

### Jus Corpus Law Journal

Open Access Law Journal – Copyright © 2025 – ISSN 2582-7820 Editor-in-Chief – Prof. (Dr.) Rhishikesh Dave; Publisher – Ayush Pandey

This is an Open Access article distributed under the terms of the Creative Commons Attribution-Non-Commercial-Share Alike 4.0 International (CC-BY-NC-SA 4.0) License, which permits unrestricted non-commercial use, distribution, and reproduction in any medium provided the original work is properly cited.

# Empowering Half the Nation: Can India achieve true Independence without Women's Freedom?

Bhavika Maheshwaria

<sup>a</sup>Hidayatullah National Law University, Raipur, India

Received 11 December 2024; Accepted 13 January 2025; Published 16 January 2025

Women comprise a sizable share of the population in India. Without women's independence, India cannot truly be independent. Despite the existence of much progressive legislation, landmark judgments, and regulations, systemic hurdles and gender inequity continue to exist. One of the main obstacles to the effective application of laws is the deeply ingrained influence of societal and cultural norms. Unsafe working conditions, gender bias, and workforce disparities continue to exist. Generally, in urban areas, when women are permitted to continue their education, they are expected to manage their homes and professional jobs together. This problem gets worse when there is no familial support and expectations are solely on women to do all the household chores. The government is also liable for such burdens on women, it's not just the mindset of society. The government has equally failed to educate the population about their rights and responsibilities. Even after passing many progressive laws, the government is unable to strengthen the implementation process and spread awareness. For women to depend on the judiciary at any moment for justice, speedy trials are also essential, and the victim-blaming attitude needs to be changed. Education can play a crucial role in ensuring that women receive the same treatment as men. Early gender sensitization initiatives help to change society's patriarchal mentality. Furthermore, social change is necessary for India to achieve full independence. The idea that men are the primary breadwinners and women are meant for the kitchen must be altered. To establish a more egalitarian and balanced atmosphere, campaigns are required to encourage the equal sharing of household tasks. For women to attain full independence and equality, a multifaceted strategy that combines social, educational, legal, and economic reforms is necessary.

**Keywords:** *independence, gender inequality, discrimination, empowerment, patriarchy.* 

**INTRODUCTION** 

It's been more than 75 years since the Independence of India. Are the women of our country

truly independent? Independence does not only mean freedom from colonial rule; it's also about

fair treatment, justice, dignity, autonomy, and equality. In India, women continue to face

systematic discrimination, violence, and inequality, having no autonomy of their own. The

independence of women is not just a gender issue, it's about the holistic growth and

development of our country. Empowering women boosts productivity by creating a thriving

economic force and uplifting families and communities. Their Independence will foster a culture

of inclusivity and diversity, challenging patriarchal norms. This article will delve into the role

of women and the obstacles they face in their growth from a legal and a commoner's perspective.

The focus will be on women's freedom concerning Constitutional principles, precedents,

legislative framework, and the gaps in law enforcement agencies. The independence of women

is an impetus for the transformation of the nation and is vital for the true independence of India.

LEGAL FRAMEWORK: A MIXED PICTURE

**Constitutional Provisions for Women:** The Constitution of India<sup>1</sup> lays a very strong foundation

for gender equality, but those provisions are just laid without any strict and regulated

enforcement. These provisions are Fundamental Rights, Directive Principles of State Policy, and

Fundamental Duties.

Fundamental Rights -

• **Article 14** States that the State shall not deny any person equality before the law or equal

protection of the law within the territory of India.<sup>2</sup>

<sup>1</sup> Constitution of India 1950

<sup>2</sup> Constitution of India 1950, art 14

163

- **Article 15:** The state shall not discriminate against any person on the grounds of religion, race, caste, sex, place of birth, or any of them.<sup>3</sup>
- Article 16: Equal opportunities for all citizens shall be provided by the state in matters relating to employment or appointment to any office<sup>4</sup>.
- **Article 21:** No person shall be deprived of his life and liberty except according to the procedure established by law.<sup>5</sup>

Despite these constitutional guarantees, women continue to face significant hurdles. Structural inequality, lack of autonomy, and gender-based discrimination undermine the essence of these rights. For instance, the law mandates equal pay and prohibits discrimination in the workplace. Still, in many sectors, there persists gender wage gaps and limited access to women in leadership roles, even though they are capable. Similarly, though *Article 21* contains a broader meaning of the right to life, free from violence still crimes such as rape, domestic violence, sexual assault, and trafficking remain alarmingly high.<sup>6</sup>

In this regard, the gap between effective legal implementation and systemic inadequacies further creates challenges in the enforcement of Fundamental Rights. Due to inefficient infrastructure, lack of knowledge about fundamental rights, and delays in judicial procedures, women are deprived of their rights, and they have to face backlash.

To ensure the effective realization of Fundamental Rights for women, there is a need to strengthen legal mechanisms. One of the major issues is that of unawareness among the people regarding Fundamental Rights. Society has to take off that patriarchal attitude and should have a gender equity approach. One hand alone cannot make the clap sound, society is not the only one to be blamed. The government is still not in a position to deal with the issue of unawareness among the citizens about fundamental rights. The majority of citizens do not know their rights. They should foster gender sensitivity. There is a need to promote awareness regarding fundamental rights and the need for certain initiatives to challenge the masculine structures.

<sup>&</sup>lt;sup>3</sup> Constitution of India 1950, art15

<sup>&</sup>lt;sup>4</sup> Constitution of India 1950, art 16

<sup>&</sup>lt;sup>5</sup> Constitution of India 1950, art 21

<sup>&</sup>lt;sup>6</sup> Ibid

#### Directive Principles of State Policy (DPSPs) -

- **Article 39(a):** The state shall direct its policies in such a way that both men and women equally have the right to an adequate means of livelihood.<sup>7</sup>
- **Article 39(d):** The state shall direct its policies in such a way that both men and women have equal pay for equal work.<sup>8</sup>
- **Article 42:** The state has to make provisions that ensure humane working conditions and provisions for maternity leave.<sup>9</sup>

DPSPs enshrined in the Indian Constitution serve as a layout for creating a welfare state and foregrounding the principles of equality and justice. Though their intent is progressive, their implementation remains limited because they are non-enforceable. This lack of legal enforceability allows the government to neglect these principles in policymaking. To avoid enforcing them, the government often cites financial constraints in their inaction.

Political will and social resistance often hinder their actual implementation. To show the public instant results, the government often neglects long-term structural reforms such as addressing gender disparity in education and employment, prioritizing short-term political gains.

Furthermore, this leads to a lack of accountability. Hence, there exists a significant gap between policy and their actual practice. Women continue to face barriers to their progress in the form of a lack of access to resources, restrictions in participation in public, social, and economic life, and limited say in decision-making.

To bridge this gap, there is a strong need for alignment of legislative actions and their actual implementation. Making DPSPs not merely ideals on paper but lived realities for women across India.

<sup>&</sup>lt;sup>7</sup> Constitution of India 1950, art 39(a)

<sup>8</sup> Constitution of India 1950, art 39(d)

<sup>&</sup>lt;sup>9</sup> Constitution of India 1950, art 42

Fundamental Duties: Fundamental duties under Article 51A<sup>10</sup> emphasize the moral obligation of citizens to uphold the values of equality, justice, and dignity. These provisions are incorporated into the Constitution to promote a sense of responsibility and cultivate a just and equitable society. However, the non-enforceable nature of Fundamental Duties limits their actual implementation as their adherence becomes voluntary and lacks legal accountability. Because of societal stigma, adherence to these duties has been inconsistent. Deep-stated patriarchal norms that women are always inferior to men, that they should do household work only, that discrimination is based on gender, and the continuance of violence against women highlight the gap between constitutional ideals and societal implementation.

Despite the presence of such progressive duties, the practice of dowry, workplace harassment, gender bias in education, and domestic violence continue to persist. This shows that having the constitutional framework for the protection of women and its translation into individual and collective action always remains weak.

Educational Institutions can play a key role in fostering Constitutional awareness by instilling the values of gender equality from a nascent age. Public campaigns are one of the good means to promote awareness about respecting women's dignity and promoting equality as an obligation. By bridging the gap between constitutional ideals and the behavior of society, Fundamental duties can become a cornerstone in achieving gender equality, and in this way, India can truly become independent.

#### Landmark Legislation and Policies -

The Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act, 2013 (POSH): Certain Guidelines were passed by the Hon'ble Supreme Court in the case of Vishakha v State of Rajasthan<sup>11</sup> in 1997; however, Legislation incorporated these guidelines as law in 2013. Legislation was institutionalized and formed a comprehensive law regarding the protection of women in the workplace. The Act aimed to prevent sexual harassment of women in the workplace and their redressal. It recognizes sexual harassment as a violation of the dignity

<sup>&</sup>lt;sup>10</sup> Constitution of India 1950, art 51A

<sup>&</sup>lt;sup>11</sup> Vishaka & Ors v State of Rajasthan & Ors (1997) SC 3011

of women under Articles 14, 15, 19, and 21 of the Indian Constitution. It incorporated a colossal definition of sexual harassment, which includes unwelcome acts such as advances, sexually coloured remarks, showing pornography, or any other act, whether verbal or non-verbal, that is sexual. It is legally enforceable in all workplaces in India, whether organized or unorganized, private or public sector. It mandates the formation of a committee, the Internal Complaint Committee (ICC), in every workplace where there are 10 or more employees to address the issue of sexual harassment. It also implies certain duties on employers to provide a safe working environment, display the rules and regulations of the POSH Act, form a proper ICC, assist the complainant in filing complaints, and act against false complainants. Non-compliance with the provisions of the Act is a penal offence.<sup>12</sup>

This legislation was enacted for the upliftment of women. The persistence of several gaps and challenges in its implementation have limited its effectiveness. In smaller organizations, employees are unaware of the provision of the *POSH Act* and their rights under it. Employers often ignore the guidelines and fail to conduct adequate training and awareness programs, leaving employees ignorant of their complaint mechanisms and redressal processes. Many informal sectors do not have any ICC as mandated by law. Even in formal sectors, ICCs are formed without training and, hence, lacking in expertise. Even if there is an effective ICC, victims often fear retaliation and ostracism, and they consider reporting harassment as damaging to their reputation. This societal stigma shows that to have or not to have a provision does not make any difference. There is no robust mechanism to check compliance with *the POSH Act.* The POSH Act does not address the issue when the harasser has an authoritative position in the committee itself, leaving the victim in a destitute state. Sexual harassment is not only a physical act, its psychological impact is far more profound. The Act focuses only on complaints and its inquiry process and has no provisions for psychological support and rehabilitation for victims. The majority of India's workforce operates in the unorganized sector, leaving domestic workers, labourers, and vendors with no relief.

The Protection of Women from Domestic Violence Act, 2005 (PWDVA): This act aims to protect the dignity of women from domestic violence by providing civil remedies and

<sup>&</sup>lt;sup>12</sup> Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013

immediate support. It contains a very inclusive definition of Domestic Violence, which includes physical, sexual, emotional, and economic abuse. It applies to all women in a domestic relationship and ensures them the right to reside in the shared household. Unlike criminal laws, it focuses on immediate relief and protection by providing a proper legal mechanism and monetary relief as compensation for the harm caused by the abuser. It mandates assisting the victim by appointing the Protection Officers and service providers. It provides a robust framework for victims to file complaints. <sup>13</sup>

Is compensation enough for the harm caused by the abuser? Abuse is far beyond physical scares, it leaves victims with emotional and psychological trauma. No amount of money can undo the mental scar suffered by the victim. Compensation can never address the loss of opportunities, independence, and health the victims have faced. Furthermore, victims often encounter societal stigma after reporting abusers, making their lives even more critical. In cases where familial/social ties remain the same, victims continue to face further harassment. As per the World Bank Gender Data Portal, the global average of violence by intimate partners in India is 27% more than the global average<sup>14</sup>. In the end, while compensation may ease some of the financial burdens, justice should encompass a holistic approach toward addressing the full spectrum of harm, and priority should be given to the restoration of the victim's dignity.

In addition to this, the government also lags in fulfilling its duties. As per Section 11 of the Protection of Women against Domestic Violence Act, 2005<sup>15</sup>, the Central and every State government must make provisions of this act publicly through television, radio, and print media at regular intervals. However, awareness campaigns are near zero in both urban and rural areas, making women unaware of their basic rights and remedies under this Act.

The Maternity Benefit (Amendment) Act 2017: It is a noteworthy legislation that helps to safeguard the employment and well-being of women during maternity. This amendment added several provisions to its parent act, which is the Maternity Benefit Act of 1961<sup>16</sup>. It increased the

<sup>&</sup>lt;sup>13</sup> Protection of Women from Domestic Violence Act 2005

<sup>&</sup>lt;sup>14</sup> 'India' (World Bank Gender Data Portal) < <a href="https://genderdata.worldbank.org/en/economies/india">https://genderdata.worldbank.org/en/economies/india</a> accessed 01 December 2024

<sup>&</sup>lt;sup>15</sup> Protection of Women from Domestic Violence Act 2005, s 11

<sup>&</sup>lt;sup>16</sup> Maternity Benefit Act 1961

maternity leave for women from 12 weeks to 26 weeks who have less than 2 surviving children while those with two or more children are entitled to 12 weeks of leave. The Act uses an umbrella term for provisions of leave, which is inclusive of adoptive and commissioning mothers, granting them 12 weeks of leave from the date they have the child. It also supports working mothers by providing an environment inclusive of creche facilities when there are 50 or more employees. As per the Act, employers have to inform their female employees, either in writing or electronically, about maternity benefits at the time of their employment. The main aim of this act is to ensure the job security of women during their pregnancy.<sup>17</sup>

The act faces several challenges and limitations when it comes to actual implementation, mainly in the informal sector. Even in formal sectors, it is difficult to implement effectively because the whole monetary burden to bear the cost solely comes on the employer without any governmental support. This often leads to unintended consequences, such as employers' hesitation to hire women of childbearing age. Instead of promoting equality, it leads to gender-based discrimination in the recruitment process. Moreover, there is no incentive for those employers who comply with the provisions.

The provision of a creche facility is another concern. As in small organizations, no employer wants to have an extra cost for such facilities, citing logistical and financial constraints. This Act lacks provision for daily wage workers, making their jobs very insecure.

As per the Directorate General of Employment, Female Labour Utilization in India in May 2023 indicates that 44.5% of females report their reasons for not being in the workforce are child care and homemaking.<sup>18</sup> Is a child only the responsibility of a mother? Having a child is a mutual decision, but there are no provisions for paternal leave. Because of this, from an initial stage, the whole parental responsibility comes on women and after having a child, it becomes very difficult for a mother to manage her work and child altogether. Leaving her with the only option to leave the job and focus on her parental responsibilities.

<sup>&</sup>lt;sup>17</sup> Maternity Benefit (Amendment) Act 2017

<sup>&</sup>lt;sup>18</sup> Ministry of Labour and Employment, *Employment Statistics in Focus – April* 2023: *Female Labour Utilization in India* (2023)

The Prohibition of Child Marriage Act 2006: This Act was enacted by the Indian Parliament to prevent the early marriages of children and ensure their well-being. The Act mandates a legal age for a child to marry, which is 21 for males and 18 for females. It prohibits the polymerization of marriage below these ages. It empowers the courts to declare marriages below the prescribed legal age void and provide appropriate relief to victims. The Act provides punishments for those who participate in, permit, perform, and promote such marriages. Its major goal is to protect children from early marriages and their emotional and physical consequences. Providing opportunities for children to develop their personalities and focus on their careers without imposing early marital responsibility.<sup>19</sup>

While the motive of this act is reforming, it's a bait because of these legislations, independence of women will be gained. As theory and its implementation are on two different sides. World Bank Gender Data Portal indicates that 16 out of every 1000 girls between the ages of 15-19 will give birth in India in 2022. <sup>20</sup>Lack of knowledge about the law in villages where child marriage is still prevalent is one of the major concerns. Many families view child marriages as a part of their culture and continue its practice and are often unaware of the law that prohibits such unions. Furthermore, the acceptance of such marriage in society continues to undermine the effectiveness of this law. They are still being looked upon as a solution to socio-economic issues rather than as a bad practice that needs to be eradicated. Another deficiency in this law is a lack of proper monitoring and no severe action against the violators. Victims often tolerate this due to the fear of family dishonor as well as their belief that through marriage, the future becomes secure.

#### **Judicial Contributions -**

**Vishakha v State of Rajasthan (1997):** In India, there were no laws or guidelines before 1997 to address the issue of sexual harassment in the workplace. This judgment addressed this legislative vacuum by passing certain guidelines and implementing them until the legislature passed certain laws regarding sexual harassment in the workplace. This judgment arose after

<sup>&</sup>lt;sup>19</sup> Prohibition of Child Marriage Act 2006

<sup>&</sup>lt;sup>20</sup> India (n 14)

the brutal gang rape of a social worker Bhanwari Devi in the workplace. She was a Dalit woman who worked as a part of the Women's Development Project run by the government of Rajasthan. She was employed as 'Sathin', which means friend in Hindi, and her job was to promote awareness regarding the abolition of the practice of dowry and the prohibition of Child marriage.

She was targeted for her efforts to stop the marriage of a one-year-old girl, she acted against societal norms, and in her efforts to do good, to seek vengeance she was gang raped brutally by members of the upper class in front of his husband. She stood strong with her incessant determination to get justice. She tried to complain regarding this incident but none believed on her that she could be raped in front of his husband. Police also tried all possible ways in denying to register her complaint in the first instance because of the involvement of influential people and they said that the upper class can't rape a Dalit woman. Due to the procedure of law when her case was registered, the learned District Court acquitted the accused due to the lack of sufficient evidence and delay in investigation. This led to widespread outrage and a PIL (Public Interest Litigation) was filed by an NGO 'Vishakha' and other women's rights organizations to address the broader issue of sexual harassment in the workplace. It laid focus on the protection of women in the workplace under Articles 14, 15, 19(1)(g), and 21 in the Constitution of India about sexual harassment of women in the workplace.

The Supreme Court well defined the term sexual harassment and held that a safe working environment, free from sexual harassment, is a part of Fundamental rights under Articles 14, 15, 19(1)(g) and 21. Supreme Court ordered that employers must prevent and deter sexual harassment in the workplace and take appropriate steps against the offender. This applies to all sectors, whether public or private. A complaint committee having a proper complaint mechanism should be formed in all workplaces and raise awareness to provide a safe environment for women by voicing against sexual harassment. The Hon'ble Court declared these guidelines to be binding until Parliament enacted appropriate Legislation.<sup>21</sup>

<sup>&</sup>lt;sup>21</sup> Vishaka & Ors v State of Rajasthan & Ors (1997) SC 3011

Joseph Shine v Union of India (2018): Adultery as a law in India that treated women as the chattel of men has been struck down by the Hon'ble Supreme Court after 158 years of its inception in the Joseph Shine case. Joseph Shine filed a writ petition challenging the validity of Section 497<sup>22</sup> read with Section 198<sup>23</sup> in 2018. The Petitioner contended them to be arbitrary and discriminatory based on gender. Hence, violative of Articles 14, 15, and 21 of the Constitution of India. The section, as mentioned in IPC, treats women as the property of men based on the notion of patriarchy. It makes a man criminally liable who has sexual relations with a woman who is the wife of another man. Adultery won't be considered to happen if the woman's husband himself consents to such an act. Under this act, a woman is not considered the culprit of cheating but a puppet of her husband. This violates the principles of equality and the right to live with dignity.

Supreme Court held Section 497 of IPC<sup>24</sup> as unconstitutional, being violative of the abovementioned sections, and struck it down. The Supreme Court emphasized the term consent which is mentioned in the section, which means the consent of the husband to have sexual relations with another man, which directly treats a woman subordinate to a man. Having no autonomy and dignity. The judiciary reframed women's rights and emphasized gender equality in marital relationships. <sup>25</sup>

Shayara Bano v Union of India (2017): India is diverse. Personal law guides different sects of the country. Hindu personal law governs Hindus. Similarly, Muslim personal laws govern Muslims in our country. Muslim law is uncodified, and hence it is subject to interpretation. It has 3 types of divorce. One of them is 'talaaq-e-biddat' also known as triple talaaq. It gives outright power to Muslim husbands to divorce their wives by pronouncing 'talaaq' three times in one sitting and getting their marriage (nikah) annulled. It is cruel; if, out of anger, the husband pronounces talaaq 3 times, it cannot be revoked and taken back, leaving the wife in a morbid state. It gives husbands ease, remarry, he cannot do so without following Nikah Halala. In this, the woman has to marry another man, then his current husband should give her divorce

<sup>&</sup>lt;sup>22</sup> Indian Penal Code 1860, s 497

<sup>&</sup>lt;sup>23</sup> Code of Criminal Procedure 1973, s 198

<sup>&</sup>lt;sup>24</sup> Indian Penal Code 1860, s 497

<sup>&</sup>lt;sup>25</sup> Joseph Shine v Union of India Secretary (2018) SC 4898

voluntarily, and after getting a divorce, she has to observe an iddat period. After following this cumbersome process, she can marry her former husband. The man who pronounced talaaq out of rage has to do nothing in penance; all the cruelty is done against his wife. Shayra Bano was one such victim of this instantaneous talaaq, but she didn't sit quietly and fought for her rights, which created history for all Muslim women.

The facts of this case were that Shayara Bano was a Muslim girl who was married to Rizwan Ahmed. In 2016, his husband gave her divorce by pronouncing talaaq thrice without stating any reason. Aggrieved by this, she filed a writ petition challenging the constitutional validity of Talaaq-e-biddat. The judgment favoured Shyra Bano by a 3:2 majority, making Talaaq-e-biddat unconstitutional. The Supreme Court also directed the Legislature to make certain laws to prevent abuse against women.<sup>26</sup>

The judiciary has given a decisive blow to the rights of women, either in the form of direction or guidelines. Yet, despite such milestone judgments, the true independence of women and equality remains a distant fantasy. Such guidelines or directions fail to address deep-rooted societal and cultural barriers that do not let women move further. Two major barriers continue to undermine women's access to justice and equality: victim-blaming attitudes and delays in the legal process. They form a vicious cycle that discourages them from seeking justice and leaves them in a vulnerable state.

Victim blaming mindsets that the woman must have done some act that compels the husband to bring out violence and abuse over her. This often leads to the questioning of the personality and independence of women. It's very common in rape cases where women are objectified on their dressing sense. Questions like what she is wearing and why she is too late outside are asked. Instead of raising a question on the miscreant, the woman gets questioned. This shame and guilt often deter them from coming to light and fighting for their rights.

Moreover, delay in legal proceedings further exacerbates the problem, as the Judiciary is already burdened with pending cases, and hence delay for new ones is also protracted. For victims of

<sup>&</sup>lt;sup>26</sup> Shayara Bano v Union of India (2017) SC 4609

domestic violence, sexual assault, or harassment, this delay leads to a deep emotional impact. Further, the consequent delays cause the deterioration of evidence, tainted or inefficient witnesses, and frail testimonies, which end up weakening the case as a whole. Ineffectiveness in bureaucratic structures is mostly accompanied by the lack of resources, hence resulting in witnesses of slow or failed delivery of justice, making victims less likely to report future instances of abuse and entrenching the vicious cycle of violence and silence.

#### SOCIETAL ATTITUDE: THE HIDDEN BARRIERS TO TRUE INDEPENDENCE

Patriarchal Norms: Society has portrayed women mainly as caregivers and homemakers. These expectations not only result in limitations to personal freedom but also reinforce gender inequality. This mindset is widespread in rural areas; not only do the elder males consider women to be inferior, but also the ideology of elder female members is that women should remain quiet and only do household work and rear children. All these expectations have come through with societal approval deep down. Hence, girls are not sent to school since, in the future, they would be required only to manage the house. This investment in them towards schooling is nothing but a waste of resources. As per the World Bank Gender Data Portal, the participation of women in the labour force is just 32.7%<sup>27</sup>

Women who challenge these norms often face backlash from society through criticism and sometimes even disapproval from their family members. This fear leads many women to leave their aspirations and compromise their dreams. This further perpetuates a deeply ingrained belief that men are the sole breadwinners. The systemic devaluing of women's ambitions and potential does not just act as a barrier to them but also to the bettering of society at large, perpetuating further inequity.

**Violence and Safety Concerns:** Gender-based violence remains a persistent issue. Crimes such as rape, domestic violence, and acid attacks occur with startling frequency. India continues to lead the list when it comes to crimes against women. What statistical data shows is just a partial reality. Many cases remain unreported because of family dishonour, reputation, delay in judicial

<sup>&</sup>lt;sup>27</sup> India (n 14)

proceedings, victim-blaming attitudes, societal indifference, deep-stated patriarchy, and many more. Acid attacks are conceived by society as an act of vengeance for some wrong done by women. The attitude is that women must have done something which instigated men to take such an action. These heinous crimes have a psychological impact on society at large, restricting women's freedom. These safety concerns discourage women from pursuing education and careers, and they are even restricted from traveling alone.

Workforce Disparity: The latest Periodic Labour Force Survey (2021-22) showcased that around 32.8% of females of working age (15 years and above) were in the labour force. On the other hand, the rate of males in the workforce is around 77.2%. <sup>28</sup>This is the most evident proof that women do not have freedom and opportunity. For women joining the labor force, issues exist in the sense that working environments are not safe, sexual harassment is rampant, and infrastructure support to ensure a livelihood does not exist or is very scarce. A long history of conviction that superior positions belong to males leaves women at the end of the leadership scale. This problem is further aggravated by the jobs in rural areas and informal sectors where women often work under exploitative conditions, having little or no job security. This lack of freedom is not only a loss for women but also a huge drawback in the development of the country. As it curtails innovation and economic growth.

#### THE DOUBLE BURDEN: WOMEN'S STRUGGLE FOR BALANCE IN THE WORKPLACE

In urban areas, some percentages of women are allowed to participate and pursue their careers; however, the support from family and spouses is negligible, often forcing women to make difficult decisions. They have to manage households and jobs altogether, which becomes a very onerous task. It's an embedded belief that household work, child-rearing, and caring for elderly parents are the responsibility of women only. The reason for this unequal sharing of labour leaves women with an overwhelming burden and little time and energy to focus on their careers. Leaving them with no other option but to leave their dreams and aspirations and cater to the needs of the family. Even if the husband wants to assist his wife, the male chauvinist mind believes that household work is a woman's job, and doing such work degrades his respect in

<sup>&</sup>lt;sup>28</sup> Employment Statistics in Focus - April 2023: Female Labour Utilization in India (n 18)

society. The sole responsibility not only restricts financial independence for women but also hampers personal development and their dreams. Without support from the family, independence becomes incomplete for women to pursue their careers. True empowerment for women means a change in the mindset of society and equal participation in household chores.

## UNEQUAL EXPECTATIONS: FREEDOM TO STUDY BUT BOUND BY TRADITIONAL ROLES

In urban areas, certain households have a liberal view, allowing girls to pursue education. But their mindset is double-folded. Girls are encouraged to work laboriously and score good grades, while at the same time, they are expected to know the 'essential' household work. They are taught cooking skills, sweeping, and how to run the house in the name that 'these are basics, which every girl should know, and this will help in future', but the same is not expected from boys. Even if boys are taught the same, societal pressure puts the onus of household chores solely on women. Boys are raised in such a way that their primary role is to earn, and girls are burdened with double standards. It creates undue pressure on women to perform professional and household responsibilities all alone. Such unequal treatment goes completely against the freedom they are provided with to pursue their career. In the end, regardless of their educational achievement, societal expectations force women to prioritize domestic responsibilities over their professional ambitions.

#### **EDUCATION AS A CATALYST FOR CHANGE**

Education has an extreme influence over society. Through education, the misogynist ideology of society can be molded. Education can brighten the minds of society by enshrining the values of equality. Through the aid of education, people will realize the value of self-consciousness and independence. Discrimination against women is not a mere affair of gender inequality, but it obstructs the holistic development of the country as well. Educated societies are least likely to indulge in gender-based discrimination as they know the importance of freedom and financial independence. Schooling in such an environment from childhood helps to gradually alter the prevailing patriarchal norms in society.

The education of women is not only a necessity; it is an investment for a brighter and developed future. Educated women can help in the economic development of the country by breaking the cycle of dependence and contributing significantly to the family's well-being. It equips women with the knowledge of their rights and allows them to resist exploitation. Resulting in equality and harmony among people living in the society.

#### **CONCLUSION**

Mahatma Gandhi once said, 'The day when women can walk freely on the roads at night, that day we can say that India has achieved independence.' India's independence will remain incomplete until the women of our country truly become independent in all spheres of life. True freedom is far more than a lack of external oppression. It means equal opportunity, no discrimination, liberty, autonomy, dignity, and respect. Empowerment of women is not just a gender issue, it is essential for social cohesion, harmony, and economic development of the country. Workforce disparity and the narrow mentality of society need to be changed. Legal enforcement, educational empowerment, economic inclusion, and a cultural shift toward equality must all be combined to bridge this gap. It's the responsibility of every individual to uphold the values enshrined in the Constitution by ensuring that women are not just legally free but also able to live their lives with dignity. Until then, India wouldn't be able to claim to be truly independent.