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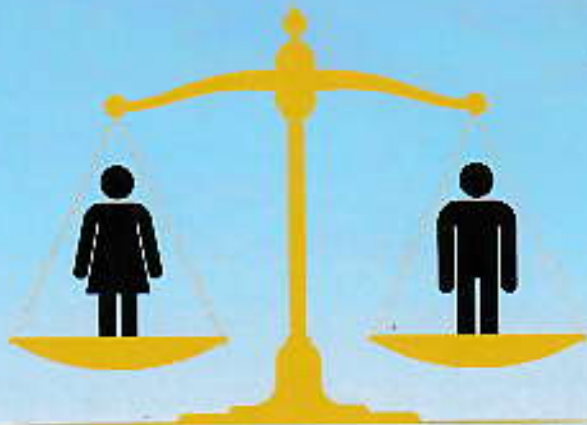
SPECIAL ISSUE

On the Occasion of

UGC SPONSORED (Under CPE Scheme) NATIONAL SEMINAR On

GENDER AND SOCIETY

January 30, 2018



Editor

Dr. K.C. Shende



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Editorial

Globally speaking, the status of women in many societies has been subordinated to man. Be it European society or American women essentially had to wage a struggle even for partial suffrage. The predicament expressed at the Beijing International Women's Summit, is stigmatizing humanity.

Indian society right from pristine times is based on inhumane traditions and customs, which categorically dehumanized women. Indian women has, therefore, been disposed the result that she has been rendered only as an object, a commodity. One of the reasons for organizing the seminar on Gender and Society is to deliberate on the present status of women in Indian Society, to know if there has been any development as regards the status of women and to see if any reforms can be ushered in it. The seminar also intends to focus on the thoughts expressed by sociologist from across India gathering for the seminar.

The research papers received for the seminar focus on the multifarious facets on women's problems. The present era is an era of knowledge. However, women's status in Indian society continues to be subordinate and secondary; in literary representations also, women have been demigrated and have been made an object. Gender, literature and language have all been exploited to commodify women. Women have been confined only to labour and exploitation in agriculture as well. Women continue to be discrimination against by way of half of the wages of men. Many sociologists have treated many other aspects of the problems of women in Indian Society. Male child is desired as compared to female child with the result that female feticide has been rampant. Resultantly, the ratio of male and female has been seriously disturbed. Women's health has also been equally neglected. Consequently, women's health has deteriorated to a great length.

Many sociologists have concentrated on the third gender also. The LGBT community like women, have been belittled in Indian society known as 'kinner' in ancient Indian literature, the third gender had an important place. This has been established with evidence by a doctoral researcher, Dr. Kailas Kaninde under the supervision of Dr.K.C. Shende. On all these topics many other researchers have thrown sufficient light. It was the Buddha, who, before 2500 years ago, accorded an equal status to women. It now is our collective responsibility to restore the same status to women. The prime motive, inter alia of the seminar is to bring about equality and to change Indian society into an egalitarian one.

Date : January 30, 2018
Dr. K.C. Shende
Head, Department of Sociology

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Minority Rights and Changing Status of Muslim Women in India

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Abstract :

The status of women in Indian society is a much-debated subject. There are points of view put forth defending or condemning the position occupied by or imposed upon women in the Indian subcontinent. The position of women under Islam has been the subject of repeated controversies among educated Muslims ever since they came under the impact of Western liberalisation. The controversial subject of women's rights has assumed great importance in the Islamic world and is a burning issue today.

The one main argument for an alternative, cultural view of human rights in the UN General Assembly came from Saudi Arabia, sometimes joined by Egypt and other countries. In particular several Muslim countries objected to the Articles of the Declaration guaranteeing the freedom to change religion and the equality of men and women.

Introduction :

A meaningful conception of minorities would include sections of people who, on account of their non-dominant position in the country as a whole, are targets of discrimination and therefore deserving of special consideration. The Constitution (103rd Amendment) Bill, 2004 to grant constitutional status to the National Commission for Minorities envisages a change in the way minorities are specified.

Over the years, judicial pronouncements have sought to give a restricted meaning to minority rights by limiting them to education and defining minorities at the State level in terms of protection under Article 30 which provides religious minorities the right to set up educational institutions of their choice.



Thus, religious and linguistic minorities, who have been placed on a par in Article 30, have to be considered in terms of the State concerned. Not surprisingly, this issue surfaced again in Bal Patil (2004) and Srivastava (2007); these two judgments have further complicated the question of definition of minorities, as both these judgments relate, for the most part, to definitional issues. Bal Patil questioned the identity of Sikhs as a religious minority while Srivastava ruled that Muslims, by virtue of their numbers, cannot be considered a minority in Uttar Pradesh.

For protection under Article 30, linguistic minorities make claims upon the States rather than the Centre, but this need not be so for religious minorities who are dispersed throughout India and whose identity is not linked to specific State(s). In this context, defining minorities at the State level would limit the notion of minorities, entailing as it does the adoption of an essentially statistical conception of minorities.

If this rationale is extended, Hindus in Punjab who are a numerical minority there though they are a majority in relation to India as a whole will be entitled to minority protection there as indeed they would be in Jammu and Kashmir, Nagaland, Meghalaya, Mizoram, and Lakshadweep. In Punjab, the minority Hindus will be able to set up educational institutions of their choice and apparently Hindus from other States will be eligible for admission to these institutions unless admission is to be limited to minorities domiciled in the State.

At the heart of the current controversy is confusion about which groups qualify as minorities and regarding the nature of the unit of determination under this rubric. However, internationally, some agreement exists. Commonly cited characteristics that make groups distinctive and expose them to discrimination include religion, language, culture, and gender. There is also a unanimous opinion that the term 'minority' refers to a power relationship.

A more meaningful conception of minority status would include sections of people who, on account of their non-dominant position in the country as a whole (not a specific State), and because of their religion, language, caste or gender, are targets of discrimination and therefore deserving of special consideration. The statistical approach disregards the crucial qualitative condition of vulnerability and disadvantage.

The Gandhian era and the decades after independence have witnessed tremendous changes in the status of women in Indian society. The Constitution has laid down as a fundamental right the equality of sexes. But the change from a position of utter degradation and



subjugation of women in the nineteenth century to a position of equality in the middle of the twentieth century is not a simple case of the progress of women in the modern era.

Revolutionary changes have taken place in the position of women in India after independence. The Constitution of India provided for special steps to be taken by the government to improve the condition of women by separate institutions. Article 14 ensures equality before law and Article 15 prohibits any discrimination. Article 16(a) forbids discrimination in any respect of the employment of office under the state on the grounds only of religion, caste, sex, descent, and place of birth, residence or any of them. In the post-independent India, there are series of laws passed for the upliftment of women.

However, the absence of any economic compulsion was in fact one of the main reasons for the slow progress of women education till seventies. There is a gradual change among the women that in order to make a decent living and to assert their rights and privileges and to become economically independent, they must acquire proper skill through education. Hence, there has been a constant rise of women ratio in the field of higher education. There has been a remarkable increase in the number of women getting out of the four walls of the household and becoming workers in both cities and villages, according to the 1991 census report.

According to the report of the Committee on the Status of Women in India (1974), the number of female employees in the categories of professional, technical and related workers, primary and middle school teachers has been continuously rising since 1960. The Director General of Employment and Training data for selected professions in public and private sectors identify teaching, medical and health, clerical and related workers and telephone operators as the four occupations.

After independence more women have joined different political parties. Some of them have captured seats of power as Chief Ministers, Cabinet Ministers, Deputy Ministers and Ministers of States.

Now all the political parties have a woman's cell or wing and some women leaders are in the position of president or secretary of party. Women of different parties are actively participating in campaigning and organising meetings at the time of elections. The families are always helping women to have a smooth entry in politics. Now politics is not the exclusive domain of men.

Attitude towards segregation of sexes has also been changing. Coeducation has created an opportunity for intermixing of boys and



pubs. During leisure the women visit their friends' house. Boys take girls out to entertain them by taking to movies, restaurants and picnic.

Industrialisation has not only affected the joint family system, but also the relationship between the husband and the wife. The position of a woman as consultant is found in most families where she shares the responsibility of making the major family decisions with her husband or father. Now authority vests not only on eldest male but also on females. The status of women and their social relationship as necessitated by the new social, political and economic organisation in society has come out through the routine factors of social change.

Undoubtedly in the period before 1947 there was a considerable change in thinking, outlook and value of Indian women. Subsequently Indian women have gradually moved towards self-reliance and independence. The status of Indian women through the ages has been changing and the status, which was lost during the middle ages and earlier parts of 19th century, has been regained somewhat. It appears that the status of women has gone high in India.

India is one of the largest democracies in the world. It also has one of the largest minorities. A true democracy ensures not only individual rights but also rights of minorities as a community. Our Constitution has laid down in Articles 25 to 30 the rights of religious, cultural and linguistic minorities and thus made India a truly democratic and pluralist nation. Minority communities which are not politically dominant have traditionally evolved a relationship with the majority community that has been based on social, political and economic dependency.

Minority Rights

MINORITY communities, except for the Muslim community, were able for the first time to influence political and economic policies through concerted group action and, therefore, could counteract the disadvantages of their minority position. Traditional groups, based on caste, language and religion, form the multifaceted minority communities throughout India, all seeking to overcome, or in cases to maintain, their traditional hierarchical positions. The Muslim community in India was subject to pressures similar to those of other groups, but their historically dominant role coupled with their minority position made their situation unique.

There are noteworthy socio-economic and demographic differentials among the various sets of population groups in India. India consists of one of the largest Muslim populations in the world next to Indonesia and Pakistan. After partition (1947) a large number of Muslims



(especially from North India) moved to Pakistan, yet in 1951, according to the first Census after independence, there were 35.4 million Muslims living in India, which formed the largest minority. Minorities are not only confronted with different types of violence but also face various forms of discrimination in every walk of life. The main grievance of the Indian minorities has been discrimination, especially in the economic field, with the result that they are economically worse off than the majority community.

In March, the Bombay High Court directed the Maharashtra state government to ensure that women are not denied entry to any place of worship that allows men access. Following the decision, two temples in the state opened their inner sanctum to women. In August, the High Court further ordered that women be allowed to enter the Mumbai-based Muslim shrine, Haji Ali.

In October, the government told the Supreme Court that the practice of triple *talaq* (giving Muslim men the right to unilaterally divorce their wives by uttering the phrase "I divorce you" three times), a part of Muslim personal law, violates fundamental constitutional rights and inhibits gender equality. The government's statement was made in response to petitions filed by the organization Muslim Women's Quest for Equality and others seeking to have triple *talaq* deemed unconstitutional.

Status of Women

THE status of women in Indian society is a much-debated subject. There are points of view put forth defending or condemning the position occupied by or imposed upon women in the Indian subcontinent. The position of women under Islam has been the subject of repeated controversies among educated Muslims ever since they came under the impact of Western liberalisation. The controversial subject of women's rights has assumed great importance in the Islamic world and is a burning issue today.

In reality, however, Muslim women in India constitute one of the most deprived groups who are unable to fully enjoy their equal rights. Their deprivation and vulnerability derives from the following sources:

- 1) Cultural and Religious,
- 2) Legal,
- 3) Socio-Economic and Educational, and
- 4) Violence against Muslim Women.



The problems of Muslim women are many-sided and closely related to the problems of the Muslim society as a whole. Hence the approach to bettering the lot of Muslim women depends mainly on the approach towards solving the problems of the Muslim society. Muslims today should not be limited by those constraints, but reinterpret the teachings of Islam in accordance with the needs and circumstances of our own age. The one main argument for an alternative, cultural view of human rights in the UN General Assembly came from Saudi Arabia, sometimes joined by Egypt and other countries. In particular several Muslim countries objected to the Articles of the Declaration guaranteeing the freedom to change religion and the equality of men and women.

The theory of divine law is no longer applicable to the institution of slavery. Human consciousness in modern society is conditioned by the concept of human rights and human dignity. The laws regarding women, drawn up during the medieval period by the jurists, though based on interpretations of the scriptures, are unlikely to be accepted by women today. They no longer accept their subordinate position. They demand equal status with men. Many religious books point to the fact that women are not treated badly by Islam. Unfortunately, in actual practice, the tendency seems to be to overlook or misinterpret the principles and orders of the Quran and consequently to accord to the woman an inferior status.

To summarise, the role of women in Islam has been misunderstood due to the general ignorance of the true Islamic system, the Islamic way of life, and because of the distortions of the media. The need of the hour is to come together to find a new approach which will overcome the shortcomings and limitations of the above approaches. It is now necessary for the Muslim women to realise and enjoy their full human rights and start a process of reform within the community and empowerment through affirmative action programmes for their greater access to educational, economic and political institutions and opportunities. Denial of human rights, especially to women, means hampering with the developmental potentials of half the human resource available in the world. The 21st century will be the century of democracy and human rights. India can be justly proud of being democratic. The task is to further deepen and consolidate democracy. And this certainly depends on the treatment of minorities.

However the real position is that a large majority of women in the villages or women of low caste still suffers from injustice and inequalities.



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Role and Status of Women in India

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INTRODUCTION :

Traditionally the Indian woman had four fold status role sequences. These were her role as a daughter, wife, housewife and mother. Traditionally status and role of women changes was well defined and almost forced in the society is now experiencing for reaching changes. The woman in modern times is entering into certain new fields that were unknown to the woman's sphere of role sets. They are activating participating in social, economic and political activities. The women of the present generation have generally received higher education than the women of their preceding generation. There have been for reaching consequences in the economic status of their families.

WOMEN'S ROLE IN SOCIETY :

The modern women are inclined towards the social issues and trying hard to improve the social status of women at large increased awareness and education has inspired women to come out of the four walls of the home many women actively supported and participated in the nationalist movement and secured eminent positions and offices in administration and public life in free India traditionally Indian women erect because of the family and for the family.

Just like their man counterpart women are also fond of attending social functions and value her social life quite a lot. Previously, menfolk used to discourage women from leaving their house holds for attending social functions. Now the spread of education, especially that of women, and with that the changing social attitudes of educated women have changed the order. The modern women has started caring about her health figure cultural needs and interests, academic pursuits social inter course, religious activities recreational needs, etc.

WOMEN AS A WIFE :

Women as a wife enjoyed ideally a status almost equally to that of her husband and performed both social as well as biological functions. Even today, The Indian girls are still brought up on models portraying selflessness, self denial and sacrifice. The desire for mutual