

**POSITION OF WOMEN IN VEDIC, POST-VEDIC, MEDIEVAL, BRITISH AND IN  
CONTEMPORARY INDIA-IT'S A GAME OF SNAKE AND LADDERS**

Naiyla Mobin Abbasi<sup>1</sup>

*'Karyeshu Dasi, Karaneshu Manthri; Bhojeshu Mata, Shayaneshu Rambha, Roopeshu lakshmi, Kshamayeshu Dharitri, Shat dharmayukta, Kuladharm Pathni'.*

**ABSTRACT**

*It's an era of computer, internet, and machinery. Where any crime has been taken place, many of messages and videos viral on the social media. We howl, protest and marched against those crimes. It's a fake and publicity stunt, but we never have taken a stand for all that. Now the position of women become very stronger than the olden days. Now a day's women are multitasking, she manages houses, children as well as their offices. The position of women is very stronger, in theory, practically she is a still weaker portion of our society. We make laws and rules for women, for making them stronger as well as self-dependent. In olden days she was preparing the food for the whole of their family, washing utensil as well as clothes, besmear the earth (again of their house) with cow dung. She is still doing all, nothing has been changed. But she is more pressurized in this contemporary India. She has no choice, she is doing household work as well as manage their offices. In our society women, has given birth to a son, she has a great position in comparison of others women who gave birth to a girl. Our legislatures make laws for crime against women as well as economically empowerment of women, still, women are depending upon male members of their family. We make laws for the women, but those are not implemented properly, like a game of snake and ladders in which a player going upward by climbing ladders, when snake bites him, player come downwards and again trying to improve their position in the game like that the women become stronger by laws in theories, but practically she is weakest as well as she was in history. This paper related to the position of women in decades as well as in contemporary India that the laws are stronger and implementation and execution of that laws are a joke apart.*

Keywords- Empowerment, Women, Rights, Laws, Implementation

In our country, women are venerated from the decades, but they are venerated in theory, practically still insulted by the male-dominated society. 'Karyeshu Dasi, Karaneshu Manthri; Bhojeshu Mata, Shayaneshu Rambha, Roopeshu Lakshmi, Kshamayeshu Dharitri, shat dharmayukta, Kuladharm Pathni', means Karyeshu Dasi: works like a servant

Karaneshu Mantri: advice like a minister

Bhojeshu Mata: feeds like a mother

Shayaneshu Ramba: Pleases in bed like the heavenly beauty Rambha

Roopeshu Lakshmi: Beautiful like Goddess Lakshmi

Kshamayeshu Dharitri: Having patience like Earth

---

<sup>1</sup> Research Scholar, Aligarh Muslim University, Aligarh.

Shat dharma yukta: a woman who has these six virtues

Kula dharma Patni: good housewife (a married woman who is not employed outside the home) all these virtues make a woman complete.

A woman played different roles in a family like Our wives, mothers, daughters, sisters, she gives us happiness by their virtues and also makes our life comfortable with their love, care and affection without consideration. But our male's society gives hate, violence also disrespects to them. The position of women from the Vedic period to today contemporary India did not change. We make laws for the empowerment of women and upliftment of status of the women, but it did not change because whenever a new law has been passed, the crime against women still increasing in India as well as the whole of the universe. It's an attempt to focus the position of women through this research paper.

### **Position of Women in the Vedic period**

In the ancient period, the women were treated as chattel and a slave. But during the Vedic period, women had exalted position and they enjoyed a fair amount of personal freedom and equality with men. Women studied in Gurukul and enjoyed equality in learning Vedas. In the matter of selecting life partners in marriages, the bride had exclusive rights of selecting their own consorts. A widow can marry again and do not require giving up wearing ornaments and shave her head. The main disability, which the women suffered in the Vedic period was proprietary rights, they could hold or inherit no property. The man used to regard woman as partners in managing the affairs during the Grihastha, Vanaprastha and Sannyasa Ashrams in life. Presence of wife is compulsory in performing religious rites consequently women must have enjoyed the quality of life comparable to that of man. The great women like Ghosa, Apaala, Lapamudra, Visvara, Gargi, Matreyi, Indarani, Yami and others had distinct qualities of art, music, dance and even fighting in the battle. Purdah was not there in that era. Dowry system was prevalent in rich and royal families only in the form of movable gifts.

### **Position of Women in Post Vedic Period**

In the post-Vedic period, between 1500 BC to 500 AD, the status of women suffered a setback when various restrictions were put on women rights and privileges by Manu. The role of women got restricted within the four walls of their home. Which may be approximated to the period of early smritis, the epics of Ramayana and Mahabharata and the early purana, the upanayana rights of girls were completely abandoned. The society became polygamous and polyandry disappeared except in some cases like Draupadi in Mahabharata.

During the puranic and epic period, there was the reduction of the age of marriage of girls and deprivation of women in various areas. The epics of Ramayana and Mahabharata go on observance the son as the hope of the family. Women had an only duty of unquestioning obedience to her husband. Even Sita was made to give proof of her chastity in presence of all. Despite of some proof being given, as to the satisfaction of her husband once accepted,

later on again being required to undergo pains of being separated from her husband. She to seem have no rights or reasons to protest.

### **Women In Medieval Period**

With invasion of India by Alexander and Huns, the position of women was reduced to 'war prison'. From 500 A.D. to 800 A.D. the existence of women was further degraded. Muslim invasion of India brought complete subordinate of women compelled to take pardah to prevent Muslims and others.

The medieval period saw the women being oppressed in the feudal social order and patriarchal families. Women lost the right of education and they could worship only through priest. The system of dowry had taken a positive root of great magnitude from about 13<sup>th</sup> to 14<sup>th</sup> century A.D., with an alarming position at Rajasthan.

Two principal schools of the Hindu Law of inheritance emerged during this period, the Mitakshara and the Dayabhag. under the Dayabhag school, Vijnaneswara supported the right of widow to succeed to the entire estate of her husband in the absence of a male child. However, Vijnaneswara approved of the women's right only when her husband was separated from and not united with his coparcener. Under the Dayabhag school, a woman was allowed to inherit the property of a male relation notwithstanding the status of separation or jointness of women with the coparceners in order to check any drift in the family property.

### **Position of Women In The British Period**

During the British period, its revolutionary period for a woman as socioeconomic status of the women in our society. In the matter of education, employment, social and political rights were equal both men as well as women. Some of the important aspects of change in this period, which affected the status of women in various ways.

Education which has been identified as a major instrument for raising the status of women was started during the British period. The Christian missionaries took interest in the education of the girls. The Hunter Commission too emphasised on the need for female education in 1881. The Calcutta, Bombay and Madras universities did not permit admission to girls up to 1875. After 1882 girls were allowed to go for higher education.

During British period there were two major movements which affected the position of women. These were the social reforms movement of the nineteenth century and the national movement of the twentieth century. The issues which attracted the attention of the nineteenth century social reforms were the system of Sati, the ban on the widow remarriage, polygamy, child marriage, denial of property rights and education to women. Raja Ram Mohan Roy played an important role in the abolition of Sati system. He raised his voice against child marriage and purdah system. Ishwar Chandra Vidyasagar also made pioneering efforts for the upliftment of the status of the women it was due to his efforts that the upliftment of the status of women it was due to his efforts that the Widow Remarriage

Act 1856 could be passed. He also pleaded for education of women. Maharishi Karve took up the problems of widow remarriage and education of women.

In short during the phase prior to independence, an awareness of the need to remove social disabilities of women was created, the doors of education were opened for them, women's organisation emerged to represent the needs and cause of middle class urban women.

### **Position Of Women In Contemporary INDIA**

From the decades, a woman plays a many important role in her life, she is a daughter, sister, wife, mother. During the British period till today, legislature made many laws for women and many of them repealed or amended for the upliftment of women. Now in contemporary India, a woman is an iron lady. She has various type of rights and safeguard for the upliftment of their position. But still she is trying to upliftment of their position in our society. All laws are like A NINE DAYS WONDER for the women. Despite of those laws the position of women is like A GAME OF SNAKE AND LADDERS. Whenever a woman feels that she is safe in our country, something happened which is wrong or illegal or against their modesty or their reputation.

Crime against women occur every minute in India. Whether it is in their house or public place or at their workplace. It is pertinent that women are aware about the laws that are in place to protect them. After and before the independence many laws were enforced by the country for the empowerment and upliftment of women. but still in rural as well as urban areas women are not aware of those laws, which protect them and uplift the status of are the women. Some laws here discuss as under-

**(i) Maternity Benefit Act 1861-** this act regulates the employment of women and maternity benefits mandate by law, it states that a woman employee who has worked in an organisation for a period of at least 80 days during the 12 months preceding the date of her expected delivery is entitled to receive maternity benefits, which includes maternity leave, nursing breaks medical allowance etc.

**(ii)Special Marriage Act ,1954-** the objectives of this act is to provide- a special form of marriage in certain cases ,provide for registration of certain marriages and, to provide for divorce .In a country like India and with the diverse religions and caste, when people from different faiths and caste choose to get married they do it under the special Marriage Act.it is not applicable to the state of Jammu and Kashmir and also extends to intending spouses who are Indian nationals and living abroad.

**(iii)Dowry Prohibition Act ,1961-** According to this act, taking or giving of dowry at the time of the marriage to the bride or the bridegroom and their family is to penalised. Dowry system, giving or taking of dowry, is a norm in India. Dowry is often asked of the bride and her family by the groom and his family. The system has taken strong roots because women after marriage move in with their spouse and in-laws. Also, over the countries, the lack for economic independence of women and the taboo towards divorce has resulted in bride burning. When demands for dowry even after marriage are not met by the girl's families,

many women are tortured, beaten and even burnt. It is one of the major challenges that our society is grappling with. Women openly complaining about it has helped to spread the word and encourage other women to take a stand.

**(iv) Indian Divorce Act, 1969-** The Indian divorce act allows the dissolution of marriage, mutual consent, nullity of marriage, judicial separation and restitution of conjugal rights. Family courts are established to file, hear and dispose of such cases.

**(v) Medical Termination of Pregnancy Act, 1971-** the act came into effect on 1972, was amended in 1975 and 2002. The aim of the act is to reduce the occurrence of illegal abortion and consequent maternal mortality and morbidity. It clearly states the conditions under which a pregnancy can be ended or aborted and specifies the persons qualified to conduct the same.

**(vi) Equal Remuneration Act, 1976-** This Act prevents discrimination in terms of remuneration. It provides for payment of equal recompense to men and women workers. It is necessary to know these and other laws in place to protect the interest of women. Only if you are aware of your rights, you can fight against any injustice meted out to you at home, at the workplace or in the society.

**(vii) Indecent Representation of Women (prevention) Act, 1986-** This Act prohibits indecent representation of women through advertisement or publications, writings, paintings, figures or in any other manner.

**(viii) National Commission for Women Act, 1990-** the national commission for Women (NCW) is a statutory body of the government of India, established in January 1992. The NCW represents the rights of women in India and provides a voice for their issues and concerns. The National Commission for Women Act aims to improve the status of women and worked for their economic empowerment.

**(ix) Universal Declaration of Human Rights, 1948 -** The great assembly of the united nation adopted a declaration of principle and standards in the form of the universal declaration of human rights, 1948. According to this declaration, everyone has the right to life, liberty and security of person, the right to equality before law. Every human being has also the right to be recognised as a person before law.

**(x) CEDAW-** The Convention on the Elimination of All forms of Discrimination Against Women (CEDAW), adopted in 1979 by the UN General Assembly, is often described as an international bill of rights for women. In 1994, the international Conference on Population and Development in Cairo (ICDP) articulated and affirmed the relationship between advancement and fulfilment of rights and gender equality and equity. It also clarified the concepts of women's empowerment, gender equity and reproductive health and rights. In 1995, the fourth World Conference on women in Beijing generated global commitments to advance a wider range of women's rights. The inclusion of gender equality and women's empowerment as one of the eight Millennium Development Goals was a reminder that

many of those promises have yet to be kept. It also represents a critical opportunity to implement those promises.

**(xi) THE PROTECTION OF WOMEN FROM DOMESTIC VIOLENCE ACT, 2005 ACT NO. 43 OF 2005**- the protection of women from domestic violence act, 2005 gives protection to women from domestic violence and other benefits, like maintenance, right to reside in a shared household, protection orders, residence orders, monetary relief, custody orders and compensatory orders also.

**(xii) The Prohibition of Child Marriage Act, 2006**- according to international research centre for women, almost 47% of girls are married before the age of 18. Currently, India ranks 13 in the world when it comes to child marriage. Since child marriage has been steeped into the Indian culture and tradition since centuries, it has been tough eliminating it.

The Prohibition of Child Marriage Act, was made effective in 2007. This act defines child marriage as a marriage where the groom or the bride are underage, that is, the bride is under 18 years of age or the boy is younger than 21 years. Parents trying to marry underage girls are subject to action under this law. Since the law makes these marriages illegal, it acts as a major deterrent.

**(xiii) Sexual Harassment of Women at Workplace (prevention, prohibition and Redressal) Act, 2013**- To ensure women's safety at workplace, this act seeks to protect them from sexual harassment at their place of work. 36% of Indian companies and 25% among MNC's are not compliant with the Sexual Harassment Act according to a FICCI-EY November 2015 report.

Sexual harassment at workplace also includes- the use of language with sexual overtones, invasion of private space with a male colleague hovering too close for comfort, stubble touches and innuendoes.

**(xiv) The Criminal Law (Amendment) Act, 2013**- after the brutal murder and rape of 23 years old a young physiotherapist in a private bus, a committee was formed, called Justice Verma committee and laws have been amended. On 3.2.2013 an ordinance was passed by the president of India called the Criminal Law (Amendment) Act, 2013 (Nirbhaya Act), which provides for amendment of Indian Penal Code, Indian Evidence Act, and Code of Criminal Procedure, 1973 on laws related to sexual offences. These new offences like, acid attack, sexual harassment, voyeurism, stalking have been incorporated into the Indian Penal Code (IPC). Currently enforced and aims at amending the existing provisions in criminal law in order to improve the safety of women. It amends sections 100, 228A, 354, 370, 375, 376, 376A, 376B, 376C, 376D and 509 of Indian Penal Code, 1860. It also inserts new sections 166A, 166B, 326A, 326B, 354A, 354B, 354C and 354D in Indian Penal Code, 1860.

Despite this amendment, the degradation of status of women never stopped, it has been increased in number in the form of rapes and sexual assault. In a recent case, which is very

controversial. many of the politicians and government servants are involved there in still pending. States as under---

Kathua rape case-that on 12 January 2018, Mohammad Yusuf lodged a complaint in Hiranagar police station stating that his daughter had gone missing. His complaint said that his daughter, aged 8, had gone to watch over grazing horses 30 minutes past noon on 10 January 2018. She was seen at 2PM, but when the horses returned at 4PM, she was no longer with them. After searching for her and being unable to find her, her father registered a FIR. On 17 January 2018, the dead body of the victim was found and taken into custody by the police to allow for the post mortem to be conducted. On 22 January 2018, the investigation of the case was transferred to Crime Branch and Crime Headquarters Jammu and Kashmir. A statement released by the police listed seven individuals who had been arrested and charged over the crime, including four police officers. A total of eight people, including four police officers, have been arrested so far. Two of the police officers were arrested on suspicion of attempting to destroy evidence, and also stand accused of accepting money to cover up the incident. One of the accused claimed to be 15 years old, though a medical examination later suggested he was 19. Sanji Ram, one of the accused, was described by the police as having devised the plan of kidnap and murder. The charge sheet against the seven adults accused of the crime was filed on 9 April. The accused were charged under Sections 302, 376, 201 and 120-B of the Ranbir panel code.

This case shakes ruthlessly all over the world. United nations secretary general Antonio Guterres has termed the gang rape and murder of 8 years old girl in Jammu and Kashmir's Kathua a "horrific" incident and asked the Indian authorities to ensure that guilty are brought to justice.

There are many cases of discrimination of women and degrading status of women. In Indian states, mainly in the Indian states of Punjab, Rajasthan, Haryana and Uttar Pradesh, as a result of the girl marrying without the family's acceptance, and sometimes for marrying outside her caste or religion. Haryana is notorious for honour killing, which have been described as "chillingly common in villages of Haryana.in 2010, the Supreme Court of India issued notice in regard to honour killings to the states of Punjab, Haryana, Bihar, Uttar Pradesh, Rajasthan, Jharkhand, Himachal Pradesh and Madhya Pradesh.

**(xv)THE CRIMINAL LAW (AMENDMENT) ACT, 2018-**

After the case of Kathua and other brutal rape incidents and sexual assaults of tender girls An Act further to amend the Indian Penal Code, Indian Evidence Act, 1872, the Code of Criminal Procedure, 1973 and the Protection of Children from Sexual Offences Act, 2012. This Act may be called the Criminal Law (Amendment) Act, 2018. It shall be deemed to have come into force on the 21st day of April, 2018. It amends the sections 166A,228A,376,376Aand insertion of section 376AB,3376DA,376DBof IPC 1860, sections 53A,146 of Indian Evidence Act1872, sections 26,154,161,164,173,197,309,327,357B,357C,374,377,438,439 of criminal procedure code1973 for the safety and security of women.

### CONCLUSION AND SUGGESTIONS

In addition to the measures to uplift the status of women in India initiated by Britishers, many vigorous steps (legal, social, economic and political) have been taken by government of India after independence by removing the hurdles, put in their way by traditional past. The efforts of the social reformers and their movements launched in the pre-independence period also bore fruits. The Indian National Movement also led to emancipation of Indian women.

But, the change from a position of utter degradation of women to a position of equality is not a simple case of the progress of women in the modern era. To uplift the status of women, many legislations pertaining to women were enacted after independence. There were mainly related to marriage, divorce, inheritance of property and employment. The decades after independence have been tremendous changes in the status and position of the women in Indian society. The constitution of India has laid down as a fundamental right the equality of sexes.

The above legislation and many other emancipation actions of the social reforms have no doubt raised the status of women in India, but still much is to be done in this field.

However, social legislation, have not been very effective in India because of many reasons. one important reason is that most of the women are not fully aware of the measure adopted by the status of their upliftment and even if aware they do not use them because of the old social values that are still persistent, these traditions and values inhabit them to take any revolutionary steps. Legal and legislative sanctions alone can not bring any substantial change in the downtrodden position of women unless, there is a marked change in their attitude and consciousness of men and women both. In this regard illiteracy is one of the hindrances. Even literate women also do not exercise their right of equality wherever it is required.

Secondly a woman becomes the cause of sufferance of another women and sometimes she becomes her own enemy. In dowry, bride killings and domestic violence, there are instances, where a woman found to have played a key role. The reasons do vary, but often centre round a kind of complex, sometimes unknown to herself. A woman when finds herself dominated by male ego, not being able to remove the shackles of male chauvinism, in an attempt to force her own way, the on slaught is on another woman. Also seen is the role of other women as the cause of strained relationship between a husband and wife. The husband always there in the offences of bigamy and adultery commits another. in cases of prostitution too, it is often found that other women do play an important role, to the agony of the victims.

Finally, we are not liberal in the modern era, we all are materialistic. Our morality lies with the money, fame and false praise. We never appreciate our females, always demoralised them. Women also responsible for their exploitation, harassment, humiliation and other brutal acts against them.

Thus, the status of women has been raised in the eye of law, but they are still far from equal to men in every sphere of her life. In practice, they continue to suffer discrimination harassment, humiliation and exploitation, in and outside of home. So, we can say, that the position of women from the decades is ,“A GAME OF SNAKE AND LADDERS”.

### REFERENCES

- (1) JULIUS JOLLY, HINDU LAW AND CUSTOMS,1975 BHARTIYA PUBLISHING HOUSE VARANASI
- (2) ANUJA,” VIOLATION OF HUMAN RIGHTS AND DIGNITY: GENDER PERSPECTIVES IN INDIA” MADHYA PRADESH JOURNAL OF SOCIAL SCIENCES, VOL 21 NO.1 JUNE 2016, PP.13-23
- (3) DR. A.S. ALTEKAR, THE POSITION OF WOMEN IN HINDU CIVILISATION 1962
- (4) BARE ACT, CRIMINAL LAW AMENDMENT ACT 2013
- (5) BARE ACT, CRIMINAL LAW AMENDMENT ACT 2018
- (6) S.N. MISHRA, LABOUR LAWS, CENTRAL LAW PUBLICATIONS
- (7)CRIMINAL MINOR ACTS, UVIVERSAL LAW PUBLICATION CO, NEW DELHI, ED.2017
- (8) Sexual Harassment of Women at Workplace (prevention, prohibition and Redressal) Act,2013, EKTA LAW AGENCY ALLAHABAD.
- (9) THE PROTECTION OF WOMEN FROM DOMESTIC VIOLENCE ACT, 2005 ACT NO. 43 OF 2005, EKTA LAW AGENCY ALLAHABAD.

