
UNIT 5 GENDER EQUALITY AND EMPOWERMENT OF WOMEN

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5.0 OBJECTIVES

This unit would enable you to understand:

- Socio-Religious Reforms in India;
- Ambedkar's Perspectives on Gender; and
- Features of Hindu Code Bill proposed by Ambedkar.

5.1 INTRODUCTION

In this unit we will discuss about the socio-religious reforms, Ambedkar's perspective on gender and features of Hindu Code Bill proposed by Ambedkar. Cultural representations are crucial in the making of modern nations. The figure of the woman has been central to the making of the national imaginary. India is no exception. Women are often projected as cultural symbols of the Indian nation and society. Changes in her attire and conduct are therefore hastily condemned as threats to culture and tradition. Such responses have been witnessed in many parts of the world. At one level these can be read as a response typical of patriarchal societies. At another level these essentially patriarchal reactions need to be conjoined with specific historical experiences of colonial societies. Changes to "tradition" had to be condemned on two grounds—one, that they ran counter to "natural" patriarchal norms and two, that they are alien and western.

It is well known that India experienced a colonially mediated modernity. The colonial rule left a deep-rooted imprint on Indian society and created problems for the average Indian. On the one hand, the intensity and rationality of the West was worthy of imitation while on the other hand, it meant a re-interpretation of existing traditional religious and cultural practices. Gender was one of the key issues to be discussed in the colonial public sphere. The miserable condition of Indian women, customs like sati, child marriage, enforced widowhood, especially the terrible plight of high caste child widows lead to acrimonious debates. Sir Herbert Risley argued that while education had produced a class of Indians interested in political advancement, it was unlikely that they could attain it for: "A society which accepts intellectual inanition and moral stagnation as the natural

condition of its womankind cannot hope to develop the higher qualities of courage, devotion and self- sacrifice which go to the making of nations.”

5.2 SOCIO-RELIGIOUS REFORMS IN INDIA

The traditional Indian texts essentialised women as devoted and self-sacrificing, yet occasionally rebellious and dangerous. The texts on religion, law, politics and education carried different pronouncements for men depending on caste, class, age and religious sect. In contrast, women's differences were overshadowed by their biological characteristics and the subordinate, supportive roles they were destined to play. Historians were equally essentialist in their portrayal of Indian women. Occasionally, the narratives singled out one woman for special attention but usually this was because her accomplishments were significant by male standards. As argued by Geraldine Forbes, issues that were interwoven with women's lives – house-hold and agriculture technology; religious rituals and sentiments; fertility and family size; furnishings, jewellery and clothing; inheritance and property rights; and marriage and divorce – were largely overlooked. With regard to history written from a woman's perspective, Virginia Woolf observed on the ironical paradox of a woman's life:

Imaginatively she is of the highest importance, practically she is completely insignificant. She pervades poetry from cover to cover. She is all but absent from history.

The presence of the British in India, however, brought about a radical change in the entire social perspective. Apart from the introduction of the idea of equality based on a conception of the individual as a repository of values and rights, this contact with the West gave to India, for the first time, a doctrine of social progress — the belief that man can himself, through collective action, change the structure of society.

Social Reform in India did not ordinarily mean, as it did in the West, a re-organisation of the entire structure of society with a view to the alleviation of the conditions of the underprivileged; rather, it meant the infusion into the existing social structure of newer ways of life and modes of behaviour. Generally such change was gradual and was initiated only by the upper classes. Social change in India was, for a very long time, based on the 'filtration theory' — the filtration of attitudes and modes of behaviour from the upper layers of society to the lower ones. Gradually, with the growth of organised reform groups like the Brahmo Samaj, Arya Samaj, Satyashodhak Samaj and other organisations, the social basis of Hinduism, the caste system, came to be questioned. Various social service institutions took up the cause of the less fortunate groups in society and sought to lift India from the morass of caste tyranny. The social and religious reform movements in Hinduism in the nineteenth century were against social and legal inequalities. Abolition of discriminations in society on the basis of caste and gender was the prime focus of these movements. It involved an attack on social institutions and practices like child marriage, position and treatment of widows, seclusion and the denial of women's right to property and education, the roots of which lay in the religious traditions of different communities.

Rammohan Roy's experience in working with the British government taught him that Hindu traditions were often not respected or thought as credible by Western standards; this motivated him to revisit the religion. He wanted to

legitimize Hindu traditions to his European acquaintances by proving that “superstitious practices which deform the Hindu religion have nothing to do with the pure spirit of its dictates!”

While appealing to the political aspirations of the Hindus, Rammohan Roy wrote:

The present system of Hindus is not well calculated to promote their political interests.... It is necessary that some change should take place in their religion, at least for the sake of their political advantage and social comfort.

Moreover, Rammohan Roy fought in favour of granting the right to property to women. In favour of his argument, he highlighted the provisions related to right to property and inheritance for women advocated by the laws given in Dayabhaga. In his pamphlet, *Modern Encroachment on the Ancient Rights of Female*, he pleaded for a change in the Hindu law of inheritance so as to improve the lot of Hindu widows.

However, the discourse of the social reform movements revolved around the upper caste/ upper class woman who was the principal ‘object’ of reform. It was Jyotiba Phule who broadened the contours of the discourse and critiqued the religious texts within the paradigm of universal values like liberty and equality. In 1873, Phule formed the Satya Shodhak Samaj (Society of Seekers of Truth) with the main objective of liberating the Bahujans, Shudras and Ati-Shudras and protecting them from exploitation and atrocities. Phule was a fierce critic of Brahmanical interpretation of religion and strongly put forward the view that every religious book is a product of its time and the truths it contains have no permanent and universal validity. All religions and their religious texts are man-made and they represent the selfish interest of the classes, which are trying to pursue and protect their selfish ends by constructing such books. As a humanist, Phule was much ahead of his contemporaries with such revolutionary ideas. He, after educating his wife Savitribai Phule, opened a school for girls in India in August 1848. For his fight to attain equal rights, justice and opportunities for women and the downtrodden sections of the society, Phule sometimes is termed as “the father of Indian social revolution”.

5.3 AMBEDKAR’S PERSPECTIVES ON GENDER

For Ambedkar, caste and gender were inseparable. His interpretation of history and the place and role of marriage in social construction of graded inequality provide an important understanding of the issue of women’s emancipation in the Indian context. Ambedkar pointed out that caste is endogamy and endogamy is caste and that the origin and reproduction of caste rested on gendered violence. He spent a lifetime challenging entrenched traditions and texts and wrote profusely on the ritual exclusion of women.

Ambedkar analysed the Hindu religious texts or shastras to unravel the roots of women’s lowly status in contemporary society. In a paper presented for the anthropology seminar of Dr. A.A. Goldenweizer, Columbia University, USA, in May 1916 on “Caste in India: Their Mechanism, Genesis and Development,” he scrutinized the genesis, mechanism and spread of caste system in India and its consequences for gender relations on the Hindu society. His main thesis is as follows:

Caste in India means an artificial chopping off the population into fixed and definite units, each one prevented from fusing into another through the custom of endogamy. Thus, the conclusion is inevitable that endogamy is the only characteristic that is peculiar to caste. The superimposition of endogamy on exogamy means the creation of caste. A caste is an enclosed class.

In other words, caste system was created by preventing inter-marriage between different classes. The resulting disparity between marriageable units of the two sexes within a caste group (as a consequence of artificial parceling of the Hindu society) was resolved by observance of certain highly obnoxious and inhuman customs, namely, Sati or burning of the widow on the funeral pyre of her deceased husband, enforced widowhood and child marriage. This consequently led to decline in the social status of women in the Hindu society. Ambedkar pointed out that the caste system and the customary practices associated with it was largely responsible for the degradation of women in contemporary Indian society.

In yet another significant work, *The Rise and Fall of Hindu Women*, published in 1951, Ambedkar compares Buddhist and Brahmanical texts and argues that the Aryan civilisation was a barbarian phase of Indian history which established the structures of women's subjugation, subsequently challenged by Buddhism. This was the first revolution against Hinduism, but eventually Hinduism through its counter-revolution again re-established the patriarchal social order which denied women the freedom that they enjoyed under Buddhism.

Apart from these richly researched academic works, Ambedkar also wrote in his newspapers *Mook Nayak* (1920) and *Bahishkrit Bharat* (1927) about the significance of female education. He involved women along with the depressed classes in his political movements for social justice and equality. In March 1927, Ambedkar launched the Mahad Satyagraha to assert the right of Untouchables to take water from Chawdar tank at Mahad. Accompanied by thousands of men and women in this historic march, Ambedkar remarked that the movement was to liberate society from moth-balled traditions and evil customs imposed ruthlessly and upheld religiously by a vast society upon its weaker and helpless constituents to restore human rights and dignity to them. On 25 December 1927, at a Conference of Depressed Classes held at Mahad, Ambedkar made a bonfire of Manusmriti in presence of more than fifty women to protest against the discrimination of women and Untouchables upheld by it. At the end of the Conference, Ambedkar also addressed a meeting of about three thousand women

of the Depressed Classes, the first meeting of its kind in modern India and urged them to dress well and live a clean life. "Do not feed your spouse and sons if they are drunk. Send your children to schools. Education is necessary for females as it is for males."

Ambedkar never envisaged women as passive, docile subjects; rather he considered them as empowered beings who can fashion their own lives. He believed in creating an enabling environment for women to be productive members of society. As a member of Bombay Legislative Council, his arguments on the Maternity Benefit Bill and Birth Control were quite relevant to recognize the dignity of women. Supporting the Maternity Benefit Bill for women labourers in his speech, he said: "It is in the interest of the nation that the mother ought to get a certain amount of rest during the pre-natal period and also subsequently and the principle of the Bill is based entirely on that principle... That being so, Sir, I am bound to admit that the burden of this ought to be largely borne by the government. I am prepared to admit this fact because the conservation of the people's welfare is primarily the concern of the government. And in every country, you will find that the government has been subjected to a certain amount of charge with regard to maternity benefit."

A women's association was founded in Bombay in January 1928, with Ramabai, Ambedkar's wife, as its president. Along with the Depressed Classes Conference in Nagpur in August 1930, women also had their separate conference. In the famous Kalaram temple entry movement at Nasik launched in March 1930, about 500 women participated in the non-violent Satyagraha and many of them were arrested along with men. The women also organised their Samata Sainik Dal. When Ambedkar returned to India after attending the Round Table Conference in 1932, hundreds of women were present for the committee meetings. In a press conference held in 1931, Radhabai Vadale said:

(W)e should get the right to enter the Hindu temples, to fill water at their water sources. We call these social rights. We should also get the political right to rule, sitting near the seat of the Viceroy. We do not care even if we are given a severe sentence. We will fill all the jails in the country. Why should we be scared of lathi-charge or firing? On the battle field does a warrior care for his life? It is better to die a hundred times than live a life full of humiliation. We will sacrifice our lives but we will win our rights.

However, the apogee of Ambedkar's association with gender justice was witnessed during the Hindu Code Bill debates. As the Law Minister during the Constituent Assembly, Ambedkar has gone on record as saying that he considered his work on the Hindu Code Bill to be as important as his participation in the formulation of the Indian Constitution. Ambedkar insisted that it was not sufficient to recognise the right to political and economic equality in a 'secular' space defined in the Constitution, as long as inequalities among citizens, especially and particularly on the basis of caste, continued to be entrenched in the religious life of the Hindu majority. The existing Hindu Law, especially dealing with succession and inheritance, led to discrimination against the female heir. He saw the Hindu Code Bill as a basis for the reform of the Hindu society:

To leave inequality between class and class, between sex and sex which is the soul of Hindu society untouched and to go on passing legislation relating to economic problems is to make a farce of our Constitution and to build a palace on a dung heap.

The Bill discussed the right to property for Hindu women, order of succession to property, maintenance, marriage, divorce, adoption, minority and guardianship.² The important points raised in the Bill for consideration of the House were the following:

- 1) Abolition of birth right and to take property by survivorship.
- 2) Giving of half share to the daughter.
- 3) Conversion of women's limited estate into an absolute estate.
- 4) Abolition of caste in the matter of marriage and adoption.
- 5) Principle of monogamy.
- 6) Principle of divorce.

Ambedkar emphasized that it will put men and women on an equal level in all legal matters. Needless to say, the Hindu Code Bill met with stiff resistance from both within the Congress and the opposition members. The Bill was referred to the Select Committee on 9 April 1948. The parliamentary debates continued for more than four years. This was the longest discussion on any single Bill in independent India's Parliament. Ambedkar sensed that the Government, i.e. the Congress, was not in favour of the Hindu Code Bill and in protest, he tendered his resignation on 27 September 1951.

Despite Ambedkar's monumental work to ameliorate the condition of Indian women, from interrogating the religious scriptures from the vantage point of equality and freedom to legislative endeavours, to enshrine gender justice in the Indian Constitution, strangely academicians have largely ignored his role and contribution. Ambedkar's critique of social values and traditions are never a part of classroom debates or pedagogy.

5.4 LET US SUM UP

Ambedkar did not believe in piecemeal reforms but focused on creating an enabling environment for women to be productive members of society. He campaigned for providing maternity benefits for women labourers, giving women rights to property, maintenance, right to divorce and adoption, in short all the rights that were only accessible to men in Indian society. More importantly, all these rights were enshrined in the Constitution, which made them legally enforceable. He did not envisage women as passive, docile subjects but considered them empowered beings who could fashion their own lives.

5.5 QUESTIONS TO CHECK YOUR PROGRESS

- 1) Analyse the social reform movements in 19th and 20th century India.
- 2) What are the significant aspects of the Hindu Code Bill?
- 3) How does the Indian Constitution ensure gender justice? Explain with relevant examples.

SUGGESTED READINGS

B. R. Ambedkar. The Rise and Fall of Hindu Women. www.ambedkar.org

Sharmila Rege. Against the Madness of Manu: B.R. Ambedkar's Writings on Brahmanical Patriarchy. Navayana, 2013.

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