WOMEN POLITICAL PARTICIPATION IN PANCHAYATI RAJ INSTITUTIONS – A STUDY

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Abstract: The Women representatives are more honestly discharging their duties, when compared to the men-folk. The commitment and punctuality is an asset of the women representatives. They are taking political decisions on certain issues more judicially and patiently. They are running the grass root political institutions more smoothly and peacefully executing the developmental activities at grass root level.

Keywords: Leadership, Empowerment, Participation.

Introduction: The survival of the Democracy is highly depends on the participation of the people. The political participation may be negative or positive, constructive or destructive, depending upon the viewer. For one, who participates the participation in a strike may be constructive, while the same is destructive to another. To someone also, it is highly destructive. It is constructive for the political activists but same is not to the non-participants. The political participation is highly personalized, based on the intensity of the involvement of the people in political debates or any issues. The strong feelings and intense urge for grabbing the political power will drive the people to participate positively or negatively, or passively or actively. In modern times, Democracy has ensured that each and every citizen can participate with other fellow beings of the civil society. Some times, the lack of political interest and an implicit faith in the elite to deliver the goods is also detrimental to the Democracy. The success of the Democracy still depends on the eternal vigilance of the fourth estate. It is also true that eternal vigilance is the price of liberty. Sometimes intense political activity gives rise to authoritarian tendencies and ultimately, it leads to dictatorships. There are several instances of the same in history. Ultimately political institutions and public opinion become unresponsive. The peoples' needs will be ignored by the political and bureaucratic bosses.

The popular participation is only possible in democracies. The authoritarian grut and dictatorships scuttle the public opinion and popular will to perpetuate their hegemonistic rule. The genuine political participation of people is only possible in democracies. The public opinion and popular will can be curtailed and surpressed to some extent, for limited period only. If the dictatorial and authoritarian tendencies create suffocation to the people they can tolerate it to the optimum level. If these regimes cross their limits people will revote against the political system. Any form of extra- legal and extra- constitutional measures are always detrimental to the democratic interest. The real function of the political participation is to strengthen the political structures and the system. The democratic political participation can be canalized through the process of decentralization. The decentralization will give impetus to express and consolidate public opinion and represents the popular will and strengthen the political institutions.

The Indian political situation is not conducive for popular participation, because the literacy rate is very low. Hence, the political participation of activists is highly subjective (narrowed) oriented. The political recruitment reflects the participation of the rural people. Participation may be positive or negative but is formulated from social and political contexts. Political economists argued that political participation by the masses through the process of education builds up a capacity for governing the civil society. The concept of universal adult suffrage in modern democracies has given opportunity for each and every section of the society. However political participation highly depends on the basis of Socio-economic status of the citizens. The forms of political participation may be identified as four stages. It is defined by Lister Milbrath as (1) attending the public meetings organized by the political parties. (2) Wearing the badges of different political parties. (3) Canvassing for political parties or contestants. (4) Distributing hand bills or pamphlets and related party literatures. These are the broad classifications described by the western political scientist. All these participative forms are considered as

'democratic political participation'. These forms are strikes, Dharmas, Demonstrations which disrupt the normal services of the civil society. Boycotting the existing laws of the land, violating the rules and regulations, disobedience, and boycotting the elections, subterfuging the public service systems, and all forms of violent activities come under non-democratic political participation, which are being practiced by the newly established states being in post world war-II. Even in Third world countries these practices are seen of late. Political apathy is also be considered as non-democratic method by some.

Since India adopted the democracy, the rule of law being its essence, it has declared itself a republic state where sovereign authority is vested in the people. It gets reflected in the indirect election. India, for the past seventy years of existence of democracy has accustomed to rule from the three power centers. One is central level, two the state level and three, local level. The Indian society, unlike other societies is divided in a criss-cross fashions into classes, religions, castes, sub-castes. This often makes it impossible for any single party to claim to represent all the interest of the society. The responsibility of the socio-economic development of the masses is onerous responsibility. It is emphasized on state level and local bodies. Hence, the Panchayati Raj administration was introduced to promote the Gandhian ideals of village republics, with a much more positive developmental content. However the national Government, through planning commission involved in all state level developmental programmers and to have direct link between national development and popular participation in rural institutions.

Hence, the participation by the people in various programs with varying degrees of intensity and understanding becomes vital for achieving the objectives of the developmental programmers. For galvanizing the rural man power, community development programmers were introduced under the stewardship of bureaucracy. Since the decentralization of the power has given opportunity to the majority of the rural people with suitable authority. The responsibility is fixed on the rural local leadership to carry out the developmental plans.   This kind of popular participation can give rise to intelligent leadership. The democratic participation is considered as a democratic virtue by the western democracy. All these political institutions are imported and initiated from western democracies. However, these new political institutions are not useful to the weaker sections and other caste groups.

After the lapse of the seventy years of the independence, a new lease of life has generated new concepts theories. Indian electorate has gained a lot of experience in political maneuverings and participating in electoral politics. The contenders for political power are using the political institutions and basing on these institutions, the political actors at the grass root level are gaining manipulative techniques to capture the political positions. After the emergence of a regional political party in Andhra Pradesh, a new bunch of Political institutions and Political platforms are created in late eightys (1980's) i.e. Mandal system was introduced and give birth to new genre in local body institutions. The new vision, transference, and accountability etc are the core concepts for the good governance. The 73rd & 74th Indian constitutional amendment Acts have given flesh and blood and a new life to the local body institutions by the then government in Andhra Pradesh.

Objectives of the Study: In order to understand the nature and meaning of rural women participation and governance, their perceptions and performances are studied. The present study proceeds with the following objectives.
a)   Socio-economic background of the sample respondents and to determine their socio-economic profiles.
b)   To enquire into their levels of political participation and their role performance as administrators.
c)   To examine the rural governance and their perceptions towards the issues or problems.

Research Design: The study is exploratory in nature and proceeds with certain hypotheses. It purports to blend the macro-micro approaches in the processes of analysis. It would be micro to the extent of study of levels of participation and influencing factors of women participation in politics. The study also intends to highlight the problems in direct participation and implementation of the programmes. It also explains the women perception towards the politics and good-governance. To substantiate the broader perspectives of the participation of women in politics, a case study of women leaders in one district of Telangana -   (Khammam district) is studied.

Sample Design: Three hundred (300) elected representatives, (Ward Members-134, Sarpanches- 110, Mandal Perished Territorial Constituencies- 34, Mandal Perished Presidents- 10, Zilla Perished Territorial Constituen-

cies- 11, and Zilla Perished President- 01) of women political leaders were taken on random basis as a sample for this study.

In this background the respondents' responses are analysed and shown in tabular form,

Table 1: The Particulars of Respondents' (Caste &Education Wise)

Education CASTE	Illiterate	%	Primary Education	%	Secondary Education	%	Under Graduation	%	Others	Total	%
O.C	4 (2.82)	8.51	20 (20.00)	42.55	19 (42.22)	6.33	4 (8.51)	8.51	–	47 (15.67)	100.00
B.C	41 (28.87)	50.00	26 (26.00)	31.71	10 (22.22)	3.33	5 (10.64)	6.10	–	82 (27.33)	100.00
S.C	25 (17.61)	43.86	23 (23.00)	40.35	7 (15.56)	2.33	2 (4.26)	3.51	–	57 (19.00)	100.00
S.T	72 (50.70)	63.16	31 (31.00)	27.19	9 (20.00)	3.00	2 (4.26)	1.75	–	114 (38.000)	100.00
TOTAL	142 (100.00)	47.33	100 (100.00)	33.33	45 (100.00)	15.0	13 (100.00)	4.33	–	300 (100.00)	100.00

* Source: Field Survey

The data presented in the table -1, 47.33 percent of the respondents, cutting across the caste lines are illiterates. The all pervasive poverty, social inhibitions, social structure of the village life and inaccessibility of educational institutions are the main reasons for their hapless illiteracy. The rural girl children have the onerous responsibility of taking care of their siblings in the absence of their parents, who are mostly away in search of their livelihood. This is another reason for the cause of their illiteracy.   Only 15 percent respondents cutting across the caste lines completed their secondary education. A meager 4.33 percent of respondents completed their graduation. The above analysis indicates that literacy rate among women –folk in rural areas, beyond primary level is very less. But their illiteracy did not prevent them from participating in the active politics. In the course of time, their future generation will certainly improve their educational skills, paving the way for better services for the society.

Table 2: The Respondents' (Caste-Wise) Responses about the Reasons for Their Contest

Responses CASTE	Family Prestige	%	Political Compulsions	%	Personal Interest	%	Others	%	Total	%
O.C	9 (9.38)	19.15	14 (12.96)	29.79	8 (22.22)	2.67	16 (26.67)	34.04	47 (15.67)	100.00
B.C	24 (25.00)	29.27	30 (27.78)	36.59	13 (36.11)	4.33	15 (25.00)	18.29	82 (27.33)	100.00
S.C	23 (23.96)	40.35	20 (18.52)	35.09	6 (16.67)	2.00	8 (13.33)	14.04	57 (19.00)	100.00
S.T	40 (41.67)	35.09	44 (40.74)	38.60	9 (25.00)	3.00	21 (35.00)	18.42	114 (38.00)	100.00
TOTAL	96 (100.00)	32.00	108 (100.00)	36.00	36 (100.00)	12.0	60 (100.00)	20.00	300 (100.00)	100.00

* Source: Field Survey

From the data available in the table-2 above, there are two dominant factors that motivate the people to participate in politics. One is family prestige, the other is political compulsions. Nearly 42 percent of the S.T. respondents participated in politics for the sake of family prestige. Equal number of S.T respondents again participated in politics because of political compulsions. Even among the B.C. respondents both family prestige and political compulsions are behind their political participation. It is no wonder that among S.T s. family prestige is an important matter. Interestingly even the political compulsions are equally an important factor. Generally among O.C s. family prestige must be an important factor to take part in politics. But in the present case, given the geographical limitations of the study, the less number of O.C. respondents participated in politics for the sake of family prestige. In their case, it is the political compulsion that is the dominant one. But

among S.C s. and S.T s. it is the family prestige that is a more important factor than political compulsions. But among O.C. and B.C. respondents, the reverse is the reality. It is true that there is some personal interest that motivated the respondents to jump in to the political fray.

Table 3: The Respondents' (Caste-Wise) Responses about Domination of Men-Folk in Politics

Responses CASTE	Yes	%	No	%	Don't Know	No Response	Total	%
O.C	**44** (15.77)	93.62	**3** (14.29)	6.38	–	–	**47** (15.67)	100.00
B.C	**80** (28.67)	97.56	**2** (9.52)	2.44	–	–	**82** (27.33)	100.00
S.C	**53** (19.00)	92.98	**4** (19.05)	7.02	–	–	**57** (19.00)	100.00
S.T	**102** (36.56)	89.47	**12** (57.14)	10.53	–	–	**114** (38.00)	100.00
TOTAL	**279** (100.00)	93.00	**21** (100.00)	7.00	–	–	**300** (100.00)	100.00

* Source: Field Survey

The table -3, expressed that, 279 respondents out of 300 surveyed i.e. 93 percent admitted the male members of their family interfered in their (women) political activities. The interference can be benign or detrimental to their interests depending on the extent and intent of their interference.   Respondents opined that interference of male members of their family is there, because, they cannot spare their time to participate in the meetings and other allied political activities regularly. Hence, the interference of male members is a kind of necessary evil during the initial period. As the years roll by, and as the respondents gain experience and self confidence, this practice can be dispensed with. Only then the purpose of empowerment of women in rural areas will be attained.

Table 4: The Respondents' (Caste-Wise) Responses about the Election Promises That They Made

Responses CASTE	Yes	%	No	%	Don't Know	No Response	Total	%
O.C	**7** (17.07)	14.89	**40** (15.44)	85.11	–	–	**47** (15.67)	100.00
B.C	**13** (31.71)	15.85	**69** (26.64)	84.15	–	–	**82** (27.33)	100.00
S.C	**7** (17.07)	12.28	**50** (19.31)	87.72	–	–	**57** (19.00)	100.00
S.T	**14** (34.15)	12.28	**100** (38.61)	87.72	–	–	**114** (38.00)	100.00
TOTAL	**41** (100.00)	13.67	**259** (100.00)	86.33	–	–	**300** (100.00)	100.00

* Source: Field Survey

The table-4 puts before us an interesting fact. Generally in elections, particularly at the higher level promises are very common, whether they are fulfilled or not. At least they are made. In the present case, as the respondents belong to local level elections, the majority did not make any promises. It is the fact that cuts across all caste groups. They just contest and win that is the beginning and end of their politics. But the real end of local level politics is, the people should get political training and aim at high. It may be that some people do promises even at the local level.

**Table 5: The Respondents' (Caste-Wise) Responses about the
Specific Nature of the Women Issues**

Responses CASTE	Yes	%	No	%	Don't Know	No Re-sponse	Total	%
O.C	**44** *(16.24)*	*93.62*	**3** *(10.34)*	*6.38*	_	_	**47** *(15.67)*	*100.00*
B.C	**74** *(27.31)*	*90.24*	**8** *(27.59)*	*9.76*	_	_	**82** *(27.33)*	*100.00*
S.C	**56** *(20.66)*	*98.25*	**1** *(3.45)*	*1.75*	_	_	**57** *(19.00)*	*100.00*
S.T	**97** *(35.79)*	*85.09*	**17** *(58.62)*	*14.91*	_	_	**114** *(38.00)*	*100.00*
TOTAL	**271** *(100.00)*	*90.33*	**29** *(100.00)*	*9.67*	_	_	**300** *(100.00)*	*100.00*

* Source: Field Survey

The data presented in table-5, cutting across caste lines, more than 90 percent of the respondents believe the problems and issues of women are different from the men-folk. The patriarchal system, which is in vogue for the past several centuries, has kept, women more often than not, at the mercy and care of fathers, husbands and sons at different stages of their life. They are not allowed the freedom to live on their own. Women-folk in India continue to suffer silently the monstrous practices in the name of religion and traditions etc. However, post' independence certain positive changes are taking place and over a period more changes may take place through legislation and through change in the mind set of the people leading to the equality of status of women in all spheres of life.

**Table 6: The Respondents' (Age-Wise) Responses about their Personal Participation
In the Official Meetings**

Responses AGE	Yes	%	No	%	Don't Know	No Re-sponse	Total	%
18-25Years	**13** *(4.81)*	*92.86*	**1** *(3.33)*	*7.14*	_	_	**14** *(4.67)*	*100.00*
26-35 Years	**143** *(52.96)*	*91.08*	**14** *(46.67)*	*8.92*	_	_	**157** *(52.33)*	*100.00*
36-50Years	**91** *(33.70)*	*85.85*	**15** *(50.00)*	*14.15*	_	_	**106** *(35.33)*	*100.00*
51-60Years	**22** *(8.15)*	*100.00*	_	_	_	_	**22** *(7.33)*	*100.00*
61 & Above	**1** *(0.37)*	*100.00*	_	_	_	_	**1** *(0.33)*	*100.00*
TOTAL	**270** *(100.00)*	*90.00*	**30** *(100.00)*	*10.00*	_	_	**300** *(100.00)*	*100.00*

* Source: Field Survey

The table-6, shows that one comes to know that majority of the respondents i.e. 86 percent have themselves participated in the meetings of the village panchayats etc. Participation can be of two types. Some take active participation and some are passive. Active participants are capable of understanding the problem and they believe in finding out a solution after discussing the issue thread bare. On the contrary, passive participants make only token presence. Illiteracy, lack of exposure, lack of self confidence and lack of encouragement from their spouses and other family members are the reasons for their passiveness. While stating, they themselves participate in all the meetings of the panchayats, the respondents may be not telling the whole truth. Their spouse, father/brother is found participating on their behalf. This phenomenon may continue for some time. It is fondly hoped that in due course they will realize their folly and assert their rightful position.

**Table 7: The Respondents' (Age-Wise) Responses about the
Presiding over the Meetings and Conferences**

Responses AGE	Yes	%	No	%	Don't Know	No Response	Total	%
18-25Years	8 (5.30)	57.14	6 (4.03)	42.86	–	–	14 (4.67)	100.00
26-35 Years	70 (46.36)	44.59	87 (58.39)	55.41	–	–	157 (52.33)	100.00
36-50Years	59 (39.07)	55.66	47 (31.54)	44.34	–	–	106 (35.33)	100.00
51-60Years	14 (9.27)	63.64	8 (5.37)	36.36	–	–	22 (7.33)	100.00
61 & Above	–	–	1 (0.67)	100.00	–	–	1 (0.33)	100.00
TOTAL	151 (100.00)	50.33	149 (100.00)	49.67	–	–	300 (100.00)	100.00

Source: Field Survey

The data available in table-7, Nearly 50 percent respondents say that they preside over the functions and conferences. It is well and good. It is good because they are doing what they are supposed to do. But, unfortunately the remaining 50 percent respondents say that they don't preside over the functions and conferences which they should have done in normal course. The probable reason behind this sorry situation is that the respondents are either ignorant of their powers or psychologically so conditioned that they don't dare to claim what is theirs.

There is an incident of the husband of a surpanch presiding over the function, in the presence of the surpanch, it self and other responsible officials. It happened so naturally that no body took it amiss and they behaved as if what is wrong in it. This is to say that, people take this kind of thing as normal and not violative of any protocol or rule. Unless this kind of situation is turned upside down and one is given the due what is ones', no amendments and no big speeches correct the situation. Cutting across all age groups, the above is the reality. But interestingly in the category of 51 to 60 years the majority presides over the functions. It may be that their age might have given some confidence to them.

Conclusions of the Study: The study reveals that, A majority of the respondents from cutting across caste lines felt that there are many corrupt politicians in politics. Interesting to note is that 90% of the respondents expressed that politicians are corrupt and self centered. Nearly 40% of the S.T respondents have tasted bitter experience of corruption in politics. Majority of the S.T respondents replied to the question "Who are corrupt politicians"?

Majority of the S.T respondents replied way that upper caste politicians ventured to exploit them because they are weak and meek. Interestingly one observation is that youth is reposing confidence in officials, where as middle aged group respondents felt that all the government officials, are corrupt. Almost 96 percent of the respondents do not support corrupt officials and corrupt politicians. It is the root of the rot that has set in our social fabric. A majority of the respondents, from cutting across caste lines i.e. 92% of the respondents did not approve the entry of corrupt and criminals into politics. Naturally, the system has not broken down. The moral fabric of the civil society is still in a better shape, at least in theory. So, it is no wonder that the corruption have fewer supporters. The constitutional reservation for S.C, S.T's has given the sample the clout to occupy different political positions and gain political experience. However, they are very much new to the politics. Where as in the case of O.C's who are still in politics, they are continuing their sway even after the lapse of seven decades of independence. Even today they are dictating terms to the other communities. It is also found, that though majority of the respondents are illiterate, they are showing keen interest and zeal to grab the political positions.

It is found that majority of the respondents from S.T and B.C categories that entered politics are forced to contest for their family prestige. Some times out of political compulsions, they are forced to participate in politics.

One pertinent observation is that even S.T respondents felt that they have contested the elections to uphold the prestige of their family. Only a few respondents contested the elections or entered into politics out of their personal interest. A majority of the respondents cutting across the age groups from 26-50 years are supporting either congress party or Telugu Desham Party. A considerable number of respondents favored left parties and their politics. Another finding is that among the left parties CPI(M) is quite popular, when compared to others in the district. More than 95% of the respondents strongly argued that money and muscle power play a vital role in electoral politics. These two factors play an important role in selecting the candidates. Considerable number of respondents also felt that not only money muscle power, but also the role of caste can not be under estimated.

Another interesting finding is that the role of money in politics is crucial. A common man can not afford to contest the elections. Even those who are contesting local body elections also have to spend huge amounts other wise they can not win the elections. In the contest, some of the respondents disposed their properties to meet the election expenditure. This trend is not healthy or conducive. Another finding can be drawn that younger (26-35 years) generation is keen on winning the elections and they are considering it has a prestige and status symbol. However, majority of them have spent not less than one lakh rupees for either ward member or sarpanch. Whereas O.C candidates spent up to 4to5 lakhs rupees. It is also found that, though women candidates are contesting the elections, the male interference and domination is in high proportion. In the initial stage, their support is essential but later on, they gain self-confidence and experience and they can take decisions independently. Majority of the respondents expressed that they are getting equal status and par with male population. Majority of them expressed that illiteracy is a great barrier for their growth in politics. It is also found that because of illiteracy and non-co-operation of male politicians and officials has created great hurdle for their growth. All the way they have to depend on the officials or politicians to know about the rules and regulations.

It is also found that a majority (75%) emphatically argued that equal opportunities are not there in politics. This opinion is expressed by all the respondents irrespective of their caste affiliation. Almost all the respondents felt that the 73rd constitutional amendment act 1993 is a boon to the women-folk. Nearly 65% of the respondents felt that they have addressed public and political meetings more that ten times with out any fear or inhibitions. It is also found that, even S.C; S.T respondents also addressed public meetings more than five times and also participated in door to door campaigns. A majority of the respondents said that, they have promised about the civic amenities and highlighted the chronic problems of the local areas. However, they tried to fulfill the promises, when they made at the time of elections. The women respondents anonymously felt that, the problems faced by the women are different from the men.

One pertinent observation that can be made from this study is that, officials and politicians are not allowing the women representatives to use their potential caliber. A majority (83%) of the respondents felt that, mainly they joined the politics with a view to improve their social and economic conditions of their locations. But the village panchayats are not encouraging. Majority of them are unaware of the finances and how it can be improved to meet the requirements of the village development. A majority i.e. 80% of the respondents cutting across caste lines felt that, they got insufficient finances for local bodies. Some of the respondents said that, only ruling party and upper casts representatives are getting fairly the resources from either Zilla Parishad or state government. Even in the case of some in the solutions different schemes that are being introduced by the central government, same are the situation. Such schemes are sponsored and financed to the directly to the village panchayats. Since majority of the respondents are illiterate and can not operate the computers in their respective offices, they are always in difficulty. A majority i.e., 86% of respondents felt their presence in the official meetings in nominal. Only a few members actively participated with full knowledge of the issues. But majority of them are passive participants rather than finding the solutions to the issues. The lack of exposure, lack of self-confidence, lack of encouragement, from their sponsors and other family members are the reasons for their passiveness.

One relevant observation is that the majority respondents take decisions on their own. Definitely, it is a welcome feature. If given the opportunity to the women folk, they will discharge their duties with great sincerity and commitment. If they are provided education they are no way inferior to men-folk. It is also found that nearly 50% of the respondents said that they have presided over the meetings and conferences. And they have discharged their duties in a more effective manner than the men folk. At times they have asserted their power

and authority to run the show. On some other occasions, they are bold enough to take on tough problems on their own. Some times they deliberately sent their spouses from the meetings and conferences when their presence was objected by other fellow members. It was also found that remaining 50% of the respondents are very weak. They are weak to coordinate the meetings and sometimes they are unable to control the preceding of the meetings. It was found that, if given the opportunity they too can perform the duties with sincerity, honesty, integrity and courage.

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THE BORN SLAVE OF ANCIENT INDIA: RELATIVE EFFECTS OF SON PREFERENCE

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Abstract: The evolution of the status of women in India has been a continuous process of ups and down throughout the history. While man has been all time proud of his supremacy over women and care a little about the well-being of women. There had been spirited women, who dared man in every field of human activity. This struggle is not a new for women. They are facing this discrimination since the history of Indian civilization. The Indian cultural tradition begins with the Vedas. Many historians believed and it also suggested in the works of many ancient Indian grammarians such as *Patanjali* and *Katyayana* that the position of women was quite satisfactory during early Vedic period, although girls were not welcomed as boys but they were taken good care of. They were educated and also took part in religious and social activities. But this satisfactory position that women enjoyed during Vedic age was very short-lived and there onwards she began to be treated as a second class citizen. Even the women of Epic India were not free from this discrimination. Although both **Ramayana** and **Mahabharata** Epics had given respectable place to women. Women had been called *Devi* (Goddess) and considered as the root of *Dharma* (Religion), but there were also some incidents which degraded the status of women like **Sita's** *Agni Pariksha* (Trial by Fire) by her husband- **Lord Rama** in **Ramayana** and *Cheer Haran* of **Draupadi** in **Mahabharata**. Even the renowned scholar and philosopher **Shakracharya** opposed the female education. *Manu*, the law giver of Indian society puts more restrictions on women and depicted that a woman should worship her husband like God. This was the period when women were in their lowest position. Woman was the first one to taste bondage. She lived as a slave even before the enslavement existed. Since then their struggle for equality has been started and in this way many bold and daring women came forward and became forerunners of the women's liberation movement in their own way. Slowly and gradually the mind set of people has been changed. Although women are not getting full equality to the men but still they are in a better position in comparison to the past.

Keywords: Equality, Girl's Education, Motherhood, Women Status.

Introduction: The Vedic period was generally considered from 4000 B.C. to 1000 B.C. and the main contribution of this period was the four Vedas, i.e., *The Rig Veda, The Yajur Veda, The Atharva Veda and The Sama Veda* which were written in that time. When we examine the position of women in Vedic period, we find that women enjoyed a high status in Vedic society. They were educated and also has the right to express their choice and taking decisions on their own. Although polygamy was prevalent in the society but customs like child marriage and Sati were not in practice. Overall position of women was quite satisfactory and people love and respect their wife and children. Women continued to have this satisfactory status till the age of late *Samhitas, Brahmans and Upanishads* (1500 B.C. to 500 B.C.).

It was the period of *Manusmriti* (200 B.C. to 200 A.D.) when gradual deterioration in the position of women began. The main reason behind this were the Aryans who started marrying to non-Aryan women, who could not participate in religious sacrifices as they did not know Sanskrit. Gradually all women (Aryans as well as non-Aryans) were not considered eligible for performing religious duties. Rituals had become very complex and needed special training of ten or twelve years, which was not practical for girls. Gradually, Upanayanam for girls became a mere formality.[1] Basically society looked upon the daughter as a curse. Famous sayings of that time were, "The wife is a friend, an object of misery is the daughter, the son is a light in the highest heaven." Or "The son is the self, the wife, a friend, the daughter is but a suffering to men."[2] This shows that man has some respect towards his wife and at least considered her as his friend but he wanted only son from his wife, who would help him in his old age and considered daughter as a burden. According to the laws of Manu a women is never fit to be independent in her whole life. She always need a support from male members of her family. In childhood a girls must be under the control and guidance of her father, in youth under her husband and when her lord is dead, under her son. So a woman should never think of independence.[3]

Ancient Women and Education: Girls were given education and like boys Upanayanam ceremony was also performed for them in Vedic period. Vedic texts also mentioned a number of women seers, poets and seekers of enlightenment. Women who belongs to three higher castes (*Brahmins, Kshatriyas, and Vaishya*) had access to studying Vedic knowledge under a teacher and in some cases women also had an opportunity to act as a teacher. Although the final aim of education was always a religious one, i.e., attaining *moksha* or liberation. There are many evidence in Vedic texts that girls could be initiated and taught the Vedas. The oldest section of the Vedas, The Rig Veda, contains 27 hymns out of more than 1000, which said to have been composed by women seers in the philosophical dialogues of the Upanishads (800-500 BCE) also we find some name of women who engaged in the pursuit of saving knowledge and wisdom like **Gargi**, the daughter of a sage and **Maitrey**i, the wife of a sage, who preferred the spiritual quest for enlightenment to personal wealth.

The relatively high position in ancient India deteriorated over the centuries. In the course of time the teaching of girls by outsiders came to be deprecated. The girls only from the rich families were given education and that too by father or close relatives. In the early nineteenth century it was still believed that the education of women was against Hindu scriptures and a girl who was taught to read and write would soon after marriage become a widow and drive away the good fortune of her family.[4]

Role in the Religious Field: Earlier women took part in religious activities and could performed sacrifices. There was no restriction over women to read any sacred literature. But gradually the emphasis had shifted from the importance of knowledge of rituals for the women. No sacramental rite with sacred texts may be performed for women for they are weak, impure and have no knowledge of Vedic literature. It was believed that no sacrifice, no vow, and no fast may be performed by a woman independently of her husband otherwise she will go to hell.

Economic and Occupational Freedom: Ancient woman had economic and occupational freedom like men. Women were trained in occupations such as, dyeing of garments and threads, basket making, plaiting mats, making of rope and garments, perfume making, making scabbards for swords, doll making, etc. Some women engaged in teaching work and some helped their husbands in agricultural work. Thus, they had freedom of work, they earned money and helped their family.[5]

Position of a Married Woman: The marriage age in Vedic period for girls was fifteen-sixteen years and they also had freedom in the selection of their husband. Since girls' education was ceased in later centuries, child marriage become common. Girls were married at the age of eight or nine years of age. Thus, they neither had a right to express their choice in the selection of their marriage partner nor respected by their husband. While husband in a marriage had enjoyed supreme position. According to Manu, a wife should worship her husband like a God even if he is a destitute of character or seeking pleasure elsewhere. They believed that a woman's salvation lies only in the devoted service of husband.[6]

Motherhood in Ancient Period: place of a mother in Ancient India was higher but only if she had a male child. It was obligatory; a girl was trained to be a good wife, a good mother and was blessed with the motherhood of sons. Immediately after the wedding ceremony the newly wedded couple prayed, i.e., the wife silently joined her husband who said, "Come, let us join together that we may generate a male child, a son for the sake of increase of wealth." So the main purpose of marriage was to get a male child and since there was no guarantee that a single wife would deliver a male child, husband had right to marry more than once.[7] Motherhood was often imposed on unwilling women, because a woman was not considered complete until she became a mother. According to the laws of Manu, after attaining the age of eight years, a childless wife should be divorced, a wife loosing children soon after birth should be abandoned in the tenth year after matrimony and in the eleventh year after marriage, a wife gets only female children should be divorced. Thus, a woman get respected in society only when she became mother or more correctly, a mother of a male child.[8]

Widow of Ancient India: The position of widow in Ancient time was more deplorable. According to Manu's rules a woman after the death of her husband has to live a simple and solitary life. Widow re-marriage was not permitted. However, a widowed husband has right to remarry and to enjoy the company of other women. The only positive move in this period was granting property right to widow so that they could support themselves for rest of their life.[9]

Though Sati was not mentioned in the Manu, it was the post Gupta Period when law givers or commentators found that Sati was assigned to woman as one of her duties. The society believed that it is the duty of a woman to

preserve and protect her purity and sanctity after the death of her husband or to ascend the funeral pile after him.[10]

Conclusion: the status of Ancient women had gone through many ups and down. A close examination of Vedic texts by twentieth century scholars shows that the position of women and their access to education, religious knowledge and practices were far more superior in Vedic period in comparison to the later centuries. In post Vedic period men ruled the society, they have all the power of taking decisions. Women suffered throughout her life, as a daughter, wife, mother and as a widow. Women's primary and only task was child-bearing, and in return they were received scant honour. Thus, the saying that women were the born slave in Ancient India is sounds true.

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WOMEN EMPOWERMENT WITH SPECIAL REFERENCE TO LEGAL PROVISIONS IN INDIA

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Abstract: Gender equality was accepted in principle by the framers of Indian Constitution. In 1950, the Constitution of India not only granted equal rights and opportunities to men and women in the political, economic and social spheres. But also empowered the state to remove the discrimination against the women. This was done to neutralise the cumulative socio-economic, educational and political disadvantages faced by women as a result of centuries of discrimination and exploitation. Women need intervention from all possible corners to get empowered. Legal intervention is one such strategy for women's empowerment. This paper concerns with the important aspects of this strategy.

Keywords: Constitution, Economical, India, Social.

Introduction: Women's empowerment has become a significant topic of discussion in development and economics. It can also point to the approaches regarding trivialized genders in a particular political or social context. Women's economic empowerment refers to the ability for women to entity their right to control and benefit from resources, assets, income and their own time, as well as the ability to manage risks and improve their economic status and well being[1] while often interchangeably used, the more comprehensive concept of gender empowerment refers to people of any gender, stressing the distinction between biological sex and gender as a role. It thereby also refers to other marginalized genders in a particular political or social context.

Methods Which Help To Empower Women: Women empowerment is to allocate responsibilities to them that normally belong to men. Then women have economic empowerment, it is a way for others to see them as equal members of society through this, they achieve more self-respect and confidence by their contributions to their communities. Simply including women as a part of a community can have sweeping positive effects[2] participation, which can be seen and gainer in a variety of ways, has been argued to be the most beneficial form of gender empowerment. Political participation, be it the ability to vote and voice opinions, or the ability to run for office with a fair chance of being elected, plays a huge role in the empowerment of women[3]. However participation is not limited to the realm of politics. It can include participation in the household, in Schools, and the ability to make choices for oneself. It can be said that this latter participation need to be achieved before one can more into broader political participation[4] when women have the agency to do what they want, a higher equality between men and women is established.

The Role of Education: Improving education for women helps raises their levels of health and nutrition and reduces fertility rates[5]. Education increases "people's self-confidence and enables them to find better jobs, engage in public dealings and make demands to government for health care, social security and other entitlements". In particular, education empowers women to make choices that improve their own and their children's health and chances of survival.[6] Education helps to prevent and cure diseases, and is an essential element of efforts to reduce malnutrition. Further, education empower women to make choices that improve their welfare, including marrying later and having fewer children. Crucially, education also increases women's awareness of their human rights their confidence and their actual ability to assert those rights[7].

Barriers to Women Empowerment: Many of the barriers to women's empowerment and equity lie ingrained in cultural norms. Many women feel these pressures, while others have become accustomed to being treated inferior to men[8] even if men, legislators, NGOS, etc are aware of the benefits women's empowerment and participation can have, many are scared of disrupting the status quo and continue to let societal norms get in the way of development[9].

Increasing Access to the Internet of Research: Shows that the increasing access to the internet can also result in an increased exploitation of women[10] releasing personal information on website has put some wom-

en's personal safety at risk. Types of women victimization increases cyber stalking, harassment, online pornography, and flaming[11].

Sexual Harassment at Workplace: Sexual harassment in particular is a large barrier for women at workplace. It appears in almost in all industries, but is most motable in the following: business, trade, banking and finance, sales and marketing, hospitality, civil service and education, lecturing and teaching[12] according to the International Labour Organization (ILO), sexual harassment is a clear form of gender discrimination based on sex, a manifestation of unequal power relations between men and women.

Unequal Pay for Work: While much of the public discussion of the "wage gap" has focused around women getting equal pay for the same work as their include peers, many women struggle with what is called the "pregnancy penalty". The main problem is that it is push women back from their line[13]. Therefore, women are put in a position where they need to make the decision of whether to maintain in the workplace or have children.

Legal Provisions for Women Empowerment in India:

Constitutional Guarantees: Right to equality is of one of the fundamental rights which is conferred under At 14 of the Indian Constitution which guarantees to all Indian persons equality before law. Article 15 prohibits discrimination on the grounds of religion, rare, caste, sex or place of birth. Article 16 also provides equality of opportunities for all citizens in matters of public employment. Similarly Art 19, 21, 32 and 38 contribute equal rights to men and women both in matters of freedom of speech protection of life and personal liberty, remedies for the enforcement of fundamental rights to seem a social orders for the promotion of welfare of people respectively. Equal pay for equal work under Article 39(d), guards the economic rights of women by guaranteeing equal pay for equal work, and Maternity Relief under Article 42, allows provisions to be made by the state for securing just and humane conditions of work and[14] maternity relief for women.

A rule requiring married women to obtain their husband's consent before applying for public employment was declared unconstitutional in **Maya Devi v State of Maharashtra**[15] as it was achromatic obstacle to women's equality and hence violative of Article 14, 15 and 16 has also played a vital role in implying the economic status of various welfare legislation favouring women. In **Randhir Singh v Union of India**[16] it was held by the supreme court in this case that equal pay for equal work is not mere demagogic slogan it is a constitutional goal capable to attainment through constitutional remedies by the enforcement of constitutional rights.

Criminal Laws: Following are the legal provision under Indian Penal Code, 1860 for the women empowerment.

Dowry Death: According to sec 304 B IPC where death of married women is caused by any burns or bodily injury or occurs otherwise than under normal circumstances within seven years of marriage and if it is established that soon before her death she was subjected to cruelty by the husband and the relative of the husband, such death of a married women is treated as "dowry death".[17]

Sexual Offences: IPC adventures for women's by dealing with sexual offences in see 375, 376 and see 377 of IPC. Under see 375 IPC, a man is said to have committed rape when he has sexual intercourse with a woman against her will or without her consent or with their consent by putting her in fear of death or with consent when the man knows that he is not her husband, and that her consent is given because she believes that he is another man to whom she is or believes herself to be lawfully married or she is below 16 years of age or with her consent when she was of unsound mind or intoxicated[18]. **In Bodhi Sattwa Gautam Subhre**[19] **Chakroborty** the apex court has held that rape is a crime against the entire society. It destroys the entire psychology of a woman and pushes her into deep emotional crisis.

In Vishakha v State of Rajasthan[20] the Supreme Court has held that women have rights to gender equality to work with dignity and to working environment safe and protected from sexual harassment or abuse. The scope of these sections has been widened to basic human right of gender equality and guarantee against sexual harassment and abuse more particularly at all work places, or other institutions. The parliament of India has passed a legislation to protect the women at the work place i.e. Protection of women at work place for that purpose.

Medical Termination of Pregnancy Act 1971: This law has been framed to avoid wastage of Mother's health, strength and sometime life. Similarly the prenatal diagnostic techniques (regulation and prevention of misuse) act 1994 has been framed to regulate one use of pronated sex determination leading to female foeticide. The parliament has passed the Dowry Prohibition Act, 1961, Domestic Violence Act, 2005 for women empowerment.

Law Relating to Acid Attacks: The Supreme Court held in **Pooja Bhatia v Vishnu Narain**[21] that throwing acid is serious crime irrespective of the fact whether there was injury or not. The court also set aside the bail granted by the High Court to the accused charged under sections 342, 326B and 506 at IPC.

Civil Laws: While interpreting the sec 9 of Hindu Marriage Act in **Saroj Rani v Sudarshan Kumar**[22] the Supreme Court observed that conjugal rights i.e. the right of husband or wife to be in the company of other spouse is not merely creature of the statue rather it is inherent in the institution of marriage. The decree for the constitution "serves social purpose as a re act to the prevention of the breakup of marriage".

See 6 of Hindu succession act says that daughter of a coparcener becomes coparcener at the time of her birth if her father has a share in the coparcenary property and that share will be equal to her brother. She will also share the same liabilities as her brother. Women become an absolute owner of her stridhan under sec 14 of the Hindu Succession Act, 1956[23]. See 125 of CrPC provides maintenance to the women irrespective of her religion. An unmarried or divorced woman has the right to take the child in adoption. There are a number of labour laws which are made for the empowerment of Indian Woman. Like Maternity Benefit Act, 1961, Payment of Wages Act, Industrial Disputes Act, 1947 and the Factories Act, 1948 etc.

Conclusion and Suggestions: Legal Intervention is an important strategy for women empowerment. While recognizing that legislation is an important instrument towards social changes experience has shown that statutory change is inadequate. Social activists as well as women's movement insists on the need for much more executive action to support the translation of constitutional rights into reality. Non-implementation of the welfare and reformatory legislation in their true spirit was considered the main reason for perpetuating unequal status of women.

Although there are a number of laws to protect women against all sorts of violence yet there has been the significant increase in the episodes of rapes, extortions, acid attacks etc. This is due to delay in legal procedures and the presence of several loopholes in the functioning of a judicial system.A strong patriarchate society with deep-rooted socio-cultural values continues to affect women's empowerment. The need of the hour is an egalitarian society, where there is no place for superiority. The Government should identify and eliminate such forces that work to keep alive the tradition of male dominance over its female counterparts justice delayed is justice denied. Efforts should be made to rectify the legal process to deliver in time the justice to the victims of heinous crimes.

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IDENTITY ISSUES IN NORTH EASTERN STATES - A CHALLENGE TO INDIAN POLICY OF INTEGRATION AND DEMOCRATIZATION

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Abstract: North East India is politically vital and strategically a vulnerable region. It is known as the hot spot of ethnic violence, extremism and insurgency. The Indian Government's post and ongoing process of national integration, state building and democratic consolidation have further aggravated the conflict scenario in the region. The eight States comprising the North East is populated by nearly 40 million habitants who vary in language, race, tribe, religion and regional heritage. The clubbing of all these under the tag of" Northeast "has tended to have a homogenizing effect with its own sets of implications for policy formulation and implementation and local aversion. Identity issues on social and ethnic lines have been a dominant development in the region since independence. The region has witnessed the emergence of number of extremist organizations challenging the sovereignty and integrity of the Union of India. The founding Fathers of the Indian Constitution wanted to strengthen the union against possible disruptive and disintegrative pressure and as such not much weight was given to the need for reflecting India's cultural design.

The study is based on secondary data collected from books, journals, articles and website. The focus of this paper is to study, analyze and understand the challenges which failed to satisfy the needs of the ethnic groups of the region desperate to protect their identity and culture.

Keywords: Democratic Consolidation, Ethnic Insurgency, Extremist Organization, Identity Crisis, National Integration   and Vulnerable Region.

Introduction: Identity issues are generally understood as a phenomenon which leads to a counter movement to protect against oppression and injustice that is met out by various communities on the basis of their racial, religious, cultural, gender or ethnic identity. However mere sense of belonging to certain identity does not crystallize into a movement. It leads to movement only when the symbols of identity i.e. language, race or ethnicity are utilized by elites to mobilize group sentiments. (Brass 1999:15) The growing concept of identity crisis in North Eastern states is the direct outcome of negligence, isolation policy of the government since pre-independent era, the Constitutional federal structure and unequal development.

North East Region of India is the homeland of different ethnic groups with a variety of cultures speaking different languages and dialects. B.G.Verghese (2004:280) describes the region as "another India, the most diverse part of a most diverse country, very different, relatively little known and certainly not too well understood, once a coy but know turbulent and in transition within the Indian transition". It includes the Seven Sisters-Arunachal Pradesh, Assam. Manipur, Meghalaya, Mizoram, Nagaland , Tripura and Sikkim covering an area of 262,189 sq.km and constituting about 7.98% of country's total geographical area. The region has a long international boundary, about 96%with China and Bhutan in the north, Myanmar in the east, Nepal in west and Bangladesh in the south and west. The region represents nearly 3.8%of the total human population of the country and exhibits a great diversity of ethnic groups. Estimated 171 out of a total 573 schedule tribes in India inhabit the remote, inhospitable terrains in North East Region. The significant linguistic, ethnic and cultural diversity, not only among the people of different states, but also within each state in the region, is an important feature of the region. The region is the home to over 200 of the 635 tribal groups in the country, speaking about 220 dialects with the strong tradition of social and cultural identity. Ethnic identity is dear to the most communities and is always triggered by the fear of losing their distinct identity, resulting in the formation of regional identities and conflicts.

The consolidation of identities along the lines of tribe and community has become increasingly manifest in the recent years in the region. The concept of Identity conflict in context of North East Region can be analyzed by its historical social formation, constitutional federal set up, economic imbalance and government's policies to tackle the situation.

Historical Social Formation: The hills and plains of the region have been occupied by different steams of Mongoloid people who came from the north and the east at different periods, well before the onset of colonial rule. It is generally agreed that the Mongoloids, mentioned as the KIRATAS in ancient Sanskrit literature, once occupied practically the whole of the north eastern region. The diverse Mongoloid groups which eventually settled in different habitats and ecological settings crystallized into distinct tribal societies. Century's before the advent of British rule in the region, there was a high degree of fluidity in the socio-cultural arena so that intermingling of various streams of people, including biological admixture produced diverse social alignments and group identities. The boundaries of the groups were never very rigid. It is this flexibility, characteristic of a frontier tract experiencing considerable population movement from different directions, provided scope for shifting alliance and identities.Pre-colonial social setting was more fluid and flexible than the subsequent colonial and post-colonial periods. The tribe had never been a fixed or static category and there were many instances of change from tribal to non-tribal status. The numerous culturally and politically discrete communities lived in contact and communication with their respective neighboring population.

The condition radically altered during the period of British colonial rule. The annexation of Assam by the East India Company brought the people of this region into greater and deeper contact with socio-political changes prevailing in the rest of the country. The channels of contact and the level of communication were further accentuated in the early part of the 20th century. The British set in motion a series of moves in order to establish a degree of political and administrative dominance over the plains as well the hills. The British policies and the activities of the Christian missionaries who came into the region contributed significantly in creating a freeze effect on the communities and social formations. Colonial rule and missionary activities also contributed significantly detailing the character and tenor of identity movements among the tribal and non-tribal in the post-independence period.

The impact of British administration became manifest through various means and measures such as the introduction of Inner Line Regulation in 1873 and the declaration of most of the hilly areas as "Excluded Areas" under the provision of Government of India Act 1935. Thus most tribal communities of the hills remained cut off from social and political developments taking place elsewhere. An organized colonial economy with strict monitoring of exploitable resources, coupled with immigration of diverse groups in a short period of time. The earlier resilience of the regional social system was lost forever. Each community tended to become a rigid social formation and this was to the utmost advantage of the colonial rulers. The accentuation of tribal, non-tribal differences and the formation of rigid social blocks of indigenous castes and communities as well as recent migrants were important developments in the colonial.

Following Independence, the government's approach to the tribal areas was altered radically. The old policy of maintaining status quo and isolation was replaced by a policy of development and integration. The post-Independence period has been one of acceleration in the pace of social change and modernization of various tribal groups their effective induction within the framework of the nation-state. However, during the last six and half decades since independence, the freeze effect in the various social formations became more vivid, functional and effective in turning tribes, castes, communities and language groups into ethnic blocks. Thus, while the pre-colonial settings were fluid and flexible, the colonial and post-colonial settings were more rigid resulting in distinct cultural orientation called regionalism. Ethnic self-consciousness and its consolidation and asserting along the lines of tribe, community or language groups have become increasingly manifest in the recent years in the entire region. Emergence of tribal social formations, often with demand for specified territories as politico-administrative units are the common feature of north –east India. Regional identities in context of smooth integration of tribal and non-tribal of various language groups, of local and immigrants appears to be fraught with many hurdles towards Indian federal structure.

Constitutional Framework: In the issue of regional identities and national integration, the nature and functioning of federal power structure occupies an important place. The foundations of federalism were laid down on the grounds of concern for the unity and integrity of a culturally diverse nation. In view of historical experiences of disruptive and disintegrative sectarian forces and the context of partition prevailing at the time of independence, the founding fathers of the Indian Constitution wanted to strengthen against possible pressures. Thus the basis of structuring the federation was "administrative convenience". Unlike the American and Soviet Constitution, the states In India has no inherent, not even notional right to secede from the Union or demand

self-determination. In fact the Union in India was empowered to suppress any such separatist or secessionist pressure if and when they arose.

With administrative convenience the avowed guiding principle for designing the federation, not much weight was given to the need for reflecting India's cultural design. No specific provisions for religious or cultural minorities were incorporated, except that they were given equal rights. The principle of "preventive discrimination", applied in case of schedule castes and schedule tribes, was designed more to undo their social and economic backwardness then to help them to preserve and promote their cultural distinctiveness.

The Constitution's initial provisions and subsequent amendments provided for self-government under special administrative provisions for the tribal areas of North East, Naga's, Mizo's, Manipuri and Tripura under Articles 371 and 371A-I was turned down by the Constituent Assembly refused to endorse proposals for constituting states on a linguistic basis. In 1953 the linguistic basis of reorganizing states was accepted and was carried forward under the recommendations of the State Reorganization Commission since 1956 and was broadly completed by the end of 1960's. This was the major development towards incorporating cultural identities into political and administrative units. The federal devolution of power strengthened this expression of cultural diversity.

To deal with the feeling of discrimination, the Constitution of India contained a special provision in the form of the Sixth Schedule for the administration of tribal areas. It was meant to protect their communities in the hill areas of the North East. Under it the "tribal" areas were divided into two parts, Part-A, and Part—B. Part-A has autonomous Districts administered by the Government of Assam, with a limited representation in the State Legislative Assembly and in National Parliament. Part-B was by the Governor of Assam acting as an agent of the President of India. The United Khasi and Jaintia Hills District, the Garo Hills District, the Lishai Hills District, the Naga Hills District, the North Cachar Hills District and the Mikir Hills District were placed in Part-A. The North East Frontier Tract, the Balipara Frontier tract, the Tirap Frontier Tract, the Abor Hill and Mishmi Hills Districts and the Naga Tribal area came under Part-B. Tripura and Manipur were made special administrative regions under the control of the central government. The recognition of the states on linguistic terms further aggravated the scene. The tribal areas under the Sixth Schedule got statehood and one by one and became Seven States. The process of getting divided on the line of ethnicity did not stop here. The aspirations of distinct identity, among the ethnic groups resulted in number of movements demanding autonomy.

Challenges: Freedom from the British rule and independence did not bring any solace to the ethnic communities of the region as the dominant nationality suppressed smaller nationalities. The major factors that contributed to the social exclusion and subsequent emergence of ethnic mobilization are the pitfalls of national building process, the faulty modernization process and the nature of nation state. The nation building process undermined the specificities of the ethnic minorities of the region and generated fear among them. The modernization, especially the capitalist modernization weaned away the traditional values, norms and practices which were inherent in the tribal communities. Moreover, the, modern nation state erected arbitrary boundaries in place of traditional ethnic boundaries.

After independence, India's constitutional democracy instead adopting a confrontationist approach followed a policy of accommodation and assimilation. The constitution provides institutional accommodation for the tribal communities of the region through various measures like protective discrimination policies. In Arunachal Pradesh, Nagaland and Mizoram interest of tribal are protected by invoking Inner Line Permit. In spite of all these accommodations, the tribal communities are confronting with multiple kinds of exclusions.

Further, in the process of nation-building some communities were left out either because of their low numerical strength or due to low bargaining power with the power structure. Though the postcolonial states initiated a number of policies to ensure "inclusiveness" for discontented communities, did not yield much result. In case of North East States, while the Union was trying to construct national identity, the smaller identities moved in opposite direction when they felt that they are about to lose their identity. Various ethnic groups are seeking larger space in the state and are trying to protect their peculiar identity.

The post-colonial development process tried to integrate and assimilate ethnic communities towards the mainstream development process ignoring their cultural and economic specificities. The centralized Planning Commission and the capitalist modernization further lead to the exclusion of various tribal communities. The indigenous way of development was disturbed by the penetration of capitalist development leading to under-

development, displacement of communities from their settlement and livelihood and erosion of community life.

In some parts of North east, the issue of regional identity assertion is related to the migration that resulted in the sense of exclusion. Since independence the region witnessed migration of Bangladeshis, Nepalese and migrant workers from Uttar Pradesh and Bihar. The 'insider 'and 'outsider' syndrome crippled the social, political, economic and cultural life of the tribal communities. The threat to their survival due to illegal migration created further social exclusion. Apart from creating the feeling of 'us' and 'them', it led to the alienation of natural resources and cultural specificities of ethnic groups leading to identity crisis.

The problem of ethnicity is further aggregated by region consciousness aroused by the elites, especially the middle class (Singh, 1998, Baruah 1991; Sharma, 1990). In context of North east middle class are the promoter of regional identity movements. For instance, the Assam movement emerged as the Assamese middle class movements whose interest was mostly affected by the migration of outsiders. (Baruah, 1991).

Another dimension of the regional identity formation is the dominant communities allied with the state power exclude certain groups from accessing resources, institutions and opportunities generating a feeling of exclusion. In such situation smaller groups assert for resources and opportunities. This assertion of marginalized identities and its extremist posture are giving a new dimension to state politics. In this context, democratic policies are overshadowed by regional and ethnic politics.

The various policies made by the Indian government are always a matter of discontentment and fear of losing their identity among the ethnic groups. The diversity of the north east region makes it extremely difficult to formulate a policy that can be followed uniformly throughout the region, although the region is often mistaken as a homogenous entity of tribal's settled in the hills. Since independence the Indian government has adopted several policies towards the region. Scholars of the region often question as to how a country has a policy towards its own? In Mrinal Miri's words (2001),"To whom, or for whom, do you have a policy? What is the object of the policy? ....The Northeast is the part of this country and at the same time we think that the people of North east should be made the object of the policy". He reiterates that human beings do not have policy towards the family members and friends. To be made an object implies that the people of the region are not in relationships of human concerns such as love, friendship, understanding of the others, but in relationship of the manager and the managed where the idea of management and idea of policy are almost the same. (Miri, 2002: 920)Policies are made to derive some advantage and manipulate for benefit.

It is, however true that the Indian government has adopted several policies towards the region since independence and many of these policies have changed in the past decades. Such policies were basically measures to solve the problems of alienation, insurgency, ethnicity and regional identity and to bring about economic development in the region. Both internal and external factors are responsible for the formulation and abandonment of such policies. The policy of "leaving them alone" to the development initiatives based on state- centric security approach has kept the region isolated and under developed.

Recommendations: No regional groups of Northeast seriously consider formal independence as an option from Indian federation. India's constitutional framework is practically workable and has stood the test of time and will remain so for future. However certain features allowing for the protection of specific identities need to be implemented in their letter and spirit for satisfying regional aspirations. This will alleviate their perceived sense of alienation and fear of loss of identity.

Fear psychosis and other apprehensions to great extent have led to the rise of regional identities and militant outfits. A vicious cycle has been created wherein so called threats to identity and perceived step motherly treatment by the mainland and Central government have led to the growth of fissiparous elements. This has in turn constricted the opening up of the Northeast, particularly the tribal areas of the region, resulting in deteriorating security milieu and economic backwardness. As against this negative scenario, there is a shining example of modus Vivendi between the tribal's and the State government in Tripura. Once the tribal's of Tripura were given political and socio-economic space through the Tripura Tribal Autonomous District Council, the militant activities of the National Liberation Front of Tripura and All Tripura Tiger Force became controlled.

The Union Government should therefore reiterate its commitment to uphold the Constitutional provisions enshrined in Article 371, expand the scope of the Sixth Schedule: concerning the tribal areas of the region and empower the autonomous council institutions. This will put at rest the fears among the regional people on their resources being taken out of the region without providing and concomitant benefit for their own economic development. Conflicts like that between the Centre and Nagaland over the extraction of petroleum, which saw Nagaland claiming that its rights under Article 371are being violated and the Centre invoking the Minerals and Mines Development Act (Note: enacted under the powers vested in the Union government as per the Union List Serial 53 of the Constitution) would then not arise. Moreover, enhanced administrative and financial empowerment of these councils is likely to lead to deeper sense of involvement of the people of these units, with their own socio-economic progress and programmes at the national level and improved developmental outcomes.

The division or splitting up of the present North –East States to satisfy local or regional identity at the sub-state level is no solution. Emotive consequences are likely if such divisions are attempted of States like Arunachal Pradesh, Assam, Meghalaya and Manipur to satisfy some regional aspirations. Instead Centre's endeavor should be towards highlighting the Constitutional protective measures and devolution –cum –empowerment at sub-state level to impact significantly the lives of the people. A solution which satisfies some regional aspiration but leads to anxiety and apprehension among the others who might be in harmony with the existing state structure has to be avoided.

The North-East has to be treated differently considering its historical backdrop and geopolitical realities. Some Central institutions is require to put in place that provides for appropriate interventions in the realm of infrastructure development with funding support under the aegis and oversight of federal constitutional structure. While the basic administration system remains with the autonomous councils where they are established and with the State government in the area where the council do not operate. A revamped North Eastern Council, an institution created under an Act of Parliament in 1972, could be one such instrument for this purpose. This would satisfy the need for introducing accountability and democratic practice into the conflict resolution machinery in the North East.

Conclusion: To conclude in a multicultural nation like India Federalism ironically appears to be looked upon both as a bogy and as savior. The realization that the people of North East needed special support to have their voice heard in a large polity in which they had little contact, was evident since independence. The demands for regional identity are not out of blue. They are the outcome of certain internal contradictions in pre-colonial, colonial and post post-colonial Indian situation. . The political history of Independent India does not offer a more radical example of meeting local aspirations. While there is always room for creative 'political solution' of perennial regional problems through building of consensus and continually enlarging the scope of 'democratization', it is doubtful if political paradigm admits further radical innovations. To meet the regional aspirations of the people of North East the government of India has so far adopted two models of autonomy-one in the Sixth Scheduled districts and another the autonomy enjoined with the state as provided under the Constitution of India. The Sixth Schedule model has been a progressive constitutional arrangement. But on closer scrutiny, the model has several inherent drawbacks. The provision that all laws and regulations made by the district councils require the consent of the State Governor appears to be a major drawback. More progressive in the implementation of internal self-determination policy could be a better solution for regional identity demand and challenges. The goal of internal self-determination is not the breakup of existing state, not the estrangement of peoples, but their rapprochement, the establishment of friendly relations and cooperation between them. The internal right of self-determination can be implemented through various mechanism and arrangements within the framework of a nation state and ultimately be a powerful tool for genuine democracy.

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GENDER PARITY: MENTAL AND MORAL DEVELOPMENT OF MEN + EMPOWERMENT OF FEMALE AND TRANS GENDER

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Abstract: This paper, 'Gender Parity: mental and moral development of men + empowerment of female and Trans gender, makes an effort to realise the long wished goal of gender equality. It enunciates how mental &moral development of men can not only end to the widening gender inequality, but also end impunity; and how female and Trans gender empowerment can help development of the society as a whole. This paper makes an attempt to promote the message of personal empowerment by personal development of an individual, regardless their gender.

Keywords: Development, Empowerment, Equality, Moral.

Introduction: *Gender:* First of all, when we talk about gender, in anyway, let us not forget the Trans gender. Gender is the sex of a person. There are three kinds of biologically determined sex- female, Trans and male. This, 'sex dichotomy' led to differentiating genders as masculine and feminine in nature, where masculinity is considered formidable and femininity is considered pleasant (often understood as weak), this further takes us to the concept of 'gender roles', the torch bearer, leading us all to the ultimate blunder of Gender inequality.

Gender determines what is expected, allowed and valued in a women or a man in a given context. In most societies, there are differences and inequalities between women and men in responsibilities assigned, activities undertaken, access to and control over resources, as well as decision-making opportunities. Gender based assumptions and expectations generally place women at a disadvantage with respect to the substantive enjoyment of rights, such as freedom to act and to be recognised as autonomous, fully capable adults, to participate fully in economic, social and political development, and to make decisions concerning their circumstances and conditions.[1]

Gender Inequality: In 2017, India fell 21 places in global gender equality report of the World Economic Forum's, 'Global Gender Gap index, ranking 108 in 144-nation list. India ranked 87, in 2016.
The global gender gap widened this year, for the first time since the World Economic Forum's index started. "*A decade of slow but steady progress on improving parity between the sexes came to a halt in 2017,*" it said.

Gender inequality refers to a legal, social and cultural situation in which sex determine different rights and dignity for women and men, which are reflected in their unequal access to or enjoyment of rights, as well as the assumption of stereotyped social and cultural roles. These affect their status in all areas of life in society, whether public or private, in the family or the labour market, in economic or political life, in power and decision-making, as well as in social gender relations. In all societies, women are in an inferior position to men.[2]

It has created a visceral of considering female and Trans gender as secondary or weaker sections, in comparison to the male. This seed is so deeply and prolifically sown that even today it continues to be an intolerable, sweltering issue! It not only hinders with personal development of an individual but also, with development of the society, nationally and globally, as well.

Inequality leads to injustice, and injustice leads us to revolutions. Similarly, this ancient evil of inequality on the basis of gender takes away from every individual (men women and trans) their liberty to make a choice, or even to have an option. This has given birth to worldwide gender revolutions, like Women's Liberation Movement, feminism, Trans revolution etc. These revolutionary movements have a common goal which is to create equality of all sexes in every aspect of life whether political social, economic personal or professional, by empowering women and Trans gender. They do not seek to establish superiority by opposing to other gender, as

some might think, but to create equality of all genders by opposing the oppressive and dominant sexist mentality.

Gender (in)equality concerns all humans (men, women and Trans). It is a human right issue.

Gender Equality: Gender equality means that the rights, responsibilities and opportunities of an individual must not depend on their gender. Gender equality is not just a 'women's issue', it also concerns Trans gender and men as well. It is not a fight of one gender against another. It is, and always have been, a fight against the sexist mentality. We all have equal rights, duties and dignity, which must be valued and respected, as we want our own to be valued and respected.

Gender equality is not just a purpose, but a process and we are all part of it. This process includes twelve steps, to cover the gap, from being a theory to becoming a reality:
1. Recognise that your opinions are not always error-free
2. Accept the flaws in yourself and in the society
3. Educate yourself
4. Adjust your thinking
5.   adapt a broad mentality and tolerance for all kind of people
6. Know and modify your thinking, if you have a problem with a community, identity or sexuality
7.   improve your understanding
8.   reconstruct new thoughts according to the new world, for the upliftment and development of all
9. Practice equality, justice & harmony in your daily life
10. Fight discrimination and injustice
11.   preach equal human rights for all
12.   evolve with the ever changing time, for the betterment of all and self.

Women and Gender Equality: The struggle for equal rights for women has turned out to be the oldest, which also makes it the longest struggle to have existed on earth. Even today when so many efforts, for so long, have been, and are still being, made nationally and internationally to empower women and to bring gender equality, still not a single country can claim total parity in any sphere.

The position of women has always been, and still is, secondary to men. It is one of the most widespread and dehumanizing discrimination which has a strong impact on every aspect of their lives. Women's Movement and feminism played a major role in triggering women empowerment, giving women greater power to balance the long prevailed inequality.

Women empowerment aims to eliminate forms of oppression based on gender and to gain for women equal economic and social status and rights to determine their own lives, as are enjoyed by men. Women empowerment focuses on providing women their rights and equal position in the society, by equal opportunity and ending discrimination of women. Many programs & organisations (NGO, government and international organisations) have come up to support women empowerment. Equal and fair treatment of individual, regardless their gender, is a necessary condition to achieve the highest form of civilisation.

Myths and Reality about Feminism: It is wrong to assume that feminism concerns just women. Feminism, once, did started to define, establish, and achieve political, economic, personal, and social equality of sexes; seeking to establish educational and professional opportunities for women that are equal to such opportunities for men. It was a movement that aimed at empowering women, by claiming equal rights and freedom for women, just as men. This was the time when most feminist were women, along with some men, which gradually with time increased.

With the increasing number of feminists (women, men and trans), today, the meaning and scope of feminism has also widened. Feminism, now, does not supports the equal rights and freedom of women only, but also holds and supports equal rights and freedom for trans and men as well. With the passage of time and better communication it has been noticed that Men actually does suffer a lot, emotionally, due to the pre-defined notion of "masculinity". There are certain, so called, "feminine" feelings that are assumed to be incompatible with masculinity, therefore makes it unsuitable and unnatural for men to have the "feminine" feelings *such as*

crying, sharing feelings, being emotional, showing concern or care, choosing to communicate instead of being violent to resolve a matter, etc. This differentiation between femininity and masculinity is so wide that, something as natural and neutral as *feelings* is not spared from this dichotomy. The pre defined and assumed notions of both, femininity and masculinity hinders with the freedom of a person, to be themselves, in both men and women; which is equally unfair and intolerable. Feminism seeks to fight the feminine and masculine dichotomy and establish an environment of *neutrality,* fair and impartial to all.

Trans and Gender Equality: Being a transgender is *unreasonably hard*. In most countries, like India, a trans kid/adult is abandoned to live far from the "dignified" society, homeless or in a separate transgender community. Trans gender for far too long, and still, have not been accepted as a natural third sex among us. They are often looked down as a disgrace, and are discriminated from living a normal life. They are considered unfit to live in a family, society, get education, go to a doctor, have a friend outside their community, a right to work and even banned from entering religious places. Not only this, trans gender are also not allowed to use the rest room that they identify themselves with; or have a completely separate rest room for themselves. Even though, in a few countries, they are now "allowed" to receive education and work at a regular workplace, they still face unnecessary discrimination, bullying, sexual harassment and are ill treated in every possible way. The problem in such demeaning condition of trans genders lies in the attitude of the society. The society exhibits an ignorant and apathetic attitude towards their existence. This 'out of sight out of mind' mantra here has become a major obstacle for empowering the trans community.

What can be done?
The fact that, even today a whole community is suffering for being the gender they are, is a proof of the failure of the existing social order. We might be too late to correct the past and give back the life trans gender community always deserved, but still we're not too late to uplift the quality of their lives today and for the future.
• Awareness should be raised about Trans gender community and the hate crimes towards them.
• Efforts should be made by educational institutes and otherwise, to educate children and youth, as well as the adults about transgender and gender non-conforming people, and other the issues associated with identity or its transition.
• Trans community should not be isolated from the rest of the society. Their existence should be brought into the daylight and in our daily lives.
• Government should implement necessary programs and laws to empower transgender community, improve their life quality and stop violent & discriminatory activities against them.
• Individually, we must all accept them as one of us, because they are.
We need to accept the fact that being a Transgender is equally normal and dignifying, as being any other gender.

Men and Gender Equality: Gender equality will not benefit only women and Trans, but in reality, men also benefit from gender equality as they too face gender-specific issues. Gender equality is needed for complete development of the society. Too much ink has been spilled and efforts have been made, worldwide, about women & Trans empowerment. There is undoubtedly improvement in the condition of women, in few countries; still we are far from the ultimate goal. It should be acknowledged that this improvement in the conditions of the female and Trans genders would not be possible without valiant efforts of all three genders together.

The reason why equality is still not, yet, fully attained anywhere, even after so many efforts is because empowering women and Trans genders is only half of the work. The other half of the work is – 'mental &moral development of men'.

To prove, or dismiss, this hypothesis that *mental &moral development of men* is necessary to achieve gender equality a questionnaire survey was conducted (in both hindi & english) through online and personal meetings. Shown below in fig.1

Fig.1

Why The Child In The Questionnaire Was Specifically A Boy?

In an Indian society, prolifically, a boy child is given more preference than a girl (trans gender are, again, out of the question). A boy is not brought up just as a regular child, but like a valuable asset that brings the family a lot of pride and honour, just for being born as a boy. So, because boys are considered so valuable and looked up with such pride, specifically in Indian society, we wanted to know, will the people choose a school full of the men, who were once, looked upon in the same way when were boys.

Result: 85% of the participants chose an all-female school, 'SCHOOL-B', a better option for their son.

Conclusion: The reason for not choosing an institute full of men were, mainly, related to lack of compassion & sensitivity, and the safety of their own son. This helped us realise that the way a boy is brought up is completely different from that of a girl. Because the reason why the participant picked an institute full of women was because of their sense of compassion & sensitivity, and quality of creating a safe environment, completely opposite why they did not choose school A, full of men.

The area of difference in the upbringing was related to the checking on behavior and freedom.
Boys, unlike girls, are not checked strictly for unacceptable/ bad behavior. They are given not only more freedom compared to girls, but also, sometimes, given unchecked freedom. Unlike girls, boys are not taught that there are always consequences to their actions. This, overlooked, unchecked behavior & freedom for boys makes them *fearless* > then *punk> violent>* and finally unsafe with time, for even a child.

Note: This has nothing to do with their caliber and talent.
Something right must be happening in the parenting of girls (in an Indian society) that everyone who participated trusted their most valuable thing with the girls. Keeping equality between boys and girls is often interpreted wrongly as, to give girls same unchecked freedom like the boys. When it is actually, and should be, about to check the freedom and behavior of the boys just like the girls.
The discrimination in the parenting/upbringing of the boys and girls, by the parents & society, is not only working negatively for the women but also for the men.

Results: As mentioned above this survey was taken online and through personal meetings as well.
Case 1: People who did not consider gender inequality as an issue, and therefore refused to fill the questionnaire (On the basis of personal interviews):

- It was noticed during the survey that people who did not consider gender inequality as an issue resisted to participate after reading the questionnaire. After cross questioning, it was observed that this resistance and refusal, to give their views for the questions asked, was because when they read the situation and the options given to them in the questionnaire, this group of people, *couldn't choose School A (*which was contrary to their thinking that gender inequality affects neither men or women)*, and did not wanted to choose School B* (because this was, again, contrary to their thoughts that the existing stereotypical social order is faultless and successful). With further cross questionning, they responded in either an arrogant manner or joked about it.
- The problem, as observed, was that they weren't ready to accept the fact that their thinking was actually, proved flawed, by themselves, when they were unable to choose School A; and since they cannot recognise that their could/might be an error in their judgement (the first step to the gender equality process) they were naturally restrained themselves from accepting the grave damage gender inequality has caused (second step to gender equality process).
- **Conclusion:** Participants of Case 1, formed the **majority** out of all the four cases, of the results. The ignorant & apathetic attitude, with the immutable prejudicial belief system stands out to be the biggest challenge in the way of achieving gender equality.

Case 2: Participants who did not fill the questionnaire (Online only):
- People were reached out both personally and online via social media and emails. **9%** of the total, people reached out electronically, did not wished participate as while some couldn't relate to the questionnaire others found the data insufficient.

Explanation: The questionnaire was called IMAGINE; it consisted of a hypothetical situation to prove, or dismiss the hypothesis that mental and moral development needs attention in men. If this condition was revealed to this set of people, that might have influenced their thoughts. Therefore, their decision of not participating in the survey was accepted, and respected.

Case 3: Participants who chose SCHOOL A: **6%** of all participant, chose SCHOOL A, and honestly shared the reason & concern, why and why not.
- Why?
The participants were of the view that since the child is boy, it is important to give him a masculine environment for unerring upbringing.
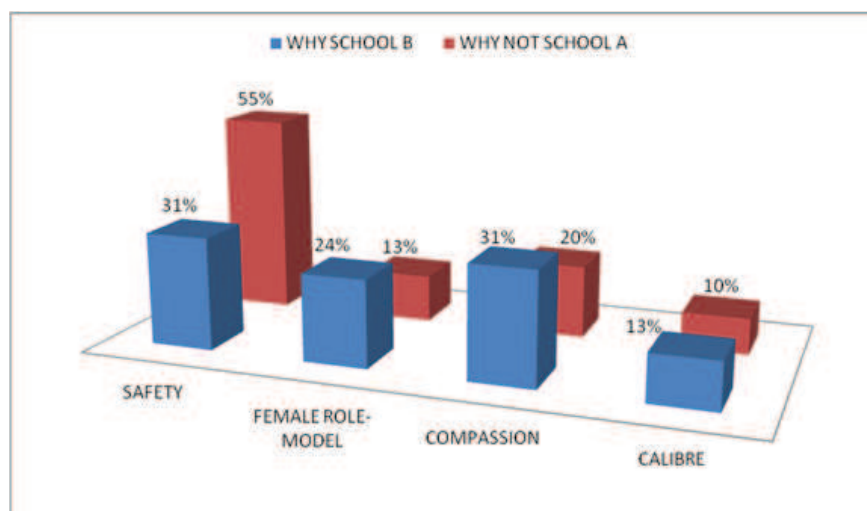- Why not school B?
The participants shared a similar view here as well, that by sending their son to an all-female school would compromise with the masculine behaviour of a boy, which is needful to exist in the society.

Case 4: Participants who selected SCHOOL B: **85%** of the total participants chose School B. The reasons for why selecting school B and why not school A, respectively, could be categorised under four similar headings,
1. Safety concern
2. set example of female role model/ Women empowerment/Inculcate feeling of respect towards women
3. Quality of compassion/ sensitivity
4. Calibre

The data according to the *reason* for 'why school-A' and 'why not school-B' is shown, below, in Bar Graph1 :

Bar Graph 1

The reason of safety and compassion dominated in both questions of *why school B and why not school A*.

- Where 31% chose school B because they were concerned about the *safety* of the child, 55% did not choose School A because of insecurity for the same reason.
- Whereas 31% chose school B for the reason of *compassion/sensitivity*, 20% did not select school A for the lack of same reason.

Conclusion: *Case for Mental Development of Men:* The questionnaire consisted a clear division of male and female sections. The people were put into a hypothetical situation, where they had to make an unavoidable choice between male and female; which one of the two, will they trust, to be the best option for their "most valuable asset" *their son*.

During the personal interviews where most women showed an enthusiastic spirit about the survey and shared their views and suggestions, majority of men (not all) on the other hand were obscure and showing resistance. It turned out that prolific male section, still, is incongruous with empowerment and equality of all genders. They showed an arrogant contempt towards gender (in)equality and exhibited an indolent behaviour towards women and Trans empowerment. Some went as far as calling gender (in)equality as futilitarian. This reaction of men towards the issue brought us to the conclusion that, mental development of men regarding gender (in)equality and its importance, is much needed for realising the goal of equality.

Note: during the personal interviews both patriarchal women and men who supported women empowerment and feminism, were found. The above case is based on the majority basis. Awareness and awakening is needed in people, both men and women, who do not think that gender (in)equality is an issue and the patriarchy is justified.

Case for Moral Development of Men: Apart from mental development, the survey result also indicated that moral development calls for an urgent attention in men. Very often it is fallaciously assumed (socially, politically, professionally and personally) that men are more calibrated than women, and trans gender are not even considered, yet. But when the survey was conducted, every single person who participated happened to choose the female division i.e., School B.

A huge number of 55% of participants were of the opinion that they will feel unsafe for their son in an all-men school. They were concerned about the safety which therefore, questions the morality of men. Apart from safety another 20% of the participants who chose School B, questioned if men will be sensitive, compassionate or patient enough to take care of a child.

75% (55% + 20%) participants, both Men and women, who chose school-B weren't ready to trust their child, with men alone because they would worry about lack of safe and compassionate environment. Whereas the 6% who chose school-A, picked an all-male school only cause they were concerned about fulfilment the masculine nature of the boy, and none had doubts about an all-female school's calibre, compassion or safety.

Calibre/ capacity went out of question, in both cases, when compared with moral and humane nature. It stood at lowest concern of people when clear division of the two genders was made.

The survey revealed that both women and men are doubtful about the sense of compassion and morality in men. Not all men lack these qualities, not all men are immoral or uncompassionate, but still people were doubtful, when it came down to trust their most precious thing with men.

Men are not born with a lack of compassion and morality. What has made this a peril condition in men is, the rigidly pre-defined "masculine" environment and manner they are brought up in. Boys, in Indian society, from a very young age enjoy impunity and are hardly taught that there are consequences to their actions. As they grow up, with time this freedom to act without rationally thinking becomes dangerous and an obstacle to the other genders (including men themselves).

What Can Be Done?

- Don't only raise awareness among women and trans gender about the women empowerment, trans empowerment, gender (in)equality, their significance and importance but also raise awareness men. This will help to develop or widen the perspective of men regarding gender differences and their affects on the whole society, including themselves.
- Parents and society must not take away from their boys the freedom to be expressive and emotional. This in the later years not only prove to be dangerous towards the society but for themselves as well.
- Men should be checked for violent or unacceptable behaviour, rather than keeping unhealthy *boys will be boy's* attitude. This will help to end impunity among men.

The condition in the questionnaire was a hypothetical situation, to prove, or dismiss, the hypothesis. The survey results not only proved the hypothesis true but also, made us realise about this overlooked and under estimated menace.

In reality, everyone agreed that both are equally important, but when clear distinction was made between the two groups, one group seemed to be more preferred. And what differentiated the two groups was not their calibre but, their morality and sensitivity. There is no doubt in the real world *a perfect balance of all three genders is an ideal condition, to create a perfect environment for all of us to grow and prosper.*

This balance is needed, to live in harmony. Balance not in a way that men holds the capacity for brain, women hold the capacity for heart, and trans gender will hold the, often ignored, soul. But, a balance of brain, heart and soul in every individual; though the hierarchy of holding the three elements might variate from person to person. No one person could live a fully evolved life, or even a peaceful life with just one of the three elements fulfilled. All three elements are essential and needs equal nurturing in every individual. To achieve this balance, according to the above explained research, women and transgender empowerment, along with the mental and moral development of men is necessary.

Some Thoughts Shared by the Participants of the Survey:

"Intersectional feminism is perhaps the only way to reach egalitarianism at least in terms of gender parity. But we need more awareness, more education and more active participation in such cause at both individual and mass levels."

Sayan Banerjee, 26
Student, Kolkata

"Let people be themselves"

Mansi Gupta, 25
Student, Carnegie Mellon University, Pittsburgh

Vishakha Sharma, 25, Lecturer, Gov. of Rajasthan

"God doesn't discriminate between a girl and a boy. It is we who always raise our girls to be sweet and boys to be strong. And we assume a sweet girl should bear all the torture and a strong boy can do all the torture."

Puja Bansal, 26, Marketing Head, Novatree Esolutions Pvt. Ltd. Kolkata (WB)

"Equality is not the absence of differences, but respect for all."

Diksha Singh, 23, Stenographer, Directorate General of Mines Safety, Ajmer

"Both the genders, as created equal, have equal importance. Any one of the genders, if suppressed, would create imbalance"

Avinash Jain, 40, Senior Divisional Engineer, Indian Railway, kolkata

"There is disparity, women are better; because men can't beat women in caring, sensitivity, motherhood and ability to give birth a child."

Niharika Sharma, 25, Assistant Professor (English), R.K. Patni College Kishangarh (_RAJ).

"The world needs matriarchies to become a better place to live in."

Rashmi Awasthi, 21 Student, Sophia Girls College, Ajmer

God has given us diverse genders, we should accept this with obeisance, and believe in equality.

Charul Joshi, 24 Student, King's College, London

"Equality, liberates both men and women from the shackles of societal prejudices and definitions of femininity and masculinity. Only together can men and women obliterate the patriarchal fangs of society. Equality, therefore is in the interest of humanity. It has the power to set everyone free."

Saurabh malkar, 30 Intern, Modern Diplomacy, Mumbai.

"Efforts to bring about gender equality shouldn't overthrow the male-female dynamic and destroy the nuclear family – both of which have served as cornerstones for modern, industrialized society."

Thoughts by the Authors of This Paper:

Veena Gurnani, 33 Lecturer (Home Science)St. Mary's Convent Sr. Sec School, Ajmer (Raj)

"Gender Equality is not a fight of one gender against another. It is, and always have been, a fight against the sexist mentality. We all have equal rights, duties and dignity, which must be valued and respected, as we want our own to be valued and respected."

Madhulika Jain, 25 M.A. (Political Science)

"Gender Equality is not just a purpose, it's a process, and we are all part of it. Awareness, education and practice of it must be adopted in our daily lives to create an environment of neutrality, fair and impartial to all. Every life is equally valid, and no one is more important than other."

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INDIA'S NEIGHBORHOOD POLICY: WITH SPECIAL REFERENCE TO BHUTAN

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Abstract: Neighborhood, which can be categorized further as immediate and extended neighborhood, is a complex term and is quite difficult to explain. India's neighborhood policy characterizes its close socio-cultural, political and economic relations with the neighbouring countries and threats to her national security by them. In a nutshell India's neighborhood consists of seven South Asian countries namely Afghanistan, Bangladesh, Bhutan, the Maldives, Nepal, Sri Lanka and Pakistan. Although India tries to maintain cordial relations with all its neighbours but the relationship which it has uphold with its tiny Himalayan neighbour is something that can be placed in the category of a unique one. On account of their geographic location, Bhutan and India are natural partners and their future is inseparable. Although, quite often it has been incorrectly stated that India has played a game of one-upmanship with Bhutan, that is trying to act as a big brother of Bhutan, that later is a 'pygmy' and India being a 'giant' in South Asia has always tried to dictate its terms and decisions over Bhutan, but the authenticity of the matter lies in the fact that both the countries have throughout the decades of mutual association played roles that have been complimentary to each other. Both the countries have withstood the test of time and have sustained their age-old friendship. Even after Bhutan becoming a democracy, the basic contours of relationship has not changed and Prime Minister Narendra Modi's maiden visit to Bhutan also highlighted the importance of this Himalayan kingdom for India. So, this particular paper would analyze the very foundations of the relationship between the two, how the two countries have nurtured their relationships and what efforts have been made by the present Indian government till date to further solidify their age old friendship with Bhutan?

Keywords: India, Bhutan, Friendship, Neighborhood, Policy.

Introduction: In modern times no state can avoid involvement in the international sphere. This involvement must be systematic and based on some well-defined policies and principles. In the contemporary world scenario all the states maintains among themselves some kind of relations. The Government of each nation tries to behave in a meticulous manner while dealing with the government of other states. The adjustment of the actions of states in favour of one's own state has been said to be the purpose of foreign policy. A country's foreign policy, as every other policy, is not static, but subject to constant change according to the needs of the changing world situation and the country's own requirements. This applies equally to India's foreign policy. No doubt, India formally emerged as an independent country in August 1947, but the basic principles of its foreign policy has been evolved during the period of colonial rule itself. India gives highest priority to her neighbours. This centrality of neighbours in India's foreign policy stems from the clear understanding that a peaceful periphery is essential for India to achieve her multifarious developmental goals. Moreover, India firmly believes that a stable and prosperous South Asia will contribute to India's own prosperity.[1]

India's Policy with Its Himalayan Neighbour-'Bhutan': South Asian or sub continental system, India is a major power while other states has always been much smaller in terms of size, population, economic strength and military capabilities (In Basrur 2010:12). The policy of India with its neighbour Bhutan has been very friendly, peaceful and cooperative one. It is believed that 'Bhutan's relations with India have historically been both deep and extensive' (Rahul 1997:45). "Relations between nations have often been described to harbor dormant political ambitions that are seldom made public. Incidents of nascent political ambitions invisible to the astute diplomatic eye is not a novel phenomenon. However in the midst of such difficult conditions caused by intricacies of 'realpolitik', lie certain bilateral relations that are relatively free from the skirmishes of egocentric domestic political aspirations. The bilateral relations between India and Bhutan present a scenario of contentment in which two neighboring countries coexist peacefully with political goals and democratic aspirations in harmonious equilibrium' (Bandopadhyaya 2009:1). Owing to their geographic location, Bhutan and India are natural partners and their future is inseparable. The close ties that bind India and Bhutan go back to the dawn of history. Situated to the south of the high Himalayan ridge, the two countries share the same ecosystem and have similar political, security and economic interest. In recent time, the process of modernization of Bhutan

with Indian cooperation has created indissoluble bonds between the peoples of the two countries. The relationship has nurtured to a point where today one can confidently predict an ever-expanding and deepening relationship between Bhutan and India in the decades ahead (Rabgye 1998: 285). . If one was to underline the objectives of India's Bhutan policy, three tiers can be identified. The first tier is security and economics (the phase which was dominant during the early years, when Bhutan was cautiously and gradually moving closer to India); the second, connectivity—both in terms of infrastructural and socio-cultural linkages; and the third, energy and environment. While the first tier has received significant attention in past engagements, the second and third tiers of discussion and partnership are consequences of improved India-Bhutan bilateral ties and will be in the spotlight in the coming years.

Genesis of the Relationship: Indo-Bhutanese relations had their genesis in 1772 when Bhutan attacked Cooch Behar and the later asked British help to counter this aggression (White 1909: 264-65). This contact grew further when a treaty was signed in 1865 and also when in 1907 Ugyen Wangchuk became the king of Bhutan. On 8th January, 1910, the two countries signed a treaty at Punakha to counter Chinese advances and this gave control of Bhutan's external relations to India, then ruled by the British.

Treaty of Peace and Friendship 1949: The withdrawal of the British from India in 1947 opened a new chapter in Bhutanese history. It was now for Bhutan to choose a subordinate status vis-à-vis Tibet, or have sovereign independence, the latter being a status she could automatically have claimed on the abrogation of Treaty of 1910 with Britain (Singh 1988:242, 243). When India became independent in 1947, the old treaty i.e. Treaty of Punakha which was concluded in 1910 between India and Bhutan was supposed to be revised or modified. The forcible occupation of Tibet by China lent urgency to review old Indo-Bhutanese ties. Traditionally, Bhutan followed a policy of isolation, or perhaps better termed a policy of withdrawal from international politics to preserve its independence and distinct identity. Its geography protected it and allowed it to apply this policy successfully during the colonial years. But strategic developments in the Himalayan region in the 1950s moved Bhutan away from this tradition (Ahsan and Chakma 1993:1045). This treaty finally provided a basic framework to this relationship.

Indo-Bhutan Policy towards Each Other Since 1949: During the Nehruvian phase of Indian politics, Bhutan choose to adopt a cautious wait and watch policy, and ultimately send a signal to India regarding its decision to move south rather than northwest towards China. While the security undertones in keeping China away and a calculated move towards opening up to India continued for almost three decades, the overt dependence on India was soon debated domestically, and in late 1970s and 1980s Bhutan fervently sought a more diversified foreign policy. With democracy taking roots in Bhutan, this particular trend continues prominently even today, thus demanding greater attention. This is a significant development, given that India is Bhutan's largest development and trading partner.

Treaty of 2007: The treaty actually which laid the foundations of the relationship between India and Bhutan, which was signed in 1949, got renewed in the year 2007. This treaty not only reflected the contemporary nature of India and Bhutan relationship but also laid the foundations for India- Bhutan relationship for future development in the 21st century. There is a section of scholars in both the nations who argue that the decision of renewal of the treaty was a forced one and it was not based on mutual consent. But the story is not the same as they believe. The treaty has been modified with altogether a different motive. A clause was there in the treaty of 1949 i.e. clause 2 which the scholars and analysts perceived as controversial was the main factor behind the renewal of the treaty. more diversified foreign policy. As has been increasingly witnessed in the past few years, the economic footprint of India has been an issue of much deliberation, debate, critique and also appreciation in Bhutan, with many stakeholders discussing the consequences that such development interventions and patterns of engagement engender for Bhutan. Assumptions apropos alleged interference by India during the 2013 elections in Bhutan, and the debates associated with the phenomenon of rupee crunch it has been witnessing for the last five years, which is suggestive of an overhauling of Bhutan's domestic sector, are two cases in point. The late 1980s also saw Bhutan, with Indian support, initiate its first hydroelectric project with the Kurichu dam. While the economic relationship, although beginning as development aid, had started way back in the 1960s, it started taking a new turn by the 1990s, when two more hydropower projects were commissioned—the Chukha and the Tala (Bisht 2016:108).

Treaty of 2007: The treaty actually which laid the foundations of the relationship between India and Bhutan, which was signed in 1949, got renewed in the year 2007. This treaty not only reflected the contemporary nature

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The Governments of India and the Royal Government of Bhutan have signed the India-Bhutan Friendship Treaty. This Treaty updates the Treaty which was signed in Darjeeling on 8 August 1949. The signing of the India-Bhutan Friendship Treaty marks a historic moment in relations with Bhutan. The Treaty reflects mutual desire to enhance relationship. . The 2007 Treaty between India and Bhutan not only put emphasis on hard areas but also put emphasis on soft areas. The revision of Treaty of Friendship with India in 2007 clearly reflects the level of maturity this relationship has attained and also demonstrates the level of confidence that the two countries have in their relations.

Policy under the Current Regime: The relationship between India and Bhutan presents a beautiful picture decorated with love, pleasure and affection. This relationship is unique as it has helped Bhutan to grow, to come out of its self-imposed isolation and to march forward on the path of progress and development. Indo-Bhutan relationship has withstood the test of time and both the countries have helped each other in times of need. Even after Bhutan becoming a democracy, the basic contours of relationship has not changed. And the decision of the newly elected Prime Minister of India, Mr. Narendra Modi to choose Bhutan as his maiden foreign destination has again demonstrated the significance of this small Himalayan State. The visit indicated the importance of Himalayan nation in the strategic calculus of India. Often, neighborhood escapes high profile visit as India's attention remains diverted to broader foreign policy issues involving other major powers. This shift has two important dimensions which need to be kept in mind while analyzing broader parameter of India's engagement with its neighbours. First, it signals that the neighbourhood is going to be extremely important as a part of initiative to chart economic development and bolster internal security. Second, choosing the tiny Himalayan neighbour Bhutan as his first destination underlines that India acknowledges its solid friendship with Bhutan which has significantly cooperated in the counter insurgency initiative by denying space to the Indian insurgent groups in the past. Bhutan's relationship with India in this context is truly all weather. It is not further characterized by the usual anti-Indianism which the elites in neighbouring countries use to make political business nor has Bhutan ever adopted a balance-India policy by engaging with China (Pattanaik 2014: 1).

For Bhutan, Narendra Modi's visit was very significant as to ensure continuity and to be sure of India's adherence to earlier agreements in the face of a change of government in New Delhi. The visit also provided a glaring opportunity to understand the foreign policy priorities of the new Prime Minister. Student- exchange program and cultural exchanges between India and Bhutan will also play a dominant role in producing new leaders for Bhutan. Also, Mr. Modi's initiative to promote tourism between Bhutan and North-eastern states of India through various ways like organizing annual sports hill festival can play a significant role in promoting the socio-economic progress through newer enterprises and employment opportunities. Additionally, the steps that have been initiated to boost up the tourism between the Northeastern states of India and Bhutan across the beautiful Himalayan belt can play a significant role in socio-economic progress through creating scope for settling newer enterprises and more employment opportunities, infrastructure development and foreign exchange earnings(Sen 2014).

Conclusion: It can be said that India's policy towards Bhutan is of support and kindliness and it has always showed a friendly gesture towards it. It has helped Bhutan in coming out of its self-imposed isolation and to establish a unique and sovereign identity of itself. Right from independence till date, both the countries have been cooperative with each other and have not let the anti-social elements to destroy the beautiful tale of their friendship. Although there are certain issues which can be a source of tension in between both the nations but this can surely be manage by both the countries on the basis of mutual negotiations and discussions. The relationship between both the countries has withstood the test of time and hopefully this will remain so in the years to come.

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FEMININE MYSTIQUE AND ITS IMPACT ON ODIA WOMEN: AN ANALYSIS OF KUNTALA KUMARI SABAT'S 'KALI BOHU'

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Abstract: This paper aims at presenting the impact of feminine mystique in the lives of Odia women of the early 20th century taking instances from Kuntala Kumari Sabat's novel *Kali Bohu* (The Dark Bride). Feminine mystique as observed by Betty Friedan is deterrent for the growth of American women. But in other cultures too this mystique has a great influence in the lives of women. It fetters them in the domestic circle without letting them realize their potential. Friedan in her 1963 book *The Feminine Mystique* suggests, education to women can enable them realizing and properly utilizing their potential. Kuntala Kumari, an early 20th century writer and activist had realized the role of education in the lives of women and inspired them to acquire the same. Through the protagonist of her novel she has depicted how education has changed her life and she emerges as an iconic figure towards the end of the novel.

Keywords: Feminine Mystique, Kuntala Kumari, Odia Women, Education, Self-Realization.

Introduction: The term 'feminine mystique' can be defined as the qualities like delicacy, humbleness, beauty, tolerance, motherhood, etc. associated with women. Feminine mystique says that the highest value and the only commitment for women is the fulfillment of their own femininity. However, the critics view that being captive in the feminine mystique leads a woman losing her identity within her family and domesticity. This concept of feminine mystique is found everywhere irrespective of geographical and cultural boundaries. The mystique which Friedan talks of in American culture may differ in Indian culture but its impact and essence remains the same. Friedan feels, in America the mystique derives its power from Freudian concept of psychoanalysis. While on the other hand the feminine mystique in India is said to have a scriptural origin. Since most people in India were uneducated or less educated none had ever thought for a proper and correct understanding of the scriptures. That's why the patriarchs or especially the brahmanical forces who are said to be the guards of religion took an upper hand in the society.

This article makes an attempt to analyze the novel *Kali Bohu* (The Dark Bride) of an early 20th century Odia litterateur Kuntala Kumari Sabat from a feminist perspective. Like Betty Friedan, Kuntala provides a liberal solution to the women's issues which is reflected in her works. She too believes that proper and adequate education to women will help them to be freed from the fetters of the feminine mystique. Although the mystique regarding femininity is purely a patriarchal construction, the women accept it silently without even realizing its impact on their lives. Qualities of an ideal wife and woman are prescribed to them as scriptural formulations. In the name of safeguarding women they are made handicapped and kept enchained within their domesticity. Various socio-religious and socio-cultural evils which could help controlling and ruling over women were heartily welcomed and practised. Irrespective of so much inequality in gender neither Friedan nor Kuntala Kumari wanted to disturb the balance of their societal structure and demand an upper hand for women. Their sole aim was to demand adequate education for women so that they could identify their potentialities and contribute their toil and intelligence for the growth of their family, society and nation building.

Kuntala Kumari Sabat: Kuntala Kumari Sabat, a well known Odia litterateur and activist has also carved out her name in the pages of Indian history as the first lady doctor of Odisha. She has inspired numerous women to cast aside the age old superstitions and bondages which keep them shackled, and choose a life where their potentialities can be best utilized. Right from her childhood Kuntala was perceptive regarding the women's issues. Her stay at Khurdha enabled Kuntala to come in close interaction with Odia people and develop an inclination towards their culture. Her friendship with Odia girls and women helped her to minutely observe their situation and create Lakshmi, the protagonist of her *Kali Bohu*. The contemporary 19th and the early decades of the 20th century were the gloomy periods for Odia women because they were the chief victims of socio-cultural evils. Except for a selected few, most of the women in common parlance were uneducated and enchained by

the scriptural prescriptions of the patriarchy. For them it was impossible and also inauspicious to break that chain, because it would invite misfortune for themselves and their family.

Lakshmi in *Kali Bohu*: The novel *Kali Bohu* not only tells the tale of its protagonist Lakshmi but also presents a lucid picture of the then society, its customs, beliefs and its patriarchal treatment of women, especially the high caste widows. It also talks about some new awakening and reformations in the societal front that were gradually entering to Odisha. Although some evil practices were there in every strata of the then Odisha its impression was mostly found among higher castes like *Brahmins* and *Karanas*.

Lakshmi the darling daughter of Achyuta Mishra, a well to do man in his area becomes a widow at the age of ten. As per the Hindu custom, her ornaments and coloured sarees were taken away from her and she was forced to follow a life of celibacy. She had to observe *Ekadasi* throughout the year. Regarding Lakshmi's *Ekadasi* the author says, "*Ekadasi*, the day for the widow to observe fasting without taking even a drop of water arrived. … Lakshmi was very delicate; fasting made her frail, but the parents could do nothing except shedding tears. Yelling, "water, water", the girl fainted; a drop of water was poured into her ear; but no attempt was made to moisten her parched throat" (*The Dark Bride*, 58).

If a widow performs the rituals of her widowhood, she is well accepted in the society, no matter how painful that ritual may be for her. Apart from *Ekadasi*, in the month of *Kartika* (October- November) Lakshmi had to observe *habisya* by taking food only once in a day. Regarding her attire she had to wear a white coarse borderless saree. In sheer helplessness she curses herself, "Why didn't I, who is unlucky since birth, die in my mother's womb? Providence decreed my birth in a Brahmin family. I became the cause of grief for my parents" (59). Lakshmi's friend Durlava consoles her telling about the go of the contemporary world, "Lakshmi, scriptures are meant only for us, the women. In the Hindu society, scriptures are like knives at our throats" (59).

Kuntala compares the status of women in the ancient Indian culture with her contemporary period. She raises some just issues regarding women; if a society runs following the scriptural formulations then why does the same society create distinctions between the status and treatment given to women then and now? If polyandry was accepted in Indian cultures then why can't a child widow remarry? Kuntala has raised these issues by citing examples of Kunti, Satyabati, Draupadi, Damayanti, etc. "In this India where Damayanti's swayamvar was arranged, because of her husband, though alive had disappeared, a child widow had to remain a widow forever. On this soil of India, where there was no dearth of husbands for Kunti and Satyavati, even though they had given birth to their offspring before marriage, and where another woman's chastity was not lost though five husbands together had married her, it was feared that society would fall into an abyss if a child widow accepted a second husband" (74).

Kuntala believes that the uplift of women is possible if the men folk of the society awaken and allow women to realize their potentialities. She voices her opinion regarding women's liberation through Sadananda, a saintly figure in *Kali Bohu*, "You call upon them to enter the public sphere of work; you will see that their presence would vitalize men, and charge ordinary duties with religious fervor. When this happens, dormant India will rise from its stupor like a lion" (75). Kuntala also suggests men to cast off their selfishness and accept women as their partners. "The solution lies in giving up your selfishness, in your casting off your arrogance. Instead of taking the lame excuses of scriptures, you should ponder over the matter calmly and restore to women their rights. Only then would you be able to make progress. … Accept women as men's partners., let the meaning of terms 'partner' and 'co-worker' as defined in Hindu scriptures be realized in practice" (75).

Betty Friedan, advocates women education as an ideal solution to avoid the chains of feminine mystique. Due to this women would live their lives like human beings and not as sexual objects alone. However, those women who live through the prescriptions of the feminine mystique lead a married life which is relatively unhappy. "… a relatively poor chance of married happiness or of sexual fulfillment, or of orgasm, for the women whom the mystique encouraged to marry before twenty, to forgo higher education, careers, independence and equality with men in favour of femininity" (*The Feminine Mystique*, 399). To bring a reformation in the society Kuntala too wants, "… that child widows should be re-married, elderly widows should take charge of social service and welfare activities of the country; the task of rearing babies should be left to them; and married women should be educated to be the real partners of their husbands" (77).
Since in India the concept of feminine mystique is closely associated with its scriptures, the women fear to go against the scriptural prescriptions without any proper knowledge and understanding of it. Some high sound-

ing words like chastity, virtue which are associated only with women do not allow them to go against their society. Those women also think of the scriptures as if they are the words of God. Kuntala presents such thinking in two instances when Durlava consoles Lakshmi as, "Don't talk like this, my dear. Are lies written in scriptures? If you say so Gods will bring you misfortune" (59). In another instance Saraswati a resident of Shanti *Kutir* says, "Father! Would not a Hindu woman lose her chastity if she married a second time? Would she be regarded as a virtuous wife?" (76). Men fix rules for women claiming them to be the scriptural prescriptions and in a similar fashion women too follow them blindly without ever challenging this patriarchal claim. However, regarding widow remarriage some *slokas* of *Parashara Samhita* says, "On receiving no tidings of a husband, on his demise, on his turning an ascetic, on his being found impotent or on his degradation – under any one of these five calamities it is canonical for women to take another husband. That woman who on the decease of her husband observes the Brahmacarya... attains heaven after death. She who burns herself with her deceased husband resides in heaven for as many *Kaalas* or thousands of years as there are hairs on the human body or thirty five millions" (Nancy Gardner Cassels, 276). The *sastras* to which the patriarchy has made its weapon to keep women subjugated sanctions widow remarriage.

Kuntala while initially presents the predicament of Hindu widows in the garb of Lakshmi, towards the end of the novel she presents Lakshmi as a confident and self actualized woman. She feels that Lakshmi had enough potentiality to do something good for herself and the society. What she needed was only a mentor to identify her worth and also make her realize of it. In the course of time when Lakshmi reaches Shanti *Kutir*, an abode for widows, children and destitute she came in contact with Sadananda and Shanti Devi who provided her education and training so that she could evolve as an independent woman. Shanti Devi while making Lakshmi realize the value of one's life, Lakshmi said, "Mother I always think that my life is futile, a worthless burden on the world, that I am a nuisance to the society I live in. But listening to your words, I feel that my life, too has a purpose. Think of the home, the society I was born into, and see where I am today? Is it not a prank of God" (79)? In Shanti Kutir, Lakshmi not only found shelter to lead a contented life but she also emerged as a facilitator for other women like her. Regarding the service of Lakshmi, Kuntala says, "Girls improved through her instructions. Widows were purified by her perseverance. Peace pervaded Shanti *Kutir*. The lives of hundreds of women were exalted through service, training in crafts and education. The life of Lakshmi, who was a helpmate to the needy, mother to the orphans, and a provider of solace to the afflicted, was today radiant with glory" (80). The change that came about in Lakshmi's life was due to education and training through which she was able to realize her potentiality and use that for the betterment of the society and nation. Lakshmi from an ordinary widow became a reference point for other Odia women.

Conclusion: Kuntala belongs to a culture where women were given much freedom than the Odia women. She was a "Christian by birth but a Hindu/Odia by heart" (*Kuntala Kumari Granthabali*, 14). As a woman, Kuntala stands apart from her contemporary women due to her unique thought and treatment of women's problems. She was one of the pioneers of women's emancipation and liberation in Odisha. Similarly, Friedan though belongs to American culture, has an urban upbringing. But the samples of her case studies were the sub urban house wives and Friedan has portrayed their predicament. As of Kuntala she too articulates the suffering of Odia women caused by their family and society. In both the cases, education remains as the sole solution to the sufferings of women.

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PINK REVOLUTION OR FOOD FASCISM IN INDIA: A CRITICAL ANALYSIS

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Abstract: The disputes and claims about the question of ruling out cow slaughter in India are an extremely explosive, opinionated and controversial, with cow being sanctified as holy by most Hindus in the country. Just about, all the proponents call for a national codification of the absolute ban on cow slaughter and other cattle. They seek Directive Principles of State Policy to implement an economic and agrarian argument to defend their demand. It is however, remarkable to note that it has always been much of a religious issue rather than based on the rationale of scientific temper or agriculture.

The apex court believed that the fundamental rights are not intruded by the directive. But the ambiguity to the residue of the verdict is if the prohibition on cow slaughter and other 'milch and drought' is made purely on 'usefulness' and 'scientific' grounds i.e. cows of all ages and cow-calves are completely forbidden while buffaloes, bulls and bullocks could be butchered when they become futile, then, why the criterion of usefulness was not similarly made applicable to slaughtering of cows? Are Courts still trying to intact the Hindu religious sentiments?

The fresh rules of the government disallows the commercialization of cattle for slaughter at animal markets which blatantly breach the Prevention of Cruelty to Animals Act by expressly barred what that Act permits. Under our constitutional design, "agriculture" and "the preservation of stock" plunge within the exclusive legislative expertise of the States. This is the grounds why, historically, diverse cow slaughter laws [1] have been took place by different States. It is to get around this that the Central government has called upon the Prevention of Cruelty to Animals Act, a subject on which both the Centre and States can make laws.

Considering to the Supreme Court decisions, the issues one needs to address is not whether or not the judicial intrusions and proclamations on ruling out of the 'cow slaughter' are constitutional because they are in consistency with the different interpretations of Art 48 and erstwhile directive principles of the Constitution, but whether they are unconstitutional as they supplant certain non-negotiable fundamental rights [2].

This paper initially peeps at the judicial discourse on sheltering cows from being massacred by examining the Supreme Court decisions, post- independence, and way back from 1955 to the most recent one. It also shed light on the fact that on what grounds the Directive Principle on the 'Organization of Agriculture and Animal Husbandry' in all this, Husbandry' has been calculated so efficiently, so as to allow a 'reasonable' restriction on fundamental rights of few groups, and if this restriction justly is 'reasonable'

Keywords: 'Beef Ban', 'Useless Cattle', 'Restriction', 'Secularism', 'Agrarian Argument'.

Introduction: Socio-economic justice is primarily attained through the stiff shell of the Directive Principles of the State Policy by the executive. Justiciable fundamental rights are reverse of explicitly non-justiciable principles that aimed to guide elected representatives towards advancing socio-economic conditions. Article 21 of the Indian Constitution, known for "expanding horizons" has encompassed plethora of those rights which never existed and one such is "right to live with dignity". The environmental challenges amid the "looming US withdrawal from the Paris Climate Change Agreement", "27 per cent rise in seawater temperature in the last 30 years", and "constantly ascending pollution in urban spaces" and underlining the disagreements between countries over the Paris Pact and emphasizing that "despite (many) rounds of negotiations", "we are not able to substantially manage the ecology"[3]. "The primary reason for this failure," the editorial argues, "lies in the limited focus of the environmental discourse on science or economics, without considering the philosophical aspects of it"[4]. Through judicial interpretations, various Directives have been granted justiciable facets including right [5] to livelihood [6]. Few Indian public institutions through Supreme Court's activism have shown desire and competence to recover social and economic conditions.

Nevertheless, following much reflection on the issue, a total ban [7] on cow slaughter found the place in the directive principle of state policy and not in fundamental rights. There was one small, snag, however: fundamental rights were meant to inhere in human beings, not animals. Few like Syed Muhammad Sa'adulla argued that this inclusion of the protection of cow on the economic basis is being satisfied by the back door and is

reflective of Hindu religious sentiments. Still, it is alleged to have a secular character. As of today Art 48 of the Indian Constitution reads as follows [8]: *'Organization of agriculture and animal husbandry: The State shall endeavor to organize agriculture and animal husbandry on modern and scientific lines and shall, in particular, take steps for preserving and improving the breeds, and prohibiting the slaughter, of cows and calves and other milch and draught cattle'.*

Primarily, the statutes of three states namely, Bihar, Uttar Pradesh and Madhya Pradesh were challenged for the prohibition of cow slaughter by the butchers and its subsidiary undertakings on the bases of the infringement of significant rights of Part – III i.e. Art.14, 19(1) (g) and 25 of the Indian Constitution . The court made the point that an absolute prohibition devoid of any test for the usefulness or age of cattle was 'excessive restriction', but still the upheld a total ban on the slaughter of "cows of all ages, and calves of cows"(but not of other cattle). The court ruled that [9]: *'..a total ban on the slaughter of useless cattle, which involves a wasteful drain on the nation's cattle feed which is itself in short supply and which would deprive the useful cattle of much-needed nourishment, cannot be justified as being in the interests of the general public.'*

However, 47 years later, in Mirzapur judgment, it was determined by the courts *that 'milch and draught'* cattle are not tested on the basis of their usefulness but in terms of their functionality and therefore court supplemented the protection of other cattle as well. Thus, it is unconstitutional to voice that after certain age bullocks, bulls and buffaloes are fit for neither and hence can be slaughtered. Significantly, it was noted by the Supreme Court that large sections of Christians, Muslims and Scheduled Castes and Scheduled Tribes consumed beef. The Supreme Court discarded these arguments and maintained the laws, but it did so by converging its reasoning completely on evident economic considerations. Featured analyses of agricultural output and milch yields cause these judgments a worry, almost unreal quality. If the court was reluctant to admit and to maintain the possibility of non-economic considerations behind such laws, as though this would wreck the thin disguise of secularism to which the Constitution continued seemingly committed.

It is mistimed that there continues to be a momentous detachment between what is claimed and is desired and what is essentially done. If a nation is involved in an inappropriate and rash action, which efficiently inflames a sizeable section of its population [10], can fail in achieving its objective. The purpose of the government is also under suspicion as it casts a doubt that if these rules were to stop cruelty to animals, then why their extent limited only to cattle? Farmers, too, opposed the move to restrict trade in markets only to animals meant for agricultural use, saying they cannot directly access slaughterhouses [11]. Farmers normally bring their redundant animals to livestock markets from where traders purchase and transport the cattle to abattoirs [12].
The sheer idiocy of such short-sighted means was cleverly emphasized by Justice J.C. Shah in 1969, in words that must be carefully read: "*The sentiments of a section of the people may be hurt by permitting the slaughter of bulls and bullocks in premises maintained by the local authority. But a prohibition imposed on the exercise of a fundamental right to carry on an occupation, trade or business will not be regarded as reasonable if it is imposed not in the interest of the general public, but merely to respect the susceptibilities and sentiments of a section of the people.*" [13]

Thus, can the directive principle on the protection of cows in India be drawn as a 'reasonable restriction' to limit fundamental rights and does the latest legislation on the same not arise in breach of the spirit of the Indian Constitution refusing certain communities their basic human rights? The answer lies in the agony caused to the millions employed in the cattle industry, who were not indulged in slaughter of cows anyhow (Apart from 10 states which allow slaughter of cows with restrictions, most occupied in the cattle industry, slaughter bulls, bullocks and buffaloes etc for consumption or export of meat, leather etc) [12] and now would be left unemployed and devoid of a livelihood. The impact of *gau rakshak* vigilantism and the cow protection agenda is borne by some of the deprived communities in India [13] – the Muslims and Dalits. Against this backdrop, it is pertinent that judiciary seems impartial, sustaining constitutional values instead of religious ones. The logic behind this research is that in order to save our holy cow from a merciless massacre, people of the country are adopting violent means such as lynching, slaying, consequently to fight for their basic human rights. Thus all the rulings of the courts, amendments of the government and spirit of the constitution fade away.

Thus, the Constitution does not envisage a complete ban on the slaughter of cows but only seeks to prevent or prohibit the slaughter of a particular class of cattle. To completely eliminate the consumption of beef would be unconstitutional as it would deprive a sizeable section of the society of their right to consume the meat of their

choice. The contention that though the politico-legal treatise [15] on cow slaughter in India appears established on an agrarian and economic line of reasoning with the efficacy of cattle at the core of these debates, the political mobilization exercising the *'cow'* as a symbol of amalgamating a religious group, evidently revealing this merger of the religious aspects of cow slaughter, with vote banks and dominance.

Conclusion: Although the population of fine indigenous cattle breeds of India nose-diving each year, the cattle populations of Ongole, Gir and Kankrej breeds in Brazil keep escalating though traded from the Indian subcontinent. There are ample of laws to "preserve" cows, beef ban and banning slaughtering of cows. Except nine [16] states, rest of the country has a ban on all cattle slaughter. As a result of the adoption of the directive principle under article 48 of our constitution, hindrance is conspicuous with the fundamental right to trade and livelihood of an entire section of communities including Adivasis, Dalits, Christians, Muslims and several other castes (many of whom are too scared to admit they eat beef) reliable on that trade. It is only hastening the decrease and downfall of the cattle ownership amongst farmers across India, accompanied by the *'buffaloisation'* [17] in bovine populations by these actions. The cattle slaughter bans and the bans on transportation of cattle across states deprive the farmer of any resale value for their cattle.

On the other hand, India's beef production is most sustainable and least ecologically harmful in the world. Primary objective is to produce milk and milk products and then beef as a by-product of buffalo rearing livelihood practices. Threats to inflict a nationwide prohibition on beef consumption and cattle slaughter also disregard the close relationship between those who consume beef and those who care for cattle. Several factors viz., depleting grazing resources of common lands and forests, disappearing roles for indigenous cattle breeds in agriculture production as providers of milk, energy, manure and beef, policies to replace indigenous breeds with crossbreds, coupled with a ban on slaughter of cattle in numerous parts of India, have led to tumbling cattle populations [18] and the cow fast becoming a creature of the past. The objectives of these rules are to "end cruelty (to animals) and ensure basic facilities in markets" and "stop availability of animals for illegal slaughter" [19]. Concurring, that cow is a vital agrarian animal and is essential to be preserved but slaughtering supply the food and leather units. Country, diverse like India ought to safeguard its miscellaneous fabric and thus stability is a perquisite.

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ELIMINATION OF CHILD LABOUR IN ANDHRA PRADESH

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Abstract: Children are the future citizens. The degree and welfare and well being of children is indicative of the people of Community. Neglect of the Children's welfare seriously handicaps the prosperity of the Nation. They need our love affection and understanding. The Indian Constitution recognizes the duty of the State for the proper upbringing of a child. The Constitution has laid down the special objective of protection of children from unsuitable employment and moral and material abandonment, so that their tender age may not be abused).

Keywords: Child Labour, Social Mobilizers.

Introduction: Child means a person (i.e. a boy or girl) who is not completed his/her fourteenth years of age. Children are considered as supremely important asset of nation. It is on them the humanity can build a foundation of bright future. Today firm foundation of a just and happier world, we have to take care of generation of Children, who need to be nursed and nourished helped and equipped to play their role in a world of tomorrow. The welfare of the entire community depends on the health and welfare of the child. Their betterment is also the betterment of the community as whole. As Milton has rightly pointed out child shows the man as morning shows the day[1].

Children are the future citizens. The degree and welfare and well being of children is indicative of the people of Community. Neglect of the Children's welfare seriously handicaps the prosperity of the Nation. They need our love affection and understanding. The Indian Constitution recognizes the duty of the State for the proper upbringing of a child. The Constitution has laid down the special objective of protection of children from unsuitable employment and moral and material abandonment, so that their tender age may not be abused[2].

Children of both sex attend the work along with their parents in house, in field and in artisan work. This type of working is not considered as Child Labour. If the children work for consideration or for wages in kind or cash, then only it is considered as Child Labour, poverty makes parents to send their children to work. Child Labour is an age long problem employers prefer to employ children as they are available cheaply. In addition they can exploit them by making work for longer period as they cannot raise their voice. Child Labour is not only concerned to India, it is a global problem[3].

The problem of Child Labour has never been English or an America or an Indian problem. It has been worldwide problem. Industrialization on large scale leads to much maladjustment and one such maladjustments is the employment of children in factories, workshops and in other unregulated occupations. The practice of Child Llabour in India, thus dates back to the Industrial Revolution in the country, since then the demand of Industry for Cheap Labour grew so rapidly and the poverty of the masses became so acute that the tendency to explicit Child Labour among the employers increased in an unprecedented manner and consequently children began to be employed in organized factories and other industrial establishment in large numbers[4]. Constitution of India Prohibited the employment of children in factories etc., in its Article: 24 by standing that "No child below the age of fourteen years shall be employed to work in any Factory or Mine or engaged in any other Hazardous Employment". It is a right against explotation.[5]

The 31st International Labour Conference held in 1948, adopted a Convention concerning Night Work of Child persons employed in Industry. This Convention prohibited the Employment of child persons during the night in Factories, Mines, Railways and Ports. According to that Convention, Child persons between 15 and 17 years

of age should not be employed for a period of at least 12 consecutive hours including an interval of at least seven consecutive hours between 10 p.m. and 7 a.m. India ratified that convention. Accordingly the government amended the Employment of Children Act, 1938, The Factories Act, 1948. In addition to this, the Central Government enacted The Child Labour (Prohibition and Regulation) Act, 1986. This enactment is a Social Legislation which is intended to protect the interest of children because they deserve some protection. The object of this Act is to prohibit the engagement of children in certain employments and to regulate the conditions of work of children in certain other employments. The Act extends to the whole of India.[6]

The first step in the direction of child protection was taken by 'Geneva Declaration of the Rights of the Child, 1948', where in Article 25 declared that mother hood and children childhood are entitled to special care and assistance including illegitimate child. Art 26 of the Declaration provided for free and Compulsory Elementary Education to Children.[7]

Basic rights to the child are denied not because of any perverse social system or lack of bonds of love and affection from those who have brought them into this world, but due to hunger, poverty, malnutrition and large scale unemployment. Majority of these unwanted children are born out of sexual needs of the parents who lack any scientific knowledge of family planning and as soon as they survive beyond the age of 5-10 years they are sold out as commodity, to supplement family income, to provide resources to adults, to bring more such hapless creatures into this world and the cycle goes on.

Children are victims of droughts, famine, disease, lack of organs etc. They are economically exploited by putting them into dangerous jobs on a minimal salary. Deprived of the care-free innocence of childhood and brought up in the atmosphere of fear, beaten and sexually exploited, they are sold to unscrupulous vagabonds to be turned into beggars, camel riders, domestic servants and hazardous jobs like stone quarrying, fireworks units, match factories, carpet weaving diamond cutting, etc. In spite of the resolve the governments of the world and voluntary organisations, the things have not changed and Conventions of United Nations have only created a little awareness.

Government of Andhra Pradesh Steps towards Child Labour: The government of Andhra Pradesh has recently initiated a number of steps to address the problem of child labour in the state. The State Legislative Assembly in March 2001 passed a resolution to end all forms of child labour and achieve Universalisation of Elementary Education (UEE) in the state by 2004.

The state government policy on child labour recognises the linkage between child labour and compulsory education up to class 10. In a report prepared by the Education Department, Government of Andhra Pradesh, it stated that 'the state's plan of action significantly views the entire process of universalising elementary education and elimination of child labour as simultaneous processes. In view of this, the strategies for enrolling children into school invariably incorporates strategies for withdrawal of children from work also. The basic premise governing the programme for universalising elementary education in the state is that parents, even in rural areas, are not only willing but are also capable, in economic terms, of sending their children to formal schools. This implies that elimination of poverty is not a pre-condition for universalisation of education.

Various programmes initiated by the state government to achieve its goal of total elimination of child labour in the state include the Back to School Programme, Residential and Non Residential Bridge Course Centres for 9-14 age group children under DPEP (District Primary Education Programme) and DPIP (District Poverty Initiative Programme), the National Child Labour Project Scheme and Early Child Education Centres. In the year 2002-03, the state government under DPEP and DPIP programmes supported 3,376 Non-Residential Bridge Course (NRBC) centres and 385 Residential Bridge Course (RBC) Centres. The state government has also launched a midday meal programme in 2002 in all the primary and upper primary schools in the state covering 700,000 (7 lakh) children. This programme is meant not only to increase enrolment but also to enhance retention through better nutrition levels and improve the quality of education in the schools.

The present policy stand of the government on child labour looks at the problem and its solution from the right perspective, the necessary efforts have not been made to translate this policy into effective implementation at the ground level. In the implementation of most of the recent programmes launched by the Government, there is a high emphasis on the enrolment of children in schools rather than retaining them. Community

motivation and mobilisation are given secondary importance and it is undertaken as a one-time event. The dry ration (of grains) and midday meal programme have encouraged fictitious enrolment in several places. Due to the fact that less attention is given to community motivation and mobilisation, the residential and non-residential bridge course centres opened by the government on the lines of the 'MV Foundation approach' are not functioning very effectively. The high targets set by the higher officials encouraged lower bureaucracy to report wrong statistics. Several local NGOs who came forward to partner with the government in community mobilisation efforts and mainstreaming of child labour through bridge course centres discontinued their part-nership with the government due to non-co-operative attitude of the bureaucracy.

MV Foundation: The MV Foundation, based in the state of Andhra Pradesh, Southern India, has done pio-neering work on the issue of child labour. It has developed a unique and powerful approach to address the twin problems of child labour and lack of access to full time education.

MV Foundation works with the basic understanding that. Any child out of school is a child labourer' and the only way to eliminate child labour is through full formal education. A set of interlinked strategies have been implemented to liberate children and to enroll them into schools. As part of its overall strategy, MVF mobilises all those concerned with the process of withdrawing children from work and enrolling them in schools: par-ents, teachers, youth, employers, women's groups, elected representatives and the children themselves. This massive mobilisation effort is done with a view towards transforming attitudes and creating an environment that is supportive of children's education. Motivation centres have been established at villages which serve as the nerve centre to bring working children into school. Bridge courses, camps and residential programmes are conducted as part of a process to encourage children to attend schools.

The success of the MVF model can be gauged by the fact that since 1991 up to now the Foundation has worked in over 4,330 villages. In 1,500 of these villages, every child in the age group of 5-11 is attending full time school. In 600 villages all children up to 14 are attending school. Nearly 250,000 children have been enrolled and re-tained in schools, while more than 7,000 bonded labourers have been released. With regard to the issue of child labour in cottonseed production, the contribution of MV Foundation is significant. The exploitation of child labour in cottonseed fields was first brought into light in 1998 by this organisation.

Enforcement of the law is a key strategy. But in the case of the Child Labour (Prohibition and Regulation) Act 1986, there are a number of loopholes, which makes the law ineffective. For instance, the Act says that children working as part of family labour are exempt from the purview of the Act. Research studies have proven that this provision is widely abused by employers who are passing of child labour as family labour. Given the in-creasing informalisation of the labour market with more and more sectors using the sub-contract modality, work is being given to workers at home. Given the dispersed nature of work, provisions such as the one men-tioned above allow all sorts of child labour to be passed of as family labour and thus condoned by the authori-ties. The Child Labour Act must be non-negotiable and the word "Regulation" should be removed from its title so that child labour abolition becomes non-negotiable. In the same spirit the penal provisions must be en-hanced and the enforcement machinery strengthened several times over so that the message is clear that child labour will not be tolerated under any circumstances.

Social Mobilization: Given that eradication of child labour is not an easy task, preventive strategies are more sustainable in the long run. One of the major preventive strategies, which must feature in any national child labour eradication policy, is the role of social mobilization and community participation. If children can be prevented from joining the work-force through the counselling of parents, children and the employers, much of the task of various government departments and ministries would be reduced. It is vital to ensure that chil-dren stay at home and go to formal government schools rather than leave home to work fall time. Since the prevailing social norm justifies the working of children using the 'poverty argument', sustained social mobiliza-tion is required to change this societal norm.

Social Mobilisers: Child labourers are spread across the country; working in dispersed villages and slums. The eradication of child labour cannot be done by the labour department alone, as it is so under-staffed. Labour department needs to have a cadre of youth volunteers who can be trained as **'Social Mobilisers'** who will be responsible for withdrawing children from work as well as monitoring school dropouts and children with ir-regularity of attendance. It is understood that if such children are not tracked they would join the labour force as child labour.

1. Identify and establish contact with child labourers
2. Motivate parents not to send their children to work but to school
3. Persuade employers to release child labourers
4. Organize mobilization programmes at the local levels by organizing street theatre, public meetings and rallies, house-to-house surveys to build up a social norm and a consensus that children must not work.
5. Assist local community groups to organize child rights protection committees which can be the watchdogs of various government departments dealing with child labour eradication.
6. Liaise with local officials in the education, labour, police and social welfare departments and bring problems and identify solutions.
7. Assist locally elected bodies to be vigilant about children's rights and to monitor and review the prevalence of child labour in their areas.
8. Strengthen school education committees (SEC) so that school functioning improves and drop-outs (potential child labourers) are reduced.
9. Bring rescued children to transitional educational centres from where they can be mainstreamed into the formal school system.
10. Follow up of the regularity of attendance of all school going children and establish processes of reviewing through the gram panchayats.

It is proposed to have 5 Social Mobilisers in each of the 6202 Blocks in the country. Each of the Social Mobilisers would be responsible for 200 children and it is envisaged that through their activity the status of more than scrore children would be monitored. The resources of the Nehru Yuvak Kendras could be garnered for this. They could also be trained as education instructors to assist in the transitional educational centres.

Conclusion: Government's policies from several quarters and their and their consistent failure to provide any solution to the problem of child labour, there has been no effort on the part of the Government to modify its approach or to change the policies. In fact, policy makers have gone one step further and announced further plan to eliminate child labour by 2000 A.D., on the same lines as the earlier action planes. This situation obtains because the thought processes of those involved in making the policies have got stuck in a narrow groove defined by the assumption regarding child labour. As long as these assumptions are held valid the policies and strategies will continue to remain the same. It is only when they are abandoned and the problem is observed from a different view point, that of the parent and the child, that a new strategy will emerge.

In the long run it is to the rural areas and in particular the agriculture sector to which we have to ultimately turn. In other words, what is essentially required is to adopt Article 32 of the convention on the Rights of the Child in its true spirit and recognize the fact that any non-school going child is an exploited child. In artificially categorizing some of these children as 'mere' child workers instead of exploited child workers it is often forgotten that it takes very little to convenient the former into the latter. Given these facts, any planned to deal with child labour has to deal with the 90 million non-school going children.

The starting point of any strategy dealing with the issue of child labour can't lie in children engaged in hazardous occupations alone. While this section of children does constitute the most glaring example of the failure of our child labour and education policies they too are only results of a large phenomenon-taking place in the countryside. 80 percent of the child labour and consequently, illiteracy exist in families engaged in agricultural work and we can't afford to ignore this fact. Further, a significant proportion of even these children engaged in hazardous occupation in the urban areas belong to families who have migrated from rural areas. With a large reservoir of working children available in the rural areas any attempt to deal with the problem of child labour only in specific industries and areas of concentrations can at best yield marginal results.

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MARRIAGE AND INEQUALITY: THE NECESSITY TO REGULATE MATRIMONIAL PROPERTY LAW IN INDIA

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Abstract: Men and women form an integral part of the civilized society and they have specific roles in the community. These roles are observed through the existing morals, customs, norms and laws. Though the roles have been changing through the ages, at the present stage most of them have been stereotyped based on gender. Women are supposed to conform to the gender assigned roles and so are the men. Any deviance from the same is generally frowned upon. In the matrimonial space too, though wife was referred to as "ardhangini" and was considered to be half along with her husband of the eternal being under Ancient Hindu marriage, she was mostly confined to household work and their main role was to take care of the domestic chores, bring up children and take care of sick and elderly people. But as society progressed, women broke out from these gendered roles and became part of the market forces. Irrespective of whether the wife is working or not she still has to adhere to the gender assigned role and take care of the domestic work. The pertinent issue here is that household work is not considered to be a value oriented work and that is the primary reason as to why the wife is denied any share in the matrimonial property acquired by the husband after the marriage. Though the wife doesn't make any financial contribution per se in the acquisition of the property her relentless work in the household is easily overlooked in the patriarchal set up. It is time that India adopts the law on matrimonial property so that the wives can get their due and live a respectable life even after dissolution of marriages. This article discusses the status of wife in the Hindu society and the need for matrimonial property law in India.

Keywords: Domestic Work, Financial Contribution, Matrimonial Property, Patriarchal.

Introduction: Men and women perform different roles in the society. These roles are observed through the existing morals, customs, norms and laws. These roles have not been rigid and have seen variance since the ages. In the primitive civilizations, when the sexual relationships between men and women were completely unregulated and promiscuous, "the mother right" was considered to be the dominant principle as maternity was a certain fact but paternity was not. As the society progressed from hunting to herding state, men and women shared their societal role equally. The men involved themselves in agriculture and husbandry whereas women took the charge of domestic chores. In this society descent was calculated through the female line. Furthermore the advent of domestication of animals, breeding of herds, weaving, agriculture and metal-working have generated surplus resources. Slavery emerged at this point leading men to gain more power and property. The acquisition of new wealth led men's position in the household to become dominant. Thus "mother's right" was overthrown quite conveniently and men passed their property to their children through strict monogamy. Besides the women's sexuality was commodified on the basis of their reproductive capacities and the related services rendered by them. Friedrich Engels in his book *The Origin of the Family, Private Property and the State* (1884) states that "the overthrow of mother right was the world historic defeat of the female sex."

Margaret Benston in *The political economy of women's liberation* (1969) has explored the women's domestic labor in a detailed fashion. She maintains that the women folk are equally responsible for the production of simple use values associated with homes and families. Unlike the paid work of men, which produces exchange as well as use value, the unpaid work of women is perceived as superfluous from the standpoint of capital because it produces only use value. It therefore acquires a secondary status as it does not directly produce for the market or command wages.

Within the domestic space men and women share different responsibilities. Even though women constitute a major share in the work force now, she still is expected to conform to the gender roles assigned through patriarchy. Basically the work outside the household comes as an addition to the household chores. For the women who are home-makers the situation is even worse, no matter how much effort she puts in her household in child bearing to child rearing to caring the sick and elderly, it is considered as unproductive, unprofitable and economically cheap. The fact that a woman's work is considered to be of no economic value she is denied any

co-ownership of property with her husband upon her marriage. The concept of matrimonial property doesn't find a place under the Indian legal system. The spouses continue to treat their property acquired after marriage as separate property. The valuation or distribution of property upon the death of the husband or after the dissolution of marriage is referred to as "separation of property" model. Under the present legal regime, there is no corpus of "matrimonial property" over which the spouses can exercise a claim. The disproportionate holding of assets among women is primarily due to the reasons discussed above of not recognizing her household work as a value oriented one, confining her to the domestic sphere and even if she does steps into the job market paying her low wages.

Status of Wife in Ancient Hindu Society: In the Hindu society, paternal power existed in its full swing there is no doubt about the fact. It was probably at its zenith during the Dharmasutra period. One of the most remarkable features of Hindu legal history is the transformation of the patriarchal family Vedic age into the Hindu joint family, which, despite various stresses and strains has survived till date. The Dharmasastra period has marked the beginning of the process by which the patriarchal family was transformed into joint family. The emergence of the joint family, on the one hand, curbed and curtailed the absolute paternal power; on the other hand it provided continuity to the family. It became a perpetual institution which continued generation after generation. The death of the head of the family did not mean dissolution of the family. It merely meant substitution of another head for the deceased head of the family. In the Vedic age the father was the head of the family because it was essentially a patriarchal family and as the head he enjoyed vast powers. There are clear indications in the ancient literatures which prove that the father had the power of life and death over children and all those persons who belonged to his household. Whatever acquisitions were made by children, they automatically belonged to the father. Not only sons but daughters also were under his absolute power so long as they were not married.

The position of wife further detoriated in this period, the husband's dominion over her became more extensive. Still she retained her right of participation in sacrifices with her husband, still she was considered half of her husband, and still it was she who completed him. Yet she passed into the complete tutelage of her husband and he exercised great powers over her including the power of correction.

Wife's Right to Property: Under the ancient Hindu law, the wife passed into the absolute dominion of her husband. Marriage was considered to be a sacrament, a permanent, indissoluble and eternal union. The wife was required to adore her husband even though he was devoid of virtues as he is her lord and master. A wife was never supposed to do anything that might displease the husband irrespective of whether he was dead or alive.

In the year 1937 on the 14th April, The Hindu Women's Right to Property Act came into force. The Act of 1937 was the result of dissatisfaction expressed by certain sections of the society specially the feminists with regard to the discriminatory legal status of property rights of women despite the enactment of earlier legislations. At the very outset it is important to note that the Act conferred limited right to property only on three types of widows- a) intestate's widow's b) intestate's son's widow c) widow of predeceased of a predeceased son. This meant that these three widows could inherit the property alongside the male heirs which was not the case according to the customary laws of the Mitakshara joint family prior to the enactment of this Act. In Shamlal v. Amarnath, (1970) 1 SCJ it was held that a widow is entitled to inherit only a separate property of her husband and not the coparcenary property.

Woman's estate means limited estate, the woman holds property for her lifetime as a limited owner only. After the termination of her period to retain the property, the property reverts to the reversioners of the last full owner. In the Mitakshara jurisdiction, it is an established law that when a partition takes place, the share obtained by a woman on such partition constitutes woman's estate. The Privy Council in Thakur v. Raj, (1886) 11 MIA 140 held that the property inherited by a woman from males is woman's estate. Therefore the characteristic of a woman's estate is that a woman cannot alienate the corpus and on her death, the property devolves upon the next heir of the last full owner.

The persona of the husband after his demise continues through his wife who is the surviving half of the husband and he continues to live through his widow so long as the she is alive. It was this concept of the Hindu law which was sought to be acknowledged and given consequence to by the Act of 1937.

The right of the widow put the 'survivorship rights' of the other coparceners in abeyance and on the death of the widow those rights revived. This piece of legislation not only made the widow an heir along with her sons, but also introduced the widowed daughter-in-law and the widowed grand-daughter-in-law as new heirs. These widows succeed with the sons and before the daughter, the daughter's son and the parents. It was in fact unfair, intimidating and absolutely inexcusable to stick to the theory of limited estate for women in the property inherited by them.

Concept of Matrimonial Property: The Hindu Succession Act, 1956 granted absolute property rights to women over the property inherited by her from her father, husband or over her *"Stridhan"* under section 14 of the Act, thereby removing the disabilities attached to her property rights by the virtue of Women's right to Property Act, 1937 under which a widow held only limited right over her property.
Further the Hindu Succession (Amendment) Act, 2005 for the first time recognized the rights of daughters and equated her with the son by making her a coparcener and thereby giving her an interest by birth in the ancestral property. But neither these legislations nor the subsequent amendments dealt with the issue of matrimonial property.

Under the personal laws of Hindus, a wife's right accrues only when she becomes a widow where she is the Class-I heir under the Hindu Succession Act 1956 or as a widow of the pre-deceased son and takes the share that her husband would have taken had he been alive. She also gets a right to maintenance from her father in law under the provisions of Hindu Adoption and Maintenance Act, 1956 upon the death of the husband out of the ancestral property of the father in law. But during her husband's life, the only rights she gets is of maintenance and in case of dissolution of marriage an alimony which may or may not be sufficient to live her life with dignity.

The concept of matrimonial property states that whatever property is acquired by the husband after marriage, the wife has a share over it which would be determined by the court.

The state of Goa is the only state where the Uniform Civil Code applies under which all the religions are treated equally. The matrimonial property law under the Goan law states that women belonging to all the religions would have a right over their husband's property howsoever acquired after marriage. The law doesn't differentiate between an inherited or self-acquired property for the purposes of division. The Goa model is based on the civil law system which provides for joint ownership as opposed to separate ownership under the common law system. India follows the common law system hence this inequality has been perpetrated against the wife under the institution of marriage.

In the patriarchal Indian society it is typically accepted that upon marriage, a wife belongs to the husband and his family. She becomes the sapinda-gotraja of the family of marriage. Therefore denying her the share in the property is not in the spirit of the marital union.

There are several reasons for not recognizing the concept of matrimonial property in India. Firstly, the gender biased approach favoring men who have been holding the property in their name traditionally. The laws are not gender neutral and leading to the discrimination of women within the marital institution. The second reason is the non-recognition of non-financial contribution of a wife in the household. In a patriarchal society, domestic work is considered to be non-value oriented which is treated as a duty to be done by the wife in the home without any value. Often a wife's non-financial role is considered to be irrelevant and meaningless. In most cases the women are often forced to leave jobs after birth of children or accept low paying ones after marriage just to stay with their husband. These sacrifices often go unnoticed by the society and also by the courts while awarding alimony or maintenance in case of breaking of marriage. In countries such as UK and others in Europe, the courts apply the doctrine of constructive trust to determine how to distribute the matrimonial property between spouses at the time of dissolution of marriage. This doctrine recognizes the non-financial contribution of a woman's work in the domestic sphere like domestic chores, child bearing and rearing taking care of sick and elderly and so on while deciding the share of women in the matrimonial property. Thirdly, the courts in absence of any legislation fail to recognize husband and wife as equal entities, thereby awarding minimum maintenance in most cases. The maintenance amount in majority of the cases is given as a gratification supported by the logic that it is given to an ex-spouse from the property of the husband who is the rightful owner of the same.

Recent Developments in India: In India for the first time, beyond the state of Goa, the Marriage Laws Amendment Bill was introduced in Parliament in 2010 which aimed to recognize the concept of "matrimonial property" among Hindus. The objective of the bill was to vest the wife with a certain share in the assets of the husband that have been acquired by him in the course of their marriage. In the event of the marriage getting dissolved, the proposed bill provided that the wife would be entitled not only to maintenance but also a share in the husband's "share of the immovable property" to be determined by the court. But the bill provided for such a mechanism only for those marriages which were dissolved based on the irretrievable breakdown theory.

Conclusion: There is a need to adopt the concept of matrimonial property in the Indian legal system by giving adequate legal recognition to the wife's non-financial contribution in the household instead of continuing the test of actual financial contribution.

Over the centuries women have been treated as a chattel and have been given minimum rights, their sole purpose was to please the family members and take care of the household chores. They were not considered to be at par with the male progeny in any regard. Slowly with the evolution of Joint family system, their importance also was felt and they were extended certain limited rights with regard to enjoyment and ownership of property. Eventually these rights were substantiated with the enactment of women's right to property Act 1937 and later solidified further by Hindu succession Act 1956. But the major breakthrough came in 2005 when daughters by birth could be the coparcener in her father's property and would be subjected to same rights and liabilities like her brother. Though the amendment was a huge step in recognizing daughter's rights, it didn't create any substantial changes regarding the position of the wife.

It is a testimony to growing feminist consciousness around the world that several common law countries such as Britain, United States, Canada and South Africa have in varying forms and degrees embraced the concept matrimonial property and that India should do the same if substantive as well as formal equality among men and women is to be achieved.

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CHILD TRAFFICKING- AS AN ECONOMIC ASPIRATION OF CITY LIFE (A SOCIOLOGICAL STUDY IN GUWAHATI CITY OF ASSAM)

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Abstract: Indian society has been bogged down by many social evils and one of them is the child trafficking. Child trafficking including commercial sexual exploitation is one of the fastest growing and most lucrative criminal activities in the world. Child trafficking is one of the destructive offences of violation of child rights in our present society. Child trafficking is a global economic crisis that is inextricably linked with the sex industries involving women and children. The universal enslavement of children affects countless numbers of victims who are trafficked within their homes and treated as commodities to be bought, sold, and resold for labour or sexual exploitation. Young girls and women from North East India are taken from their native places to faraway states of India or outside India for bonded labour and for sex business. As per the government of India's statistics in every eight minutes a child goes missing in our country in 2011 and most of them are from West Bengal and North East India. Amongst the states in India, Jharkhand has the highest rate of cases of human trafficking. In this present study affords have been made to discuss the causes of social evils against child trafficking in North-eastern region (Guwahati) and to try to find out solutions or any other remedy to stop this black side of our society like proper education to the girl child, giving good job opportunities, empowerment of women, mental stability to the children who are trafficked, etc.

Keywords: Bogged, Exploitation, Inextricably, Trafficking, Empowerment.

Introduction: For ages the Indian society has been bogged down by many social evils and many of them were pertaining to women and children. Even as India completed 63 years of independence, we are not in a position to call our country a superpower country. It is not hard to believe this because in an independent country like ours, still horrific acts like merciless killing of the girl child and forcing them to work as sex workers. A lot of social evils which have disgraced our history are still very much prevalent. Human trafficking is considered as the third largest criminal industry in the world. It is a problem of not only a single state or country, but around the globe. It has gained tremendous attention in all over the world after arms and drug trades.

Child trafficking is one of the destructive offences of violation of child rights in our present society. Child trafficking is a global economic crisis that is inextricably linked with the sex industries involving women and children. Globalisation contributes to a wide diffusion of ideas and values mobilising international attention to universal issues and challenges. The international Labour organisation estimates that 1.2 million children are trafficked each year. The main international documents dealing with the trafficking of children are the 1989 U. N Convention on the Rights of the Child, the 1999 I.L.O. Worst Forms of Child Labour Convention and the 2000 U.N. Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children. The first UN document specially focused on child rights was the Declaration on the Rights of the Child, but instead a legally binding document. It was more like a moral guide community adopted the United Nations Convention on the Rights of the Child making it the first international legally binding document concerning child rights. The convention consists of 54 articles covering all four major categories of child rights: Right to life, Right to development, Right to protection and Right to participation. It came into force on the 2nd September 1990.

Human trafficking has recently emerged in North Eastern region of India because of the diminishing traditional social values along with large levels of corruption. The corruption is so deep that many law enforcement officers are involved in the trafficking industry. Often women and children have no other option to turn to if they are trafficked. Young girls and women from North East India are taken from their native places to faraway states of India or outside India for bonded labour and for sex business. As per the government of India's statistics in every eight minutes a child goes missing in our country in 2011 and most of them are from West Bengal and North East India. Amongst the states in India, Jharkhand has the highest rate of cases of human trafficking.

Background of Child Trafficking: Child Trafficking is a form of human trafficking. Trafficking in human beings, especially children, is a form of modern day slavery and requires a holistic, multi- sector approach to address the complex dimension of the problem. It is a problem that violates the rights and dignity of the victims and therefore requires essentially a child rights perspective while working on its eradication. Trafficking is the trade of humans for the purpose of forced labour, sexual slavery or commercial sexual exploitation for the trafficker or others. Trafficking in persons is a serious crime and a grave violation of human rights.

Article 3 :

a) Trafficking in persons shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or of receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour services, slavery or practices similar to slavery, servitude or the removal of organs; 3

b) The consent of a victim of trafficking in persons to the intended exploitation set forth in sub paragraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used;

c) The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered 'trafficking in persons' even if this does not involve any of the means set forth in sub paragraph (a) of the article;

d) Child shall mean any person under the age of eighteen years.

What for Children are Trafficked ?

- **Labour:** Bonded labour, Domestic-work, Agricultural labour, Construction work, Carpet industry, garment industry, fish / shrimp export as well as other sites of work in the formal and informal economy.
- **Illegal Activities:** Begging, Organ trade, Drug peddling smuggling
- **Sexual Exploitation:** Forced prostitution, Socially and religiously sanctified forms of prostitutions, Sex tourism, Pornography
- **Entertainment and Sports:** Circus, dance troupes, beer bars etc. As child soldiers or combatants in armed conflicts

Review of Literature: Review of related literature as an important aspect helps the researchers to acquaint and conduct research. It provides the researchers with the aspiration for the investigation and provides data which helps the researches to evaluate and interpret the significance of one's findings. Thus, it becomes important for a researcher to review literature related to the research to help again insight knowledge.

According to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (2000) Child Trafficking is the recruitment, transportation, transfer, harbouring or receipt of children for the purpose of exploitation.

Kevin Bales (2004) Professor of contemporary slavery as "Social and Economic relationship in which person is controlled through violence or paid nothing, economically exploited".

However trafficking report 2003 worldwide children are trafficked for the purpose of performing forced labour of all fields including agriculture, domestic service, construction work, etc in addition to trafficking for commercial sexual exploitation.

Bachpan Bachao Andolan – Nobel peace prize winner Kailash Satyarthi has been at the forefront of the global movement to end child slavery and exploitative child labour since 1980.Child labour is a human rights issue that has staggering effects on poverty, illiteracy and humanity. Mr. Satyarthi's main grassroots movement on "Bachpan Bac hao Andolan," right on issue of saving the childhood and develop a successful model for the education and rehabilitation. Kailash Satyarthi Children's Foundation main vision is "Children can live freely with

dignity and have the fundamental right to be free, safe, healthy and educated." Mr. Kailash Satyarthi's "Bharat yatra" campaign against the child sexual abuse, ensuring protection for victims and exploitative child labour.
For 30 years now, Hasina Kharbhih has been working to provide sustainable livelihood in a safe environment for children. What started out as a mission in her home state of Meghalaya, has today evolved into a global program that aims to put an end to human trafficking and exploitation worldwide.

Her work stands on two pillars: the first is Impulse NGO Network which was conceptualised in 1987 and is a significant force against human trafficking today; the second pillar is Impulse Social Enterprises which aims to promote local artisans and create sustainable livelihood that helps prevent unsafe migration, which often leads to human trafficking.

Trafficker does not have any religion or any race. They are only concerned with money, which they gain from the act.

Objectives of the Study:
1) To understand socio- economic status of the families of trafficked children.
2) To explore the census that lead to trafficking of children in day to day life.
3) To understand the problems of children faced by them in everyday life
4) To understand the state of mind of the trafficked victims with regard to the process of trafficking of post trafficking phase.
5) To know the available social supports to rescue the victims and the post help in their rehabilitation.

Methodology: The study has been to obtain the qualification research method in order to search out to learn to know thoroughly, reasons and motivation behind the problem of child trafficking in the state. It tries to take measures, observation into the problem and help to develop ideas on finding a way for the solution of the problem. Overall study will be mainly explorative but will also be analytical whenever it seems to be necessary to investigate the lead to trafficking of children in a sample in Guwahati City of Assam.
The universe of the study will be under the selection of the trafficked children of Guwahati City in Kamrup District. Data will be collected from both primary and secondary sources. Secondary sources like web search, media, books and journals.

Findings: According to the National Crime Records Bureau and the National Family Health Survey-3, child marriages are a concern in Assam with 1,28554 girls and 1,34,214 boys being married off before the legal age. Addressing the rampant problems of child abuse and trafficking, Hasina Kharbhih, founder of Impulse, an NGO, expressed regret at the many cases that have come to light recently about the rape of minors by family members or close friends.

Kharbhih said the north-eastern states remain vulnerable to child trafficking and exploitation. "Surakshit Bachpan-Surakshit Bharat is the need of the hour to sensitize the people of our country about the magnitude of the crime. Our children are our future and we must do everything to protect them," she added.
Bharat Yatra- Nobel laureate Kailash Satyarthi on September 22 2017 launched the North East leg of his Bharat yatra march against child sexual abuse and trafficking in Guwahati.

Addressing the students of Guwahati University where the march began, Satyarthi said the Yatra is aimed at initiating a mass movement calling upon each citizen to take urgent action to break the unacceptable silence about sexual abuse, exploitation and trafficking of children every day.

Giving statistics about the dismal scenario of child safety in the country, the founder of Kailash Satyarthi Children's foundation said that every hour, two children are reported to be raped and six go missing, while 4.5 lakh children have been victims of trafficking, bought and sold for commercial and sexual exploitation. Stating that children are not safe even in their own homes, Satyarthi said, "even two-month old babies are raped. Many go unreported. This epidemic is kept hidden under social taboo, family and the children's honour".

Some of the Reasons behind Child Trafficking:
• That environmental protection policies of the Indian government had impacted rural communities dependent on forest resources, creating lack of employment for young people

- That due to unemployment, the village youths were migrating to cities and towns with seemingly better opportunities and getting duped and/or trafficked into different destinations
- That children were trafficked more, because they came cheap and either pushed into domestic forced labour or flesh trade
- That there was no system to track their whereabouts and bring them back
- That until we took the matter into our hands, this might continue endangering lives

Flood: More tragically children and young women fall victim to the source of human trafficking. Assam's perennial flood problem has made the state a source state for child trafficking. Nobel laureate and child rights crusader Kailash Satyarthi pointed out that Assam has been a major source for child trafficking owing to the state's huge flood displaced population. These children, the Nobel laureate lamented, finally disappear in big cities as workers in small-scale garment industries or hired as domestic workers. The crime investigation branch of Assam police records list Lakhimpur and Dhemaji districts among the most vulnerable districts to the growing menace of trafficking. With no adaptive mechanisms in place, the impact of climate change compounds disaster upon disaster for the people of Assam.

Organisations Working On It: Impulse Ngo Network (INGON) was started with the purpose of addressing trafficking of women and children of northeast India for sexual exploitation and forced labour, but given the enormity and spread of the problem, their work in this area soon extended to other parts of the country, and around the world as well.

Over the years, INGON has been involved in the rescue and rehabilitation of thousands of women and children, with its globally acknowledged "Impulse Model". The organisation continues to expand by empowering individuals, educating stakeholders, and building capacity across borders, with passion and professionalism – all adding up to reduce the demand and supply of humans for trafficking, and put an end to sexual exploitation and forced labour worldwide. Approximately 77442 numbers of women and children are rescued by the Impulse NGO Network over the years.

Some of the cases from Guwahati of trafficking solved by Bachpan Bachao Andolan team-
Guwahati: Bachpan Bachao Andolan, rescued a 14-year-old girl from Assam from a house in a posh locality of Faridabad, Haryana. The girl is a resident of Satgaon in Karbi Anglong district.
The girl was rescued following a tip-off. She is now lodged in a government home in Faridabad. An FIR has been registered at Faridabad Sector 6 police station.

Assam: New Born Baby Allegedly Trafficked: It is alleged that the minor was lured to New Delhi last year with the promise of a job by a man, whom the girl has identified as Som and as a resident of her village. In Delhi, he sold her to an illegal placement company which first sent her to work as a domestic help in a house in the national capital. She worked there for a year. Three months ago, she was sent to work at Faridabad where she has been working as a domestic help for the past 13 months with no payment, no rest, no permission to step out of the house or to speak to her parents.

According to the minor, the trafficker would often speak to her on her way to and from school in her native village and lure her with the promise of a job. One day he hatched the plan to take her and four other girls to Delhi. He asked her to leave with him after school. On the way to the station when she told him that she must inform her parents before leaving he lied saying that she need not worry as he had obtained her father's consent.

It is now believed that this man has trafficked around 10 to 15 girls from Assam to Delhi in the past few months.

The NGO now hopes to facilitate the girl's interim rehabilitation, help her procure her due wages and get justice and ensure punishment of the people she worked for.

Bachpan Bachao Andolan has rescued four to five girls hailing from Assam from Delhi and Haryana in the past few months. recently they also stopped 15 to 20 girls, allegedly being trafficked, at Dhekiajuli in Sonitpur district.

A Case Study: *A day with the Sex Worker of Guwahati:* Story of one of the sex worker of Guwahati Reshma (name changed. There is no red light area in Guwahati. It's just an interview with one of the sex worker about her life and struggles of being in this field.

She is from Diphu and she was in this field for last almost 17 years. She is 28 now. Her parents sold her to two people. She was eleven years old then. They were six siblings so her parents told her that they were sending her to work. Her parents sold her for a good amount. They bought her to this place and took her to a small stinky room. Till then she got the idea what was happening to her. They whispered something and locked the room. They started looking at her from head to toe. They undressed her and raped her until she bled. Her experience was very painful. They cleaned her up, she was weeping. Then they took her to their boss who is now her boss also. This is where she entered her puberty, her teenage and now she is to be thirty soon. They gave me medicines to get her periods fast and to make her look more mature. She had aborted three children since then.

Then she was use to put lots of makeup and stand with other girls in a row to be chosen by the clients. As she was the youngest among the others she was chosen and her boss use to get a handsome amount for her. She also tried to elope once but she was caught and was beaten up.

According to her unlike other places Guwahati don't have any red light area. But many prostitutes of Guwahati live here so sometimes those who know about this place come here. But this isn't a prostitution area.

She don't get many clients now as she is ageing and there are new girls entering into this field. But it depends. She was taken for a night varying in an amount between 500/- to 1000/-. During festivals, the demand is usually high leading the prices up to 1500/- per night sometimes.

" It's funny how we are considered as the dirtiest people of the society yet every pure and clean man comes to us. Relatives of well-known politicians came twice a week and provided with me, his personal favourite. Once he took me in his car, went on to drive past police check post, with nothing but salutes, and picking up all his fellow friends. I cried all night in pain of what they did to me, treated me like an animal and threw me at the streets of Maligaon so that no one notices them with me. I had to come all way back, I could barely walk, but I had to get ready for next night and after it too, still, he came and treated me like anything in exchange of money, the money I deserved for all that was too few."

Will you Ever Leave This Place If You Ever Get A Chance?
She laughed and answered that her boss will never allow her to go. Even if she tries to elope they will bring her back anyhow. There was a man who used to be her client. He promised her that he will take her from this place. He said he loved her. He used to come almost every day. Sometimes he will just sit near her and they use to talk for hours. She was ready to elope with him. Then one day she saw him with another girl (that girl was new into the business). She was shattered. She realised what was her value. Since then she have accepted this as her destiny.

According to her they were treated like an animal back then, they are treated like an animal even today. This society will never accept them. They are dirty but those who come to them are clean. They are characterless but those who sleep with them are the most decent people of this state. And to be honest they don't even care about a double faced society like this.

Suggestions: Foster the Spread of Education: India has the world's biggest education system, yet sees low literacy due to poor enrolment and high dropout rates - resulting in people having low self-esteem and lack of opportunities. Uneducated parents are easily convinced by conmen to give them a better life in the city (a very common ruse for trafficking). Educated children and their families are much more aware, alert and mature, and they can comprehend the risks of child trafficking quite well. Compassionate and understanding teachers guide children and parents to find opportunities for higher growth and employment, creating a community driven by ambition where traffickers cannot thrive.

Spread awareness among parents and communities -Lack of awareness can create situations that traffickers can exploit. A lot of India's poor children find themselves trapped in substance abuse which can further lead to them getting trafficked. Educated communities are capable of understanding, and effectively responding to the various ways traffickers source children.

Strict Laws to Prevent Child Trafficking: Effective policymaking is critical to reform. NGOs like Save the Children constantly research, document, and showcase findings of the need for reforms and engage with various government agencies, urging them to have better legislation in place for tackling child trafficking.

Encouraging Business to Not Use Child Labour: The ecosystem for child trafficking gets silent approval when demand for child labour is commonly used in businesses like retail, hospitality, etc.

Child Safety: The NGO regularly creates safe spaces and provisions education supplies to enable children to continue with their schooling after disasters, and stay safe from traffickers who prey on their vulnerability.

Conclusion: Child trafficking is one of the worst division of our society. It has spoiled the atmosphere of the country and the lives of the children. Every child has the right to live freely in the world. There should be awareness campaign in the society to aware the parents and the children about the danger from child trafficking. Foster the spread of education so that they can be aware of the trap made by the traffickers. Many organisations and NGO's are working in this concern but still there are long way to go to solve the problem from the society.

Government should take steps to promote free education for the backward class of the society in government schools.

Government should also look at the matter that people get fair payment for their work. Appropriate steps should be taken to create more employment opportunities for adults, so that they can educate their children by sending them to school and the people who are in the line of trafficking because of unemployment would be reduced.

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MARITAL RAPE IN INDIA: A FEMINIST SOCIO – LEGAL CRITIQUE

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Abstract: *Of all the evils for which man has made himself responsible, none is so degrading, so shocking or so brutal as his abuse of the better half of humanity; the female sex - Mahatma Gandhi*
The relationship between Adam and Eve as man and wife has existed since time in memorial and so has the institution of marriage. The role of man and wife in marriage has predominantly been dominated by gender roles of man and woman as historically created and accepted by the society- man dominating the woman; the man going out to work to rear the family and the women staying back at home looking after family. With time we have seen commendable changes, in the gender roles or gender stereotypes as we call it. Women have been accepted as individual having the same rights and obligations as a man both in law and in society. Though we have come a long way from where we started we still have a long way to go. We cannot close our eyes to what happens around us. One such locked closet is marital rape. Also known as conjugal rape it is a rape caused to a wife by her husband. Backed by several theories marital rape is a cruel and abhorrent act and violates the Fundamental and Human rights of a woman. Marital Rape in India is not a criminal offence per se. There exists a critical need to bring about substantial changes, rather bring about a specific and clear law having deterrent effects. The aim and objective of this research paper is to critically examine this existing legal and regulatory framework on marital rape in India. The Research Methodology followed shall be predominantly Non-Empirical, essentially theoretical in nature.

Keywords: Indian Penal Code, 1860, Marital Rape, Feminism, Violence against Women.

Introduction Of all the evils for which man has made himself responsible, none is so degrading, so shocking or so brutal as his abuse of the better half of humanity; the female sex[1].

The relationship between Adam and Eve as man and wife has existed since time in memorial and so has the institution of marriage. The role of man and wife in marriage has predominantly been dominated by gender roles of man and woman as historically created and accepted by the society- man dominating the woman; the man going out to work to rear the family and the women staying back at home looking after family. With time we have seen commendable changes, in the gender roles or gender stereotypes as we call it. Women have been accepted as individual having the same rights and obligations as a man both in law and in society. Though we have come a long way from where we started we still have a long way to go. We cannot close our eyes to all that is happening around us. Yes violence against women exists. The UN Declaration on the Elimination of Violence against Women states that "violence against women is a manifestation of historically unequal power relations between men and women" and that "violence against women is one of the crucial social mechanisms by which women are forced into a subordinate position compared with men". "Violence against women can fit into several broad categories. These include violence carried out by "individuals" as well as "states". Some of the forms of violence perpetrated by individuals are rape; domestic violence; sexual harassment; coercive use of contraceptives; female infanticide; prenatal sex selection; obstetric violence and mob violence; as well as harmful customary or traditional practices such as honor killings, dowry violence, female genital mutilation, marriage by abduction and forced marriage. Some forms of violence are perpetrated or condoned by the state such as war rape; sexual violence and sexual slavery during conflict; forced sterilization; forced abortion; violence by the police and authoritative personnel; stoning and flogging. Many forms of violence against woman, such as trafficking in women and forced prostitution are often perpetrated by organized criminal networks"[2]. The above in form and content covers most acts that can be broadly classified as an act of violence against women. While we acknowledge some forms we like to remain silent especially on those forms which happen within the four walls of our homes. Marital rape is one such dark secret.

Marriage requires that partners treat each other with mutual respect and dignity. The concept of matrimonial rape has existed since the inception of the institution of marriage hidden in locked closets. However, neither in

the past nor in the present have such laws been formed which prosecute a married man for forcing her wife to have sex with him. In India, marital rape is not considered to be an offence. Marital rape exists de facto however not criminalized. A married woman in India has absolutely no laws to protect her against this horrendous act per se and in most cases subject to interpretation by the courts.

What is Marital Rape?
The word rape has been derived from the Latin term raptus that refers to the act by one man of damaging or destroying the property of another man. The word property here primarily refers to wife or daughter of another man.[3] Marital rape, also known as conjugal rape is rape caused to a wife by her husband. It includes use of threat or force by the husband against the wife to compel her into sexual intercourse. The concept finds its roots on the legal principle of coverture which refers to the wife being covered by the spouse once married, such that she is now his property.

Marital rape may be majorly following two categories; Sexual coercion by non-physical means and Sexual coercion by physical means. The first form involves social and emotional coercion by which the wife is compelled to enter into sexual intercourse by reminding her of her duties as a wife. The most commonly used non-physical techniques include making false promises, to end the marital relationship, lies, not threatening conforming to the victim's protests to stop. [4]The second form also known as Forced sex involves the use of physical force to enter into sexual intercourse with an unwilling woman. It includes in form Battering Rape, Force Only Rape and Obsessive Rape.

Legal Framework on Marital Rape in India: Marital Rape in India is not a criminal offence per se. For years, women's organizations have demanded marital rape be made a criminal offence. In a landmark verdict in case of Independent Thought v Union of India and another[5], the Supreme Court criminalized sexual intercourse by a husband with his wife who is under 18 years of age. The decision applies to all faiths and is expected to act as a deterrent against child marriage, which, though prohibited is practiced in several parts of India. Section 375 of the Indian Penal Code, 1860 which defines the offence of rape, has an exception clause that says intercourse or sexual act by a man with his wife, not below 15 years, is not rape. However, the age of consent is 18 years. The Bench of Justices Madan B Lokur and Deepak Gupta read down this exception arguing that it was inconsistent with other statutes dealing with children such as The Prohibition of Prevention of Child Marriage Act (PCMA), Juvenile Justice Act and The Protection of Children from Sexual Offences (POCSO) Act - all these have fixed the minimum age of the girl child for sexual relations at eighteen. Hence sexual intercourse with a girl below 18 years of age is rape regardless of whether she is married or not. The exception carved out in the Indian Penal Code, 1860 creates an unnecessary and artificial distinction between a married girl child and an unmarried girl child and has no rational nexus with any unclear objective sought to be achieved. The artificial distinction is discriminatory and is definitely not in the interest of the female child. It is also in contradiction to Article 15(3) of the Article 21 of the Constitution and our commitments in international conventions. The exception to Section 375 hence should be understood in a purposive and pro girl child. The judges however made no comments on marital rape of a woman who is 18 years of age. By underlining the right of the under aged wife to choose whether she would have intercourse with her husband or not, the husband is put under risk of potential rape charges by his wife or her scheming family. If right of choice is inferred from the girl bride's continued stay with her husband under the same roof, the insistence on the right to choose becomes meaningless. In a matter pending on marital rape, the High Court had asked the Centre to spell out its stand on the petitions. The Centre on making marital rape a criminal offence has stated on affidavit that it may become an easy tool for harassing the husband and that there can be no lasting evidence in the case of sexual acts between a man and his own. The act of criminalizing marital rape would de- stabilize the institution of marriage.

Theories on Marital Rape: *Feminist Legal Critique on Marital Rape in India*: Marital rape as understood is not per se an offence in India .The act has always been justified since ancient times on grounds of socio-economic and cultural factors dominating the Indian Society. The patriarchal dominion of women by men, their treatment as chattel adds fuel to fire. The act attacks the basic Fundamental and Human rights and disregards ideas of individuality and consent. The Chief Justice of England, during the 1600s wrote- "The husband cannot be guilty of a rape committed by himself upon his lawful wife, for by their mutual matrimonial consent and contract, the wife hath given herself in kind unto the husband, whom she cannot retract."[6] Not surprisingly, thus, married women were never the subject of rape laws. A few theories in light of marital Rape would fur-

ther bring out the impact and existence of this horrendous act in society. Contract Theory where generally treated as a contract and one of the conditions of such a contract involved the implied consent of the wife to fulfil the sexual needs of the spouse According to this theory, there exists no concept of marital rape because sexual intercourse between spouses is always considered consensual.Where women treated as chattel, the basic presumption was that the husband was the owner of his wife and therefore could not be said to rape his own property. In Marital Unity theory it was believed that once married, the identity of a wife merges with that of her husband and hence, the husband was considered unable to rape himself. It is said that non-marital rape is more serious as compared to marital rape hence not an offence at all. Marital rape, being a crime of personal nature is very difficult to be proved. The criminalization of marital rape is fraught with potential chances of abuse of the law by wives with ulterior motives to cause hardship to their spouse. Several feminists have time and again stated that sex is a tool with which men oppress women in India. Marital rape has often been linked to issues like exploitation, marginalization often understood as an outcome of power play. The act has often questioned on grounds of cruelty and morality and continues to affect lives of married women.

Recommendations and Conclusions: The Justice Verma Committee that was formed in light of the Nirbhaya gang rape case criminalized various sexual offences but the opinion that marital rape should be made illegal was disregarded completely. The United Nations through its Committee on Elimination of Discrimination against Women had brought about the recommendation that India must criminalize marital rape.

This was solely based on the view of the parliamentarians that criminalizing marital rape would bring under stress the institution and sanctity of marriage and would go against the principles of family harmony. Marital Rape is a cruel and abhorrent act. The act is violates the Fundamental and Human Rights of a woman. The worst part of this abhorrent act is the fact that the victim woman is compelled to live with the accused i.e the husband. Sometimes these cases may lead to unwanted pregnancy. A clear disregard to individual consent this act constitutes an act of physical, mental and emotional cruelty often leading to several clinical and physiological disorders, anxiety issues and may lead to depression. There exists a critical need to bring about substantial changes, rather bring about a specific and clear law having deterrent effects. There is a need for sensitization of women in relation to their rights and the remedies available to them. There is an imperative need to criminalize marital rape as an offence under the Indian Penal Code, 1860. This must be done by way of amending Section 375 of the Code, in light of the recommendations given by the Justice Verma Committee. The punishment for marital rape should be the same as provided for rape under Section 376 of the Indian Penal Code, 1860.The husband should not be allowed to take the plea that there was a lack of resistance or passive consent the wife. Marital rape should be included an explicit ground for divorce under all marriage and divorce laws in India. The Court must carefully scrutinize the facts and circumstances of each case to avoid miscarriage of justice. There should be enough awareness created in the society as a whole. Marital rape is an offence that happens within the four walls of our homes. The wars against women rights often get misunderstood in the garb of words like Feminism and Nazi feminism. Women and men were created to coexist in peace and harmony. The war is not to give special rights to any category but to recognize individual existence, rights and dignity and to protect human beings from violence in any form. We are born to exist but to exist being Human is a choice we must make.

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PORTRAYAL OF WOMEN'S IMAGE IN INDIAN CINEMA

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Abstract: Indian cinema is an integral part and popular medium of Indian social structure. It is a powerful medium that portray and propagate the Indian culture, tradition, and values. It depicts the status and role of Indian women through the films on diverse subjects that helps in developing understanding about the role and status of women in Indian society. The depiction of women's congeniality, vigor, docile, and vibrancy ranges from the era of freedom struggle to its objectification in modern era. Hence this paper critically analyzes the role and status of Indian women by referring different films of an ideal Indian wife to the modern era where she learns to priorities her needs and interests. The paper also suggest about the attitude of male domination in depicting the women as a matter of beauty, lust, and glamorous thing that entertains the male chauvinism. The paper through the films try to depict social change in understanding women as a human, a subject, and an important thread of Indian social fabric.

Introduction: Media has become an integral part of human life. It is not only a source of entertainment but a source of propagation of cultural values. Media is of various types print media, film media, television media, social media, electronic media and internet. All these types of media deals information, awareness, entertainment, interpersonal relations, news, knowledge, faiths, and values. Every individual use one or other type of media. Therefore it affects our lives in innumerable ways. But as a cause of concern in relation with gender it is require to critically analyzing the image of women in Indian cinema or films because Indian cinema is an oldest and popular medium of entertainment and depiction of various gender roles with the advent of celluloid world. In its initial time period the film media faces dejection and rejection as an immoral and uncultured practice. But with time film media gain confidence of masses in constructing ideas and generating debates on the issues of public concern, high moral values, conduct, and social stigmas. During its development it passes from privatization to globalization. However, the growth of film media narrates the status and roles of Indian women in society because films are considered to be the mirror of Indian society and the place of women in family and society at large [1]. In this article I would like to analyze the depiction, presentation, and coverage of women and her womanhood in Indian cinema which is also popularly known as Bollywood. The Indian cinema exercise widespread cultural derive to influence and appeal Indian masses. Hence feminists try to analyze the image of women in Hindi films by raising certain contesting questions how women represented on screen and how the women character are positioned in comparison with male character and what is the role of film maker and writer's in depicting women issues in Indian cinema.

In exploring the answers of above mentioned questions, this paper is an effort to critically analyze the depiction of women in Hindi films. The reference of different Hindi films helps in carving out an understanding about social condition of women on silver screen. The paper would also be an attempt to analyze the status and role of women with feminist argument and attitude to enrich our understanding in regard with the place of women in society through Hindi films.

Stereotype Image of Women: The woman of Hindi movies has pretty much assumed characterized parts which fit in with the qualities maintained by Indian culture. The role of women in Hindi cinema are generally follow stereotype image of homely, faithful and loving wife, caretaker of family, sacrificial attitude, and believes in sacramental values. Movies have likewise been roused to a substantial degree from religion and folklore whereby ladies characters were viewed as the embodiment of excellence and qualities. With the thoughts of faithfulness and acquiescence to the spouse, Hindi silver screen effectively organized man centric esteems.

Movies like *Devi* (1970), *Biwi Ho To Aisi* (1988), *Pati Parmeshwar* (1988), *Gharwali Baharwali* (1998), *Biwi no.1* (1999) delineated ladies as aloof, docile spouses as immaculate figures and saints for their own families. In these movies, however the acts of man centric society were scrutinized, they were certainly being disparaged as in the casualty spouse declines to go out notwithstanding serious physical and passionate brutality by a basis of going out just at the season of her demise.

This is a comment about on the grounds that esteems, standards, ethics have ruled the edge work in which these movies are made. In this way, ladies instead of being portrayed as expected individuals are lifted to a

higher position of being perfect who can confer no off-base. Their grievances, wants, aspirations, sentiments, points of view are totally absent from the scene. They are extremely depicted as the second sex in light of the fact that they are appeared as not having a place with this genuine and common life. In film *Abhiman* (1973) a popular singer convinces his new wife to enter show business, but his pride is wounded when she outshines him to a customary conclusion that requests adherence to conventional estimations of marriage and parenthood. *Khandan* (1965) movie song lyrics *'Tum hi Mere Mandir, Tum hi Mere Pooja, Tum hi mere Devta ho'* clearly depicts man as an equivalent to God means women has faith in him as God that undermines her own existence or identity as an individual.

The Hindi films like *Maine pyar kiya* (1989), *Hum aapke hain kaun* (1994), and *Hum saath saath hain* (1999) are the movies of ideal family life. These films depicts the role of women as a homely, well cultured, belief in customs and tradition and always work or sacrifice for the family regardless their profession or interests. In film *Maine pyar kiya* the heroin is a daughter of poor friend who shifted to rich family of father's friend and then gel with hero and later parents pressurize the hero to renounce her as belong to poor family. Hero quit the family and parents due to refusal of girlfriend by parents. Later couple wins the heart of parents and get married. Similarly in film *Hum aapke hai kaun* full of life with friends, relatives and helps as a joint family regardless casting their professional commitments. Both sisters are happy, homely and elder sister is playing role of an ideal wife and bahu with scenic beauty and melodious lovely songs but later her younger sister sacrifice her love for the sake of sister's husband as her elder sister died accidentally. In *Hum saath saath hain* a joyful depiction of joint family which disintegrates on the property issue in favour of real son of mother then step son. In this three brothers and their wives were professionally acclaimed as doctor etc. but they did not shown pursuing their interest or profession in film to depict as an independent individual. There family identity dominating their personal identity. They are always wrapped with an expensive costume and jewellery comprises of dark red vermilion and *mangalsutra*. The set of house is like a dream house for middle class families which idealize the social structure.

In 70's women depicted as homely, beautiful, moral, and dependent on husband, so that women remain submissive. Women are also been considered responsible for avenging peace of family. Films like *Saudin saas ke* (1980), *Hamari bhu alka* (1982) are Hindi films depicted the clash between women to retain authority in the family means trying to seek power position in family.

Shahla Raza (2003) talks about how Hindi cinema in the seventies had women in different working roles *(Jaya Bachchan as a knife sharpener in 'Zanjeer' and a singer in 'Abhimaan', Hema Malini as a village tonga (horse carriage) driver in 'Sholay' and the general manager of a company in 'Trishul', Rakhee as corporate secretary in 'Trishul' and a doctor in 'Kala Pathar', Vidya Sinha who works in a private firm in 'Chhoti Si Baat').* The working woman vanished from the popular blockbusters of the nineties which relegated Indian women to the boundary of the home. The concern boils down to the embodiment of women who stay next door, walk on the street, spend time working in office and return home after a tiring day. Where are these women in Hindi films? Bollywood courageous women have for the most part been unattractive, substance to remain cheerfully ever after in the foundation of marriage regardless of whether instructed and quick to cut the personality of one's own [2].

The stories of Hindi film no doubt male commanded and male driven. Subjects have been investigated from the point of view of male gathering. The role of heroine is always depicted as second sex, who's role is been carved out to suffice male dominated films [3]. Her position in society determines her role in films and films undermines the role of women by objectifying rather be as an independent existence. A film like '*Ae dil muskil mein*' (2016) Aishwarya's role is to just add presence to make film glamorous. In 90's the trend of item numbers in action films which mainly follow as a relief in storyline from violence and fights of hero as an macho men who has the power to deal with attackers single handedly. Helen (*Sholay*,1975) *mehboba mehboba*, Vidya Balan (*Dirty picture*, 2011) *oolala song*, Kareena Kapoor (*Agent vinod* 2012) *dil mera mufta ka*, Malaika Arora (*Dabang*, 2010) *munni badnam hui*, Kareena Kapoor (*Dabang2*, 2012) *fevicol se* are examples of raunchy lyrics with skimpy clothes to suffice male dominated character with a glamorous and lusty presentation of item girls through an item song. In such films and songs women depicted mainly to entertain the male audience that enrages sexuality. Veteran actor Victor Banerjee had once said, "Bollywood is a cancer. Hindi commercial cinema has denigrated women. We owe a debt of ingratitude to Bollywood for having insidiously polluted our culture covertly"[4].

The Hindi films also depicted male character as polygamous encourages the same attitude but female character is always depicted to follow fidelity, faithfulness, trust, loving, and caring as ideal character of being an Indian woman that requires following conventions and moral order otherwise subject to face disregard, humiliation, mental and physical harassment. Dasgupta (1983) has argued that such women who dare to challenge the patriarchy have been either forced to reconcile or have been punished to an extent that they have regretted taking such steps. This study, working against this claim, considered' films where women have dared to resist patriarchy, but have not regretted their decision [5]. Hence the depiction of women is always being at extremes rather than discovering her intellect, interests, and feminine character. The Hindi films gestured to justify the traditional personality over bold and modern women. In film *Biwi No.1*(1999) the wife after sacrificing career settles down with family by extending love and care with traditional looks then husband get attracted towards his colleague and enjoy love without knowing of wife the moment she come to know about the cause of aversion towards her she planes and become similar to husband's girl friend to bring back husband to herself restoring the relationship. The other women in Hindi films always portray as vamp or mistress who has no legal and social recognition. The Hindi film *Aitraaj* (2004) also portray two extreme scenarios in terms of good and bad character in cognizance of Indian social condition. The one as a true, intellectual, and loving who believes in husbands character, at the other extreme the other women who give more value to money or wealth, status and class then to trust, love, and relationship. The portrayal leads to define the meaning of 'good' and 'bad' character women in relation with stereotype depiction. The women in Hindi films always encircled to bear sympathy, love, dejection, torture, harassment, lust, subordination, object, property, honor, and sexuality.

The gender bias depicts in Hindi films with the issue of 'infidelity' or 'extramarital relation'. In regard with this issue there are double standards for man and women. Hindi films like *Guide* (1965), *Life in a metro* (2007), *Arth* (1998), *Woh7din* (1983) are based on women extramarital affair. In *Woh7din* heroin get married to doctor but had an affair with a boy but forcefully married so on the night of nuptial ceremony try to commit suicide and then husband discover love affair of wife then he realized she did not remain happy with him so he told he is marrying her for his mother who is on deathbed therefore after mother died you can unite with your lover but lover refuge to follow as he thought it is against Hindu culture and disappears from their life. The story undermines the wish of women to make choice of life partner before marriage without consent of father figure and after marriage by husband to accept her desire, even discarded love of life by her lover in view of unchastely. In contrast to it there are films where man enjoyed extramarital affair and no question of chastity or fidelity occur because when women come to know about extramarital affair of man then pardon him to save relationship like film *Biwi No.1* but husband not allowed her to expose or dance before others. The film *Masti* (2004) and its sequel *Grand Masti* (2013), *Arth, Zeher* (2005), *Jism* (2003), *Raaz* (2002), *Silsila* (1981), where man parallel involved in extra marital affair without renouncing wife and keeping them in dark about their extra relationship. The film *Kabhi Alvida Na Kahna* (2006) is a film where both hero and heroine depicted as infidel in regard with their spouses. Hence extramarital affair of women is depicted as unpardonable the men.

Women dejection and rejection portrayed in various forms in film. Herbert Marcuse (1968) argued that popular culture reduces the experience of pains amongst women in order to bear oppression. They always are always taught to obey patriarchy, and this encourages a fatalistic nature amongst women as they are portrayed to succumb to their existing fate [6]. The Hindi films depicted in view of divorce are *Nikaah* (1982), *Arth, Aap ki kasam* (1974), *Chalte Chalte* (2003), *Saathiya* (2002), *Mein Meri Patni or Who* (2005), *Tanu Weds Manu Returns* (2015), and *Saadi Ke Side Effects* (2014). In these films the needs, trust, expectations, doubt get arouse about women character or relations leads to divorce. The modern social issue of surrogacy in regard with women depicted in multi dimensional form that affects the marital life and emotional trauma for surrogate mother show case in film *Chori Chori Chupke Chupke* (2001). The films like *Mehndi* (1998), *Dahej* (19500 depicting women harassment by family and husband for not giving gifts or money means '*Dahej*' moreover, rape scenes in Hindi movies is seems to be necessary because it satisfies men 's ego to be strong, macho figure, and being powerful. The films like *Bandit Queen* (1994), *Gangs of Wasseypur* (2012), *Pink* (2016) outrage the modesty of women in public and privately. These Hindi films depicts the sick mentality of man and the society who consider women as an object of sex, lust, and desire or simply a structure of flesh without emotions and feelings. These films are reality of our sick society that did not consider women as a dignified personality in existence.
As it has been argued by the feminist critiques those films portraying women's issues made by even the most liberal and impartial male directors in India still present some proportion of patriarchal tendencies [7].

Realistic Cinema: The change occurs in Hindi cinema [8] with the advent of Hollywood movies. In relation with Hollywood films the Bollywood cinema criticized for being unrealistic and content less. The criticism led to bring change to make realistic movies based on true stories. The realistic Hindi films include *Bandit Queen*, *Zubaeida* (2001), *no one killed Jessica* (2011), *Marykom* (2014), and *Dangal* (2016) etc. the realistic cinema create feelings of sympathy and social change wherever there is gap in terms gender equality, dignity, and respect for women as an independent individual. The films *Simran* (2017), *Queen* (2013), *Pink* denotes women as an individual, strength and aware of rights rather than a second sex or subordinate to man or an object of pride and use.

Conclusively, the Hindi films lay great impact on individual understanding and thinking to develop a healthy social life. The depiction of women in Hindi films shifting from male centric films to woman centric films. This transformation will create a positive impact on society so that it revamps the image of women on screen and off screen. The stringed stereotype depiction of women in Hindi films shows patriarchal character of society that leads to develop into male centric movies. The shift from traditional pattern of women to modern profession oriented confident lady will prove the strength of being women. Hence Hindi film directors should scrutinize the role of women in such a manner so that women image should not be sacrificed for the sake of male gaze or entertainment. The proper portrayal of women lies in exhibiting their feminine character in terms of their different ambitions and desires to cherish morally in a dignified manner. Moreover women character should be given strength so as to disintegrate the power structure by making space for them. It will help in exploring sensitivity and responsiveness in restoring the torn image of women in and off screen.

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AN EXPLORATION OF PSYCHOLOGICAL HARDINESS AND DEPRESSION AMONG COLLEGE STUDENTS

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Abstract: Several scholars have suggested that depression is an increasingly relevant issue for men and women. Young males and females experience many kinds of failures and subsequent stressors as a result of normal aging; therefore, the additional stress relocation to new and unfamiliar surroundings can have a significant impact on physical and psychological well-being. Present study examined the relationship between psychological hardiness and depression. A sample of 200 engineering students was selected from urban and rural background equally. Depression Scale developed by Center for Epidemiological Studies was used to measure depression and the Psychological Hardiness Scale developed by Younkin & Betz was administered to measure hardiness. The findings indicate significantly negative correlation between hardiness with depression, whereas the mean difference between the two groups for depression and hardiness was not found significant.
Design: Cross-Sectional.
Setting: Different students of Amity University Rajasthan Campus.

Keywords: Psychological Hardiness, Depression, Well-being, Urban, Rural.

Introduction: Some people have high levels of stress, but they don't suffer medically as a consequence. These people are rarely ill and have certain personality characteristics. Funk said that these people had another personality type called "Hardiness". Hardiness may also be defined as an individual's ability to resist illness or manage life when under stress (Davis, Webster & Austin, 1999; Kobasa, 1979). Hardiness, ideally mentioned to as psychological hardiness or personality hardiness in the relevant works, is a psyche style first introduced by Suzanne C. Kobasa in 1979. It has three main characteristics which make the individuals behave in a certain way. They are called the 3C's. The three related general character of commitment, control, and challenge that functions as a resilience mean in the encounter with stressful conditions are personality structure that defines Psychological hardiness (Kobasa, 1982). The commitment temperament was defined as a proclivity to include oneself in the activities in life and having a veritable interest in and inquisitiveness about the surrounding world activities, things, other people (Phoolka & Kaur, 2012). Hardy individuals have a sense of purpose in life. They are committed to their work and tackle tasks head on. For e.g. revising for an exam in advance. The control defined as a propensity to trust and act as if one can impact the events taking place around oneself through one's own endeavour. Hardy individuals believe they are in charge of their life and they have the power to change it. If they don't have the skills to do something, they will go out of their way and get them. For e.g. reading extra books to help them learn new skills. Finally, the challenge persona was defined, as the belief that adaptation or adjustment, rather than firmness or solidity, is the quotidian mode of life and amounts to motivating opportunities for personal growth rather than threats to security (Lazarus & Launier, 1978). Hardy people see problems as challenges rather than difficulties. They devote time and energy into solving them on order to succeed. For e.g. revising anything they are not 100% confident on. Kobasa showed this in a study. Parents of autistic children were given a personality test. They chose these parents because autistic children tend to cause more stress on the parent in early years. They found that parents that had the "hardy" personality trait had the least amount of stress related symptoms (Kobasa, Maddi & Zola, 1983). Kobasa reported a pattern of personality characteristics that distinguished managers and executives who remained healthy under life stress, as compared to those who developed health problems (Saxena, 2015). Hardiness may not be consistent over time. People can change. It is hard to generalize and give someone that trait. It requires subjective evaluation. Some people may only have some of the C's. Kobasa showed that theory behind hardiness is correct. Hardiness training is shown to lower stress levels better than meditation in an office community (Hagigi, Attari, Rahimi & Soleimani, 2014).

It is believed that individuals with greater hardiness can better use coping strategies to manage stress and are less affected by depression and poor health as a result of stressful events (Cataldo, 2001; Davis, Webster & Austin, 1999). Although people with higher levels of hardiness are less likely to have depression, hardiness explains only part of the variation in depression, and it is possible for depression to occur in hardy people (Cataldo, 1994; Cataldo, 2001; Maddi & Khoshaba, 1994). It is estimated that around 10% of people will at some point of time in their lives suffer from depression; a mood disorder characterized by several symptoms like feeling sad, distressed, unmotivated, excessively tired, losing interest in one's pleasurable activities known as anhedonia, changes in appetite, feeling worthless or excessively guilty, sleeping either too much or too little, poor concentration, restlessness or slowness, loss of energy and recurrent thoughts of suicide (Hammen, 2005). Depression is common in younger generation and is considered to be a public health problem (Godfrey & Denby, 2004; Marcus & Berry, 1998). Depression is a common problem and a significant cause of poor appetite and motivation to eat in younger generation as well as in adults (Donini, Savina & Cannella, 2003). Many people from depression also suffer from anxiety (Siegert & Abernethy, 2005). Neuro-imaging studies reveal that many brain circuits that normally regulate moods are disregulated in depression. Located deep within the brain, the amygdala, processes highly salient stimuli such as rewards and threats. In depression, the amygdala is over-active and responds excessively to negative events (Costello, 2016). In turn, the amygdala connects to excessive brain regions that horn the physiological and behavioral response to emotional stimuli. These areas include the medial prefrontal cortex, the nucleus accumbens, the hippocampus and the insula. The hippocampus is involved in memory formation and along with the prefrontal cortex, is particularly vulnerable to the effects of stress (Maddi, Brow, Khoshaba & Vaitkus, 2006). Depressed people are more susceptible to stress which can cause physical changes in the brain (Eisenberg, Gollust, Golberstein & Hefner, 2007). The medial prefrontal cortex is involved in regulating how strongly we react to emotional stimuli. Treatments such as anti-depressant drugs, cognitive behavioral therapy and electro-convulsive theory affect the structure and function of these under the brain regions (Segal, Williams & Teasdale, 2012).

Aim of the Study: The aim of the present study was to study the relationship between psychological hardiness and depression among college students.

Objectives of the Study:
- To study the relationship between psychological hardiness and depression among college students.
- To find out the gender difference in the relationship between psychological hardiness and depression among college students.

Hypotheses of the Study:
- There is significant relationship between psychological hardiness and depression among college students.
- There is significant gender difference in the relationship between psychological hardiness and depression among college students.

Methods:
Participants: The sample consisted of 122 students (88 boys and 34 girls). The data was collected from the different students of Amity University Rajasthan. The students in the sample were selected on random basis. The selected random students fall into the age group of 20-25 years. The students were further classified on the basis of the areas they belonged to, viz. Urban or Rural.

Measures: Participants were assessed through the administration of two measurements. These included the Center for Epidemiological Studies-Depression Scale (CES-D) and the Psychological Hardiness Scale (PHS) (Radloff, 1977; Younkin & Betz, 1996). Demographics collected included age, race, gender, and education level.

The Psychological Hardiness Scale: The Psychological Hardiness Scale (PHS, Younkin & Betz, 1996) is a 20-item scale designed to measure attitudes reflecting psychological hardiness. Items are scored on a five-point Likert scale, and the average of the items is taken. Higher scores reflect higher levels of psychological hardiness. Cronbach's alpha of .92 was reported (Younkin & Betz, 1996). Cronbach's alpha in the present study was .92 (Cronbach & Meehl, 1955). Furthermore, the convergent validity of this scale has been supported by a correlation of r=.75 with the Cognitive Hardiness scale, and the construct validity has been supported by correlations with self-esteem (r=.56) and depression (r=-.59) (Younkin & Betz, 1996).

The Center for Epidemiological Studies-Depression Scale: The Center for Epidemiological Studies Depression Scale (CES-D, Radloff, 1977) is a 20-item self-rating scale designed for measuring symptoms of depression. It was designed for use in the general population as a measure of level of depressive symptoms, rather than as a tool for screening for clinical depression. The 20 items of the CES-D ask participants to rate how much particular statements have applied to them over the past week. Responses to these items are scored on a 4-point scale, ranging from never or rarely to little or somewhat to occasionally to most. Responses to these items are averaged for a total score reflecting overall depression, with higher scores reflecting higher levels of depression. Radloff (1977) reported Cronbach's alpha coefficients ranging from .85 to .90, and a test-retest reliability coefficient of .67 (4 weeks). Cronbach's alpha in the present study was .91 (Cronbach & Meehl, 1955). The convergent validity of this scale has been supported by moderate correlations with other measures of depression, such as the Beck Depression Inventory (Skorikov & Vandervoort, 2003), and the construct validity has been supported by correlations with self-esteem, anxiety, hostility, hypochondriasis, and locus of control (Radloff, 1977).

Results and Discussion:

Table 1: Correlation between Depression and Hardiness

	Depression	Psychological Hardiness
Depression	1	-.444[**]
Psychological Hardiness	-.444[**]	1

**Correlation is significant at the 0.01 level (2-tailed).

This paper was an attempt to find out the relationship between psychological hardiness and depression (Karp, 2016), and the other correlates of them. It was hypothesized that hardiness and depression will be negatively correlated. While finding the correlation between hardiness and depression we get a value of -0.444 which is found to be significant at 0.01 level indicating a negative correlation between the variables, thus proving our hypothesis; which indicates that the people who have a hardy personality tend to be less prone to depression, as hardiness in personality is all about commitment, control and challenge and people who have these attributes in personality don't easily become victims to depression (Gilbert, 2017), which is supported by other studies like using the Correlational and multiple regression analyses showing that, by comparison with religiousness, hardiness has the larger and more comprehensive negative relationship with depression and anger (Maddi, Brow, Khoshaba & Vaitkus, 2006).

Table 2: Comparisons of Mean Values for Depression and Hardiness

	Area	N	Mean	S.D.	D_f	t
Depression	Urban	100	20.78	7.937	198	-.571
	Rural	100	21.40	7.401		
Psychological Hardiness	Urban	100	67.12	10.101	198	1.645
	Rural	100	64.62	11.361		

While comparing the mean values of the two variables we notice that the mean value for depression in urban population is calculated to be 20.78 and that of rural population is found to be 21.40 indicating a higher level of depression in rural population, although the means are not found to be significantly different but the slight higher value of mean for the rural population might be a result of people not being happy with living in rural areas because of lack of opportunity which may lead to lower down their self-esteem. The comparison of mean for hardiness shows that urban population has a higher mean (67.12) than the rural population (64.64), indicating urban population to have a comparatively hardy personality, which may be a result of urban people's lifestyle that demands the people to be more committed towards their goals, more under control and taking more and more challenges every day in order to achieve their short term and the long term goals. This table is a clear depiction of the negative correlation between the two variables.
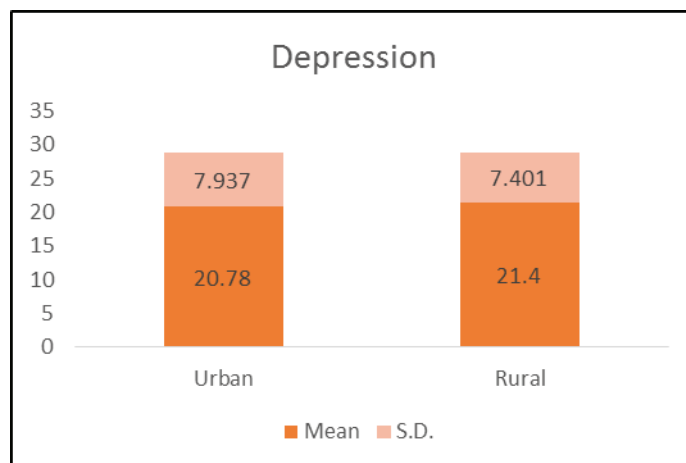
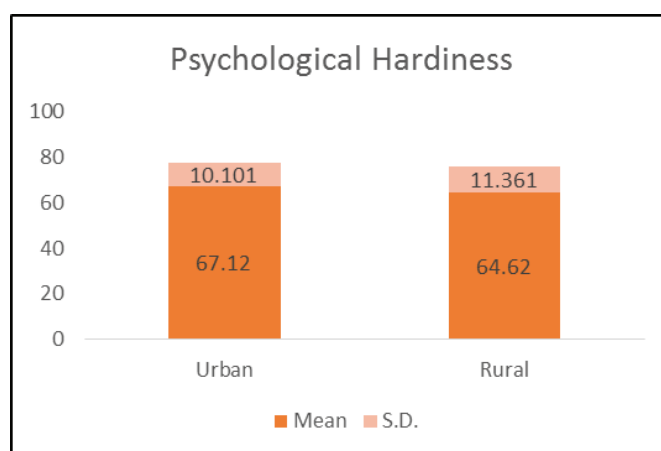**Figure 1: Graph Showing Comparison of Mean and Standard Deviation Values for Depression in Urban and Rural Areas**

Figure 2: Graph Showing Comparison of Mean and Standard Deviation Values for Psychological Hardiness in Urban and Rural Areas

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LAWS FOR WOMEN IN INDIA: A CRITICAL PERSPECTIVE

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Abstract: Women in India have been facing discrimination since ages. After independence our constitution makers and legislators have framed many enabling laws for women's equality, dignity and protection. There is no doubt that these laws have proved game changers to some extent. But, recently we have seen various misuses of these enacted laws from some of the part and women of the society. Such incidents have put question mark on the sanctity of such enacted laws. The present paper seeks to analyze the uses and misuses of such laws. The present paper tries to give some of the solutions to overcome the problem of discrimination on various level faced by women and men while dealing with these laws.

Keywords: Constitution, Independence, Laws, Misuse, Use, Women.

Introduction: 'When a woman uses law, she is accused of misuse; when an Indian woman uses law, she is labeled with **bad character**'- Indira Jaising (Former A.S.G. & Sr. Adv.)
Whenever a woman uses the law, she is told she is misusing it; shockingly, when an Indian woman accesses the law, she is often labeled as 'a woman of bad character'. But no one has gone to the reality and has not pointed about 'what is the truth'? It is a common scenario of general thinking of the members of the society that good women are bound by 'maryada' and so they doesn't go to the law. The court too looks at the woman who demands protection or files application under any of the provisions of Indian Penal Code, The protection of Women from Domestic violence Act or under any other provisions such as Criminal Procedure Code, etc. as: here comes another one who is misusing the law.

Women and Law: In a patriarchal society, where women are often subjected to violence, Section 498A as well as the provisions of the D.V. Act for the domestic violence against women was a great respite. In the majority of Indian families, it is a part of custom that a newly-wed couple lives in a joint family, where the 'bahu' i.e. daughter-in-law is living with her in-laws. If such a woman is tortured, physically or mentally, within the first two years of marriage and is thrown out of her matrimonial house, she is left with no option but to resort to legal action against her persecutors – including her parents-in-law – who at times connive with their son.
Despite such ground realities, some people of the society are saying women are misusing the law by adding parents to the FIR. This ruling dilutes the very purpose of the law.

But the judiciary has pointed out that a large number of cases where elderly parents are being prosecuted are not bona fide.

The judiciary cannot go by numbers alone. It has to treat every individual case as per its merit. 'Misuse of law' is a sweeping generalization, which then becomes a benchmark, quoted in support of the next judgment. Rulings in such cases cannot be made based on **previous rulings, or mere police statements or general public opinions**.

Across the world, women are subjected to domestic violence. This is not unique to India. However, in India, dowry deaths take this violence leagues ahead of rest of the world, and therefore, particularly here we need strong laws.

Strong action must be taken against anyone who abuses law. No law should be misused by anyone. An allegation by a woman is not enough to make an arrest. The police must investigate the matter and then register a complaint, under the sections they deem fit.

The court should direct its anger against the police and law enforcement agencies. Here the court has found a cure worse than the disease. Police powers have been given to welfare committees, who will decide whether an offence has occurred and whether a woman has faced violence. The purpose of powerful laws is defeated.

To the some extent people thinks that mostly educated, working and independent women with high aspirations are the ones who are misusing the provisions these laws of such as Section 498A of IPC, provisions of the Domestic Violence Act.

But that is not the reality. If a woman has an unhappy marriage, she will file for a divorce. Educated women are not manipulating law: they are walking out of the marriage.

Section 498A comes into the picture when a woman is subjected to violence. If we condemn terrorists or arsonists, how can we not be moved by the plight of a persecuted woman, who works hard for the sake of her family, and tries in vain to come to terms with the violence she is subjected to?

Men and Law: In India and elsewhere in the world, there are no special laws for male. There is Dowry Prohibition Act, Section 498A in Indian Penal Code i.e. offence of cruelty by husband and relatives of husband; section 125 in Code of Criminal Procedure i.e. maintenance for wife; protection of women from domestic violence, in Statute books. But there is no protection of men in Domestic Violence Act, 2005, there is no provision like Section 498B in Indian Penal Code, there is no provision like Section 125A in Code of Criminal Procedure i.e. maintenance to husbands under the Act. Rather the specific laws for women are misused by errant women and police officers. The cry of victimized husbands and their relatives is not heard either in courts or in society. The practice says that real purpose of the women – related specifies laws are misused and thereby husbands suffer for no fault.

Concept of Equality and Equal Rights: Article 14 of Indian Constitution provides for equality before Law and equal protection of law. Similarly article 7 of Universal Declaration of Human rights, 1948 provides that all are equal before law and are entitled without any discrimination to equal protection of law. Article 3 of the Covenant on Economic Social and Cultural Rights 1966 and the Covenant in Civil and Political Rights 1966, provides that State parties to these covenants undertake to ensure equal rights for men and women, given under these covenants. Article 15(3) of Indian Constitution is considered as an exception to general rule of Article 14. If there is discrimination in favor of particular sex, it is permissible provided that the classification is the result of other considerations beside the fact that the persons belonging to that class are of a particular sex. Analyzing the constitutional validity of the sec 498 A of I.P.C. it can be viewed that the section is ultra virus to Art. 14 of constitution of India, the concept of equality and equal protection of law guaranteed by Art 14 in its proper spectrum encompasses social and economic justice in a political democracy. It is a pledge of protection of or guarantee of equal rights within the territorial jurisdiction of the Union to the enjoyment of rights and privileges without favoritism or discrimination. If a wife has a law to protect herself against the cruelty of her husband, why doesn't husband have it? Against Every 100 male suicides there are almost 45 married males, and against every 100 women suicide there are 25 married women. Married women suicides have default arrests of the in-laws under presumed dowry death. Married men suicide entitle wife for a 50% share in the property. What kind of equality is this? Equality is a dynamic concept which goes on changing with changing times and social contexts and must be understood in that sense. There is no prohibition clause in the section 498A that would stop women to misuse it against the men is growing day by day and most apparently some Indian Urban educated women have turned the tables and are using these laws as weapon to unleash personal vendetta on their husbands and innocent relatives and there are certain grounds on which cruelty against husband can be proved:

- Misuse of Dowry Laws, Domestic Violence Act and 'Sec: 498-A' of IPC by wife against husband and in-laws of husband through lodging false complaints.
- Desertion by wife which means wife deliberately intending for separation and to bring cohabitation permanently to an end.
- Adultery by the wife means wife having sexual relationship with some other person during the lifetime of marriage and there must be strict law to punish wife who has committed adultery.
- Wife opting out for second marriage without applying for the divorce proceedings.
- Threatening to leave husband's home and threat to commit suicide by the Misuse of Legal Protection by wife.
- Cruel behavior of wife where wife tearing the shirt of the husband, refusing to cook food properly or on time and breaking of the mangalsutra in the presence sof husband's relatives.
- Abusing and accusing husband by way of insulting in presence of in-laws and in some cases wife abusing husband in front of office staff members.

- Wife refusing to have sex with husband without any sufficient reasons which can be considered as a ground of cruelty and husband can file a divorce petition.
- Lowering reputation of the husband by using derogatory words in presence of family members and elders.
- Lodging FIR against husband and in-laws which has later proved as false report.
- Conduct and misbehavior of the wife against husband i.e. pressuring husband to leave his home, insisting for the separate residence, mentally torture and disrespectful behavior towards husband and in-laws as well.
- Some other grounds of cruelty i.e. mental disorder and unsoundness of wife, Impotency of wife, illicit relationship of wife with some other person and Wife suffering from the filarial.
- Extra-marital affairs of wife can also be a ground of cruelty against the husband.
- Initiating criminal proceedings against husband and in-laws of husband with mala-fide intention by the wife.

What government can do to make the balance?
There should be enactment of uniform civil code in case of matrimonial laws.
There should be an equal provisions for both men & women for the violence done against them.

Conclusion: Cruelty in human behavior is as old as human civilization itself is. Human by nature is cruel. As and when one gets an opportunity, be it a male or female, one perpetuate cruelty upon other. In the ancient days the human being practices cruelties towards animals. After some development of human race, the subject of cruelty changed from animal to other human being. The perpetuator of cruelty always remains to be the powerful one and the one upon whom the cruelty was perpetuated always remains to be weaker one. With the concept in mind human being started perpetuating cruelty in order to gain strength and show their power. Though it is the duty of the court to decide the case based on facts and circumstances but what amounts to cruelty is an important aspect as misuse of Laws by the wife against husband in society.

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