

## **Harmful Traditional Practices and Socio - Cultural Status of Women in India**

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### **Abstract**

Harmful traditional practices refer to types of violence that have been committed against women in general and certain communities and societies for so long that these abuses are considered a part of accepted cultural practice. These violations include Female Genital Mutilation or cutting (FGM), Dowry Murder, so-called Honor Killings, and Early Marriage etc., They lead to death, disabilities, and physical and psychological dysfunction for millions of women annually .Harmful Traditional Practices affect girls more than boys. Every social grouping in the world has specific traditional cultural practices, some of which are beneficial to all members, who most girls and women in developing countries are unaware of their basic rights. This ensures the acceptance and the perpetuation of harmful traditional practices affecting their well-being and that of their children while others are harmful to a particular group. There were radical changes in the life of the woman in modern India. Now girls in increasing numbers started attending educational institutions, social gatherings unrelated to family affairs, and new religious ceremonies. The main focus of this article is to find the original status of the women and how they are suffering from the different forms and social evils in the nation particularly in India.

Key words: women harassment, women violence, women life style, social and cultural status

### **Introduction**

History of women dates back to the history of human beings in the world. Ample example can be cited with regard to the roles played by women in the history of mankind, heroines, rulers, goddesses, etc. Women were not only considered as a link in the life cycle of human beings by giving birth to offspring for retaining human life on earth for centuries together but also played active roles as catalysts in the declaration of wars, annihilation of civilizations, evolution of communities, etc. Women have played roles as a gender for the suppression of emotional feelings of their opposite sex, as warriors, political leaders, administrators, goddesses, philanthropists, persons renowned or chastity and also as slaves, a product of commercial importance, etc. Women as a gender have played equally important roles in the history of prosperity and catastrophes to the mankind.

## Religious Scriptures

### BIBLE

"And Adam called his wife's name Eve, because she was the mother of all living." (Genesis 3:20)

"Now Deborah, a prophet, the wife of Lappidoth, she judged Israel at that time." (Judges 4:4) God chose a woman, Deborah, to guide Israel.

"Mary Magdalene went and said to the disciples, 'I have seen the Lord'; and she told them that he had said these things to her." (John 20:18) The first person to see Jesus after his crucifixion was a woman, Mary.

### Qur'an

The Qur'an, revealed to Muhammad over the course of 23 years, provides guidance to the Islamic community and modified existing customs in Arab society. From 610 and 661, known as the early reforms under Islam, the Qur'an introduced fundamental reforms to customary law and introduced rights for women in marriage, divorce and inheritance. By providing that the wife, not her family, would receive a dowry from the husband, which she could administer as her personal property, the Qur'an made women a legal party to the marriage contract.

While in customary law inheritance was limited to male descendants, the Qur'an introduced rules on inheritance with certain fixed shares being distributed to designated heirs, first to the nearest female relatives and then the nearest male relatives. According to Annemarie Schimmel "compared to the pre-Islamic position of women, Islamic legislation meant an enormous progress; the woman has the right, at least according to the letter of the law, to administer the wealth she has brought into the family or has earned by her own work."

The general improvement of the status of Arab women included prohibition of female infanticide and recognizing women's full personhood. Women were generally given greater rights than women in pre-Islamic Arabia and medieval Europe. Women were not accorded with such legal status in other cultures until centuries later. According to Professor William Montgomery Watt, when seen in such historical context, Muhammad "can be seen as a figure who testified on behalf of women's rights."

### Bhagavad gita

Quotes from scripture were often used to justify the status and abuse of women. In *Bhagavad Gita As It Is*, Chapter 9, Verse 32, Krishna states: "O son of Pritha, those who take shelter in Me, though they be of lower birth--women, vaisyas, as well as sudras--can approach the supreme destination (1972: 486)". Now, in the *Manu-samhita*, it is clearly stated that a woman should not be given freedom. That does not mean that women are to be kept as slaves, but they are like children. Children are not given freedom, but that does not mean that they are kept as slaves...a woman should be given protection at every stage of life (1972: 732). Note that simultaneously Prabhupada is saying that women should be treated like children (in terms of

freedom), and yet treated well (not like slaves). Perhaps the problem is the way Americans view their children and treat them. These kinds of statements resulted in American male devotees mistreating the women they came into contact with--their wives or women who they had authority over in the temple structure. Not all men participated in mistreating women, but a majority in my experience did. This took various forms such as verbal abuse, not supplying items the women needed, or--in marriages--outright physical abuse.

### **Position of Women in Pre-Colonial India**

Before the coming of the British in India the life of Indian women was rather oppressive, and they were subject to a constant process of subjugation and social oppression. The woman's youth was spent in the preparation of marriage and her entire life was one dependant on the male members of her family. Added to this were various repressive social customs such as Sati, child marriage, polygamy, lack of proper education and her confinement to the household. Historically, women experienced these rules and prescriptions differently depending on religion, caste, class, age and their place in the family hierarchy. Though a few women became educated, attained fame, and commanded armies, most were denied men's opportunities to acquire knowledge, property, and social status.

### **Position of Women under the British**

The constant works of the Indian reformers such as Ram Mohan Roy, who were trying to elevate the status of Indian women, and the renewed efforts by British reformers, there was seen a gradual change in the position of women in modern India. By the second half of the nineteenth century there were reform groups in all parts of British India. They focused attention on sati, female infanticide, polygamy, child marriage, Purdah System, prohibitions on female education, Devadasis (temple dancers wedded to the gods), and the patriarchal joint family. Their activity acted as a stimulus and encouragement to reform-minded individuals in other areas, and gradually reformist organizations with an all-India identity began to emerge.

The major change in women's lives in modern India came from the British efforts towards modernizing them. It became the central social issue in nineteenth-century British India because the foreign rulers had focused their attention on this particular aspect of society. Taken up with their "civilizing mission," influential British writers condemned Indian religions, culture, and society for their rules and customs regarding women. Even before the advent of the British in India, there has been a radically different cultural tradition which had conquered India, that of the Muslims. Century's earlier Muslim dynasties had entered the sub-continent from the northwest and brought to India a new religion and a new way of organizing power relations. However they did not affect the social order much, and kept well away from it. But significant changes that affected the lives of ordinary people first came with British rule. With their aim of commercial gains, they introduced new relationships and brought about a restructuring of the society. In their debates and discussions over how to best rule their subjects in India, it was widely held that a developed society depended on the

relationship between the men and the women. While in a modern society women were treated as equals with men, in a backward society they were treated with contempt. Since the British had taken it upon themselves to administer the country and modernise it, they went about trying to bring about a change in the male-female equation.

The missionaries too agreed with this viewpoint. Reverend E. Storrow came to India in 1848 and pronounced Indian disunity a consequence of the low status of women. Storrow's list of strong countries - Israel, Rome, and Western Europe - all derived their courage and virtue from the high position accorded women. Having linked military strength with the status of women, the British concluded that domination of India was natural and inevitable. The ideas which became popular among the British rulers of India included Humanitarianism, Utilitarianism, Social Darwinism and nationalism. It was believed that if there were any hope for India, it would follow from the introduction of Western ideas and institutions. Thus the westernisation brought in a new gender ideology and modification of the actual treatment of women would be the necessary prelude to any positive change.

### **Harmful Traditional Practices against on women:**

#### **A. Female Genital Mutilation (FGM):**

FGM occurs primarily in over 25 African countries, among some minorities in Asia and immigrant communities in Europe, Australia, Canada and the US. An estimated 130 million women today have undergone FGM, and an additional 2 million girls and women are being subjected to it each year. Since the late 1980s, opposition to FGM and efforts to combat the practice has increased. Some countries have passed legislation to regulate or ban FGM. Female Genital Mutilation FGM

#### **What Is Female Genital Mutilation?**

FGM, or female circumcision as it is sometimes erroneously referred to, involves surgical removal of parts or all of the most sensitive female genital organs or other injury to the female genital organs. It is an age-old practice perpetuated in many communities around the world simply because of its customary nature. FGM forms an important part of rites of passage ceremonies for some communities, marking the coming of age of the female child. By mutilating the female's genital organs, it is believed that her sexuality will be controlled; above all, FGM is meant to ensure a woman's chastity and virginity before marriage and fidelity thereafter. In fact, FGM bestows upon women (and the girl child) a catalogue of health complications and untold psychological problems. The practice of FGM violates, among other international human rights laws, the right of the child to the "enjoyment of the highest attainable standard of health", as laid down in Article 24 (paras. 1 and 3) of the Convention on the Rights of the Child. (Office of the UN High Commissioner for Human Rights 'Harmful Traditional Practices Affecting the Health of Women and Children'. Fact Sheet No. 23. 2003) Most girls and women in developing countries are unaware of their basic rights. This ensures the acceptance and the perpetuation of harmful

traditional practices affecting their well-being and that of their children. • 96 percent of Egyptian women are still subjected to FGM despite state legislation in 1997 outlawing the practice • Almost 90 percent of the female population in the North of Sudan undergo FGM which in many cases is practiced in the most extreme form known as infibulations (Report by UN Special Rapporteur Halima Warzazi).

## **B. Early and Forced Child Marriages**

Early and forced marriage as practiced in some countries of Asia and Africa leads to girls as young as 7 years to marry older man early and forced child marriages occur when at least one partner does not give consent and is coerced into marrying. This includes 'mail order' and Internet child brides. The forced marriage of children takes place in many different cultural, political and economic situations, and involves boys as well as girls. However, girls are undoubtedly the most affected and suffer the most severe consequences. They are frequently coerced, but also abducted, raped and sometimes murdered. A girl or woman who is forced to marry is treated as a slave, forced to live and sleep with her husband, and often physically confined indoors.

Forced child marriage is most common in India, Nepal, Bangladesh and sub-Saharan Africa, including Mali, Niger, Nigeria and Uganda. When a girl marries early, it usually means the end of her education (if she is in school) and the end of her autonomy. She can no longer make important decisions about work, her health and her wellbeing. Abuse is common in child marriages. Lack of consistent marriage registration makes early and forced marriages difficult to track. Thus, it is more a question of psychological violence than a question of culture. Children run away from rural areas because of arranged and early marriages, ending up on the street and/or in prostitution. Western society and the UN view forced marriage as a form of human rights abuse since it violates the principle of the freedom and autonomy of individuals.

- The greatest number of child brides often marries around the age of 13
- Despite the known health risks of early marriage, 100 million additional girls will marry before their 18th birthday over the decade. Many of these girls will be forced into marriage by their parents or extended family members. • Approximately 14 million adolescent girls give birth each year. Girls fewer than 15 are five times more likely to die during pregnancy and childbirth than women over 20, In Niger, 77 per cent of girls are married before they are 18 years old. In Iran, a girl is considered an adult and liable to punishment, even execution, at 9 years of age and a boy at 15, In Nepal, 7 per cent of girls are married before they are 10 years old and 40 per cent before they are 15.

The practice of early marriage is prevalent throughout the world, especially in Africa and South Asia. This is a form of sexual violence, since young girls are often forced into the marriage and into sexual relations, which jeopardizes their health, raises their risk of exposure to HIV/AIDS and limits their chance of attending school.

Parents and families often justify child marriages to ensure a better future for their daughters. Parents and families marry off their younger daughters as a means to gain

economic security and status for them as well as for their daughters. Insecurity, conflict and societal crisis also support early marriage. In many African countries experiencing conflict, where there is a high possibility of young girls being kidnapped, marrying them off at an early age is viewed as a means to securing their protection. In some countries, a rapist can be exempt from punishment if he is prepared to marry the victim, and the law can allow judges to lower the age of marriage in cases where the rape victim is a minor.

In the North West Frontier Province in Pakistan, for example, young girls are “sold” by their parents into marriage for money. This is done without the consent of daughters; and often the husbands are wealthy older men. This is no longer permitted by law, but still practiced. Girls fleeing such marriages can be put in jail and are shunned by society. If they are released, they are either killed by their own family or their in-laws, or sold again.

### **Health Issues in Child Marriage**

According to the Human Rights fact sheet No 23 on Harmful Traditional Practices Affecting the Health of Women and children: “Health complications that result from early marriage in the Middle East and North Africa, for example, include the risk of operative delivery, low weight and malnutrition resulting from frequent pregnancies and lactation in the period of life when the young mothers are themselves still grow in.

### **Causes of Early Marriage**

Following are the major causes in the society for girls’ early marriage.

1. Respondents could cite no reason other than it being a tradition they had to adhere to.
2. The strongest reason for early marriage is the desire or need to maintain the family’s good name and social standing. For men in particular, the success of their children is a measure of manhood and community status, and a daughter’s success rests in her making a good marriage and linking her family to another family
3. Concern about a girl becoming pregnant out of marriage is also prevalent, though not nearly as significant as the issue of status
4. The desire to get ‘*macha*’ (money paid to the girl’s family by the boy’s family upon agreement to marriage) is an incentive

### **C. Son Preference – Girl Infanticide and Female Foeticide**

#### **Son Preference as a Tradition:**

In many societies the birth of a baby boy is received with great joy. The rituals are more elaborate with the mother receiving compliments for producing a male child. The father enjoys great pride with the assurance of continuity of the family line and the protection of his property.

The birth of a girl however is less ritual with reduced value attributed to the mother. The reception ceremony is minimal and less colorful. In some societies particularly in Asia severe son Preference leads to malnutrition of the girls with deprivation in treatment. In some cities in Asia Female infanticide has become a practice to kill the girls soon after or before they are born. Clinics in India and China are cited as practicing early sex detection to get rid of a baby girl.

The crude methods of eliminating girl babies after birth include poisoning, throat splitting, starvation, smothering and drowning, which illustrate the insignificance accorded to these young female lives. (Gendercide Watch, Female infanticide 2000). The issue of girl infanticide or the murder of children because they are female, is of growing concern in contemporary society worldwide. This violation of a girl's basic right to life requires urgent attention and action. The issue of female foeticide, the practice of sex-selective abortions, has taken over infanticide and is practiced in different parts of the world but is most prevalent in Southern Asia. The root causes leading to female foeticide are complex and reflect diverse political, economic, social, cultural and religious practices, none of which justify such a violation of human rights.

Principal causes for female foeticide and girl infanticide are traditions: social pressure is stronger than law; girls considered as a useless economic burden; misunderstanding of the importance of the committed crime; no respect of women's rights; exclusion of women from their societies if traditions are not followed; superstition, religious beliefs; ignorance of the laws in force, and last but not least poverty. (\* 'A Girl's right to live' 2007)

The biological norm for birth ratios is about 105 boys born for every 100 girls worldwide. This norm has been drastically altered in some countries where the sex ratio has been skewed since the mid-1980s. The birth ratio has reached 133 boys born for every 100 girls in certain Chinese provinces as well as in New Delhi, Uttar Pradesh, Rajasthan, Bihar, Punjab and Haryana in India. These countries are joined by Pakistan, Bangladesh, Taiwan, South Korea, Indonesia, Vietnam and the Caucasus (Azerbaijan, Georgia, and Armenia) where female foeticide is also practiced. Given that these countries account for nearly half of the world's population, the killing of girls in these countries means fewer wives and mothers for future generations and, as a result, a significant increase in the imbalance of the number of men and women in the world. ('A Girl's right to live' 2007)

#### **D. Dowry Systems**

Dowry is the money, goods, or estate that a woman brings to her husband. Dowry can be defined as a forced financial and material arrangement to be given by the parents of the bride to the parents of the groom or the bridegroom himself as an essential condition of the marriage. The evils of the dowry system have left some Indian couples with a marked preference for sons. Worried by soaring marriage costs, the girl child is still unwanted by some parents who opt for illegal prenatal sex-determination tests just to abort the female fetus. Children are linked to the dowry system, as parents have to save up money and goods that will constitute the dowry almost as soon as their

child is born. Some families live in poverty and make great sacrifices simply to have a good dowry and marry their girls. • Dowry deaths are the deaths of young women who are murdered or driven to suicide by continuous harassment and torture by husbands and in-laws in an effort to extort an increased dowry. Dowry can lead to female feticide (which is directly related) to “bride burning” and even suicide • Paying and accepting dowry has been illegal in India for 40 years, but it is still rampant. Indian Government statistics show that husbands and in-laws killed nearly 7000 women in 2001 over inadequate dowry payments

### **E. Dowry Murder**

Dowry murder is a brutal practice involving a woman being killed by her husband or in-laws because her family is unable to meet their demands for her dowry — a payment made to a woman’s in-laws upon her engagement or marriage as a gift to her new family. It is not uncommon for dowries to exceed a family’s annual income While cultures throughout the world have dowries or analogous payments, dowry murder occurs predominantly in South Asia. In India, for example, there are close to 15,000 dowry deaths estimated per year and mostly in kitchen fires designed to look like accidents. In Bangladesh, there have been many incidents of acid attacks due to dowry disputes, leading often to blindness, disfigurement, and death. In 2002, 315 women and girls in Bangladesh were victims of acid attacks.

In India, women’s organizations have successfully advocated for changes to the 1961 Dowry Prohibition Act, including amendments in the 1980s to hire community members as “dowry prohibition officers.” In addition, the country’s murder law has been revised to define and punish dowry death. However, these changes have not been enforced widely throughout the nation. Undoing the dynamics of dowry deaths requires change at a deep level, within the context of globalization and economic restructuring, where dowry ceases to be an economic institution and women's lives the commodity that is traded. Children are linked to the dowry system, as parents have to save up money and goods that will constitute the dowry, nearly as soon as their child is born. Some families live in poverty and make great sacrifices just to have a good dowry and marry their girls.

### **F. Honour Killings:**

In many societies, rape victims, women suspected of engaging in premarital sex, and women accused of adultery have been murdered by their male relatives because the violation of a woman’s chastity is viewed as an affront to the family’s honour. According to a 2002 UN human rights report, more than 1,000 women are killed in Pakistan in the name of honour every year. In a study of female deaths in Alexandria, Egypt, 47 per cent of the women were killed by a relative after the woman had been raped. In Jordan and Lebanon, 70 to 75 per cent of the perpetrators of these so-called honour killings are the women’s brothers. It is not only in Islamic countries that this act of violence is prevalent. Brazil is cited as a case in point, where killing is justified to defend the honour of the husband in the case of a wife’s adultery.

### **G. Abduction**

Is a well known traditional practice in parts of Ethiopia whereby girls are kidnapped and raped to be forcefully married?

### **H. Devadasi, Deuki, Devaki**

These are practice in India and Nepal among others countries whereby girls are offered to temples to provide full services including forced prostitution.

### **I. Trokosi**

Is a practice whereby young girls are given to fetish shrines to serve under threat as domestic and sexual slaves. Their crimes are simply being related to a family member who committed an offense often before the girls are even born (e.g. Nigeria, Ghana, and Benin).

### **J. Re-Marriage of Widows**

The lives of widows are not endangered by the practice of sati, but re-marriage is forbidden in families of the Hindu minority by tradition.

### **K. Cast:**

The hierarchic caste system prevails among the Hindu minority in Bangladesh with its attendant discrimination and social exclusion of “lower castes” and “untouchables”. Research evidence is not available, but its concentration in the lowest levels of the occupational structure, limited mobility and social interaction, exclusion from schools, and the vulnerability of women to violence such as rape are examples of the denial of human rights.

### **L. Dress Codes**

Bangladesh has not imposed dress codes on women, but with increasing Islamic consciousness in recent decades, two forms of dress are considered necessary by some women for appearing in public, the chador or scarf, which covers the hair, forehead and neck, and the *burqua*, which covers women from head to toe, leaving a small space over the eyes or using a mesh cloth to cover the eyes. There is no denial of rights if women exercise their choice to use these forms of dress and are not forced under threats of punishments to do so. The rationale for these dress codes is claimed to be to protect women from violence by men and to facilitate the practice of chastity, while women have claimed, too, that they have a liberating effect.

### **M. Purdah**

The practice of *purdah*, or seclusion in the household and exclusion from public places, is said to be a religious tradition from puberty in Muslim families and a

cultural practice in some Hindu villages after marriage. The basis of *purdah* is the belief that the vulnerability of women to “strange” men can jeopardize men’s honour so that women must be subordinated to this and confined to the house, thereby restricting their right to spatial mobility. *Purdah* is not practiced generally in poor families, in which women engage in livelihoods for family survival. It is practiced in affluent homes and considered a status to which the upwardly mobile aspire (Mandelbaun, 1988). Dress codes for Muslim women are often linked to the idea of seclusion of women.

## **N. Bonded Labour**

Historically, slavery, or bonded labour, has been a regular feature across generations in many countries and in different ages. Families or individuals have been bonded to work for employers as a social obligation under informal agreements. “Debt bondage” is an extension of this system whereby advances given by employers force men, women or children in families to work towards the endless task of repayment. Women and girls in bonded labour are known to be more vulnerable to physical and sexual assault in a patriarchal and feudal society. However, there is no sex-disaggregated data and little information available in Bangladesh regarding the nature and extent of bonded labour in the country. A survey in 2003 by the Indian Bureau of Statistics found that 4.2 per cent of 1,504 establishments in the informal sector engaged in the bonded labour of children, employed to settle advances given by employers. Such bonded labour was found in agriculture, textile and garment industries, mining, quarries and in artisan and repair services. There were instances of families working as a unit to pay off debts. Such exploitative activities denied victims freedom of movement and the opportunity to change their employment, confined them to low wage drudgery and exacerbated the constraints that women face in achieving upward occupational mobility. They have now become a focus of attention that ensures specification of a minimum age of employment under the International Labour Organization’s Convention 138, prohibition of the worst forms of child labour(girls) under the organization’s Convention 182 and protection of workers’ rights and human rights.

## **O. Acid Throwing**

Acid throwing, also called an acid attack or vitriolage, is a form of violent assault. It is defined as the premeditated act of throwing acid onto the body of a person “with the intention to disfigure, maim, torture, or kill.” Perpetrators of these attacks throw at their victims, usually at their faces, burning them, and damaging tissue, often exposing and sometimes dissolving the bones. The most common types of acid used in these attacks are sulfuric, nitric, or hydrochloric acid. The long term consequences of these attacks include blindness and permanent scarring of the face and body, along with far-reaching social, psychological, and economic difficulties. These attacks are most common in, India, Bangladesh, Pakistan, Cambodia, and Afghanistan and other nearby countries.

Globally, at least 1500 people in 20 countries are attacked in this way yearly, 80 percent of whom are female and somewhere between 40 percent and 70 percent under 18 years of age. Because most of their victims are women acid attacks have been characterized as a form of gender apartheid.

### **P. Fatwa**

A fatwa is a punishment meted out to women by the *shalish*, or local body of male leaders, which makes rules for behavior in the community which it seeks to justify by Islamic religious traditions and by Imams based on their personal interpretation of Islam. Punishments are for behaviour such as. Extramarital love affairs or defiance, and take the form of stoning, caning, burning by throwing kerosene over the body or burning at the stake.

### **Q. Incest**

Incest is considered a harmful practice as it tends to be culturally tolerated within some families in all countries, including India and to violate the rights of girl children to a life free from abuse. Perpetrators are fathers, brothers, uncles and grandfathers or other male relatives closely connected with the families of the girl victims of such sexual abuse. Incest extends from sexual fondling to rape, and its effects are psychological, physical, including the impact of childbirth at an early age, as well as in the form of lost childhood with its entitlements such as access to education. It appears that the practice is shrouded in family privacy for fear of adverse economic and social consequences

### **R. Abortion**

Induced abortion is practiced by low-income women mainly when a family is unable to provide for another child or where there has been contraceptive failure. Abortions are also due to social stigma arising from single parent status, pregnancy of a widow or the shame associated with the birth of a baby when the eldest child in a family was well into adulthood. At the group discussions it was revealed that traditional abortifacients involved inserting twigs into the cervix or drinking traditional toxic potions which are known to cause intense vomiting and abortion. However, these abortifacients seem to be used less often than before *Source: Forms of Gender-based Violence and their Consequences, Women's Feature Service. From UNFPA, Populi, March 1999.*<sup>24</sup> extramarital love affairs or defiance, and take the form of stoning, caning, burning by throwing kerosene over the body or burning at the stake.

## **Socio – Cultural Status of Women in India – Historical Perspective**

**History of Indian civilization (2750 BC - 3200 BC)** gives several instances as to the roles and status of women in India. Indus Valley Civilization indicates that women folk got high respect in the society during the period. Women were worshipped in the society in the form of mother goddess. Agriculture was the main occupation and

domestication of animals, spinning, weaving of cotton and woollen clothes were other occupations in Indus Valley Civilization.

**Women were respected in high esteem during Vedic age (1, 500 BC -1, 000 BC).** Women enjoyed equally with men in every range in life. Without their presence, no religious ceremony could be performed. In the social and religious assembling, they possessed in prime position. Their respectable position in the society also supported by absence of 'purdha' and 'sati'. Women had got the same kind of education equal to the men and had been taking part in philosophical debates. During at the period women had a sound knowledge of music and dancing. "Swayamvaram" system of marriage was prevalent during this age. Widows were permitted to marry again. Women were also liberal enough even to carry their husbands in indulging in making intercourse with other women. People's important occupation was agriculture during this age. Other occupations were cattle breeding, gold smithy, carpentry, black smithy, weaving, dancing, hair cutting, etc.

**During Epic age (1, 000 BC - 600BC)** like in Vedic period the position of women decreased compared to Vedic period. Women did not get honour and respect from the society. The important reason for the decrease was the prevalence of polygamy and polyandry. The birth of a daughter was considered as a source of misery and sorrow and the root cause of evil were assumed to be by women. Vasishta's 'Dharma - Suthra' slates that, "A wife shall not be abandoned, even though she be quarrelsome or strained by incest or has left the house or has suffered criminal force or has fallen into the hands of thieves." . Thus women's position was quite safe during this age. There is a reference in Manu- Smriti with regard to the safety of women as "where women are worshipped, the gods shower their blessings".

**During pre - mauryan period (560 BC -321 BC)** Women were not honoured compared to Vedic period. Buddhist Sangha was the beginning stage of this period. Buddha did not allow women for the inclusion. This does not mean that women did not get any respect at all. They got proper education and 'purdha' system had not evolved as a fashion. But at the same time some references as to the social evils like 'Sati' was also followed during this period.

**During Mauryan period (323 BC - 185 BC)** Joint family system was prevalent Some families were divided because of the custom of polygamy. The account of Megasthenes and 'Arthasasthra' of Kautilya provides so much information about the position of women during this period. They did not have a high and respectable position in the society during this time when compared to the Vedic period. They were considered as a source of recreation and luxury. And 'purdha' system was in existence. Megasthenes considered women as a commodity for bargaining and were sold and purchased freely. Dowry system was also popular. In order to get justice on her claim over dowry, property and presents, women had the right to went to the court. In the case of widow marriage and divorce also, women had the right. There was provision of punishment for those women who stepped out of their homes without the approval of their husbands. There were female bodyguards to Chandragupta Maurya. The social status of women was not as high and respectable during this period as at present.

**During the period of Satavahana (28 BC - 225 AD)** women had a high status and respectable position in the society. They got more freedom than during the Mauryan period. They got more opportunities for higher education. There were certain instances where women had even taken over the administration. Mothers were highly honoured. Women were also participated in the religious functions with their husbands. Widows were given due regarding in the society. Agriculture had continued to be the chief source of livelihood. People especially women were engaged in different crafts such as potters, weavers, oil pressers, artisans, etc

**During Gupta period (320 AD - 540 AD)** the position of women had largely deteriorated in certain respects. There were pre-puberty marriages prevalent during that period. Women had no voice in the settlement of their marriages. Most of the women folk did not get the opportunity of higher education. Women could participate with their husbands in religious and social functions as there was no 'purdha' system. Cultural and literal education was conferred to girls of higher families. In administration also, they took active part. There was no favouritism with regard to widow marriages. The system of 'sati' was gradually coming into the society.

**During Rajput Period (650 AD - I, 200 AD)** Women folk got great honour and respect. They enjoyed full liberty. Women took active part in public life and were educated. They were also actively involved in playing dances and paint portraits. Active participation of women in discussions of various subjects and instances where they had defeated. They were also well versed in warfare. They learnt how to use swords and spears. They were capable of holding pen with as much facility as the sword. Emergence of efficient women administrators could also be seen during this period. 'Sati' system and child marriage were prevalent. Women had great feelings of patriotism and women like Akkadevi had been shot up to prominence as a warrior and efficient administrators

**During Islam period (1.200 AD - 1,536 AD)** many Muslim conquerors married Hindu women, princesses and queens. Alauddhin, for instance, married the Hindu princess mala Devi, wife of Karna Deva, the then Raja of Gujarat. Divorce became impossible in Hindu society. Remarriage of widows were also rare in Hindu society. The birth of a girl was considered as an unfavourable event, and as such infanticide was widely spread among Hindus. During Mughal Rule, (1526 - 1827) the position of women deteriorated due to the strictness of 'puldha' system. But there were some notable, great and learned women during this period. Hindu womanhood maintained its tradition by receiving its strength from religion and usage. slavery of progress. Sati, infanticide [Kulinism), child marriage, dowry system, polygamy, etc., were quite popular among Hindus during this period

**During British Rule (1765 - 1947)** the position of women had gradually developed through the abcalition of infanticide, Sati system, child marriage, remarriage of Hindu widows, and polygamy. Women's education have been promoting by Christian missionaries and all the Indian reformers. During this period Hindu women had started discarding 'pardha'; Muslim women had also begun to discard it. In 1925, the

Government had passed an Act declaring 'devadasi system' as illegal. Slavery system was also abolished during 1843. All these have contributed towards the empowerment of women and had made the women folk to enjoy equal privileges as men folk, at least in certain spheres of activities.

### **United Nations and World Conferences on Women**

In 1946 the United Nations established a Commission on the Status of Women. Originally as the Section on the Status of Women, Human Rights Division, Department of Social Affairs, and now part of the Economic and Social Council (ECOSOC). Since 1975 the UN has held a series of world conferences on women's issues, starting with the World Conference of the International Women's Year in Mexico City. These conferences created an international forum for women's rights, but also illustrated divisions between women of different cultures and the difficulties of attempting to apply principles universally. Four World Conferences have been held, the first in Mexico City (International Women's Year, 1975), the second in Copenhagen (1980) and the third in Nairobi (1985). At the Fourth World Conference on Women in Beijing (1995), *The Platform for Action* was signed. This included a commitment to achieve "gender equality and the empowerment of women". In 2010, UN Women is founded by merging of Division for the Advancement of Women, International Research and Training Institute for the Advancement of Women, Office of the Special Adviser on Gender Issues and Advancement of Women and United Nations Development Fund for Women by General Assembly Resolution 63/311.

### **Women in Modern India**

Women in modern India have largely been influenced by the programs of reform and upliftment which brought about a radical change in their position. Before the advent of British rule in India, the Indian women were in a quite a deplorable social condition with a number of oppressive rules being thrust upon them by society. With the various reform movements and a gradual change in the perception of women in society, there was seen a radical transformation in the position of women in modern India. They now emerged as educated, socially aware, competent "new women" with a strong sense of their individuality and increasingly looking towards newer avenues for self expression

### **Reforms for Indian Women**

Colonial domination set the change in motion. The ideology that emerged to redefine gender relations was a mixture of new foreign ideas, indigenous concepts, and the response of Indian men and women to the foreign presence in their midst. Those who accepted the idea that society's ills could be traced to the oppressed condition of women saw female education and female emancipation as the first steps towards progress.

Thus there were radical changes in the life of the woman in modern India. There was seen a threefold change in the pattern on women's lives now. First, there were modifications in the appropriate activities for a female at different stages of her life.

Second, the accepted area for female action was expanded. And third, individualism was now fast gaining currency among the people. Due to the reform activities and changes set in motion by the British conquest of India, by the end of the nineteenth century there were a number of women who were educated, articulate, mobile, and increasingly involved in public activities. In the rural setting life was dominated by the household for both men and women. With increased urbanization and the growth of new professions associated with colonial domination, work was increasingly separated from the home.

There was seen establishment of new educational, religious and social institutions. As families moved from their village homes to the cities, they increased their contact with the foreigners and they were gradually influenced to change their views regarding traditional household activity. Now girls in increasing numbers started attending educational institutions, social gatherings unrelated to family affairs, and new religious ceremonies. Harmful traditional practices and human rights law in India.

The low status of women has resulted in a widespread practice of sex-selective abortions and killing of girl babies in India. A girl child is not welcomed like a boy child, and many families can't afford bringing a girl child into the world. The growing pressure to downsize families and a deep-rooted cultural preference for boys has made sex-selective abortions easily available. This is despite the fact that sex-selective abortions are illegal (Pre-natal Diagnostic Techniques PNDT Act of 1994 and its amendment in 2002). The prolonged norm of favouring boys has left whole villages without women, young men without wives and trafficking is booming. The issue of sex-selective abortion and gender-based infanticide has predominately been an urban problem caused by costly dowries, greater value of boys in Indian religion and culture, and the fact that only sons can give the last rites to their parents. But due to modern technology (ultrasonography) being available at a very low cost and at all places including the rural areas. (through mobile vans) the trend of sex selective abortions has penetrated the remote areas as well. There are advertisements in very small towns (why to waste Rs 100000 as dowry when you can have the test done in Rs 500 only now). Till now there have been only 7 convictions (as per central supervisory board at national level) and only single judgement in all these years. Experts point to increasing reports of rape and violence against women as evidence that the skewed gender balance is taking its toll on Indian society. In certain areas of India the female to male ratio has decreased to below 800 women per 1000 men<sup>28</sup> Female infanticide is not covered by one particular act or provision of law like foeticide is (PNDT Act of 1994), but infanticide is a violation of many provisions both in domestic law, as well as international human rights law. Female infanticide is a violation of article 21 of the Indian Constitution granting every person the right to life. Infanticide is treated as homicide under the Indian Penal Code. India's National Plan of Action for the Girl Child (1991- 2000) has as two of its objectives to prevent cases of infanticide and end gender disparity in infant mortality rate<sup>29</sup> India is State Party to the CRC, CCPR, CEDAW and CESC. Female infanticide is a violation of article 6 of the CRC which guarantees each child the right to life as well as the survival and development of the child and of article 6 of the CCPR providing for every person's right to life to be protected by law. Female infanticide is a violation of article 3 of CEDAW, guaranteeing

the enjoyment of human rights and fundamental freedoms on a basis of equality with men, article 5 (a) urging state parties to modify social patterns of men and women to achieve the “elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women”. The CRC Committee in 2004 remained concerned that domestic legislation, and in particular religious and personal laws which govern family matters, are not yet fully in conformity with the provisions and principles of the CRC. The Committee is further concerned that the National Charter for Children does not adopt a child-rights-based approach and does not explicitly include all rights and principles of the Convention.

The National Plan for Action for the girl child and the Platform for action is a positive step in protecting the rights of girls. However there are still discriminatory social attitudes and harmful traditional practices towards girls, including low school enrolment, high dropout rates and early and forced marriages. The CRC Committee urges the State to take action related to gender discrimination, including imposing sanctions to end the practice of sex-selective abortions (foeticide) and female infanticide 30. The CEDAW Committee in 2007 expressed concern about the continuing deterioration in the ratio of females to males despite the prohibition of sex selection Act. They are concerned this Act will punish women who are forced into seeking sex-selective abortions. Legislative reform to eradicate customary practices which discriminate against women has not brought about the desired changes in the role and position of women in India. The Committee calls upon the State Party to ensure that adequate mechanisms and procedures for effective implementation and monitoring of the Pre-natal Diagnostic Techniques (PNDT) Act be established, including safeguards to prevent criminalization of women who are pressurized into seeking sex-selective abortions

### **Facts**

- 3 million young girls are subject to FGM in 32 countries each year (Unicef 2007)
- 19 African countries and 12 European countries have taken legislative measure to enact laws against FGMs
- Among the root causes to FGMs are illiteracy, isolation and poverty
- FGMs are a human rights violation despite the known health and other risks of early marriage, 100 million additional girls will marry before their 18th birthday over the decade. Many of these girls will be forced into marriage by their parents or their extended family members. (Unicef 2007)
- Between 80 and 100 million girls are ‘missing’ from the world’s population. They are victims of gender based infanticide, malnutrition, and neglect. Girls are undesirable in many regions of the world. (Equality, Development and Peace, Unicef 2000)
- Though FGM and girl infanticide can now benefit from new technologies and be carried out by “professionals”, they still represent a risk for girl’s health and are a violation of their rights.

## Conclusion

The educated, socially active "new women," as they were called, were part of a modernizing movement which sought to modify gender relations in the direction of greater equality between men and women. Many of the "new women" of modern India are even educated in their homes and then sent to a girls' school. Parents who cared about female education waited until their daughters were older before arranging their marriages or occasionally allowed young married women to continue their education. Older brides became mothers at a later age and often played a greater role in child-rearing. Often there were opportunities to exercise some choices of their own and consequently their status was far less derivative than had been true for a previous generation. One of the most significant changes concerned what women were capable of doing. There was a gradual shift of women's activities from the confines of the household to the larger social and political scene. The recognition of individualism of women was another major achievement of the modern age. As compared to the generalisations regarding their life and role, formal education and particularly the development of publications intended for and written by women gave women a voice. There was seen the publication of a number of literary works and journals and autobiographies by women which enabled them to communicate with each other and develop new social networks.

Thus, the position of women in modern India was one of great social upliftment. There was a major change seen not merely in the lives of the women themselves but also in the perception of their roles and functions by society. It paved the way for the greater independence and expression of individuality of Indian women. Holistic manifestation of womanhood and the womanly goal with an aim to bring perfect balance between the masculine and feminine forces of accepted history irrespective of gender is what seems to be the need of the hour. Women's empowerment should surpass and outdo gender and reach the whole of humanity to establish a matriarchal society based on creative and generative action.

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