



Women's Personal Rights Law in Colonial India

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ABSTRACT

Multiple guidelines on gender equality have been published nationally and internationally, although the problem has not been resolved in the 21st century. The position of women in Indian society is not satisfactory. At different times, women have been confined to social norms and customs and have been confined to daughters, brides, and motherhood. So education, health, society, and economy are lagging in various fields. After the independence of India, the framers of the Constitution later passed several bills in the parliament to protect the rights of women. West Bengal also is as active as any other state in India. The purpose of the present article is to discuss how multiple projects undertaken by the Government of West Bengal over the...

(Key Words:- Governmental Programmes, Women empowerment, West Bengal)

Introduction :

Women's personal rights law was a Historical event in India during the colonial period. One of the topics in the progressive social reform program of the nineteenth century was the question of women. During this time social reformers introduced various reform programs through the establishment of women's rights laws. The influence of western education in English educated India. They showed initiative to remedy the inferiority of women in the society. Women's rights were not recognized in the society. Many superstitions were prevalent in the society in the nineteenth century. At that time most of the women were deprived of the light of education. The idea was prevalent in the society that if a woman learns to read and write, she will become a widow. Child marriages were common and having children at an early age was detrimental to their health. If she was a widow again, she would have to go with her dead husband. Otherwise, women would be forced to live a tortured, lonely, miserable life from a perpetual widow. Again women were not given any share in the property of the deceased husband. They also had no right to remarry. Since men are addicted to polygamy, the married wife had to live with Sati or multiple husbands through various hardships. There was no way to protect his self-esteem. Among the upper caste Brahmins there was again the "nobility system". The same person used to get married ten to sixty times. Satidh and illiteracy among women was the biggest problem in the society. As a result, women's personal rights laws were enacted in India in the nineteenth century by analyzing all these aspects of justice. On the basis of which women get freedom. They later led the nationalist movement in India on the basis of women's personal rights law.

Objective's of Study :

The main subject of this article is the Women's Rights Act of India during the colonial period. And based on this, especially the various movements against the practice of satidh, the introduction of anti-satidh law for women's rights law, protest against the introduction of child marriage, the introduction of the bill on sexual intercourse, the introduction of widow marriage law for women's rights, the introduction of women's right to education. . In particular, through the nationalist movement in the colonial period, women were given their rights by law. In particular, the nationalist movement in the colonial period and the various rights demands and reforms that women have established in the law of their rights to establish their own dignity - the luster of society is highlighted in this article.

Literature Review:

Social-Reformist movement :

In the eighteenth and nineteenth centuries, the practice of cohabitation was widespread in Bengal. Between 1815 AD and 1817 AD, about 864 satidhs were practiced in Bengal. The total number of Sati in the rest of British India was 663. There is a lot of criticism against the practice of satidh. Mrityunjaya Vidyalankar sharply criticized the practice of satidh in 1817. Raja Rammohun Roy sharply criticized the practice of satidh in the newspaper "Sangbad Kaumudi". Governor General William Bentinck was

strongly opposed to the practice of satidah. In view of this, on 4th December 1829, a law was passed by the Governor General in Council declaring the practice of satidah illegal and a personal law was enacted to protect the rights of women. On 16 January 1830, Rammohun Roy, in a meeting at a town hall in Calcutta, congratulated Benting on the abolition of the practice of satidah. Apart from Rammohun, Dwroka Nath Tagore, Annada Prasad Bandopadhyay and others were also present at the congratulations. In this way, the right of women to live in private was enacted against the practice of satidah. As a result, many Hindu women of the society were saved from the burning fire.

The movement for the introduction of widow marriage began in the nineteenth century. In 1842, in support of Tarachand Chakraborty, Parichand Mitra, Ramgopal Ghosh, and others, the magazine "Bengal Spectator" specifically recognized widow marriage as a women's rights law. Pandit Ishwar Chandra Vidyasagar started the work of implementing the Widow Marriage Act in an unprofessional manner and actively in the society. Derozian disciple Radhanath Sikder helped him. After much debate, the British government legally recognized the widow's marriage on July 26, 1856. As a result, the law of women's rights is recognized in the case of widow marriage. Many women are liberated from superstition by coming to the path of light. By 1867, Vidyasagar had arranged marriages for a total of seven widows.

Vidyasagar made special contribution in the field of child marriage like widow marriage. In this case, the colonial state enacted a law in 1860 to fix the age of marriage for girls at 10 years. Viceroy Lansdowne passed a law in 1891 called the "Consensual Consent Bill" proposing to increase the age of marriage for girls from 10 to 12. But conservative society strongly opposed it. The then Hindu Patriot strongly opposed the bill. After the abolition of the practice of satidah, there has never been so much controversy centering on any law. The "Consent Consent Bill" was finally passed in March 1891. Consequently, intercourse with girls under the age of twelve is declared a punishable offense by the husband under this Act.

Female feticide was another particularly anti-social stigma in India during the colonial rule. At that time, as women were seen as a social disorder, giving birth to a daughter was also considered a disorder. In this context, the practice was very strict in the Rajput society. But the socially backward tribes followed this tradition quite well. They were killing their baby daughter at birth. The Bengal Regulation Act has declared infanticide illegal. In 1870, the "Pumphlet on the Right of Women" - a law prohibiting the killing of female children and declaring it equivalent to murder as a precautionary measure. As a result, women's daughters are legally recognized.

Women's legal rights in education:

India's current education system is very similar to the pre-independence education system. Which was started by the missionaries. The Portuguese, French missionaries were making an effort in the field of primary education. There was, of course, a larger purpose behind it. For, if ordinary people were educated in primary education, it would be easier for them to convert to Christianity. And as a

result, ordinary people will be attached to European rule. That is, the real purpose was to strengthen the foundations of Indian rule

Historian Romila Thapar thinks that the advancement of women in ancient India was never parallel. Somewhere women got dignity, somewhere women were oppressed. Buddhism in some cases gave women the opportunity to think independently and women expressed their opinions. Again in the Middle Ages women's illiteracy and social degradation is a very common concept. But in the light of historical information, it is not acceptable at all. Because there was enough education among middle class and upper class girls. However, the examples of the progress of women's education in the Mughal period were very limited.

But in the nineteenth century, the main condition of humanity became the wife of women's liberation king Rammohun Roy wrote an article in support of the impact of education. The main medium of Young Bengal's social activities, Gyananbeshan Patrika, attempts to build public opinion in favor of women's education and women's emancipation. In 1835, a newspaper published in the "News Mirror" spoke of the legal right to education. The "Calcutta School Society" was established in 1819 through the efforts of Radhakanta Dev. This was his ideal so that girls could get education in the inner city while maintaining the Bengali family ideology.

Contribution of Missionarie's:

The missionaries took important steps to promote women's education. The Hedges Girls' School was established in 1760. Probably it was one of the schools for educating women socially. In 1819 the Reverend of the London Society established a school for women's education in Chunchura. William Carey set up a school for girls in Srirampur that year. In 1820 the Calcutta Female Juvenile Society established eighteen schools. In 1822 four more schools were established. In the same year, various trainings in mathematics, history, geography, philosophy and sewing were given in the schools. In 1824 the Ladies Society for Native Education was established. In 1826 Miskuk established the Central School with twenty thousand rupees given by King Vaidyanatha. The training of female teachers started there. At that time in 1821 the first women's school was established in Madras. By the middle of the 1800s, the number of girls' schools had risen to seven. The first women's school was established in Bombay in 1824. In ten years that number stands at ten schools. Women's education centers began to be formed in various places in northern India. By 1835, women's education centers were established in several districts of Bengal such as: Burdwan, Birbhum, Murshidabad, Krishnanagar, Uttar Para.

In the nineteenth century, these missionaries showed special initiative in educating women. This time a huge change comes. With the abolition of the veil, girls became interested in participating in education, society, culture and politics. Of course, it has already been discussed. The Hindu Girls' School was established in Calcutta in 1849 with the efforts of Bengali educators such as Water Bethune and Dakshinaranjan Mukherjee. The Reverend Alexander Duff of the Scottish Mission established several women's institutions such as: Margaret School, Duff School, Holy Child School etc.

Charter Act of 1813:

The Charter Act of 1813 brought a new impetus to education. Earlier, the government did not take any responsibility in the field of Indian education. Everything was a private initiative. The Charter Act of 1813 stated that the government would not take any initiative to expand education. However, one lakh rupees will be given for the expansion of education this year. As a result, many educational centers were established. As a result, the rights of women in education became stronger.

Macaulay's Minute 1835:

The issue of women's education has not been impartially judged in the controversy that has erupted in India between the East and the West over the character of Indian education from 1813 to 1835. But in 1835, McClellan's Minute spoke of the special legal rights of Indian women in women's education.

Wood's Despatch, 1854:

In 1850, the then Governor General Lord Dalhousie began to show initiative to the government, believing that only women's education could bring about effective change in the people of this country. The direct result of which can be seen in Wood's Despatch in 1854. This speaks of the special rights of women. At the same time how many women's education centers are established. Where initiatives are taken to spread women's education through financial grants. It was in this context that when the English social reformer Mary Carpenter came to India, she realized the need for a women's education training center. As a result, in 1870, she established the first female primary teacher-learning center. By 1882, schools for 2600 girls had been established. The first two women to get a university degree were Chandramukhi Basu and Kadambini Ganguly.

Hunter Commission:

From 1882 to 1883, the Education Commission of India took several measures in the field of women's education. Such as: setting up separate schools for women's education, providing unpaid education, creating trained teachers, etc. But could not spend enough money for it. However, between 1901 and 1902, 12 women's colleges, 422 secondary and 5305 primary and 45 training centers were established for women.

University Commission:

From the time of the Indian University Commission in 1902 to 1921, an initiative was taken to transfer education to Indians. At that time women's education was seen as private. One of the reasons is renaissance. Moreover, as a result of awakening to the ideology of nationalism, the consciousness of women became stronger in the society. The legal issue of their rights continues to develop.

Annie Besant also contributed to women's rights law. In 1904 he established Central Hindu Girls College in Varanasi. Again Professor D.K Karve established the Indian Women's University. Jyotiba Phule established the first girls' school in Pune in 1871 for lower class women. Where the girls studied. Later, Jyotibar's wife Savitribai got her own education and started teaching Dalit women. Moreover, Ramabai came to Pune and established a women's college. He sharply criticized the patriarchal society and developed a legal opinion on women's rights. In 1882 he wrote a book called "A Comparism between Women and Men".

Begum Rokeya Sakhawat Hossain is one of the most famous Muslim women in Bengal. Muslim women build public opinion to demand the rights of society. Took legal action. She formed Anjuman-e-Hiyamat-e-Islam, Anjuman-e-Islam etc. and demanded women's rights.

At the beginning of the twentieth century, women sought to create a separate independent field in which they could assert their legal rights. At the beginning of the twentieth century, many women's organizations were formed to create a field of exchange like women's society. The "Women's India Association" was formed in Madras in 1917. The "National Council of Indian Women" was established in 1926. It was a branch of the "International Council of Women". The main driving force was Meribai Tata. It was created in 1927 by a woman named Margaret Cassins to legally recognize women's right to education. Gradually, however, the organization became involved in nationalist politics. This organization became vocal in defending the interests of the society of women and realizing various demands. On women's suffrage, education, marriage reform, job rights, etc. Despite various criticisms, the "All India Women's Conference" remained the main organization of Indian women's society until 1940.

The British government was forced to take some initiatives for women's society by demanding various legal rights for women's organizations. In 1917 a women's delegation demanded some legal rights to women's suffrage in the Montague-Chelmsford Reform of India. Although he promised to consider the matter sympathetically, no decision was made on women's suffrage in Montenegro-Chelmsford in 1919. Between 1921 and 1922, women's suffrage was recognized. Of course that right is exercised on the basis of educational qualifications and property. But later, the Indian Rule Act of 1935 brought more women to the right to vote. At the same time seats are reserved for women. As a result, women accepted seats in the legislature as they were reserved, and as a result, after the 1937 election, a number of women legislators were elected to various provincial legislatures on the basis of universal law. In 1929, the "Charter Act" was enacted to increase the age of marriage for women to 14 years and for men to 18 years. In addition, in 1930, a series of laws were passed in the Central and Provincial Legislative Assemblies to demand women's rights. Its purpose was to determine women's rights to inherit and divorce in family property, and to regulate prostitution. But did the introduction of these laws at all lead to any improvement in women's rights laws and / or demands? In fact, neither the government nor any of the nationalist groups have shown any interest in enforcing the laws. As a result, it cannot be said that women's legal rights have been fully successful.

Criticism:

It is true that the colonial British government wanted to educate women. So that the Indian bureaucrats give birth to royal subjects by making educated women their life partners. Although the British government brought the light of education to India by bringing an end to the Dark Ages, the ruling class took the initiative to educate women in a bid to prove it. Most of those who tried to advance women in the nineteenth century were not sincerely interested in establishing equal rights for men, especially for women's legal rights like men. The purpose of educating women has never been feminism in the true sense. The purpose of women's education was far from liberating women. Education limits women to the role of wife and ideal housewife.

According to Gayle Millett, the goal of the Muslim teachers who taught Muslim women was to create Muslim women as Sumatas and Muslims. However, the triumph of femininity in the home life was different. Educated women were also among the working women of the lower class peasantry and the industrial sector, the ideal housewife concept. The way in which this class of women was previously connected to the outside world, the freedom they enjoyed was gradually curtailed under the influence of Sanskritization. It is a cherished ideology to impose various restrictions on women and keep them isolated from the outside world. Imposing various restrictions on them makes them accustomed to hard life struggle. Because this system became a symbol of race and dignity in the society. As a result, this practice became the yardstick to rise above the stratified society of Bengal and Maharashtra. As a result, conservatism continues to grow in the society.

The demand for sons in Indian society is several times higher than the demand for girls. Girls are blamed for giving birth to daughters; Torture is even done until abandonment. He was no exception during the colonial period. As a result, various demands for the protection of women's rights have been formed in the past, but they have not been fully formed. In fact, social norms and gambling are so deeply ingrained in society that many girls fell victim to gambling during the colonial British rule despite having laws on the subject. The mentality behind gambling is only partially true in terms of greed for money and possessions. There is arbitrary blind bias behind this. That bias was very strict during the colonial period. Since the national symbol level system of contemporary India was a closed system, the emergence from the lower caste to the higher caste was normally forbidden. If a lower caste girl marries an upper caste, she is supposed to be of racial origin, but in no case does the male social status change. As a result, although women's rights law was mentioned, it was not fully protected during the colonial British rule.

Conclusion:

In conclusion, analyzing the role of women in the independence movement, it is understood that women took part in the role of cooperation of men. It goes without saying that there is not much precedent for women to build their own protest resistance out of the influence of male activism by preparing a separate field. Although the presence of women during the freedom struggle was noticeable,

their role in determining the program of the movement was minor. Incidentally, even the largest political party, like the National Congress, has not shown special initiative in accepting proposals in the interest of women alone. The Congress and its leaders clearly had no interest in women. And in a symbolic sense, women were never included in decision-making without approving the presence of women. So Sarala Devi lamented, "Congress wanted women only as law-breakers, not as lawmakers." Congress makes a movement to stop men from drinking, but Congress makes no movement on the issue of prostitution. The Congress wanted to solve India's women's problems after independence. Communist leaders were not particularly keen on women's issues. They could not take any special initiative for the condition of women workers in general. Usually they do not demand improvement in the condition of women workers. In fact, according to Marxists, it will be possible to establish the full rights of women by establishing a classless communist society. Only then will women's legal rights be established.

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