



# GOVERNMENT FIRST GRADE COLLEGE

Widya Prasad Road, Dehradun - 248 001  
Uttarakhand, India

## One Day Multidisciplinary National Seminar on Women in Transition : Achievements, Issues and Challenges

(Literary, Historical, Economic, Sociological, Political,  
Managerial and other dimensions)

Friday, 15th February 2019



Organised by  
Department of Humanities

Jyoshnao H.G



Government of Karnataka  
Department of Collegiate Education



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*One Day Multidisciplinary National Seminar*

*on*

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official state religion but the state recognises all religions and will respect all of them equally.<sup>9</sup> This judgment evoked the 67-year-old state of Bombay V's Narasu<sup>10</sup> judgment of the Bombay high court. Which protected personal laws from being challenged for violation of part III of the Indian constitution. Prior to the 2018 judgment on the entry of women into Shabharimala, in 1993 this matter was considered by the Kerala high court in S Mahendra V's The Secy Travancore Devasam board, Thiruvanthapuram II. The high court held that the restriction imposed on women between the ages of 10-50 from entering Shabharimala temple is not a violation of article 14 as it is in accordance with the usage prevalent from time immemorial.<sup>12</sup>

In 1965 the Kerala Hindu places of public worship (Authorization of entry) Act, 1965 was enacted. It is the Rules that legally prohibited women from entering. Thus, prohibition is not because of the physiological reason but because of the Celibate nature of the deity. The Rule must be amended.

In Sabharimala case, Deepika Mishra, C.J.I, A.M.Khushwihar, J. Nariman, J. Dr.DY.Chandrachud, J and Indu Malhotra declared prohibition violative of fundamental rights and therefore declared the law prohibiting this unconstitutional and void. Justice Indu Malhotra

being the sole woman on the bench dissented with the popular view. The fundamental contentions of the petitioner were that prohibition of women into the temple is unconstitutional as it this practice violates articles 21, 14, 15 and 17 of the constitution and Rule 3(04) of the 1965

Rules is ultra vires, the 1965 Act as the act provides for entry of all sections and classes of Hindus. The judgment on Shabharimala by the supreme court caused a ruckus in Kerala. Not just religious leaders but even women were protesting the judgment. Several women tried to enter the temple but had to return halfway due to safety issues. Devotes of Lord Ayyappa tried to attack these women and threatened to harm their family members.<sup>13</sup> Now since the women whose equality was apparently upheld, are themselves protesting it, puts the legitimacy of the judgment in question. With the mass rejection of the supreme court verdict one can not fail to ask, considering even the concept of utilitarianism.

### Conclusion

Gender equality and religious freedom is always was and will remain in conflict. Religious liberty must be given priority over equality.

## WOMEN POWER AND FREEDOM

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Women had a complex history and it is very difficult to provide a definition is to what is women power? However, the power structures and domination have been preoccupied by men, obviously; women did have marginal source of powers. In order to understand what really counted to the powers of women, one has to trace the history of women's place and their roles in it. Right from the ancient times of patriarchal domination, women also exercised their authority obviously seeking power despite the fact their limitations. It included the reproductive propensity (maternity power), relational values (bondage power) and cultural and traditional confront (social power) those of which were the marginal sources during the early period. For example the Greek play *Medea* makes a significant contribution to understand women power in the maternal role. To quote Dudley Fitts;

"I don't want the kind of welfare that is brought by suffering.  
I don't want the kind of safety which ends in sorrow."<sup>1</sup>

The play ends by showing the power of maternity as a winning solution for women deserted by men. The play also illustrates that "frustrated love results in hostility."<sup>2</sup> We could see the character *Medea* blames not herself but her husband Jason for destroying her own children.

Mary Wollstonecraft also described "Men, in general, seem to employ their reason to justify prejudices, which they have imbibed."<sup>3</sup> One of the great myths that men have been creating about women is that they are obsessed by their Sex. This is falsified by *Medea* who is represented as a woman of tremendous power and furious temper. She determines to make her enemies pay dearly for her humiliation. Hence, this play determined that women of ancient times had powers to control the domination of men. William Nickerson Bates appreciating her boldness remarked; "She is a powerful character such as only a great dramatic genius could create."<sup>4</sup> Such plays highlighted women being powerful within the space of domestication.

Women also played strong kinship role and sought power with relational values. To trace these aspects, Shakespeare's *Antony and Cleopatra* and *Romeo and Juliet* are worthy instances of analyzing women's role of "self" respectability. An apt passage from *Antony and Cleopatra* reminds;

"...Ah, women, women! Come; we have no friend  
But resolution and the briefest end."<sup>5</sup>

*Cleopatra* commits suicide after Antony is killed. She feels proud to be loved by such a noble man. Each and every line reveals strong connections bound and knotted by the "power" of human relationship. Further, to elaborate the intensification of changes occurred through different stages and to observe the cultural and traditional confront of social ramification and transformation in women's position from the ancient times to the present, there need to be illustrated by analyzing the critique of feminism, which helps us to understand Women Movements and legislations towards Women's Empowerment.

### PRE-MODERN AGE

Historically, women had fewer legal rights than men. Wifehood and Motherhood were regarded as women's most prized professions. Since early times, they had been uniquely stereotyped as a creative source for biological needs. It was defined that women's nature, unlike man's, in term of functioning activities determined the purpose of reproductive, while man has been categorized in terms of a generally limitless potential, for rational thought, creativity and so on.

Early Roman law inscribed women as forever inferior to men and the world. Women were denied education and knowledge. "Women's weakness of mind, flightiness, and general infirmity served as a handy explanation of her statutory incapacities."<sup>6</sup> Yet, the irony in the Greek play *Aristophanes* calls the chorus saying that for three