UNIT10: GENDER AND DEVELOPMENT

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10.1 LEARNING OBJECTIVES

After going through this unit you will be able to answer,

- understand the meaning of property
- know the concept history of property rights
- know different rights related to property
- understand the meaning of Education
- understand the meaning of educational empowerment for Women
- know the Status of Women Education in India
- understand the meaning of Eco-Feminism
- understand the views of different Eco-Feminist

10.2 PROPERTY RIGHTS

10.2.1 INTRODUCTION

Property is an important aspect in the economy of society. The word property is mostly used in two senses. In one sense, it means goods or things owned by a person or group of persons. In this sense property is one's own, something owned by him or her. In the second sense, property consists of rights and duties of one person or groups as against all other persons and groups, with respect to some scarse scare goods. Thus property and its regulation form the basis of all civil laws.

STATUS OF WOMEN AND PROPERTY RIGHTS

Property is a crucial determinant of woman's position in society both, for domestic groups like family or clan as well as for wider spheres of influences such as economic, political or legal. Access to and ownership of property enhances women's status and position in any community or society. Moreover, women all over the world are generally deprived of the right of ownership of property thereby affecting their overall status as well as their economic condition. The reason for this can be traced in the patriarchal structure of the society that denies women's right to property. Most religions in the world have their own laws of inheritance which are largely patriarchal. In some countries efforts have been made to make secular and uniform civil laws that grant equality to women in matters of property and inheritance. In India, all religions follow their own laws; some of them have been codified and have become statutory laws giving more space to women, while some others follow Personal Laws, denying equal property rights to women. A large number of people of both Hindu and Muslim religions follow customary laws, many of which curtail women's right to property and inheritance.

In much of Hindu societies, property is inherited by male heirs and transmitted through them. Traditionally, daughters had only the right to maintenance Male children had privileges in inherited property. They acquired a share in such property by birth and were entitled to ask for their shares even during their father's lifetime.

According to the law of 1956 daughters were still not coparceners but along with sons were entitled to a portion of the father's share of ancestral property as inheritors. More often than not, however, a daughter's dowry and the expenses on her wedding have been viewed as a substitute for her share in her father's property. In fact the same logic is applied to a daughter's share in her father's individually acquired property as well. Daughters got Daughter gots the rights in familial property as coparcener in 2005.

10.2.2 HISTORY

From the tenth century onwards, the Dayabhaga and Mitakshara became the chief source of Hindu law. Under Mitakshra, from the joint family property women were only entitled to maintenance as incoming wives (including as widows) and as unmarried daughters; upon marriage a daughter was also entitled to marriage expenses and associated gifts. In a man's separate property, however, his widow could inherit a limited estate, but only in the absence of sons, agnatic grandsons, and agnatic great-grandsons, and only if she remained chaste. A limited estate meant that the woman could enjoy the property for her lifetime, but she could not normally alienate it, except in a period of severe necessity, and for performing pious and religious acts, especially those seen as conferring spiritual benefit on the deceased. A daughter came even after the widow and a daughter's son after the daughter. That is, for a daughter to inherit her father's estate required the absence both of the noted male heirs and of the widowed mother.

The Dayabhaga system was different from Mitakshara in some important respects. A man was deemed absolute owner of all his property and could dispose it off as he wished. The son did not acquire an automatic right by birth in the father's ancestral property, nor was there any rule of survivorship: each heir took a definite and non-fluctuating share. Division of property among heirs could take place only at the man's death, and the property went in the first instance equally to his sons and then son's son. A chaste widow could inherit in the absence of these male heirs, but only as a limited interest, with the right to manage but not alienate the property.

Daughters came only after the widow, again unmarried daughters getting first preference and inheriting only a limited interest.

Under both these systems of law, there was also some recognition of female property rights in the concept of stridhan (literally meaning a woman's property) which included woman's right over ornaments, valuables and moveable and immovable property. More precisely stridhan was defined as "what was given before the nuptial fire, what was presented in the bridal procession, what has been conferred on the wife through affection, and what has been received by her from her brother, her mother or her father, are ordained the six fold stridhan for woman's property.

10.2.3 LAWS RELATED TO PROPERTY

Regarding the statutory laws related to property rights of Hindu women, the decade 1920- 30 witnessed some developments of far-reaching importance. The most important question that was raised during this period was women's property rights to provide a degree of economic security to near female relations. The partial success was achieved in the form of the Hindu Law of Inheritance (Amendment Bill) of 1929 which recognized the son's daughter, daughter's daughter, sister and sister's daughter as heir 'if it is not contrary to special family or local custom having the force of law'. The woman's right to property got further momentum when the Hindu Woman's Right to Property Act of 1937 was passed under which a widow has the same interest in the property as her husband had. Moreover she can has claim over maintenance in case of divorce according to the criminal procedure code.

HINDU SUCCESSION ACT, 1956

The equal property rights to sons and daughters over parental property is given in the Hindu Succession Act, 1956. When unmarried, they have rights to shelter in the parental home, maintenance according to the income and status of their family and the rights to have their marriage expenses paid out of the assets of the joint family. A married daughter has no right to shelter in her parent's house, nor maintenance, charge for her being passed on to her husband but she has a right of residence in the

dwelling house if she is deserted, divorced or widowed. A woman has full rights over any property that she has earned or that has been gifted or willed to her, providing she has attained maturity . She is free to dispose of her property, gift or will as she thinks proper. Under Sec. 14(1) of the Hindu Succession Act, 1956, mother is entitled to maintenance from children. All property owned by her may be disposed by sale, will or gift if she chooses, because she is a full owner of her property. In case she dies intestate, her children inherit equally, regardless of their sex.

HINDU MARRIAGE ACT, 1955

According to Hindu Marriage Act, 1955, a married woman has exclusive right over her individual property. Unless she gifts it in part or wholly to anyone, she is the sole owner and manager of her assets whether earned, inherited or gifted to her. Regardless of her income the wife is entitled to maintenance, support and shelter from her husband, or if her husband belongs to a joint family, then from the family. A daughter is entitled to equal share of property as to any other heir. Similarly, upon the death of her husband, she is entitled to an equal position, together with her children and his mother.

Furthermore, Women's Right to maintenance is recognized as a tangible right against property and the husband has a personal obligation to maintain his wife, and if he or his family has property, the female has a legal right to be maintained from that property.

Finally, it may be viewed that granting fundamental rights and passing progressive laws, even after so many years of independence, women suffer inequality, domination and exploitation. The Directive Principles of the State Policy remain ideals and the women still viewed as an embodiment of virtue and sacrifice than as a citizen, equal to man, and a partner in the process of development.



CHECK YOUR PROGRESS

Q1. Define Property

Q2. Match the following

1. Hindu Law of Inheritance	A) 1955
2. Hindu Woman's Right to Property Act	B) 1929
3. Hindu Marriage Act	C) 1937

10.3 EDUCATION

10.3.1 INTRODUCTION

Education helps in modifying the behavior of an individual, transforms the society and builds the nation. Education is regarded as a means of achieving desired goals. It is regarded as a major instrument which societies can use to bring in desired changes and achieve towards desired ends. A society can be developed only when it has highly educated and skilled human resources.

Education is considered to be primary in eradicating poverty by developing countries. Owing to the scope of changes in the global environment, society has become knowledge based. Education is an activity which goes on in a society. It is a means of organizing individual self and the social self into a disciplined stable and a meaningful unity. It provides children teaching skills that prepare them physically, mentally and socially for the world of work in later life. Education is generally seen as the foundation of society.

It was Christine de Pizan who for the first time in 1405 published 'the Book of the City of Ladies', argued for women's right to be educated, to be able to live and work independently and to participate in public life. De Pizan used her education and experiences as a basis for independent thought that was a necessity for girls. The idea of women's human rights is often cited as grarted in 1792 with Mary Wollstonecraft's book *'A Vindication of the Rights of Women'* published in response to the promulgation of the natural rights of man theory. Wollstonecraft wrote for the promotion of

women's education and on women's health. She argued that women should be more active physically and more knowledgeable about health, anatomy and medicine.

10.3.2 EDUCATIONAL EMPOWERMENT

Education is the prime avenue for empowering women. This process of empowering entails much more than awareness of alternatives, women's rights and the nature of the requirements. It involves the breakdown of powerful sex stereotyping, which prevented women from demanding their rights from men in position of authority. For women, the process of empowerment entails breaking away from the cycle of learned and taught submission to discrimination, learned from one generation of women and passed on to the rest. Thus, educational empowerment indicators stand as the right to learn, gender sensitization, legal understanding, health education, etc.

With more education, women have greater access to employment opportunities and increase the ability to secure their own economic resources. Legislation, which protected women from discrimination and promoted gender equality, also needed to be enacted by governments. Education is basic human rights and is the foundation of a free and fulfilled life. It is the single-most vital element in combating poverty, empowering women, safeguarding children from exploitative and hazardous labor, promoting human rights and democracy and protecting the environment.

- **RIGHT TO EDUCATION OF GIRL CHILD AND WOMEN**

The importance of education for empowerment of women is undeniable. Education is one of the most important factors that play the most crucial role in claiming women's rights because it enables them to respond to opportunities to challenge traditional roles and to change their lives. It also brings awareness among women and girls about their rights and gives self confidence. But it is unfortunate that like all other rights and privileges, girls are often denied the right to education due to age old discrimination and gender bias.

According to UNESCO, women and girls are the largest single category of persons denied equality of educational opportunity in the world today. Girls are often kept at home to perform gender-based chores or discouraged from attending school because of gender stereotyping. The Economic and Social Council in its Resolution of 12 July, 1954, has recommended the Members as well as the Non-Members of the United Nations:

- To take necessary steps to ensure that women have equal access with men to all types of education without distinction of any kind.
- To enact the necessary laws and regulations to eliminate all forms of discrimination against women in education and to ensure access for women to all types of education including vocational and technical education, and equal opportunities to obtain states scholarship for education in any field and in preparation for all careers.
- To take necessary measures to institute free compulsory primary education and take full advantage of the facilities and resource of UNESCO in developing additional educational opportunities for girls and women as needed.

According to UNICEF (United Nation's International Children's Emergency Fund), a number of unmistakable connections link education for girls and important benefits for women and society:

- The more educated a mother is, the more infant and child mortality is reduced.
- Children of more educated mothers tend to be better nourished and suffer from less illness.
- Children (and particularly daughters) of more educated mothers are more likely to be educated themselves and become literate
- The more years of education women have, the later they tend to marry and the fewer children they tend to have.
- Educated women are less likely to die in child birth.

- The more educated a women is, the more likely she is to have opportunities and life choices and to avoid being oppressed and exploited by her family or social situation.
- Educated women are more likely to be receptive to participate in and influence development initiatives and send their own daughters to school.
- Educated women are more likely to play a role in political and economic decision-making, at community, regional and national levels.

THE FOURTH WORLD CONFERENCE ON WOMEN, BEIJING, 4TH TO 15TH SEPTEMBER 1995

In the Beijing Platform for Action, a statement of intention on the part of government representative at the Fourth World Conference for Women in Beijing, 1995 recognized education as a basis human rights and an essential tool for achieving more relations between women and men. It recommended investing in formal and non-formal education and training for girls and women as one of the best means of achieving economic growth and development that is sustained and sustainable. The Platform for Action proposes these strategic objectives:

- To ensure equal access to education;
- Ensure the completion of primary education by at least 80% of children, with special emphasis on girls;
- Close the gender gap in primary and secondary education by the year 2005 and achieve universal primary education in all countries before the year 2015;
- Reduce the female illiteracy rate, especially among rural. migrant refugee, internally displaced and disabled among women to at least half the 1990 level;
- Eradicate illiteracy among women worldwide;
- Improve women's access to vocational training, science and technology and continuing education;

- Promote lifelong education and training for girls and women, and create · flexible education programmes to meet their needs.

10.3.3 BRIEF ACCOUNT OF WOMEN'S EDUCATION IN INDIA

The women of any country have an important contribution in the progress of that country. It is women who are capable of building such children who may lead the country to the path of progress and prosperity. Educated women make the family and the society cultured. The Indian Constitution guarantees equal rights to men and women. Article 14, 15 and 16 of our constitution, guarantees right to equality. Equality before law of all citizens irrespective of caste, creed and sex has been established.

- **SARVA SIKSHA ABHIYAN**

The objectives of Universalisation of Elementary Education are being addressed through the Sarva Siksha Abhiyan (SSA) in India. This SSA was launched in 2001-02. SSA is the biggest ever national plan of primary education in the country. It stands for quality, equality and establishment of universalisation of elementary education within a limited time frame. SSA has a special focus on girl's education and children with special needs. The overall goals of SSA include universal access and retention, bridging of gender and social category gaps in elementary education, and enhancement of learning levels of children.

CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN (CEDAW)

In 1979, the Convention on the Elimination of all forms of Discrimination against Women (CEDAW) was established. It defines discrimination against women as any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.

Government of India has launched two focused interventions for girls - the National Programme for Education of Girls at Elementary level

(NPEGEL) and the Kasturba Gandhi Balika Vidyalaya (KGBV) to reach out to girls from marginalized social groups. The Right to Education (RTE) in different sections makes reference to gender and girl's education both explicitly and implicitly. Some of the relevant provisions are -

- No discrimination against children from 'disadvantaged groups and weaker sections' on any grounds (including gender);
- Inclusion of women in school monitoring committees;
- Provision of good quality education that includes equity issues,
- Curriculum development in conformity with constitutional stipulations, training,
- Enrolment in age appropriate classes



CHECK YOUR PROGRESS

Q3. When was the book, 'The City of Ladies' published?

Q4. Education helps in ..... the behavior of an individual

Q5. Full form of CEDAW

10.4 ECO-FEMINISM

10.4.1 INTRODUCTION

Ecological feminism or ecofeminism is a term which acknowledges that there is a connection between the domination of women and the degradation of nature Ecofeminism is not only a women's movement but it is also a movement for ecological restoration. In 1974 French feminist, Francoise d'Eaubonne in her book *Feminism or Death*, coined the term ecofeminism and stated that patriarchy is the cause of the present ecological crisis.

Karen J. Warren mentioned that there are eight kinds of connection that exists between women and nature. Karen J. Warren stated that these connections provide an examination of the kinds of the domination of both

women and nature. These connections between women and nature are historical, conceptual, empirical, symbolical, etymological, political, ethical and lastly, theoretical.

10.4.2 MEANING OF ECOFEMINISM

Ecofeminism recognizes that there is a connection between the domination of women and the destruction of nature. The goal of feminist movement is to bring an end the domination of women. And the goal of ecological movement is to end the destruction and exploitation of nature. The convergence of feminist movement and ecology movement resulted in the emergence of a movement called ecological feminism or ecofeminism, the goal of which is based on the construction of a society that does not promote the domination of women and the destruction of nature.

Karen J. Warren asserts that some ecofeminists emphasize on the empirical connections between the domination of women and the destruction of nature, whereas on the other hand, some ecofeminists focus on the symbolic connections between women and nature in religion, art, literature and theology which devalues both women and nature.

10.4.3 FEATURES OF ECOFEMINISM

- Ecofeminists believe that human beings are not separate from nature but they are a part of the natural world.
- Ecofeminist address the contradiction between production and reproduction. Women attempt to reverse the assaults of production on both biological and social reproduction by making problems visible and proposing solutions.
- Ecofeminists affirm that there is a relationship between the oppression of women and the domination of nature.
- The goal of ecofeminism is to eradicate this patriarchal structure from the society and seeks to liberate women and to rescue nature from exploitation.

- An ecofeminist ethic is both a critique of male domination of both women and nature and an attempt to frame an ethic free of male-gender bias about women and nature. It not only recognizes the multiple voices of women, located differently by race, class, age, and ethnic considerations, it centralizes those voices.
- Ecofeminism builds on the multiple perspectives of those whose perspectives are typically omitted or undervalued in dominant discourses, for example Chipko women, in developing a global perspective on the role of male domination in the exploitation of women and nature.

10.4.4 THEORETICAL PERSPECTIVES OF ECOFEMINISM

Carolyn Merchant considers that the emergence of scientific revolution during the sixteenth and seventeenth century sanctioned the domination of both women and nature. Her book '*The Death of Nature: Women, Ecology and the Scientific Revolution'* is a classic ecofeminist text. She stated that in ancient time the nature that is, the earth was viewed as a living being and was identified with a 'nurturing mother'. In this organic view, the image of the earth as a 'nurturing mother' restricts the destructive actions of human beings towards nature and allows human beings to respect earth. Another image of nature contrary to the first image also existed. The second image of nature as violent and disorderly was also identified with the female. This image of nature as chaotic sanctioned the power and mastery over nature. Merchant stated that after scientific revolution the nature was viewed as 'inert' and dead. The rise and the development of mechanism during the sixteenth and seventeenth century gave men power to control and dominate both women and nature. In this mechanical view, the female image of nature was viewed as a resource to be subjugated and controlled. The rise and the development of mechanism sanctioned the exploitation of both women and nature.

Vandana Shiva was a participant in the Chipko movement of the 1970s, which used non-violent activism to protest and prevent deforestation

in the Garhwal Himalayas of Uttarakhand, India then in Uttar Pradesh. She suggests that a more sustainable and productive approach to agriculture can be achieved through reinstating the system of farming in India that is more centered on engaging women. She advocates against the prevalent patriarchal logic of exclusion, claiming that a woman-focused system would change the current system in an extremely positive manner. She believes that ecological destruction and industrial disaster threaten daily life, and the maintenance of these problems has become the responsibility of women.

Vandana Shiva upholds that modern science and development as Western 'patriarchal projects' is responsible for the subjugation of women and the destruction of nature. During the fifteenth and seventeenth centuries in Europe, the scientific revolution and the industrial revolution occurred. Shiva maintains that the emergence of modern science, technology and economic development rooted in patriarchy converted nature from 'Prakriti', the 'living force' into a machine and as a resource for economic exploitation which sanctioned the denigration of nature and are responsible for current ecological crisis. According to Shiva, 'western patriarchy' is the source of the domination of both women and nature. So, the destruction of nature is a threat to their survival. For this reason, women led ecological struggles not only to protect nature from destruction but also to restore nature. Shiva maintains that in Indian cosmological view, nature that is, the 'Prakriti' is the feminine principle that supports and sustains all life.

Vandana Shiva, Forwarded the following features:

- Creativity, activity, productivity;
- Diversity in form and aspect;
- Connectedness and inter-relationship of all beings, including man;
- Continuity between the human and natural; and
- Sanctity of life in nature.

Vandana Shiva stated that there is an 'intimate' relationship between women and nature because the work of both is to sustain life. With the rise of modern science rooted in patriarchy viewed nature as

- Inert and passive;
- Uniform and mechanistic;

- Separable and fragmented within itself;
- Separate from man;
- Inferior, to be dominated and exploited by man.

Val Plumwood, was an Australian ecofeminist intellectual and activist, who was prominent in the development of radical ecosophy from the early 1970s through the remainder of the 20th century. In her works *'Feminism and the Mastery of Nature*' she describes the relationship of mankind and the environment relating to an eco-feminist ideology. Val Plumwood maintains that the Western 'rationalist tradition' is the source of the domination of both women and nature. The Western 'rationalism' acknowledges the 'dualisms' which is the cause of the domination of both women and nature. The examples of such dualisms include human/nature, reason/nature, mind/body, reason/emotion, masculine/feminine etc. These 'dualisms' consists of two terms opposed to each other. The terms on the left are associated with masculinity and the terms on the right are associated with feminity. A higher value or prestige is attributed to the terms on the left. And as a result, the terms on the left are superior and the terms on the right are inferior. The inferior sphere is a means to the ends of the superior sphere. The human/nature dualism is central in the rationalist culture. As for example, in reason/emotion dualism, masculinity is identified with the sphere of reason and feminity is identified with the sphere of emotion. The sphere of reason is the superior sphere and the sphere of emotion is the inferior sphere. The superior sphere is contrasted with the inferior sphere. The inferior sphere is the excluded sphere. The inferior sphere is a means to the ends of the superior sphere. Thus, we see that according to Val Plumwood, in the Western culture the dualistic framework sanctioned the domination of both women and nature and separates men from both women and nature.



CHECK YOUR PROGRESS

Q6: Define Eco-feminism

Q6: Name two Ecofeminists

Q8: Ecofeminists believe that ……. is the cause of the domination of both women and nature.



10.5 LET US SUM UP

- Ecofeminists believe that patriarchy is the cause of the domination of both women and nature.
- Many ecofeminists advocate some form of an environmental ethic that deals with the twin oppressions of the domination of women and nature through an ethic of care and nurture that arises out of women's culturally constructed experiences.
- Merchant stated that after scientific revolution the nature was viewed as 'inert' and dead.
- According to Vandana Shiva women's dependency on nature for their livelihood linked them with nature.
- Val Plumwood maintains that the Western 'rationalist tradition' is the source of the domination of both women and nature
- Education is very important for an individual's success in life.
- Gender has become an accepted category in policy and programme formulations.
- The existing social structure that assigns inferior position to women has undermined the self- esteem of them.
- Gender inequality in education reflects the broader inequalities that prevail in a particular society.
- Educational empowerment indicators stand as the right to learn, gender sensitization, legal understanding, health education, etc.
- Sarva Siksha Abhiyan is the biggest ever national plan of primary education in the country.
- The Beijing Declaration and Education, (1995) ensure equal access to education.
- Access to and ownership of property enhances women's status and position in any community or society.