha had opposed Aryan Vedas, worshiping of natural elements, and animal sacrifices all of which are the main pillars on which the Hindu religion was founded, and
- b. Buddhism had attracted women even from the higher ranks of the Hindu society which had become a great threat to the Aryan religion caste system. And in order to protect both religion and caste system Manu had sacrificed the liberty and progress of Hindu women

#### **5. Manu had Invoked the Divine Dictum to Subjugate Women:**

In support of his false, static, and anti progressive strategies, Manu had invoked the name of God to subjugate women as stated below:

- a) Women have no divine right to perform any religious ritual, nor make vows or observe a fast. Her only duty is to obey and please her husband and she will for that reason alone be exalted in heaven, (Chapter 5, Verse 158),
- b) God had created women to serve their men folk. (Chapter 3, Verse 240),
- c) Any women violating duty and code of conduct towards her husband, is disgraced and becomes a patient of leprosy. After death, she enters womb of Jackal, (Chapter 5, Verse 167).

Thus the anti-women elements of the Law of Manu had taken away the 'gender equity' from the Indian society and made women as the second rate citizen,

### **Part III: THE AGE OF SERFDOM**

Taking advantage of the Manu Dharma Sastra, the Indian men folk had cheated and looted away the liberty and freedom of the Indian women on the following lines:

#### **A. Social Deprivations:**

1. Purdah (veil) was imposed,
2. Sati (burning wife alive on the pyre of husband) was practiced,
3. Child marriages were encouraged,
4. No divorces (even if the husband was a wicked person) were allowed,
5. Dowry was compulsory,
6. Male child was preferred and girl child was ill treated,
7. No freedom of marriage,
- 8.



Women education was totally banned, 9. No religious rights (just dutiful service to husband opens the gates of heaven to woman), 10. Widow remarriages were strictly prohibited, 11. Polygamy was prevalent, and 12. Devadasi system threw women into prostitution in the name of religion,

### **B. Economic Deprivations:**

1. No economic freedom to women,
2. No access to productive resources, only male should own and manage all resources,
3. No share in husband's property,
4. Widow got no chance to inherit property of the deceased husband for she was to be burned along with him,
5. No economic security was required for parents for girl child, husband for married lady, and son for the aged were to their security
6. Women was to work as a servant in the family.

### **C. Political Deprivations:**

Since woman was treated as a servant, slave, and a serf, she was not permitted to rule men folk, it was treated as a sin even to dream about it.

## **Part IV:**

### **THE AGE OF LIBERALISM**

During the British rule, Indian women began finding a ray of hope for their emancipation from the clutches of male chauvinism. The English education had opened a window to the world through modern scientific and technical knowledge. Many colleges and universities were opened and women were also allowed to study in them along with men. And with education came the renaissance that unveiled the mask of ignorance and superstition from the Indian mind. Many reformers had sprung up and fought for reformation of the Hindu religion and society including emancipation of women from her slavery.

#### **1. Regaining of Social and Economic Rights:**

The following liberal and legislative steps had enabled the Indian women to come out of the chains of serfdom imposed on them by the Manu Law and wrest back some crucial social and economic rights:

- a. Abolition of Sati, 1829; Widow Remarriage Act of 1856; Indian Penal Code, 1860; Legal Practitioners (Women) Act, 1923; Indian Succession Act, 1925; Abolition of child marriage, 1929. With those legislative steps, the Indian women had wrested back some of the social economic rights which they had lost to Manu 2500 years ago.
- b. In 1917, the first women's delegation met the Secretary of State to demand women's political rights and the Indian National Congress had supported them. And that was followed by the demand for social change by the All India



Women's Education Conference in 1927. And with those initiatives, Indian women had started dialogue with the British government directly.

## 2) Regaining of Educational Opportunities:

- a) Peary Charan Sarkar had set up the first free school for girls in India in 1847 in Barasat,
- b) Savitribai Phule, along with her husband Jyotirao Phule, opened a school for girls in Pune, in 1848,
- c) John Elliot Drinkwater Bethune established the Bethune School in 1849, which developed into the Bethune College in 1879, thus becoming the first women's college in India
- d) Sister Niveditha/Margret Noble (1867--1911) Freedom fighter, run a school and a college for women.
- e) Dhondo Keshav Karve, the social reformer had started the first women's university (SNDT Women's University), on 2 June 1916 with just five students.
- f) Martha Mault née Mead and her daughter Eliza Caldwell née Mault had started education and training of girls in south India.

## 3) Opening of Political Opportunities:

- a) Gandhiji called women also to participate in the freedom struggle and gave them equal importance along with men. The success of his Quit India movement, Non-Co-operation movement, Salt Sathyagraha movement etc., owe to women's large scale participation.
- b) Nethaji had organised the Rani of Jhansi Regiment, the women Wing of the Indian Army and invited the young ladies to join. Tens of hundreds of women soldiers were trained in armed and raised their rifles against the British army under the captaincy of Lakshmi Sahgal

### Part V:

## THE AGE OF GENDER PARITY POLICIES AND PROGRAMMES

Though Indian women had entered independent India with greater hopes, the democratic native government had taken a long time (more than six decades) to implement 'gender parity' policies and programmes in favour of women in India.

### Phase 1:

#### Gender Parity Constitutional Provisions

The Constitution of India had contained the following gender parity provisions.

1. Article 14 - Men and women to have equal rights and opportunities in the political, economic and social spheres.
2. Article 15(1) - Prohibits discrimination against any citizen on the grounds of religion, race, caste, sex etc.
3. Article 15(3) - Special provision enabling the State to make affirmative discriminations in favour of women.



4. Article 16 - Equality of opportunities in matter of public appointments for all citizens.
5. Article 39(a) - The State shall direct its policy towards securing all citizens men and women, equally, the right to means of livelihood.
6. Article 39(d) – Equal pay for equal work for both men and women.
7. Article 39(e) enjoins the State to ensure that the health and strength of workers, men and women and the tender age of children are not abused and that the citizens are not forced by economic necessity to enter avocations unsuited to their age or strength.
8. Article 42 - The State to make provision for ensuring just and humane conditions of work and maternity relief.
9. Article 51 (A)(e) –To renounce the practices derogatory to the dignity of women.

### **Phase 2:**

#### **Gender Parity Legislative Measures**

The legislative measure pertaining to women are divided into two categories i.e., i. the legislations that are exclusively addressing the women problems, and ii. general legislations by which women also will gain on par with men.

#### **A. Exclusively Women Legislations**

a) Special Marriage Act, 1954; b) Hindu Marriage Act, 1955; c) The Immoral Traffic Prevention Act 1956; d) The Maternity Benefit Act, 1961; e) Dowry Prohibition Act, 1961 & Indian Divorce Act, 1969; f) The Medical Termination of Pregnancy Act 1971; g) Equal Remuneration Act, 1976; h) Family Courts Act, 1984; i) The Commission of Sati (Prevention) Act, 1987; j) Constitution (Seventy third Amendment) Act, 1992; k) The Constitution (Seventy-fourth Amendment) Act, 1992; l) The Pre-Natal Diagnostic Technique (Regulation and Prevention of Misuse) Act, 1994; m) Protection of Women from Domestic Violence Act, 2005; n) Prohibition of Child Marriage Act, 2007; o) The 73rd and 74th Amendments to the Constitution of India, 1993: seeking special quota of 33 per cent of seats for women in the Panchayati Raj Institutions.

#### **B. Women Inclusive Legislations**

There are about 41 laws that deal with several fields, that protect women also along with men. The most important laws relating to economic activities are listed below:

a) Factories Act 1948, b) Minimum Wages Act 1948, c) The Employees' State Insurance Act, 1948, d) The Plantation Labour Act, 1951, e) The Bonded Labour System (Abolition) Act 1976.

### **Phase 3:**

#### **Gender Empowerment Policies and Programmes**

Normally, government of India would be spelling out its developmental policies and programmes through its five year plan documents.



Indian women were relatively silent on their demand for gender equity during the first two F.Y.Ps. But, things went in a different way, neither the leaders nor the officials showed interest to move towards gender equity during the first two F.Y.Ps. Therefore, Indian women had increased pressure on the government and succeeded in securing concessions in the field of education and health in the 3rd and 4th F.Y.Ps. And in the 6th to 9th F.Y.Ps, special quota (30%) was introduced for women in all programmes. And from end of the 10th plan onwards 'gender budgeting' was started with separate budgetary allocations. Thus it took about 7 decades of ceaseless fight for the Indian women to separate budgetary allocations.

### **Part VI:**

## **CHANGING STATUS OF WOMEN AFTER INDEPENDENCE**

Keeping in mind that the Indian women were brutally suppressed for about 2500 years by men, and about 67 years passed after attainment of independence, let us now examine their changing social, economic, and political status.

### **Section A:**

#### **Change in Literacy Levels**

It is an established fact that literacy brings a great change in the life styles of the people Renaissance was started with education as its basic component and from that time onwards education has become the primary wheel of progress. Therefore many countries have made access to basic education as the fundamental right to their citizens. In Table 2. we have made a comparison of change in the women literacy in India.

**Table 2:**  
**Change in Literacy Levels**  
(Percentages)

Year	Total	Male	Female
1951	18.33	27.16	8.86
2011	79.31	87.23	70.73

Source: Govt. of India, Census 2011

### **Critical assessment:**

By the year 1951 less than 9% of Indian women were literate as against 27% literacy among men. But over the last six decades women literacy was increased by 9 times while male literacy was increased by less than 4 times.

### **Section B:**

#### **Change in Occupational Distribution Pattern**

After passing food gathering and hunting stages man has settled down in agriculture for subsistence and both male and female get occupied in it for their survival. But as the humanity progressed, the industrial sector had dominated economic activity with reasonably higher wages. And in the modern age, the tertiary



sector began attracting large numbers of educated people with huge salary packs. Under the changed scenario, the labour settled in agriculture are at a great disadvantage. Therefore, let us examine as to how far Indian women took advantage of the changing economic scenario. The data relating to change in the occupational distribution pattern are presented in Table 3.

**Table 3:**  
**Percentage Distribution of Work Force by Sector and Gender**

Sector	Male		Female	
	1951	2009-10	1951	2009-10
<b>Agriculture/Primary</b>	<b>73.00*</b>	<b>45.20</b>	<b>84.00*</b>	<b>66.99</b>
Mining Quarry	0.77		0.30	
Manufacturing	11.57		11.34	
Utilities	0.35		0.08	
Construction	11.3		5.11	
<b>Secondary Sector</b>	<b>12.00**</b>	<b>24.02</b>	<b>8.00**</b>	<b>16.82</b>
Trade, Hotelling etc	14.00		4.55	
Transport & Communications	8.00+	6.04	3.00+	0.43
Finance, Insurance, Restaurants, Business etc.	2.71		1.05	
Community, Social, Personal Services	7.96		10.16	
<b>Tertiary Sector</b>	<b>7.00++</b>	<b>30.71</b>	<b>5.00++</b>	<b>16.19</b>
<b>All Non-Agricultural</b>	<b>27.00</b>	<b>54.73</b>	<b>16.00</b>	<b>33.01</b>
<b>TOTAL</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>

\* Include agriculture and general workers \*\* Include manufacture, mining & construction

+ Include trade & transport ++ Include services

**Sources:** (1) **1951 Data;** Alice Thorner, The Secular Trend in the Indian Economy, 1881 -1951, The Economic Weekly, Special Number July 1962

(2) **2009-10 Data;** T.S. Papola & Partha Pratim Sahu, Growth And Structure Of Employment In India 2012, New Delhi, Institute for Studies in Industrial Development,

### **Critical assessment:**

#### **1. Quantitative achievements:**

It is apparent from Table 3 that still a substantial number of women (66.99%) are eking out their lives in the agricultural sector

#### **2. Qualitative achievements/losses:**

- a. In the industrial sector women workforce share was doubled (8% 1951 to 16.82% in 2009-10)
- b. In the tertiary sector women workforce share was trebled (5% 1951 to 16.19% in 2009-10)



### Section C:

#### Change in Women Representation in Political Bodies

In India, Parliament is the supreme political body followed by the state legislatures. And most of the time politicians shuffle between those two bodies depending upon the 'winning tide'. Therefore, membership at any level gives access to political power. And women need to gain entry into those 2 levels in large numbers to get sufficient power to 'ensure' gender parity in the society. Now let us examine as to what extent the Indian women had succeeded in gaining entry into them. The data regarding women representatives in the Parliament are presented in Table 4. while the data regarding their representation in the state legislatures are presented in Table 5.

**Table 4: Women in Indian Parliament**

Year	Lokh Sabha			Rajya Sabha		
	Total Seats	Women	%	Total Seats	Women	%
1952	499	22	4.4	219	16	7.3
2014	545	62	11.8	245	30	12.2

Sources: Lokh Sabh.gov.in. & Rajya Sabha Secretariat, New Delhi

#### Critical assessment:

It is obvious from Table 4 that Indian Parliament is still male dominated one. In the First Parliament women constitute only 4.4% in the Lokh Sabha 7.3% in the Rajya Sabha. And by 2014 their share went up to 11.8% and 12.2% in the Lokh Sabha and the Rajya Sabha respectively i.e., less than 3 times in the Lokh Sabha and less than twice in the Rajya Sabha.

**Table 5: Percentage of Women MLAs in State Legislatures: All India**

Period	1952	1957	1960-65	1967-69	1970-75	1977-78	1979-83	1984-88	1989-92	1993-97	1998-99	2000-04	2005-09
India	2	6	4.7	2.5	4.5	2.6	3.2	4.2	4.3	3.7	5.4	5.1	6.3

Source: Centre for the Study of Developing Societies (CSDS), New Delhi

#### Critical assessment:

It is obvious from Table 5 that women constitute only 2% in the year 1952 and that was increased 6.3% by 2005-09 which is half of their proportion in the Parliament. And it appears that men folk do not want to be liberal at the state level.

#### Women in Panchayati Raj Institutions

Due to special quota of 33% was reserved for women in PRIs, they could corner about 48% of the total seats at the district level, about 47% at the intermediate level, and about 44% at the village level bodies. Thus, it is proved beyond doubt that special quota for women in all fields is the **only straight path** achieving gender parity in India.



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## PART VII SUMMARY AND CONCLUSIONS

Though Indian women had enjoyed equal and the most dignified life in the society during the early Vedic period, with the introduction of the Manu Code, the status of women was converted into that of a 'servant' that continued for about 2500 years. And after independence, the Constitution of India had included special provisions to ensure gender equity in all walks of life and they were followed by suitable legislations to implement those constitutional provisions. And the government of India had introduced several gender favouring policies and programmes in its Five Year Plans including a special quota of 33 percent in Panchayati Raj's 3 tier institutions.

### **A. Major Findings:**

As a result of the several gender parity policies and programmes of the government of India since independence, the status of Indian women had started changing fast. On the literacy front women had attained more than 70% literacy by 2011 from less than 9% in 1951. And in the occupational distribution pattern, their participation in the secondary sector was doubled and in the service sector it was trebled for the same period.. But on the political front, women representation is still lingering around 12 percent in the Parliament and 8 percent in the state legislatures while due to gender quota, women had grabbed about 50% seats in Panchayati Raj institutions.

### **B. Conclusions:**

The most important conclusion one can derive from this study is that where ever a special quota is created for women, they made tremendous progress and where ever such provision is not made, women lagged behind. Therefore, special quota is essential for women in general and for women from SC and ST communities in particular.

### **C. Major Suggestions:**

1. Increase educational opportunities through the establish more women colleges, both general and professional,
2. Increase employment/income opportunities for women through special quota at all levels of public and private sector employment,
3. Sanction special quota in parliament and state legislatures also in line with the Panchayati Raj institutions.

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