



# PRAKSIS

THE JOURNAL OF ASIAN SOCIAL DEMOCRACY

Volume 1  
Issue 1  
May 2021



## Fighting Patriarchy! Feminism, Gender Equality and Social Democracy

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# Fighting Patriarchy! Feminism, Gender Equality and Social Democracy

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Since gaining independence from British colonial rule in 1947, India has seen major socio-economic transformations that impact the lives of its 1.3 billion people. The Constitution of India—which became effective on January 26, 1950—is a magnificent charter for positive change, which aims to ensure equality and justice for every citizen, irrespective of class, caste, gender, as well as the social, economic and political empowerment of all citizens. However, the lofty ideal of equality enshrined in our Constitution often clashes with the harsh realities that are embedded in the structures, value systems and practices of a conservative patriarchal society.

In modern India, the formal process of empowerment of women and the removal of highly discriminatory practices against women through legislation started during the colonial period. Early reformers during the 19th century advocated and succeeded in

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Image: [www.cfr.org](http://www.cfr.org)



bringing about major reforms through legislation like Abolition of Sati, 1829 (abolishing the custom of burning a widow in the funeral pyre of her husband), and Widow Remarriage Act, 1856.<sup>1</sup>

Savitribai Phule<sup>2</sup> started the first school for women in India in 1848. The Indian National Congress (INC), a political party that led the struggle for independence, encouraged the formation of the Women's Indian Association (WIA), which sought voting rights for women as well as their right to hold legislative office. The presence of a large number of women in the independence movement, especially during the phase led by Mahatma Gandhi, ensured that the question of empowerment of women and gender equality was never relegated to the background. Post-independence, the right to vote, the right to contest in elections and hold legislative offices were granted to women by the Indian Constitution.

Out of the 74 years of independence, INC—a party with secular, progressive and democratic principles—ruled India for 54 years. While India has a federal structure of government (with the states having their own elected governments), the fact that Congress controlled the central government and most state governments during the formative years of nation-building in the post-independence era helped create a conducive atmosphere for passing various landmark legislations. It was also pivotal in building government mechanisms, and in aiding and encouraging nongovernment organizations towards the goal of gender equality and opportunities, as well as facilitating easier access to

education, health, nutrition, employment opportunities and economic empowerment for women.

Various national legislations and Supreme Court rulings have provided the legislative and judicial framework to remove discrimination against women and attain gender parity and empowerment. Notwithstanding some inherent contradictions in many of these laws which are typically at conflict with traditional values and customs, the mere existence of these laws provides relief and mechanisms for redress.

In one aspect, India has failed in raising the number of women representatives in the national parliament and in state legislative assemblies. Though two landmark constitutional amendments in 1993 initiated by the Congress government gave 33% reservation (later raised to 50% in most of the states by individual acts of state legislations) at the local urban municipal bodies and village *panchayats* (local unit of governance in rural areas), the presence of women in the national parliament is currently a mere 14% in the *Lok Sabha* (the lower house) and less than 10% in *Rajya Sabha* (the upper house).

For decades, women activists in India have been fighting for the Women's Reservation Bill that would ensure 33% representation of women in parliament and in state assemblies. So far, their efforts have met little success. The story of the Women's Reservation Bill brings into the forefront the underlying misogyny of many members of parliament. The Bill was first introduced in 1996. As it was being tabled and amid much uproar, the

Bill was physically snatched by a member of the house and torn to pieces. Many successive governments tried to table and pass the Bill but without any success. The last attempt was made in 2010 when it was passed in the upper house but could not be passed in the lower house. The bill lapsed with the dissolution of the lower house in 2014. Since then, the current government, though in its second term, has not made any attempt to reintroduce the Bill.

The underlying misogyny in the legislature that prevented the Women's Reservation Bill to become a reality can also be seen in the judiciary, especially in the lower and family courts. Malavika Rajakotia, a famous lawyer specializing in family law, wrote in her book *Intimacy Undone* several instances of patriarchal thinking and behavior. The unsolicited advice often given by judges to women seeking divorce is not to “break” the family and to learn to “adjust” etc., reinforces gender stereotypical roles that boxes women within the traditional definition of a family. At the same time, the bias against women in maintenance and property settlement underscores the values of a patriarchal society that refuses to see women outside the protection of the family and beyond their traditional roles as homemakers and caregivers.

For the past seven years, the Bharatiya Janata Party (BJP)—a hyper-nationalist rightwing political party—has dominated the central government and several state governments. Rightwing conservatism is no friend of the feminist movement. The BJP-led government has cracked down heavily, not just on political

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<sup>1</sup> Act XV, 1856 or the Widow Remarriage Act, 1856 is a British colonial law that legalizes the remarriage of Hindu widows—the editor.

<sup>2</sup> Savitribai Phule was a 19th century poet who fought against caste- and gender-based discrimination—editor.

opponents but on social activists and students. NGO activities are also curbed and closely monitored.

At the same time, the budgetary allotments for women's welfare programs are either cut or not fully utilized. The current budget for the financial year 2021-22 shows a decline of 26% in the gender budget and the budget of the Ministry of Women and Child Development was reduced by 18% compared to the last fiscal year. This was done despite having a female finance minister.

And in the context of COVID-19, it cannot be denied that the economic and social impact of the pandemic has been far more severe for women than men. Women suffered disproportionate job losses, lack of access and training to digital media, and restricted access to online education and health services, even domestic violence increased several folds. Despite this condition, the government did not take adequate measures to address the suffering of millions of women across India.

Though the number of women representatives are miserably less both in terms of numbers and percentage, women's political awareness and participation in voting has been increasing steadily over the years. Every political party and government realize that women are a substantial vote bank.

The much-flouted *Ujjwala* scheme of the BJP-led central government, wherein free LPG cylinders are given to women from poor households, merely reinforce gender stereotypes that confine women in the kitchen. For another flagship program of this government *Beti Bachao, Beti Padhao* (Save a Girl Child, Educate a Girl Child),<sup>3</sup> 55% of the funds remain unutilized. In other words, the central government has neglected a program that could have addressed

glaring gender disparity and empower women in the long run. Instead, populist schemes of immediate hand-outs to buy votes remain the current government's priority.

Across the world, the emergence of rightwing politics and governments heavily undermine the cause of feminist women. 'Feminism' has become a dirty word and its advocates are trolled heavily, and even threatened, in social media by supporters of rightwing ideology. But in India, we remain hopeful. The women of India, especially the younger generation and the student community, are becoming more politically conscious and active. Prestigious institutions of higher education, especially those under the central government, are becoming protest hubs against various draconian measures that curb the autonomy of these institutions and allow political interference in academic matters. Massive protests against rape and crimes against women have occurred across the country in recent years. Just last year, India

saw spontaneous demonstrations against the highly controversial and discriminatory Citizenship Amendment Act that was passed by the central government.<sup>4</sup> All these demonstrations had large numbers of women and student protesters; and in many places, the face of the protest were women.

The idea of gender parity is often in conflict with India's traditional patriarchal norms. While the government and the political class have a guiding role to play in bringing about positive transformation within society, it must be acknowledged that laws and government programs are essential but not sufficient. The fact is that many of our lawmakers, as well members of the bureaucracy and the judiciary who are responsible for implementing programs and interpreting the law, are also products of the same all-pervading patriarchal mindset. The presence of a conservative rightwing government with a popular mandate makes the task even more difficult.

“The idea of gender parity is often in conflict with India's traditional patriarchal norms.

Image: <http://nolaworkers.org>



<sup>3</sup> Launched in 2015, the *Beti Bachao, Beti Padhao* (BBBP) program aims to eradicate female feticide and improve India's child sex ratio—the editor.

<sup>4</sup> Signed on December 12, 2019, the Citizenship Amendment Act grants Indian citizenship to illegal migrants who are categorized as Hindu, Sikh, Jain, Parsi and Christian. The same privileges are not extended to Muslim migrants—the editor.

“Only a political system that is inclusive and progressive can fulfil the dreams of India's founding fathers of building a nation where equality, fraternity, justice and a life of dignity for all is the norm, not an exception.

Image: [www.uneearthwomen.com](http://www.uneearthwomen.com)



However, one may take inspiration from ordinary people, especially women themselves. The 'Gulabi Gang,'<sup>5</sup> founded by Sampat Pal Devi from a poor remote village in Uttar Pradesh (a state in India), was established due to lack of police support in cases of rampant domestic violence against women. It started as a vigilante group watching over and giving support to victims, forcing police to take actions against the accused, and in some instances, publicly shaming the accused. It has now spread over several districts of Uttar Pradesh and has also become involved in other community services.

Similarly, in Delhi, a group of women students and female activists started the *Pinjra Tod* (Break the Cage) movement that question unreasonable curfews imposed on girl students staying in hostels. Girl students were refused permission to stay out after 8:00pm in a central university in Delhi, whereas boys do not have such restrictions. There are several instances like this wherein citizens' groups are being proactive in asserting their rights. But the difference is that while liberal governments support and even facilitate activism, rightwing governments detest and suppress activism and dissent.

India is a country of contradictions. We have had a woman Prime Minister, a woman President, several outstanding women leaders, entrepreneurs, professionals, academicians, and artists! But we also have blatant gender disparity, evil social practices like dowry, child marriage, feticide and infanticide based on gender. Only a political system that is inclusive and progressive can bridge the gap and fulfil the dreams of India's founding fathers of building a nation where equality, fraternity, justice and a life of dignity for all is the norm, not an exception.♥

<sup>5</sup> *Gulabi* is the Hindi word for 'pink.'

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