Research Paper History

Feminism in India-A Fractured Movement

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KEYWORDS

The Oxford Dictionary defines "Feminism"- "belief and aim that women should have the same rights and opportunities as men; the struggle to achieve this aim."(1)

Wikipedia defines "Feminism" is a collection of movements and ideologies aimed at defining, establishing, and defending equal political, economic, and social rights for women. This includes seeking to establish equal opportunities for women in education and employment.(2)

Feminism is a belief that although women and men are inherently of equal worth, most societies privilege men as a group. As a result, social movements are necessary to achieve political equality between women and men, with the understanding that gender always intersects with other social hierarchies. --*Estelle Freedman(3)*

Thus "Feminism" is:

The doctrine advocating social, political, and all other rights of women equal to those of men.

An organized movement for attain ment of such rights for women.

As per Goldstein, Charles Fourier, socialist and French philosopher is said to have coined the word "feminism" in 1837. In France & Netherlands the words "feminism" and "feminist" first appeared in the year 1872. The word travelled to Great Britain in the 1890s and the United States in 1910. As per the Oxford English Dictionary the word "feminist" appeared in 1894 and "feminism" in the year 1895. To me, Feminism is a recent movement, whose history can be traced to early 19th Century.

The issue of rights for women first become prominent during the French and American revolutions in the late 18th century. In Britain it was not until the emergence of the suffragette movement in the late 19th century that there was significant political change. A 'second wave' of feminism arose in the 1960s, with an emphasis on legal and social equality for women and their unity and sisterhood.

There is no doubt that since the women co-existed with men, therefore some assertiveness on the part of

women existed throughout ages. The world witnessed some great women queen and warriors but their aura was confined to themselves and they do not have any recorded history that shows their work and drive towards women rights.

In India too, we have great women rulers and warriors such as Ahilyabai Holker *who ruled* princely State of Holker till her death in 1795, Rani Rashmoni of Calcutta who ruled till 1861, Kittur Rani Chennamma *who ruled* Kittur, a princely state of Belgaum in Karnataka, Rani Laxmibai of Jhansi and many others but they can not be called Feminist or champions of women's rights.

Though the word Feminism denotes movement for attainment of woman's rights but depending on historical moment, culture and country, feminists around the world have had different causes and goals.

Now let us consider how India is besieged by multiplicity of feminism. We all know that Indian society is divided on the basis of caste. It's a system of social stratification. Doctrinally, caste was defined as a system of segregation of people, each with a traditional hereditary occupation. Caste system defines communities into thousands of endogamous hereditary groups called Jatis. The Jātis were grouped into four well-known caste categories or vernas viz Brahmins Kshatriyas, Vaishyas and Shudras. Shudras were excluded altogether, ostracized by all other castes and treated as untouchables. This ideological scheme was theoretically composed of 3000 subcastes, which in turn was claimed to be composed of 90,000 local sub-groups, with people marrying only within their subgroup. The Indian government officially recognizes historically discriminated communities of India such as Untouchables and Shudras under the designation of Scheduled Castes, and certain economically backward castes as other backward castes. The Scheduled Castes are sometimes referred to as Dalit in contemporary literature. The caste system is not confined to Hindus; it is practiced in other religion also. Since some of the followers of other religion in India are converts or decedents of Hindus, as such the caste system has been carried over to other religions on the Indian subcontinent, including small groups of Muslim, Buddhists, Sikhs, Jains and Christians.(4)

Indian women have to survive through a ladder of oppressive patriarchal family structures e.g. age, ordinary status, relationship to men through family of origin, marriage and procreation as well as patriarchal attributes, such as dowry, aspiring sons etc, kinship, caste, community, village, market and the state. There is exception also as several communities in India, such as the Nairs of Kerala, Shettys of Mangalore, certain Maratha clans, and Bengali families' exhibit matriarchal tendencies. In these

communities, the head of the family is the oldest woman rather than the oldest man. Sikh culture is also regarded as relatively gender neutral. Thus India has multiple feminisms each catering to peculiar patriarchal family structure within her religion, caste and region.

Indian society is largely composed of hierarchical systems within families and communities. These hierarchies can be broken down into age, sex, ordinal position, kinship relationships (within families), and caste, lineage, wealth, occupations, and relationship to ruling power (within the community). When hierarchies emerge within the family based on social convention and economic need, girls in poorer families suffer twice the impact of vulnerability and stability.

It is this play of caste system and social stratification, which

differs from caste to caste, Indian experience reveals multiple patriarchies, contributing to the existence of multiple feminisms. Hence, feminism in India is not a singular theoretical orientation; it has changed over time in relation to historical and cultural realities, levels of consciousness, perceptions and actions of individual women, and women as a group.

"The male and female dichotomy of polar opposites with the former oppressing as existed in west is refuted in the Indian context because it was men who initiated social reform movements against various social evils. Patriarchy is just one of the hierarchies. Relational hierarchies between women within the same family are more adverse. Here women are pitted against one another. Not all women are powerless at all times."(5)

Historical reasons, circumstances, caste and religious values system in India have caused feminists to develop a feminism that differs from Western feminism. In India, the difference between the sexes was more or less consciously accepted that their roles, functions, aims and desires were different and as such they need to be reared differently and treated differently also. Over the course of time, this difference itself became a major reason for initiating women's movements. Unlike their Western counterparts feminist movement in India was initiated by men, and later joined by women. The efforts of Social Religious Reformers are highly commendable in abolishing sati, which was a heinous custom of widow's being burnt alive on husband's funeral pyre, the custom of child marriage, abolishing the

disfiguring of widows, banning the marriage of upper caste Hindu widows, promoting women's education, obtaining legal rights for women to own property, and requiring the law to acknowledge women's status by granting them basic rights in matters such as adoption.

Feminism in India can be divided into three phases: the first phase can be said to have begun in the mid-nineteenth century, when male European living in India began to criticize inhuman social evils of Sati and some Indian voices were heard from Indian for widow remarriage, abolishing the disfiguring of widows etc. The second phase, started from 1915 up to Indian independence, when Mahatma Gandhi brought women's movements into the Quit India Movement and women's organizations began to emerge and participate in freedom movement. The Final phase focused on fair treatment of women in the work force and right to political parity in Post independent India.

This first phase (1885-1915) of feminism in India was initiated by men, predominantly colonial rulers, who brought the concept of modernity, democracy, equality and individual rights, to uproot the Social evil of sati (widow immolation), to allow widow remarriage, to forbid child marriage, and to reduce illiteracy, as well as to regulate the age of consent to marriage and to ensure property rights through legal intervention. However, efforts for improving the status of women in Indian society were somewhat thwarted by the late nineteenth century, as nationalist movements emerged in India. These movements resisted 'colonial interventions in gender relations' particularly in the areas of family relations. Post 1857 mutiny, the colonial rulers slowed reform of Hindu society.

The Second Phase (1916-1947) witnessed intensification of struggle against British rule. Conscious efforts were made to develop the spirit of Nationalism by exalting Indian cultural superiority and cultural revivalism. Mahatma Gandhi, who by that time had taken reign of freedom movement, legitimized and expanded Indian women's public activities by initiating them into the non-violent Civil Disobedience Movement against colonial rule. He praised them for their feminine roles of caring, self-abnegation, sacrifice and tolerance; and inspired them to carve a niche for themselves, in the public arena. Women-based organizations like All India Women's Conference (AIWC) and National Federation of Indian Women (NFIW) were formed. Many women related issues such as, scope of women's political participation, women's franchise, communal awards, and leadership roles in political parties, came to the

forefront and began to be debated. Simultaneously, localised women's associations, emphasizing women's education issues, developed livelihood strategies for working class women and other women related issues began to surface.

The Third phase (1947 onwards) Though Western-educated Indians introduced equality in the early nineteenth century, however, the term did not gain meaning or became an operational principle in Indian life until the country gained independence in 1947 and adopted a democratic government. The Constitution of India guarantees equality, including sexual, to everyone (articles 14 & 15). All laws which are inconsistent with the Fundamental Rights enshrined in the Constitution are void (article 13). After Independence, the country passed many legislations for women viz Hindu Adoption and Maintenance Act 1956, The Hindu Inheritance (Removal of Disabilities) Act 1956, The Hindu Marriage Act, Special Marriage Act, the Hindu Minority and Guardianship Act, Special Marriage Act, Dowry Prohibition Act, The Muslim Women (Protection of Rights on Divorce) Act 1986, Protection of Women from Domestic Violence Act 2005, The Hindu Succession (Amendment) Act, 2005 (39 of 2005) which comes into force from 9th September, 2005 to remove gender discriminatory provisions in the Hindu Succession Act, 1956 and gives the following rights to daughters under Section 6: (i)The daughter of a coparcener cell by birth become a coparcener in her own right in the same manner as the son (ii) The daughter has the same rights in the coparcenaries' property as she would have had if she had been a son, The Indecent representation of Women (Prohibition) Act, The sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013. Though, on political front much is left to be done

Feminist activism in India gained momentum in the late 1970s. One of the first national-level issues that brought women's groups together was the Mathura rape case(6). The acquittal of policemen accused of raping a young girl Mathura in a police station led to country-wide protests in 1979-1980. The protests, widely covered by the national media, forced the Government to amend the Evidence Act, the Criminal Procedure Code, and the Indian Penal Code; and created a new offence, custodial rape. Female activists also united over issues such as female infanticide, gender bias, women's health, and women's literacy. Recently Delhi and Mumbai gang rape cases again united female activist covering all spectrum of public life. I am hopeful that day is not far, when Feminist in India will unite to take up causes without reference to caste, creed and religion.

In report published in "Hindustan Times" "Just 81 districts in India accounted for more than one-third of child mortality below five years of age in 2012 and half of these deaths were of girls, a study published in

the international journal Lancet……The study also showed that the probability of a girl dying within five years of her birth was higher than a boy. For 100 boys who die within five years of their birth, 131 girl deaths were reported, the study based on government data for child mortality states. "Female mortality at ages 1-59 months exceeded male mortality by 25% in 303 districts in nearly all states of India, totaling about 74,000 excess deaths in girls," the study's lead author Prabhat Jha said".(7) The female mortality amongst girls is 40 per cent greater than that of boys. Excess female mortality among girls is closely related to early discriminatory behavior, a phenomenon usually summarized as the "neglect of girls". This neglect/discrimination may be extended to breastfeeding, visits to health centers, especially to private physicians, Immunization coverage, Food allocation, education etc.

Feminist activist are united on the point that all forms of discrimination against the girl child and violation of her rights

should be eliminated by undertaking strong measures both preventive and punitive within and outside the family. These would relate specifically to strict enforcement of laws against prenatal sex selection and the practices of female feticide, female infanticide, child marriage, child abuse and child prostitution etc.

Though Government has passed two laws that prohibit the sex selection of a fetus in India are the Medical Termination of Pregnancy Act, 1971 (MTP), as amended in 2002, and the Pre-natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, 1994 (PNDT), as amended in 2002. The former Act prohibits abortion except only in certain qualified situations, while the latter prohibits the sex selection of a fetus with a view towards aborting it. The implementation of these two laws is far from satisfactory.

Feminist are divided on the issue of sex workers, Anti-prostitution feminists are strongly opposed to prostitution, as they see it as a form of violence against and exploitation of women, and a sign of male dominance over women other regard it as freedom of their choice, as differentiated from forced prostitution.. The current laws in India dealing with sex workers are fairly ambiguous. It is a system where prostitution is legally allowed to thrive, but which attempts to hide it from the public. The only law dealing with the status of sex workers is the 1956 law referred to as "The Immoral Traffic (Suppression) Act"are or (SITA), which has been amended as The Immoral Traffic (Prevention) Act or PITA. Prostitution in India is due to poverty and unemployment, lack of proper reintegration services, lack of options, stigma and adverse social attitudes, family expectations and pressure, resignation and acclimation

to the lifestyle.

The Immoral Trafficking Prevention Act, 1956 ("PITA"), dealing with sex workers in India, does not criminalize prostitution or prostitutes per se, but mostly punishes acts by third parties facilitating prostitution like brothel keeping, living off earnings and procuring, even where sex work is not coerced. There is urgent need to pass law against child prostitution.

Barring few shocking incidents, which united entire feminist community, Indian feminism tends to represent "upper caste" and upper class Hindu women, while ignoring and marginalizing the interests of Dalit women. Dalit women in India were questioning whether the feminist movement in India had paid sufficient attention to the caste basis of women's oppression and whether the mainly upper-caste women's movement had any right to speak for Dalit women. Debates on caste and gender oppression have been furthered by Other Backward Class (OBC) members of different political parties, arguing in state assemblies that "lower caste" women's interests are best represented by women from these castes. Working towards this end, women within Dalit castes have formed organisations such as the All India Dalit Women's Forum and the National Federation of Dalit Women and Dalit Solidarity, which focus on the gender based implications of caste based violence and oppression, such as the ways in which Dalit women suffer from urban poverty and displacement.(8)

The constitution of India guarantees equality, including sexual, to everyone (articles 14 & 15), equality of opportunity (Article 16), and equal pay for equal work (Article 39(d)). In addition, it allows special provisions to be made by the State in favor of women and children (Article 15(3)), renounces practices derogatory to the dignity of women (Article 51(A) (e)), and also allows for provisions to be made by the State for securing just and humane conditions of work and for maternity relief. (Article 42). All laws which are inconsistent with the Fundamental Rights enshrined in the Constitution are void (article13).

Yet religious personal laws that discriminate against women are still valid, not void, even after four decades after the adoption of the Constitution. The State has not adopted a consistent policy with regard to reform of religious personal laws. The British and the successive Congress governments have extensively reformed the supposed Hindu personal law in order to give equal rights to Hindu men and women. The personal laws of the so-called minorities are left virtually untouched, ostensibly because the leaders of these communities claim that their religious laws are inviolate. The present situation is that the women of the minority communities like Muslims continue to have unequal legal rights.

The typical example of keeping status quo in respect to Muslim Personal Laws is Shah Bano case. Shah Bano, a 73-year-old Muslim woman, was divorced by her husband after forty-three years of marriage. According to the Sharia or Muslim Law, her husband was not required to pay her alimony. Shah Bano challenged this decision in the Supreme Court, which ultimately ruled in her favor and ordered her husband to pay her a monthly maintenance allowance. This caused chaos amongst the Muslim clerics who denounced the judgment and suggested that their religion, Islam was under attack in the country. In a fear of losing overall Muslim support, Rajiv Gandhi, the then Prime Minister, succumbed to the pressures of the Muslim community and his own party and backed the Muslim Women (Protection of Rights on Divorce) Bill that overruled the Supreme Court's decision.(9)

Feminism was challenged by various minority groups for ignoring the needs of minority populations. It was suggested that 'mainstream' feminism was upper caste and Hindu in its orientation and did not address the concerns of minority women. This led to the formation of the Awaaz-e-Niswaan (The Voice of Women) in 1987 in Mumbai in largely Muslim part of the city. The Muslim community has been subjected to personal laws that often considered harmful to the rights of Muslim women and this is a welcome sign.

As in the West, there has been some criticism of feminist movements in India. They have especially been criticized for focusing too much on women already privileged, and neglecting the needs and representation of poorer or lower caste women. This has led to the creation of caste-specific feminist organizations and movements.

Despite progress, made by Indian feminist movements, there are many discriminatory and disturbing issues faced by women living in modern India. India still faces the issue of dowry, discrimination with female child in family, female infanticide, inheritance to property's rights, promulgation of uniform civil code, representation in legislative bodies as per sex ratio and innumerable other feminist issues. Despite the attempt at bringing forth the lower castes by ensuring reservations, there has been little difference in the abolition of caste. Matrimonial alliances are still sought by affiliations to caste-hierarchy. Khap Panchayats have reported honour killings on defiance of the caste-order. Massacres in form of the Khairanjee incident continue to show the existence of caste-based violence. The institutions of family and community continue to practice discrimination on the grounds of caste. Thus due to social and historical reasons, feminism in India, present the story of divided house-a fractured movement, divided on the lines of caste creed, religion and region, barring a few sporadic shocking issues, which bring the hope of unity.

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