

# **Towards Empowerment of Dalit Women –A Brief Outline**

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## **ABSTRACT**

*Do the dalit women really live in a world much different from the world of the so called 'mainstream society'? It is a fact that, half of the people are women in the total population of India, and inspite of that, women are neglected, exploited and deprived of politics. Mainly men, especially the men of higher caste, are more powerful in the field of politics. The same scenario is noticeable not only among the political parties or institutions, but also in the field of socio-economic organization. But, the situation has change after 73rd Constitutional Amendment (1992). After this Amendment, women can get space and raise their voice within male dominated society. This paper tries to sketch the empowerment of dalit women in recent years in India.*

KEY WORD: Dalit, Mainstream Society, Politics, Empowerment, Constitutional Amendment.

The issue of women empowerment has become a crucial agenda which is discussed throughout the world including India. It is a fact that, half of the population in India comprises women. They are neglected, exploited and deprived of politics at the national, state and grass-root level. Mainly men, especially the men of higher caste, are more powerful in the field of politics. The same scenario is noticeable not only in the political parties or institutions, but also in the field of socio-economic organization. The situation is more alarming when we think about women belonging to the marginal communities, especially the dalits.

In short, empowerment is a process of awareness and capacity building leading to greater participation to greater decision-making, power and control and to transformative action. The most conspicuous feature of the term empowerment is that it contains the word 'power'. To sidestep the philosophical debate, it may be broadly defined as control over material assets, intellectual resources and ideology (Batliwala 1995)<sup>1</sup>. The material assets over which control can be exercised may be physical, human or financial, such as land,

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water, forests people's bodies and labour, money, and access to money. Intellectual resources include knowledge, information and Ideas. Control over ideology signifies the ability to generate, propagate, sustain, and institutionalize specific sets of beliefs<sup>2</sup>.

The ancient Indian society stratified on the 'varna' and caste. Thus, social system creates a demonic disorder like untouchability. Untouchable persons are considered to be a part of Hindu society. Untouchables are such people of Hindu community as are separated from the society and this differentiation is followed by the society from generation to generation. Even the society ill-treats them. Now, these untouchables are known as 'Dalit'. The Word 'Dalit' is derived from Sanskrit where it is used both as noun and adjective. It has its root in "dal" which means to crack, to split open etc. The category 'Dalits' was first used by Jyotiba Phule in the 19<sup>th</sup> century. The Dalits not only belong to lower caste category, but also belong to the lower class category of the Indian society. Gandhiji called them 'Harijan' while some people describe them as depressed communities. They have been exploited and tormented most often for a long time by the higher caste people. To eliminate the practice of discrimination, various type of movements have been organized in different times in different parts of the country. These movements reached to a height when Gandhiji adopted the removal of untouchability as one of his political agenda and philosophic vision. And with this, a reservation for dalit people takes its position in the 'Poona Pact'. Some social reformers like Jyotiba Phule, Shri Narayan Guru, Dr. B. R. Ambedkar, E.V. Ramswami, G. N. Mudaliar and others played an important role in resolving the problem<sup>3</sup>. But it was Babasaheb Ambedkar who indeed gives birth to a movement that gradually spread throughout the country to engulf all the aspects of human society. The social reformers tried to save the dalits from the 'Brahmins'. They tried to reduce the domination of higher castes and increase the ratio of entry of lower castes in the spheres of education, service and politics.

To eradicate the difference among the castes, the Constitution of India has incorporated certain provisions. Even articles have been included in the Constitution for gender equality to provide some rights for every men and women. The Constitution grants equality to women and also empowers the state to adopt measures of positive discrimination in favour of women. The principle of 'gender equality' is enshrined in the 'Preamble', 'Fundamental Rights', 'Fundamental Duties' and 'Directive Principles' of the Constitution. As the Dalit women are highly neglected and oppressed in our society they should be safeguarded and

upheld by the Constitutional mechanism. To achieve this goal they can be provided some special protection under Article-14 of the Constitution, though Article-14 forbids any class legislation. So far the provisions of Article-14 are concerned some reasonable classification may be done for the neck and vulnerable section of our society. Classification to be reasonable must fulfill the following two conditions- i) the classification must be founded on an intelligible differentia which distinguishes persons or things that are grouped together from others left out of the group and ii) the differentia must have a rational relation to the object sought to be achieved by the Act<sup>4</sup>. Article-15 of the Constitution forbids discrimination on grounds of caste, religion, sex, race and place of birth, whereas Article-16 ensures equal opportunities in employment for all. Article-39 guarantees equal pay for equal work for both men and women; promotes justice on a basis of equal opportunity and provides free legal aid by suitable legislation or scheme or in any other way to ensure that opportunities for securing justice are not denied to any citizen by reason of economic or other disabilities. Article- 42 says “the state shall make provision for securing just and humane conditions of work and for maternity relief”. Article 46 provides that “the state shall promote with special care the educational and economic interests of the weaker sections of the people and to protect them from social injustice and all forms of exploitation”. Article- 47 states that “the state to raise the level of nutrition and the standard of living of its people and the improvement of public health”. Article-51A(e) promote harmony and the spirit of common brotherhood amongst all the people of India transcending religious, linguistic and regional or sectional diversities; to renounce practices derogatory to the dignity of women. Article 243 D provides that: seats are to be reserved for scheduled castes, and scheduled Tribes in proportion to their population. Out of the seats so reserved not less than 1/3 seats shall be reserved for women belonging to scheduled castes and scheduled Tribes, respectively. Not less 1/3 of the total number of seats to be filled by direct elections in every Panchayat shall be reserved for women<sup>5</sup>.

The Constitution makes special provisions for the administration of certain areas called ‘Scheduled Areas’ in States other than Assam or Meghalaya even though such areas are situated within a state or union territory [ Art. 244 (1)], presumably because of the backwardness of the people of those Areas. The tribal areas in the States of Assam, Meghalaya, Tripura, Mizoram are separately dealt with [Art. 244 (2)] and provisions for

their administration are to be found in sixth schedule of constitutions.

Besides, there are certain specific provisions for special representation and the reservations of seats for Scheduled Castes and Scheduled Tribes in the legislatures. The Constitution has reserved seats for the members of the Scheduled Castes and Scheduled Tribes in both the Houses of Parliament as well as in the state Legislatures under Article-330, 332, 334 of the Constitutions. Article- 335 says that the claims of the members of the Scheduled castes and Scheduled Tribes shall be taken into consideration consistently with the maintenance of efficiency of administration in the making of appointments to services and posts in connection with the affairs of the union or of a state. Under Article 338 a special officer for the Scheduled castes and Scheduled Tribes is to be appointed by the president of India. Under Article 340 of the constitution the president may by order appoint a commission to investigate the condition of socially and educationally backward classes <sup>6</sup>.

We have various laws, plans and programmes to safeguard women and their interest in different sphere. It includes: The Employees state insurance Act -1948; The Plantation Labour Act-1951; The Family Courts Act-1954; The Special marriage Act-1954; The Hindu Marriage Act-1955; The Hindu Succession Act-1956; Immoral Traffic (Prevention) Act-1956; The Maternity Benefit Act-1961(Amended in 1995); Dowry Prohibition Act-1961; The Medical Termination of Pregnancy Act-1971; The Contract Labour (Regulation and Abolition)Act-1976; The Equal Remuneration Act-1976; The Child Marriage Restraint (Amendment)Act-1979;The Criminal Law (Amendment)Act-1983; The Factories (Amendment) Act-1986;Commission of Sati (Prevention)Act-1987;The Marriage (Amendment)Act-2001;Protection of women from Domestic Violence Act-2005; Protection of women's Against Sexual Harassment Act of Work Place-2010 etc.

The theorists have pointed out three aspects on empowerment of women such as economic, social and political. These three aspects of empowerment are on one side separate and on the other side their closely co-related. Some countries take some decisions to improve women's economic empowerment. For the example, we can name of the Gramin Bank of Bangladesh, Self-Help group in India, different model of Micro Finance in some countries etc. These economical programmes have contributed much to make women work autogenously in economic sphere. Three economic models of the world including south Asian

countries become very popular like South Asian Poverty Alleviation Programme (SAPAP), Development of Women and Children in Rural Areas (DWCRA) and Community Development Fund (CDF). These economic programmes have increased the matter and manner of economical empowerment of women.

Another important issue is that women's economic empowerment is heavily dependent on social and political empowerment. In the social sphere, some social diseases are living still now like dowry system, child marriage, killing of female embryo etc. We should prevent the practice of such diseases from our society. Then, it will begin to pave the way of social empowerment for women.

In the social sphere women are also subject to several limitations viz. decision about family matter, going outside home without permission, mother's approach to her sons and daughters, employment issue, social communication and so on. Now, the modern society is still remaining a male dominated one where women are neglected, subjugated. One thing must be mentioned at this point that even amidst the male dominance, various kinds of initiative have been taken at present by several countries regarding the voicing forth of women. But still we should pay our sincere attention to the fact how Dalit Women are facing problems and tortures due to the rooted superstitious beliefs inherent in the society.

Dalit women are neglected in political arena to a great extent. Their position have greatly been denounced though, they had a great contribution in the freedom movement. Being inspired by the Gandhian philosophy they left no stone unturned to free our motherland. Not only that, these women took part in the movement for the rights of women to cast vote, and it received success when for the first time they had been acknowledged with such right in 1917. Then, the constitutional reforms of 1919 left the matter to the discretion of the elected legislatures in the provinces and finally they got their right's to vote in 1921. This right to vote, however, was subjected to certain reservations: women could not vote only if they possessed qualifications of wifehood, property and education. The Government of India Act of 1935 increased the number of enfranchised Indians, the proportional suffrage right of women and relaxed some of the previous qualifications. Afterwards all women having fulfilled the conditions of property and education, over the age of 21 are allowed to vote<sup>7</sup>. After the independence, all women got their rights to vote in 1950.

It is well known to all that some advantages have been provided to the women in our constitution, but in reality they encounter various problems. Panchayat system started in some states in 1960. But the Dalit women were neglected in the political participation. The 73<sup>rd</sup> Constitutional Amendment Act (1992) has changed the situation to some extent. This Amendment Act provided for 33% reservation for women including Scheduled caste and Scheduled Tribes women. Through this amendment a great chance was created for dalit women for their political empowerment. However, a few states have gone beyond the mandated 33 per cent and provided more reservation for women. For instance Bihar, Madhya Pradesh, Uttarakhand, Rajasthan and West Bengal have reserved 50% seats for women in Panchayats and Sikkim has reserved 40 per cent seats for women. The Constitution's 110<sup>th</sup> Amendment Bill 2009 provides reservation for women from 33 per cent to 50 per cent in panchayat. The Bill seeks to amend the Article 243D to enhance the quantum of reservation for women from one-third to one-half of the total seats in Panchayats. Similar reservation shall be provided among the total number of offices of chairpersons. It can surely be opined that though the process of empowerment of dalit women is functioning slowly; in the near future it will get more impetus from which we shall be benefited more and more.

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