

Address By Smt. D. Purndeswari, MoS (HRD-HE) inaugurating Papiya Ghosh Centre For Gender Studies At Patna University On 5th December, 2007.

Mr. Vice Chancellor, and other officers of Patna University, I thank you all for inviting me to be the Chief Guest for inaugurating the Papiya Ghosh Centre for Gender Studies proposed to be set up in memory of Prof Papiya Ghosh who I understand had a tragic end on the 3rd December last year. I extend to you all my heartfelt condolences for the tragic death of Prof. Ghosh and I deeply appreciated your stand taken to commemorate her death by setting up a Centre for Gender Studies in her memory. The subject of Gender Studies in the Indian context of her a vast and fascinating

NEED FOR WOMEN EMPOWERMENT

INTRODUCTION:

Empowerment of women has multi faceted dimensions and lends itself to diverse ramification. Basically the question arises because of widely prevalent gender discriminations: To speak of gender equality is to speak of a world when the ideal scenario would that both men and women are equal in al respects. But this contemplated equality is just a myth as yet. Gender equality is an important issue of human rights and social justice. Efforts to promote greater equality between men and women can also contribute to the overall development of human society. Despite a highline

consciousness and greater awareness of the role of women, no society treats its women as well as its men. Consequently women continue to suffer from diverse deprivations. All this leaves one with a ignoble feeling of frustration, of opportunities missed and challenges unresolved. An International Labour Organizations study shows that women represents 50% of the world adult population, one third of the official labour force, perform nearly 2/3rd of the working hours but receive one tenth of the worlds income and owns less than 1% of the world property.

Statutory position: The Economic Survey, 2004 – 05 which is the latest authentic official version of women’s position in modern day society observes as follows:-

I quote:

“As per the 2001 census, women constituted 48% of the total population of the country, women suffer many disadvantages as compared to men in the areas of education, labour participation rate and earnings.”

Unquote.

This in spite of the fact that our Constitution which is the supreme law of the land expressly prohibits gender discrimination and prescribes, specific, measures for economic and social empowerment of women. The provisions of Art. 14, 15, 16(2), 21, 23, 39(a), 39(d), 39(e) etc., uniformly speak for equal treatment for both men and women in all economic and social activities including educational and cultural activities and make the message loud and clear that State will actively promote measures so that men and women would have equal access to “finer graces of human civilization”. But despite these statutory provisions and despite umpteen

number of judicial interventions, the ground realities are altogether different.

I do not propose to present a detailed and graphic descriptions of gender discrimination in a women's life in our country. Suffice to say that right from the womb to the tomb, the women's life is an abject denial of basic rights. I will, however, try to concentrate on areas which present a disturbing and dismal picture, namely domestic violence and sexual harassment in work place:

DOMESTIC VIOLENCE:

Domestic violence starts almost with the birth with the female children – May even before that. Taking advantage of modern day technologies, attempts are made to detect the sex of the foetus and destroy it in case it is a female foetus. True the government has put in place a comprehensive Act, PNDT Act which provides for the prohibition of sex selection, before or after conception and for the prevention of their misuse for sex determination leading to the female foeticide. But the decline in the child sex ratio from 976 in 1961 to 927 in 2001 is an important indicator in this regard. The government has several times stated in Parliament, that son preference, neglect of the girl child resulting in higher mortality at younger age, female infanticide are some of the reasons which explain the consistently low levels of sex ratio. The practice of female foeticide followed by female infanticide further eliminates the female child population, though it is a criminal act under I.P.C. This is widely prevalent in A.P, Bihar, Gujarat, Haryana, Madhya Pradesh, Punjab, Rajasthan, Tamilnadu and Uttar Pradesh as per Government's own admission in Parliament several times.

Even after birth, the gender discrimination between surviving male and female children does not stop rather it is intensified. This is not my imagination but this as per government's own admission. Only on 26th April, 2005, in reply to S.Q. No- 421 on 26-4-2005 the Minister for Human Resources Development stated that various surveys conducted have revealed that the women and children are the worst sufferers of underweight, anemia and chronic energy deficiency.

Then as the girl child begins to grow further, she has to face discrimination and deprivation from the family members in the matter of food, clothing and education and other creature confronts. The school drop out of female children are any day several times higher than the male child because the former is supposed not only to help the mother in her domestic duties but also is required to supplement family income by doing odd jobs. The male child is spared from these obligations except in cases of dire domestic needs. Thus even in her parent's house a female child is subjected to gross physical discomforts violence and mental torture and has to face utter neglect and deprivation.

Now the turn comes for her being married off. Child marriage may be legally banned in India ages but one in every 17 girls (i.e nearly 6%) in the 10-17 age group is already tied in wedlock. As per the latest census figures, about 5 million women under the age 18 (which is the legally permissible age for the marriage of girls) are already married. According to decades of research, child marriage contribute initially to every social problem in this country – high birth rates, high illiteracy, high mortality, low levels of nutrition, and low life expectancy especially among rural women. The prevalence of child marriage is much higher in the North as compared to the South. Rajasthan, Madhya Pradesh, Bihar, Jharkhand and Haryana

together account for 63% of the child marriages in the country and what is more significant , it is not just a rural phenomenon.

DOWRY DEMAND

The other pernicious aspect of marriage in India is dowry demand. A girl's father has to face financially devastating demands for dowry and in case of non – fulfillment, the girls family has to face heavy mental torture agony to begin with and in the end and the newly wed girls have often to pay with their lives. The marriages in India is or is supposed to be most holy and auspicious occasion. But the increasing number of cases of bribe – bashing, wife-burning, desertion, desolation and destitution lead to a difficult conclusion. So from birth to death, a girl has to face trails and tribulations and has to struggle for her existence almost single – handed. No wonder, birth as a female child is considered in most parts in India as a curse.

While on this subject, I would like to refer briefly to the property rights of our women. It is admitted that the position in this regard is not so hopeless as in the social sector because in the early fifties, the government passed Hindu Women's Right to Property Act recognizing for the first time the girl child's right to acquire property of her father. But then the Act is a legal document, not a social injunction and in law, as you know there are hundred uncertainties, many a slip between a cup and the lip. Law, they say, proposes but the lawyer disposes.

So in effect the famous Hindu Code consisting inter alia Hindu women's Right to property Act, Hindu Succession Act have recognized the basis

legal rights but have not made available these rights to them merely on a platter.

Also, the transfer of property regarding agriculture land to the eligible females has not been legally provided for.

The other very important problem concerns harassment of women in work places. A few years back the Supreme Court of India declared that sexual harassment of women at work place was a gross violation of Fundamental rights guaranteed by the Constitution of India vide articles 14,15,21 and 23. I shall revert to this judgment later. The Delhi High Court extended this judgment to cover and be made applicable to harassment to girl students or female employees of educational institutions also. But nothing tangible has been done in this context.

The Government should therefore ensure that all educational institutions, whether schools, colleges, universities or other training centres put in place effective guidelines on the lines similar to the supreme Court guidelines as enjoined by the Hon'ble Delhi Court referred to above.

I now come to the Supreme Court Judgment in the famous case, *Visakha Vs. State of Rajasthan* wherein, besides declaring sexual harassment at workplaces to be a violation of the Fundamental Rights guaranteed in the Constitution, the court gave detailed directions on the subject to be strictly observed by all employees, public or private. In this case, the Court had defined 'sexual harassment' in a very wide connotation including within its ambit not only physical contact and advances for seeking sexual favours but also sexually tainted and lewd remarks. The court also insisted on swift legal action and on appropriate disciplinary action against the culprits. But I am not very much aware of the impact of the judgment in controlling,

much less eliminating the crime. A survey by the FICCI Ladies Organizations reveals that women in all the four metropolises continue to experience various degree of sexual harassment and eve teasing at work places, and on way to work. In Delhi 32% of women feel the city unsafe for them followed by Mumbai which is at a close 29%.

RESPONSIBILITIES OF THE GOVERNMENT:

Our state is a welfare state. Since the inception of our independence and certainly since the commencement of our Constitution, we have adopted a socialist Democratic Republic which ensures to all the citizens among other things, social, economic and political justice and at the same time assure dignity of the individual. This assertion devolves heavy responsibilities on the State not only to enact suitable legislation for enhancing the welfare of all sections of the citizens but also ensure that aims objectives and of these legislations are effectively implemented to yield positive results. It is here that various state Instrumentalities Government Departments, police and other law-enforcing agencies including Courts-have to put in unstinted efforts to achieve optimal results out of the laws in force. I realize the gigantic size of the country and enormous magnitude of the problems are by themselves heavy deterrents for quick, effective and positive results but they should not be given as excuses for non-performance and slow results. The Government have over the years put in place a number of legislations for the benefit of women kind, their education, health, job security, congenial atmosphere in workplace, their safety in moving around etc. But unfortunately they have not given us the full benefits. Otherwise how do we explain, continuously declining child ratio, high foeticide and infanticide, high rates of female girl drop outs from the school, continuously rising cases of dowry deaths and

cases of rape, sexual harassment and trafficking in women which are constantly showing an upward trend. Against all these crimes and offences, there are laws in place providing deterrent punishment. But our administration it appears is dutifully leaving the victims destitute and desolate. Many cases of domestic violence, eve-teasing and rape go unreported because of the slackness of the law enforcing agencies. Our law courts, due to heavy arrears of work, are extremely slow in disposing of gender based offences and the usually there is a yawning time lag between the commitment of the offence and the award of punishment. In this long period, the unfortunate lady victim is socially ostracized while the incidents receive full publicity because of publication in the media and the morbid and sadistic pleasure of the dominant male chauvinists.

CONCLUSION:

What then is the solution? One instant solution that comes to my mind is the women's empowerment. By ensuring the women's direct access to formal political power and resources to development women's social position will automatically be transformed to a substantial extent. By gaining status and decision making power in the community, their position within the household will also change for the better. Empirical studies world over reveal that women are less corrupt and more responsible and conscientious in discharging their duties without fear or favour and with justice and equity. In India since the 73rd Constitutional amendment, which made 1/3rd seats reservation mandatory in Panchayat Raj institutions for women, there has been an extensive debate on the implications of this measure for the balance of power in rural politics, particularly the empowerment of women. The 73rd and 74th constitutional amendments in 1993 have brought a definite impact on the participation of women, in

terms of absolute numbers in Panchayat Raj Institutions and local bodies. In these elections between 1993 and 1997, women have achieved participation even beyond the 33% of the seats in some states. Lack of education in the rural areas, social and family barriers and pre occupation with house hold duties prevent women from participating in political process. This mandatory reservation at P.R. levels has given these women an opportunity to come out and handle obligations in their professional as well as family fronts well enough. The women participation at grass root level has thrown up a trained and younger leadership for the political mainstream that was so far restricted to men and a few influential women.

In electoral terms, women came boast of better track record. While 32.43% of women have been elected from recognized parties, since 1984, the success rate of the male counter parts is only 26.50%. This shows that voters do not discriminate against women. Gender biased sidelining is regrettable, because it excludes an entire untapped gene pool. If more women enter politics, issues like child marriage, dowry and exploitation of women can be tackled. Reservation policies for women in formal political institutions like Panchayati Raj, Legislatures and Parliament must thus be viewed not as a panacea nor a pre requisite, but as important and necessary enabling condition conducive for their empowerment.

In view of the encouraging results that we have obtained since 73rd and 74th , Constitution Amendment Acts, it is thus essential that we pass without delay the Women Reservation Bill making provision for reservation of one third of the seats in Parliament and State Legislatures which successive governments since the last decade of the last century have been striving to introduce in Parliament and make a law. The efforts of all

of us, especially women organizations should be directed to create an informed public opinion so as to strengthen the hand of the government in this regard.

Our leaders and social and religious reformers like Swami Vivekananda, Pt Iswar Chandra Vidyasagar and Mahatma Gandhi and other had given a clarion call to the country to worship female power as a talent force for all social development and progress. Their messages are relevant even after the lapse of more than a century.

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