

## The Evolution of Eve: Women's Rights in India's Historical Narrative



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### **Abstract**

The literature on Indian history presents a complex and often contradictory depiction of the status of women, which can be understood within the socio-cultural context of the society. The status of women has been a significant area of study for sociologists, who have approached it from various perspectives. The conflicting views on women's status have given rise to changing ideals of womanhood over time. Historically, women in India were considered inferior to men in practical life, but were revered in scriptures as the epitome of homemaking and revered as goddesses such as Saraswati, Durga, Parvati, and Kali. Their unwavering dedication to their families and their remarkable composure in challenging situations are qualities that have been celebrated throughout Indian history. The impact of foreign invasions and prolonged alien rule further exacerbated the marginalization of women. The introduction of certain social practices during the 19th century, such as female infanticide and a rigid caste system, further perpetuated the oppression of women and contradicted fundamental human values.

**Keywords:** Vedic Age, Sati, Jauhar, Pardah, Acts,

### **Introduction**

The historical society was structured around a patriarchal system, both within the family unit and in societal governance. The family was unified under the leadership of the father, as evidenced by the emphasis on prayers for the birth of sons who were seen as brave, worthy, and essential for carrying out religious duties. However, in the last two hundred years, there has been a significant and unprecedented expansion of women's rights, both economically and politically. In countries like India, where women make up nearly half of the population, it is now widely recognized that national development cannot be achieved without ensuring the development of women. In industrialized nations, women have transitioned from being considered the property of their husbands or fathers with limited legal rights to having equal political and economic rights as men. This shift reflects a positive and important progression towards gender equality. Throughout history, women have been marginalized and considered subordinate in many parts of the world. They were often seen as minors in the eyes of the law, under the control of their parents, husbands, or sons at different stages of life

### **Ancient Period**

This preference for male children often led to disappointment and prayers for boys, rather than girls. Women in this traditional society were subjected to various forms of exploitation, including social, economic, physical, psychological, and sexual exploitation, often justified by religious or social norms.

The status of women in ancient India was complex, with a patriarchal system prevailing but women still holding positions of respect and influence. Inscriptions indicate that women had the freedom to make significant contributions to religious institutions for the welfare of their families and parents. However, from ancient times to the modern era, women have faced various challenges. In the Vedic Age, the birth of a son was often preferred over that of a daughter, who was sometimes seen as a source of misery. Practices such as polyandry and sati were known, and widow remarriage (*niyoga*) was in use, where the husband's brother could act on his behalf if he died without producing a male heir. Women also had some property rights, and were allowed to own money up to a certain limit according to the *Arthashastra*. While women could take up a religious life, they were not permitted to officiate as priests. There were instances of women seers and

learned women in the Vedic age, but overall, family and marriage were considered more important for women. In the medieval period, singing and dancing were not considered suitable for respectable girls, but early law-books assessed a woman's *wergild* as equivalent to that of a *sudra*, regardless of her class. It is also important to note that ancient India contained a class of women who were not bound by the same rules and restrictions as high-caste wives - these were the prostitutes (*vesya*, *ganika*). Overall, the status of women in ancient India was influenced by societal norms and religious practices, leading to a complex interplay of freedoms and restrictions.

## Medieval Period

During the Muslim period, particularly from the 11th century onwards, the status of women in India experienced a significant decline. Women encountered numerous challenges and injustices as a result of practices such as child marriages, *Sati*, widowhood, prostitution, and the *devadasi* system. The arrival of Muslim rulers halted the advancement of Hindu civilization, leading to an era characterized by blind faith and the perpetuation of traditional customs. Both the Muslim conquerors and the Hindu society contributed to the imposition of norms and the increasing rigidity that restricted the rights and freedom of lower castes and women. Consequently, this period represents one of the darkest chapters in Indian history for women, with their status steadily deteriorating until the 19th century.

The adoption of *purdah* by Hindu women, similar to their Muslim counterparts, was rigorously enforced in Northern India. This practice limited women's opportunities for education and placed them in a position with no special privileges. Polygamy and *purdah* were significant social institutions introduced by the Muslim conquerors in India. The *Purdah* system required women to live in seclusion within their homes and dress in attire that covered their entire body except for the eyes. This practice became more rigid during the Mughal period, leading to women being forbidden from visiting holy shrines and losing their liberal activities. Despite being initially intended to protect women, the practice of *purdah* had a restrictive effect, resulting in a narrowing of women's social lives.

The historical position of Hindu daughters in society was at its peak during the Mughal period, where child marriage was a common practice. Daughters were often married off before the age of nine or ten, and in some cases, even before they had fully developed their language skills. In terms of inheritance, Hindu women had unsatisfactory legal rights and were excluded from succession to property, leading to their dependency on men. Furthermore, early marriage deprived girls of education, contributing to the further deterioration of their social position. These social circumstances had a significant impact on the lives of Hindu daughters during that time.

## Condition as a widow; *Sati/ Jauhar pratha and Laws*

The prohibition of widow re-marriage has a long history in Hindu society, with restrictions being imposed from as early as 1000 AD. Initially, only upper caste widows were prohibited from remarrying, while lower caste widows were allowed to do so. However, over time, the prohibition extended to all widows as part of the process of *Sanskritisation* and the desire to increase respectability within the society. This historical context sheds light on the evolution of social norms and attitudes towards widow re-marriage in Hindu society.

During a period when widow marriage was prohibited, society imposed stringent measures to discourage remarriage among widows. Widows were compelled to adopt a somber appearance by wearing white clothes and refraining from adorning themselves with any jewelry. Additionally, they were subjected to austere living conditions, including sleeping on the bare floor and consuming a frugal meal prepared by themselves only once a day. These harsh practices were intended to diminish their physical well-being and attractiveness, thereby deterring any potential suitors.

The concept of tonsuring widows and restricting them to white attire may have been influenced by the attire of Buddhist or Jain nuns who renounced worldly life. This symbolism was extended to widows, signifying their renouncement of the world following the loss of their spouses. Furthermore, the imposition of strict dietary and lifestyle restrictions aimed to dissuade widows from seeking remarriage. The deprivation of good health and physical

appearance served as a deterrent, ensuring that widows faced significant challenges in attracting potential partners.

The historical practice of women self-immolating in funeral pyres, known as 'Sati,' was a gruesome and tragic tradition in some ancient Indian societies. This act was often seen as a way for a woman to demonstrate her devotion to her deceased husband and to ensure her continued association with him in the afterlife. The pressure and expectations placed on widows in these societies were significant, leading to extreme and tragic outcomes.

Vedvyasa's suggestion that widows who did not choose to become *Sati* should shave their heads further exemplifies the societal pressure placed upon widows to adhere to stringent customs. The alternative of becoming a *Sati*, where widows voluntarily ascended the funeral pyres of their husbands, highlights the extreme measures some widows resorted to in order to escape the arduous prescribed way of life. The widespread practice of *Sati* during this period reflects the societal attitudes towards widows who did not conform to these expectations. Those who did not observe *Sati* were subjected to dishonor and held in low regard within their communities. As a result, many widows felt compelled to choose *Sati* over enduring the challenging and restrictive lifestyle imposed upon them.

It is important to note that the practice of *Sati* was not confined to specific regions and extended to the southern parts of India as well. This indicates the pervasiveness of these customs and the significant impact they had on the lives of widows across different geographical areas. In conclusion, the stringent rules and restrictions imposed on Hindu widows during this period reflect the societal desire to discourage remarriage and enforce adherence to traditional customs. The prevalence of practices such as tonsuring, dietary restrictions, and the option of *Sati* underscore the immense pressure placed upon widows and the extreme measures some were driven to as a result.

Over time, this practice became associated with events such as '*Jauhar Vrata*,' where women, including Rani Padmavati and 700 Rajput women, chose to commit themselves to flames

rather than face the potential consequences of foreign invasions and societal expectations.

The Hindu society in the 10th century remained entrenched in its traditional and rigid structure, despite the relatively democratic social relations of the Muslims. This lack of adaptation to democratic elements contributed to an overall decline in the society, particularly in regard to the status of women. This period marked a significant regression in the status and autonomy of women within Hindu society. The historical account provided sheds light on the social practices prevalent in Hindu society during a period of prolonged subjugation. It highlights the emergence of certain detrimental customs such as child marriage, infanticide, and widow immolation, which came to be regarded as a curse on the Hindu community. Despite the enduring nature of these practices, there were efforts made by some Mughal emperors to alleviate the plight of women through social reforms. However, these attempts were met with limited success. Additionally, the emergence of different schools of law sought to improve the status of women by granting them a share of property, albeit within a framework of overall subordination. The Hindu society did not readily adopt certain customs prevalent in the Muslim community, such as divorce, widow remarriage, and a more equitable distribution of property for women.

## Colonial Period

The historical context reveals the challenging and restrictive position of women in these societies, where they were often considered dependent on their husbands and without agency of their own. The prevalence of child marriages and the lack of autonomy for widows further exemplify the difficult circumstances faced by women in these communities. The expectation for widows to commit '*Sati*' during times of conflict and upheaval reflects the extreme pressures and limitations placed on them within these societal structures.

During the latter half of the 18th century, the arrival of the British in India coincided with a significant decline in the status of women. This period marked a low point in the country's history, characterized by practices such as child marriage and the *Sati* system. Women were systematically deprived of equal rights across various aspects of life including marital,

familial, social, educational, economic, and political domains, relegating them to a subordinate position. The prevailing marriage norms, the authority of joint families and caste systems, coupled with widespread illiteracy and entrenched traditions, confined women within the confines of their homes, hindering their full personal development.

The plight of widows forced to commit 'Sati' in India during the 19th century drew the attention of enlightened Indians and British authorities, leading to significant reform. Raja Ram Mohan Roy and Lord William Bentinck played pivotal roles in addressing this issue. Despite strong opposition, a historic resolution was passed in December 1829, making *Sati* a punishable crime. However, widows continued to face mistreatment from their in-laws and were ostracized within their households. To improve their situation, the British government enacted the "*Hindu Widows Remarriage Act in 1856*," aiming to remove legal barriers to remarriage for Hindu widows. This legislation sought to provide widows with the opportunity for a better future and mitigate the tragic circumstances they faced. Additionally, "*the Civil Indian Marriage Act of 1872*" played a crucial role in elevating the social status of women through its provisions. These legislative changes had a profound impact on the social standing of women during this period.

The general awakening of Asians in the twentieth century and the political struggle for India's independence also contributed to the feminist movement in India. These factors collectively contributed to the progress and empowerment of women in Indian society.

In the British period, efforts were made to improve the position of girls, women, and widows. One significant initiative was the introduction of female education. However, the practice of child marriage hindered the progress of female education. In response, the British government enacted the "*Child Marriage Restraint Act in 1929*," also known as "*the Sarda Act*". This legislation aimed to curb the harmful effects of early marriages and reduce the number of girl widows by prohibiting child marriages and setting the minimum marriage age for girls at 14 and boys at 18. In addition to addressing the issue of 'Child Marriage', the Act also played a role in promoting female

education, ultimately leading to an improvement in the status of daughters in Indian society. There was a noticeable improvement in the familial social status of wives due to factors such as increased female education and a higher age of marriage.

The Hindu Women's "*Right to Property Act of 1937*" was a significant step towards improving the economic condition of women in Hindu society. Section 3 of the Act granted widows the right to claim partition and enjoy the property of their deceased husbands during their lifetime. This provided them with a sense of financial independence and relieved them from depending on other family members for their basic needs. Additionally, the Act expanded the inheritance rights of women by allowing widows and the widows of predeceased sons to succeed to the property of a Hindu male. Overall, the Act aimed to empower women and ensure their economic security within the family structure.

"*The Hindu Women's Right of Separate Residence and Maintenance Act of 1946*" was particularly significant as it allowed Hindu wives to claim maintenance without the need for judicial separation under specific circumstances.

### **Reformer's contribution for empowering the Women and the Post Colonial period**

In addition to governmental activities, Mrs. Annie Besant made significant efforts to advance women's education through the '*Indian Association*' in 1917. This initiative led to the establishment of the '*Federation of University of Women*' in 1920 and the '*National Council of Women*' in 1925. Notable figures such as , Dayanand Saraswati, Ishwarchand Vidyasagar, Savitribai Phule, Sister Nivedita, Pandita Ramabai and others played pivotal roles in awakening and empowering women who had long been marginalized and oppressed. Their contributions have had a lasting impact on the progress of women's rights and education in India.

During the British period, the familial, social, and legal position of Hindu women saw significant improvement compared to the Muslim period. This progress allowed a small section of women to benefit from the measures and privileges provided. The involvement of thousands of women in India's struggle for

independence, under the leadership of prominent figures such as Mahatma Gandhi, Sarojini Naidu, Vijayalaxmi Pandit, and Kasturba Gandhi, further exemplifies the positive shift in women's status. As noted by Gill, the transformation in the position of women would be the most striking change for someone who had passed away a hundred years ago and returned to life today.

The efforts of social reformers and the implementation of social legislations in India have significantly contributed to bringing women out of the confines of their homes. The process of industrialization and urbanization has also played a role in driving these changes. The twentieth century marked a period of dynamic transformation, introducing new concepts that have improved the status of women, granting them fresh dignity and importance in society.

The Indian Constitution has been instrumental in improving the position of women in India, and several modern legislations have furthered this cause by granting women equal rights and opportunities. For instance, “*the Hindu Succession Act of 1956*” has played a significant role in recognizing the property rights of Hindu daughters, placing them on equal footing with sons. Additionally, “*the Dowry Prohibition Act of 1961*” has been crucial in curbing the abominable social evil of dowry, which has often made young women's lives miserable. Furthermore, “*the Hindu Adoption and Maintenance Act of 1956*” has elevated the position of wives by granting them the right to live separately under certain circumstances and claim maintenance. These legislative measures have been pivotal in addressing gender inequality and promoting women's rights in India.

This subordinate position of women was deeply ingrained in Indian society at that time. However, significant changes began to take place with the advent of British rule, democracy, and liberalism in the eighteenth century. These developments ushered in a new era of freedom and brought about changes in the role of women. Furthermore, industrialization and urbanization also had a profound impact on societal dynamics. The nineteenth century saw the efforts of numerous social reformers and the passage of legislation after independence that

aimed to bring women out of seclusion and work towards achieving equality with men. These changes have had a profound influence on various aspects of the family system and the status of women in society.

## Conclusion

The social structure of Ancient Hindu society exhibited both flexibility and rigidity in its treatment of women. While there was initially a degree of equality and recognition of women's contributions, regressive practices led to their subordination. However, with the influence of external factors and the efforts of reformers, significant strides have been made towards achieving greater emancipation and equality for women in Indian society.

The enactment of laws alone is insufficient to bring about a comprehensive transformation. Despite the proliferation of legislation across different domains aimed at enhancing the social, political, and economic standing of women, the exploitation of women in recent years poses a significant threat to our society. Even age-old forms of victimization such as child marriage, early and risky pregnancies resulting from premature consummation, female infanticide, illegal abortion, female feticide, dowry deaths, rape, eve teasing, and various other forms of molestation of women persist to this day.

In conclusion, addressing the social and economic challenges faced by women is essential for the overall progress and development of the country. By promoting gender equality, providing educational opportunities, and creating a supportive environment for women in the workforce, significant strides can be made towards empowering women and achieving a more equitable society.

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