



An astute analysis of women empowerment through social, political and economic opportunities

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Abstract

The purpose of this paper is to determine the social status of women and focusing on gender disparities in India. It examines the effectiveness of constitutional laws, enactments and policies to establish the human rights and gender justice. In order to draw the inferences, different types of survey reports and research studies showing the conditions of women have been used. Study concludes that the conditions of women have undoubtedly improved but gender injustice is still a problem that is seen all over in the society. In India the most of the laws are not effective as they are ahead of public opinion and willingness of the people to change the society and give the women the status of equality. We are still unaware and are in the grip of customs and traditions which covertly discriminate against women.

Key words: Society, gender disparities, human rights, constitutional laws, gender justice.

Introduction

Women are the voice of half of the world and that voice is too often silenced, marginalised or circumscribed (Mayor, 1999). Horrors of two world wars made us realize and accept that peace and freedom in the true sense can be achieved only if we respect the inherent dignity of every individual and are committed to establish social, economic and political orders that are fair and just for all. Universal awareness of the gender equality and gender justice was ushered in with the formation of the United Nations after the Second World War. There can be no culture of peace without gender justice. Gender equality means an equal visibility, empowerment and participation of both sexes in all spheres of public and private life. Gender justice refers to the equal valuing of the roles of women and men. It works to overcome the barriers of stereotypes and prejudices so that both

sexes are able to equally contribute and benefit from economic, social, cultural and political developments within society. When women and men have relative equality, economies grow faster and there is less corruption. When women are healthy and educated, their families, communities and nations benefit. Gender injustice holds back the growth of individuals, the development of nations and the evolution of societies to the disadvantage of both men and women. Woman is the companion of man, gifted with equal mental capacities. She has the right to participate in the minutest details in the activities of man, and she has an equal right of freedom and liberty with him (Mahatma Gandhi, 1917).

But it is a harsh reality that women have been ill-treated in every society for ages and India is no exception. Despite the principles of gender equality being enshrined in our constitution and despite the state being empowered to adopt measures of positive

discrimination in their favour, women of India continue to bear the brunt of societal discrimination. Whether it is health, education, mortality rate or any other development parameter, women of India are on very weak footing. From the cradle to grave, females are under the clutches of numerous evils acts as discriminations, oppressions, violence within the family, at the work places and in the society.

In this light, present study has been undertaken to know the actual conditions of women in the Indian society, laws in their favour and gender justice in India. Specifically; the objectives were:

- To study the general social status of women, further focusing on gender disparities in India.
- To examine the effectiveness of constitutional laws, enactments and policies to establish the human rights and gender justice.
- To identify the obstacles preventing the women to have gender equality.

Methodology

In order to draw the inferences, different types of survey reports and research studies showing the conditions of women have been used. Ratios and percentages have been estimated to meet the stipulated objectives of the study.

Results and Discussion

1. General social status of women and law

Equality of sexes and gender justice has indeed made very slow progress. The subordination of women to men has subsisted through the millennia in all societies and countries without exception. It is only in the 20th century that these twin factors are being increasingly recognised and rectified. No country can look back with a clear conscience on its treatment of its women. New Zealand was the first country to give women the right to vote in 1893. In Britain, till almost 93 years ago, women were subjected to scandalous disabilities and immunities.

In the United States of America, things were no better. There were queer laws and women got the right to vote in 1920. France, the land of liberty, equality, and fraternity conferred to its women citizens the right to vote only in 1944. In Switzerland it was secured as recently as 1971 (Tomasevski, 1993).

The Indian society has accorded differential status to women from time to time. Women in ancient India enjoyed equal status and rights with men in all fields of life. They were educated and married at a mature age and were probably free to choose their husbands. During medieval period the Indian women's position in the society deteriorated however. During the British rule many reformers fought for the social and economic upliftment of the women. Traditions such as Sati, Jauhar and Devadasis have been banned. In 1917, the first women's delegation, supported by the Indian National Congress, presented to the Secretary of State the charter of demand of women's political rights. The All India Women's Education Conference was held in Pune in 1927. Women played an important part in India's struggle for independence (Patel, 2010).

The irony lies in fact that in our country where women are worshipped as Shakti, the atrocities are still committed against her in all sections of life. She does all house hold works, which are not recognized and remain unpaid. In modern times, many women are coming out to work but she has to shoulder the double responsibility that is at home and at work place. Moreover, she is last to be considered and first to be fired as she is considered to be less productive than her counterpart. In our society, girls are socialized from their tender age to be dependent on males. Her existence is always subjected to men. In her childhood she is under the protection of her father, after marriage under the protection of her husband and in old age at the mercy of her sons. The patriarchal system in India made women to live at the mercy of men, who exercise unlimited power over them.

Independence brought in its wake a great consciousness in our society for human dignity and it was realised that gender equality is necessary to ensure such dignity. Constitution of India which is regarded as the supreme law of the land gives special protection to women (Batra, 2003). The provisions are as follows:-

- Article 14, Equal Rights and Opportunities in Political, Economic and Social Spheres.
- Article 15(1), prohibits discrimination on grounds of sex.
- Article 15(3), permits the State to make special provisions for women and children.
- Article 39, Equal means of livelihood and equal pay for equal work.
- Article 42, Just and Humane conditions of work and maternity relief.
- Article 51(A) (e), Fundamental Duty to renounce practices, derogatory to dignity of women.

Legislature enacted the large volume of legislations and some of these legislations were enacted in colonial period (Nayyar, 2006), which are as follows:-

- 1829, Abolition of Sati.
- 1856, Widow Remarriage made legal.
- 1870, Female infanticide banned.
- 1872, Inter caste, intercommunity marriages made legal.
- 1891, Age of consent raised to 12 years for girls.
- 1921, Women get rights to vote in Madras province.
- 1929, Child Marriage Restraint Act was passed.
- 1937, Women get special rights to property.
- 1948, Factories Act was passed
- 1948, Minimum Wages Act was passed.
- 1955, Hindu Marriage Act was passed.
- 1956, Immoral Traffic (prevention) Act was passed.
- 1956, Hindu succession act was passed.
- 1961, Dowry Prohibition Act was passed;
- 1961, Maternity Benefit Act was passed.

- 1971, The Medical Termination of Pregnancy Act was passed.
- 1976, The Bonded Labour System (Abolition) Act was passed.
- 1981, Criminal Law Amendment Act was Passed;
- 1984, Family Courts Act was passed.
- 1986, The Indecent Representation of Women (Prohibition) Act was Passed;
- 1987, Commission of Sati (Prevention) Act was passed.
- 1994, The Pre-Natal Diagnostic Technique (Regulation and Prevention of Misuse) Act was passed, which puts a complete ban on sex detection.
- 2005, Protection of Women from Domestic Violence Act was passed.

Similarly Article 1 of the Universal Declaration of Human Rights, adopted on 10th December 1948, provides that all human beings are born free and equal in dignity and rights. Article 2 of the Declaration provides for equality of the sexes by stating that everyone is entitled to all the rights and freedoms without distinction of sex (Robinson, 1999). A series of laws have been enacted to encourage women's participation in different spheres of life. These legal enactments are increasing in numbers, but on papers only. Practically they should be translated in reality, to improve the status of women (Arora, 2001). The policy of the Government of India for empowerment and development of women lays emphasis on removal of women's illiteracy and obstacles inhibiting their access to elementary education, women's participation in vocational, technical and professional education at different levels. Sarva Siksha Abhiyan, the flag ship programme for universalisation of elementary education has special focus on disadvantaged group including the girl child. In addition, the mid day meal scheme has also improved girls' enrolment and retention in primary school. The education of women and girls continues to be an area of major emphasis in the programmes of

the Indira Gandhi National Open University and the UGC. From the fifth Five Year Plan onwards there has been a marked shift in the approach to women's issues from welfare to development. In the 11th Five Year Plan, by 2011-12, Planning Commission has targeted to increase literacy rate by 85 per cent and reduce the gender gap by 10 per cent.

As per the 2011 census, the total female population of India is estimated at 586.5 million. This is 48.5% of the country's total population. India cannot become a mighty superpower until half of its population comprising women is brought on board. Despite efforts to raise the social status of women for more than a century, India still has gender inequality Index(GII) value of 0.617, ranking 129 out of 146 countries in the 2011 index as per HDR 2011.

2. Gender inequalities and its causes in India

The gender inequalities inhibit the social and economic progress of the country. In spite of the progress achieved reducing gender disparities in India during last few decades there are still widespread discriminations against the girls and women. There are gender inequalities in the country whether it is educational attainment, provision of health, share in economic opportunities, political participation and female population undermining the importance of females in national development.

(i) Education

Equal opportunities to all are the base of all democracies and education is one of the strongest tools for empowering any section of society. Education is the cornerstone of women's empowerment because it enables them to respond to opportunities, to challenge their traditional roles and to change their lives. Women's education also has an effect on reducing family size, improving child health and reducing infant mortality. Education can empower women to achieve many social, psychological, economic and political dreams which are denied to her traditionally. Educating a girl child is one of the most effective means to counter gender discrimination and enhance status of women; and

higher education would contribute much more effectively in abolishing gender inequalities.

Table 1 shows that as a consequence of the measures taken by the government, the literacy rate of women has gone up from shameful 8.86 per cent in 1951 to 65.46 per cent in 2011 now. These are signs of a gradual breakdown of the traditional belief that there is no need for women to get educated as their objective in life is to remain housebound. It is clear that India is finally giving due thought to the education of her daughters and gender gap has decreased which may lead to development of the society but still rate of literacy among females is lower than males and it still leaves about 200 million of them unable to read and write, the largest such number in any country.

In spite of massive efforts by the Government, we are still lagging behind the World literacy rate of 84 per cent. The target set by Planning Commission to reduce the gender gap by 10 per cent in 2011-2012 has not been achieved, only the reduction by 5 per cent (4.9%) has been achieved so far.

Data in table 2 indicates that participation of girls at all stages of education has been increasing steadily through the years. Since 1950-51 girls participation has increased many folds in Primary, Middle, Sec/Hr. Sec. stages and Hr. Education levels from 28.1 per cent to 44.1 per cent, from 16.1 per cent to 41.8 per cent, 13.30 per cent to 39.5 per cent and from 10.0 per cent to 39.9 per cent respectively. The enrolment of boys and girls in primary schools edges closer and closer to parity every year. But the dropout rate among the girls is much higher and a large number of them do not complete the primary level education. Even at university level, women are catching up with male enrolment. However, the girls' participation is still below fifty per cent at all stages of education and has remained below as compared to the males.

Yet, a recent NSSO survey found that the primary reasons given by girls for leaving their studies were that education was not considered

Table 1. Literacy rate trend in India, 1951-2011

Census Year	Literate Persons (%)	Decadal Increase (%)	Males (% Lit. Rate)	Females (% Lit. Rate)	GenderLit. Gap(%)
1951	18.33		27.16	8.86	18.30
1961	28.3	9.97	40.40	15.35	25.05
1971	34.45	6.15	45.96	21.97	23.99
1981	43.57	9.12	56.38	29.76	26.62
1991	52.21	8.64	64.13	39.29	24.84
2001	64.83	12.62	75.26	53.67	21.59
2011	74.04	9.21	82.14	65.46	16.68

Table 2. Percentage of Girls Enrolment to Total Enrolment by Stages

Year	Primary I-V	Middle VI-VIII	Sec/Hr. Sec IX-XII	Hr. Education (Degree and Above Level)
1950-51	28.1	16.1	13.3	10.0
1960-61	32.6	23.9	20.5	16.0
1970-71	37.4	29.3	25.0	20.0
1980-81	38.6	32.9	29.6	26.7
1990-91	41.5	36.7	32.9	33.3
2000-2001	43.7	40.9	38.6	39.4
2001-2002	44.1	41.8	39.5	39.9

Source: literacy Rates, Census of India 2001

necessary by elders (14 per cent) and doing domestic duties (42 per cent). The glass ceiling starts with in the home itself, and right from childhood. In some parts of India a number of girls don't have access to primary education and at least 60 million girls lack access to primary education. Hence, although literacy and school enrolment among both males and females has increased dramatically, much remains to be done to have gender equality by removing discrimination against them at home and outside.

(ii) Health Conditions

The discrimination inflicted upon girls and females is chillingly evident in the condition of women's health in India.

As shown in Table 3, sex ratio of population has begun to improve from 937 in 1991 to 933 in 2001 to 940 in 2011. Yet, compared to what is observed elsewhere in most countries in the world, India's sex ratio is anomalous. There are fewer women in India

compared to men in the total population. The possible reasons dwelt upon by noted scientists were under enumeration of women, more masculine sex ratio at birth compared to observed in other populations, higher mortality experienced by women compared to men due to epidemics (such as plague, malaria and influenza) or deficiency diseases, or due to neglect, premature cohabitation and unskilful midwifery.

As evident in table 3, the declining sex ratio in India, especially for the 0-6 years age group, has now become an international scandal. It has declined from 976 in 1961 to 927 in 2001 and further to 914 in 2011. This phenomenon has drawn worldwide attention and is largely attributed to the increasing practice of sex detection by prenatal diagnostic techniques and selectively aborting female foetuses. Investigations revealed that female foeticide and infanticide were widely practised, driven by the traditional desire for a son. Technology became a weapon of choice for this

Table 3. Sex ratio* of population and of children aged 0-6 years in India, (1961-2011)

Census Year	Sex Ratio of Total Population	Sex Ratio of Children Aged 0-6 Years
1961	941	976
1971	930	964
1981	934	962
1991	937	945
2001	933	927
2011	940	914

*Sex ratio is calculated as number of females per 1000 males

barbaric practice and was prevalent not just in areas with widespread poverty or backwardness, but in even among families that had better incomes and education, came as a sociological shocker (Varma, 2010). According to the most recent National Family Health Survey (NFHS) conducted during 2005-06, nearly a quarter of women would prefer more sons than daughters but hardly any would desire more daughters than sons.

Table 4 clearly shows that girls in India have higher mortality as compared to boys. Countless girls as they grow up are often subjected to discrimination in nutrition and health care, despite that shouldering an increasing burden of domestic responsibilities. Malnutrition rates have been found to be higher among girl children, and even among adolescent girls. This sustained deprivation, coupled with excessive burden of work, leads to a shocking consequence- more than half of all married women are anaemic in India. Also, over 54 per cent of pregnant women are anaemic, locking the child they are carrying in to a health deficit in the womb itself. Despite a huge programme for ensuring institutional deliveries, an abysmal 41 per cent of all deliveries even today are non-institutional (National family & Health Survey conducted in 2005-2006).

(iii) Violence against Women

Violence against women is socially a very sensitive issue and more so in our country where we have a special place for 'family honour'. Any act which affects the family honour is not tolerated and very strongly put down. Therefore, the acts of

violence are seldom talked-out of the family. Only in grave situations such issues come to be known outside.

Table 5 reveals that total reported crime against women under Indian Penal Code (IPC) is only 143,615 in 2004. It implies that only a very insignificant percentage (0.03 per cent) of women (with a total population of 498.7 million – 2001 Census) gets victimised. But it is not the ground reality and the level of crime could be much higher than the reported figures. Violence against women is widespread and viewed as one of the cruellest social mechanisms to suppress women.

Further data showed that despite existence of special legislations, providing protection to women, the proportion of crime against women as compared to the total IPC crimes has increased from 6.7 per cent in 1998 to 7.8 per cent in 2004.

Table 6 shows that there is a persistent increase in all forms of crimes against women and torture (cruelty by husband and relatives) occupies the first place among the crimes against women followed by molestation, rape, kidnapping and abduction, sexual harassment, dowry prohibition act, indecent representation of women etc. Torture, molestation and rape are more widespread than acknowledged and have definitely increased from 1996 to 2007.

The basic reason for violence against women is their inferior status- educationally, economically, politically and socially- in a male dominated society. Other factors responsible for increasing criminalisation of society, media images, inadequate

Table 4. Infant and Child Mortality

Mortality Rate	Male	Female
Infant Mortality Rate	56.30	57.70
Child Mortality Rate	14.20	22.90

Source: National Family & Health Survey (2005-2006), Ministry of Health and Family Welfare, Government

Table 5. Crime against Women under IPC

Year	Total IPC Crimes	Crime Against Women (IPC) Cases	Percentage to Total IPC Crimes
1998	17,78,815	1,19,012	6.7
1999	17, 64,629 (-0.8%)	1, 23,122 (3.5%)	7.0
2000	17, 71,084 (0.4%)	1, 28,320 (4.2%)	7.2
2001	17, 69,308 (-0.1%)	1, 30,725 (1.9%)	7.4
2002	17, 80,330 (0.6%)	1, 31,112 (0.3%)	7.4
2003	17, 16,120 (-3.6%)	1, 31,364 (0.2%)	7.6
2004	18, 32,015 (6.75%)	1, 43,615 (9.3%)	7.8

Source: National Crime Reporting Bureau, Ministry of Home Affairs, Government of India

Table 6. Crime against Women

Types of Crimes	1996	2007	Increase (%)
Torture (Cruelty by husband/relatives)	35246	75930	115
Molestation	28939	38734	34
Rape	14846	20737	40
Kidnapping and Abduction	14877	20416	37
Sexual Harassment	5671	10950	93
Dowry Deaths	5513	8093	47
Reported under Dowry Prohibition Act	2647	5623	112
Indecent Representation of Women	96	1200	1150

Source: National Crime Reporting Bureau, Ministry of Home Affairs, Government of India

means to address the cause and consequences of violence, poor enforcement of legal provision, unabashed consumerism and erosion of family values have all added to it (Manohar,2006).

(iv) Economic Opportunities

Breaking changes have taken place in the world of women's work. They can be seen in many more jobs than was imaginable a few decades ago. In rural India, nearly a third of them do paid work, while in urban areas, only 14 per cent are working. Nearly three quarters of all working women are in agriculture in India, according to an NSSO survey of 2004-2005.

What has changed in recent years is the enormous rise of women's employment in the services sector, reflecting a worldwide trend. More than half of all service sector employees are women, mainly concentrated in the personal, social and community services' category that includes most of the care-giving work always done by them. A recent analysis of NSSO data by Indrani Mazumdar & Neetha N (2011) of the Centre for Women's Development Studies shows that there has been massive increase in women working as cooks, governesses, baby-sitters and maids.

There is persistent occupational segregation by gender in both developing and developed countries, with women under represented in better paying formal sector jobs, and overrepresented in the unpaid and informal sectors. Moreover, female employment is less secure than male employment. If there is one dimension common to all countries, rich or poor, it is gender gap in wages. According to the International Labour Organisation's Global Wage Report, in most countries women's wages are 70 to 90 per cent that of men's wages.

Several studies have shown a strong link between women's economic empowerment and economic growth. A much-sited study of data on women's employment, education and economic growth for 95 countries covering four decades (1960-2000) showed that countries sustained losses of anything between 0.7 per cent to 1 per cent of GDP per year due to gender inequalities in employment and education.

The Gender Employment Index developed by the UNDP shows that most developed countries have eliminated disparities in education and access to employment although wage differentials still persist (Varma, 2010).

(v) Political Participation

For centuries women have been treated as “second class citizens” and denied their rights by the male dominated Indian society for which their political status has remained relatively low. However, the 73rd Constitutional Amendment Act, 1993 opened a new chapter in the history of India by giving opportunities to women folk to express their voice in the decision making process. As per 73rd and 74th constitutional Amendment Acts, all local bodies should reserve one-third of their seats for women.

As the available data shows, the women representation in lower house of Parliament, the house of people, was not impressive in all the general elections. Over the fifteenth Lok Sabha elections the representation of women has witnessed a very slow improvement, despite the fact that women comprise

almost 50 per cent of India's population. As for Rajya Sabha from 1952 to 2002, 160 women have become members. In 1980, there were 29 women members out of a total of 242 members constituting 11.98 per cent of the house, which was the highest ever strength of women members in the House. At present there are 25 women members in the Rajya Sabha.

Table 7 shows the trend in general elections and reports that in the second general elections, held in the year 1957, out of 494 total seats there were 22 women members elected in the lower house of the Parliament which was 4.45 per cent of the total. A record of 59 women MPs have been elected to the 15th Parliament the highest ever since independence and 17 of them are aged less than 40 years.

However, in India political participation of women is quite low as compared to men and it indicates gender inequality in political participation. While the constitutional amendments acts have created the political space for women, they have not been able to guarantee a non – discriminative or conducive environment for women to participate. Besides illiteracy, dominance of patriarchal values in the society, lack of access and control over income and other resources, restriction to public spaces and insensitive legal systems continue to impair their effective political participation. This is compounded by the absence or inadequate availability of infrastructural facilities and support services to facilitate their participation. Reservation of seats for women in Panchayat or in Parliament, however, is only the first step to ensure that a certain number of women will be involved in decision-making process of the government. The very next task and challenge will be to develop their capacity so that they can perform their role properly and can make a difference (Hazra, 2010).

Conclusion

Study concludes that gender injustice is still a problem that is seen all over in the society. The condition of women have undoubtedly improved as

Table 7. General elections and women's representation in the Parliament

Year	Total No. of Seats	No. of Women Members	Percentage to Total
1952	489	-	-
1957	494	22	4.45
1962	494	31	6.27
1967	520	29	5.57
1971	518	21	4.05
1977	542	19	3.50
1980	542	28	5.16
1984	542	42	7.74
1989	543	29	5.34
1991	543	37	7.10
1996	543	40	7.36
1998	543	43	7.91
1999	543	49	9.02
2004	543	45	8.29
2009	543	59	10.82

Source: <http://azgaralimd.blogspot.in>

they have been freed from some of the heinous social practices of the past, are better educated, healthier and getting more paying jobs outside their homes. But, this is not enough. By taking some of the basic parameters of progress and development present, it can be concluded that lack of education, poor health conditions, violence against women, discrimination in opportunities of work and incomes and gender inequalities in political participation still haunt women. In spite of having so many enactments dealing with women and judgments of the Supreme Court protecting women the downtrodden and poor conditions of women has not been improved and she still faces all types of atrocities and gender injustice. Legislature and judiciary have somewhat failed to provide respect to women in society. Without women's full and equal contribution both in the formal sector and in the family, society will be the poorer and millions of women will continue to suffer personally. It is said that the law without the public opinion is nothing but a bundle of papers. The gap between the men and women cannot be bridged by just enacting

laws without any public support and opinion.

In India, most of the laws were not effective as they were ahead of public opinion and willingness of the people to change the society and give women the status of equality in society too lacked. So, in order to give women their respective position in the society strong public opinion should be created through education, seminars, local mass campaigns and by taking the help of various other instruments of the society such as media etc, so that the people of the society should get educated about and change their centuries old conservative social thinking and willingly implement the laws enacted for the emancipation for women. There is a need for action plan to create awareness amongst women regarding their rights for better redressal. However, more fundamental is the work and role of social reformers and development workers who sought to change the mind-set of orthodox, patriarchal, tradition-bound society and usher in women's reforms in the social, educational, economic and political fields. This is not a one man's job – entire humanity will have to join hands.

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