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Gandhi's Views On Women: Influence Of His View's On The Present Laws Relating To Women In India.

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Abstract

Men and women they are closely related to development like two sides of the same coin. We can not think the development of family, society, state and world without women. But in the patriarchal society women are the deprived section. Sometimes it is said that females are the burden in the family. They are tortured in many ways and which cause to the suicide of women in the society. For this reason, feminism has been emerged as a revolution to reduce the gap between men and women. The government of India has enacted various laws for the welfare of women. Mohandas Karamchand Gandhi, who is regarded as the Father of nation in India gave various important opinions relating to women. In this article I have tried to give arguments that how Mahatma Gandhi's opinions are closely related to the existing laws for women in India.

KEYWORDS : Ahimsa, Constitution, Gandhi, Women, Act, India.

INTRODUCTION

Gandhiji occupies today a pre-eminent position in the heart of the Indian people, it is because he touched the heart of the common man and made him realise that he too has a great destiny before him, he too has an important role to play in the larger national affairs. The women, along with the suppressed common man, had been amongst the forgotten, unwanted ones. Then Gandhiji came like a magician. He has often been described as the "wizard." He is too human to be superhuman. That is the secret of his greatness. He is just one of us, he is Bapu.

In Vedic times men and women were equal in all walks of life, including the religious and intellectual. Gandhiji was also against all inequality in any walk of life, social, economic and political. His philosophy of non-violence can be realised only in a society composed of highly developed men, women and children. To him the women, children and others have the same soul, the same potentiality. Non-violence can be the natural expression of only a well adjusted society. Where the one section dominates over the other, the harmony is

disturbed. It (non-violence) is the counterpart if peace. One cannot dwell without the other. According to him inequality ultimately led to exploitation (violence). He held that all work socially useful is of equal worth. Hence work should get, if not equal, at least equitable remuneration. In the Ashram of Gandhi, all the inmates, engaged in physical or intellectual work, were treated as equals and everyone was provided with facilities, according to his or her needs. He did not make any distinction between men and women.

Our society today is riddled with many maladjustments, between the rich and poor, the rulers and ruled, the high and the low castes, between men and women. They are all but phases of the same principle. He who stands for a harmonious social existence must champion the restoration of the balance between these various forces. A maladjusted society is built upon force, the stronger parts dominating over the weaker through their brute strength. That is why every great leader must necessarily stand for a proper adjustment of sex relationship. Writing on this question Gandhiji says : “My own opinion is, that just as fundamentally man and woman are one, their problem must be one in essence. The soul in both is the same. The two live the same life, have the same feelings. Each is complement of the other. The one can not live without the other's active help.... .”

GANDHI'S VIEWS ON CHILD MARRIAGE AND WIDOWHOOD

We can not support the child marriage and widowhood for the development of the society and State. Gandhi did not support the pernicious system of child marriage. To him such marriages ab initio null and void and as such, no marriage at all. This custom of child marriage is both a moral and physical evil. A child widow was not, therefore, in reality a widow but a maiden, and must be treated as such..

Gandhi says :

“We cry out for cow protection in the name of religion, but we refuse protection to the human cow in the shape of the girl widow. We would resent force in religion. But in the name of religion we force widowhood upon our girl widows who could not understand the import of the marriage ceremony. To force widowhood upon little girls is a brutal crime for which we Hindus are daily paying dearly. If our conscience was truly awakened, there would be no marriage before 15, let alone widowhood, and we would declare that these girls were never religiously married. There is no warrant in any Shastra for such widowhood.”

Gandhi holds that “So long as we thousands of widows in our midst, we are sitting on a mine which may explode at any moment. If we would be pure, if we would save Hinduism, we must rid ourselves of this poison of enforced widowhood. The reform must begin by those who have girl widows taking courage in both their hands and seeing that the child widows in their charge are duly and well married---not remarried. They were never really married.”

Gandhi was against all social and religious barriers to widow remarriage. In the case of adult widows, specially those with children, he would have liked them to remain true to their marriage vows and to their first love, rather than remarry. But, according to him this must apply equally to men. If a widow could not wish to live alone, she had every right to remarry and society must not look down upon such marriages. Gandhi said that “Voluntary widowhood, consciously adopted by a woman who has felt the affection of a partner, adds grace and dignity to life, sanctifies the home and uplifts religion. Widowhood imposed by religion or custom is an unbearable yoke, and defiles the home by secret vice and degrades religion.”

So, it is clear that Gandhiji advocates widow-remarriage. He pleads again and again : “ I have repeatedly said that every widow has as much right to remarry as every widower. All the young widows therefore.... should have every inducement given to them remarry, and should be sure that no blame would be attached to them if they chose to remarry, and every effort should be made to select for them suitable matches.... .”

GANDHI'S VIEWS ON PURDAH SYSTEM

Gandhi did not support the purdah system. It crippled not the free movement of women but interfered with their advancement, and the capacity for doing work useful to society. The Hindu women considered themselves as blessed to have the darshan of the Mahatma, as he undoubtedly was in their eyes. Even in Muslim families which observed purdah, he insisted on meeting the ladies and would take no refusal. The women of such families also would want to see him not through the chinks in their doors but face to face.

“Chastity is not a hot-house growth. It cannot be superimposed. It cannot be protected by the surrounding wall of the purdah. It must grow from within, and to be worth anything it must be capable of withstanding every unsought temptation. It must be as defiant as Sita's. It must be a very poor thing that can not stand the gaze of men. Men, to be men, must be able to trust their womenfolk, even as the latter are compelled to trust them. Let us not live with one limb completely or partially paralysed. Rama would be nowhere without Sita, free and independent even as he was himself. But for robust independence, Draupadi is perhaps a better example. Sita was gentleness incarnate. She was a delicate flower. Draupadi was a giant oak. She bent mighty Bhima himself to her imperious will. Bhima was terrible to everyone, but he was a lamb before Draupadi. She stood in no need of protection from anyone of the Pandavas. By seeking today to interfere with the free growth of the womanhood of India, we are interfering with the growth of free and independent-spirited men. What we are doing to our women and what we are doing to the ‘untouchables’ recoils upon our heads with a force thousand times multiplied. It partly accounts for our own weakness, indecision, narrowness and helplessness. Let us then tear down the purdah with one mighty effort.” –M.K. Gandhi.

Gandhiji wanted them(women) to participate along with men in satyagraha, the non-violent fight for the freedom of the country and to carry on the constructive programme, which was an integral part of that movement. He associated women in every activity that he undertook. Gandhiji employed some of them in his secretarial work. He did not hesitate to send them to face difficult situations. He had full confidence and trust in their capacity to defend themselves and their honour. He did not consider themselves as the weaker sex. Gandhiji says: “To call woman the weaker sex is a libel, it is man's injustice to women. If by strength is meant brute strength, then indeed is woman less brute than man. If by strength is meant moral power, then woman is immeasurably man's superior.” He also says: “If women would forget that they belong to the weaker sex, then no doubt they can do infinitely more than men against war.”

GANDHI'S VIEWS ON MARRIAGE AND DOWRY SYSTEM

Gandhiji was against the dowry system. According to him for the middle and poor classes it is a night-mare. While there is joy on the birth of the male child, there is expressed silent mourning on the birth of a female child. Gandhiji says: “Invidious discrimination against the female sex is an anachronism. I fail to see any reason for jubilation over the birth of a son and for mourning over that of a daughter. Both are God's gift. They have an equal right to live, and are equally necessary to keep the world going.”

Marriage is probably the oldest social institution and the most abused. To him marriage means not merely union of bodies. It connotes the union of the souls also. He was also against heavy expenditure in connection with marriage. He wanted to simplify the marriage ceremonials. He was against feasting on such occasions. Many marriages were celebrated in his Ashram. All that was done was the recitation of the simple Ashram prayer and some advice from Gandhiji to the newly married couple how they should live a happy life of service. At the end of this simple ceremony, he would present to the couple a copy of the Bhagavadgita. Following the example of Gandhi, many rich men celebrated the marriages of their children without giving or receiving dowry or calling many friends to costly receptions.

Gandhiji invited the women of India to participate in the satyagraha movement not only because they were equal to men but also because they possessed virtues which made them superior to men in a non violent fight. He says: “. woman is the incarnation of ahimsa. Ahimsa means infinite love, which again means infinite capacity for suffering.” Even as a general rule he considered that the standards observed by women in their conduct were superior to those of men. He, therefore, would advise the later to copy the former and not vice

versa. Gandhiji did not consider man's wrongs to be woman's right in her pursuit of equality. In moral conduct he believed in levelling up and not in levelling down.

Gandhiji held that woman's grace lay in her character and her modesty. He did not want her to be a plaything for man. He was against costly clothes, jewellery and makeup. Gandhiji said: "Woman must cease to consider herself the object of man's lust. The remedy is more in her hands than man's. She must refuse to adorn herself for men, including her husband, if she will be an equal partner with man." Again, addressing a women's meeting, Gandhiji said "If I was born a woman, I would rise in rebellion against any pretention on the part of man that woman is born to be his plaything. I have mentally become a woman in order to steal into her heart. I could not steal into my wife's heart until I decided to treat her differently than I used to do, and so I restored to her all her rights by dispossessing myself of all my so-called rights as her husband. And you see her today as simple as myself. You find no necklaces, no fineries on her. I want you to be like that. Refuse to be the slaves of your own whims and fancies, and the slaves of men. Refuse to decorate yourselves, and don't go in for scents and lavender waters. If you(women) want to give out the proper scent it must come out of your heart, and then you will captivate not man, but humanity. It is your birth-right."

Reflection of M. K Gandhi's Ideas In the Indian Constitution

The Constitution of India which is the lengthiest written constitutions of the world there are so many provisions relating to women. And the Indian government has enacted various laws for the same. These are as follows :

Article 14 says that the State shall not deny to any person equality before law or the equal protection of the laws within the territory of India.

Article 15 provides that the State shall not discriminate against any citizen on the grounds only of religion, race, caste, sex or place of birth. The state is permitted to make any special provision for women and children.

Article 16 provides for equality of opportunity for all citizens in matters of employment or appointment to any office under the State. No citizen can be discriminated against or be ineligible for any employment or office under the State on grounds of only religion, race, caste, sex, descent, place of birth or residence.

The dowry prohibition Act, 1961 deals with increasing cases of harassment of women and their for dowry. The objective of Act is two fold. One to prevent and eradicate the practice of giving or taking dowry, and second to eliminate the demand of dowry by any party involved in marriage arrangement. This Act was amended in 1986.

The Muslim Women (Protection of Rights on Divorce) Act, 1986, is an Act of the Parliament, which has led to several legal, societal, economical and jurisprudential implications for the entire country. The main objectives of this Act are to protect the rights of Muslim women from their husbands and to grant maintenance rights to Muslim women.

The Protection of Women from Domestic Violence Act, 2005 deals with the criminal matter of domestic violence in a manner that prioritises civil reconciliation and aims to provide the aggrieved party relief from violence. The aim of this Act to create violence-free environments for women in their homes.

The Prohibition of Child Marriage Act, 2006, is an Act of the Union Legislature brought to put an end to the social practice of child marriages still prevalent in the country. This Act also prescribed punishments for the child marriage.

The Protection of Children from Sexual Offences (POCSO) Act, 2012, is a holistic law that intends to provide for the protection of children from sexual assault, sexual harassment, child pornography etc. This Act criminalises harsh offences committed against children. It also aims to create a child-friendly atmosphere

through a speedy and judicious trial. The POCSO Act was amended in 2019 to expand the definitions of the crimes covered under the Act and to change the amount of punishment to be given to the various crimes.

The Sexual Harassment of Women at Workplace (Prevention, Protection and Redressal) Act, 2013 (POSH) enacted to ensure the protection of women from sexual harassment at their workplaces. This is to guarantee the right to life under Article 21 of the Constitution and also Articles 14 and 15 to foster equality and opportunity for women in participating in productive economic activity. This also works towards the dignity of women.

The Muslim Women (Protection of Rights on Marriage) Act, 2019, is an Act of Parliament to declare the practice of triple talaq as void and illegal, and also specify the punishment attracted by this Act. The main objectives of this Act are to protect the rights of married Muslim women and to prohibit divorce by pronouncing talaq, by their husbands.

National Commission for Women (NCW)

NCW is a statutory body of the Central Government of India which advises the Government on policy matters affecting women. It was constituted in 1992 under the National Commission for Women Act, 1990.

Conclusion

So, it is clear that the Government of India has enacted various Acts for the welfare of women and many provisions of the Constitution of India are also related to development of women. We can say that Mahatma Gandhi's views on women have great importance on the various Acts and constitutional provisions in India. Though the position of women in India has developed but it is not satisfactory. For this reason, consciousness among the people is very essential.

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