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## HISTORY AND DEVELOPMENT OF FEMINISM

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**Abstract:** Feminism is a belief in full social, economic, political and personal equality for women. It also means that everyone should be treated equally in regard to the sex. Feminism does not just benefit to the women but it also demands equality in opportunities. Feminism, in Indian context, can be divided into three phases: - The First Phase of Indian feminism was started in the mid nineteenth century from 1850–1915. The first phase of Indian feminism was initiated by men to uproot the social evils sati and to allow widow remarriage. The Second Phase was started from 1915–1947 and prime objective was Nationalism became the pre-eminent cause of feminism. The Third Phase was started after independence and its focus of the Indian feminist movement has gone beyond treating women as useful members of society and a right to parity, but also having the power to decide the course of their personal lives and the right of self-determination.

**Index Terms:** Feminism, equality, nationalism, self-determination.

### Meaning of Feminism

The word Feminism comes from the Latin word Femina which means Woman. Feminism simply means that everyone should be treated equally in regard to sex. It means that there is no discrimination on the grounds of sex. It also means that it is a belief in full social, economic, political and personal equality for women.

According to Oxford Dictionary, “Feminism is the advocacy of women’s rights on the grounds of the equality of the sexes”. From the light of the above definition we can say that women should have equal rights and opportunities of that of men.

Feminism does not mean that woman dominate over man. It does not also mean that woman wanting to keep her feet above man. It is an equality of sexes that man supporting woman and woman supporting man.

## History and Development of Feminism

The term “feminism” originated from the French word “feminisme,” coined by the utopian socialist Charles Fourier, and was first used in English in the 1890s, in association with the movement for equal political and legal rights for women.<sup>1</sup>

Feminism, in Indian context, can be divided into three phases:-

### First Phase: 1850–1915

The First Phase of Indian feminism was started in the mid nineteenth century. At this time, India was to assimilate the Western idea of liberty, equality and fraternity. The first phase of Indian feminism was initiated by men to uproot the social evils sati and to allow widow remarriage. Indian societies were also forbid child marriage and to reduce illiteracy. However, as nationalist movements emerged in India, the Indian society was improving the status of women by the late nineteenth century.

### Second Phase: 1915–1947

During this period the struggle against colonial rule intensified. Nationalism became the pre-eminent cause. Claiming Indian superiority became the tool of cultural revivalism resulting in an essential model of Indian womanhood similar to that of Victorian womanhood: special yet separated from public space. Gandhi legitimized and expanded Indian women's public activities by initiating them into the non-violent civil disobedience movement against the British Raj. He exalted their feminine roles of caring, self-abnegation, sacrifice and tolerance; and carved a niche for those in the public arena. Peasant women played an important role in the rural satyagrahas of Borsad and Bardoli.<sup>2</sup> Women-only organisations like All India Women's Conference (AIWC) and the National Federation of Indian Women (NFIW) emerged. Women were grappling with issues relating to the scope of women's political participation, women's franchise, communal awards, and leadership roles in political parties.<sup>3</sup>

### Third Phase: Post–1947

Prior to Indian independence, most of the feminists were accepted the sexual divide within the labour force. But, after the independence, the situation was change and feminists began to redefine the area to which women were allowed to engage in the workforce. Now, in the early twenty-first century, the focus of the Indian feminist movement has gone beyond treating women as useful members of society and a right to parity, but also having the power to decide the course of their personal lives and the right of self-determination.<sup>4</sup>

## Landmark judgments that changed the course for women in India

The verdict in these cases, which were fought to provide justice to one woman, continues to bring hope to several women facing circumstances that undermine their dignity and their fundamental right to equality.

<sup>1</sup> Ted Honderich. 1995. *The Oxford companion to philosophy*. (Oxford: Oxford University Press. ISBN 0198661320), 292

<sup>2</sup> Aparna Basu. "Indian Women's Movement" (PDF). Archived from the original (PDF) on 27 February 2013. Retrieved 24 March 2014.

<sup>3</sup> Kumar, Radha. *The History of Doing Archived 10 January 2016 at the Wayback Machine*, Kali for Women, New Delhi, 1998.

<sup>4</sup> Kumar, Radha. *The History of Doing Archived 10 January 2016 at the Wayback Machine*, Kali for Women, New Delhi, 1998.

## 1. Vishaka v/s State of Rajasthan<sup>5</sup>

Bhanwari Devi, a social worker from Rajasthan, was brutally gang-raped by five men for preventing a child marriage. Determined to seek justice, she decided to go to court. In a shocking decision, the trial court acquitted all five accused. Vishaka, a Group for Women's Education and Research, took up the cause of Bhanwari Devi. It joined forces with four other women's organisations, and filed a petition before the Supreme Court of India on the issue of sexual harassment at the workplace.

On August 13, 1997, the Supreme Court commissioned the Vishaka guidelines that defined sexual harassment and put the onus on the employers to provide a safe working environment for women.

## 2. Mary Roy v/s State of Kerala<sup>6</sup>

Women from the Syrian Christian community in Kerala were prevented from inheriting property due to patriarchal traditions. This decree was challenged by Mary Roy, a woman's right activist and educator. After the demise of her father, she filed a case against her elder brother when she was denied equal share in the family's inheritance. Though the plea was rejected by the lower court, the Kerala High Court overruled the previous judgment.

In 1986, the Supreme Court delivered a landmark judgment that granted Syrian Christian women the right to seek an equal share in their father's property.

## 3. Lata Singh v/s State of Uttar Pradesh<sup>7</sup>

Lata Singh was an adult when she left her family home to be joined in matrimony with a man from a lower caste. Her brothers, who were unhappy with the alliance, filed a missing person report, and alleged Lata had been abducted. This resulted in the arrest of three people from her husband's family.

In order to get the charges dropped, Lata Singh filed a petition which resulted in the landmark judgment by the Supreme Court that allowed an adult woman the right to marry or live with anyone with her choice.

The court further ordered that the police initiate criminal action against people who commit violence against those who decide on inter-religious or inter-caste marriages.

## 4. Roxann Sharma v/s Arun Sharma<sup>8</sup>

Roxann was involved in a bitter child custody battle with her estranged husband. A court in Goa granted her interim custody of their child, but Arun Sharma whisked their son away and refused to let Roxann meet the child.

She filed a case against him, which led to the landmark judgment pronounced by the apex court regarding children caught in a legal battle between parents.

The Supreme Court ruled that when estranged parents are involved in a legal tussle over the custody of a child who is under the age of five years, the custody of the child will remain with the mother.

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<sup>5</sup> AIR 1997 SC 3011

<sup>6</sup> AIR 1986 SC 1011

<sup>7</sup> AIR 2006 SC 2522

<sup>8</sup> 2015 8 SCC 318

## 5. Tamil Nadu Vs Suhas Katti<sup>9</sup>

This case led to the first conviction under the Information Technology Act, 2000. The victim was being harassed by the accused, Suhas Katti, when she refused to marry him. He would send defamatory and obscene messages to her online in a Yahoo message group. To add to her agony, she began to receive phone calls from unknown people soliciting sex work.



<sup>9</sup> CC No. 4680 of 2004