

Miscarriage of Justice to Women in India and Abroad

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Abstract

Women have ever been dominated by men for centuries and they have always experienced subjugation in the form of jobs, education, married life, sexuality and reproductive choice. Domestic violence, genital mutilation, ill health and disease, child marriage, submission and obedience to men, social rejection in case of divorce and polygamy have been rampant in many countries of the world. Dominance of patriarchal societies, denial of voting rights to women even in the advanced countries of the world and women portrayal in media as sexual objects like malpractices have been highlighted in this paper.

Keywords: *justice, patriarchy, domestic violence etc.*

Injustice anywhere is a threat to justice everywhere

- Martin Luther King

Introduction

Women had to struggle for recognition as equal to men in every culture, race, creed and social status. In fact, women through history have gained and lost power at different times. Surprisingly, history records many strong female figures; yet in spite of their urge for equality, they were not able to lead a life exactly on par with men. Millions of girls and women around the world face injustices, like being denied an education, forced into an early marriage, or made victims of gender-based violence. These injustices prevent girls and women from reaching their full potential. Gender-based violence is pandemic and can be found in all aspects of women's and girls' lives around the world. According to the UN, 1 in 3 girls and women experience some form of physical or sexual violence in their lifetime. Globally, between 500 million and 1.5 billion children experience violence every year, with many of these incidents taking place within schools. It is estimated that 150 million girls and 73 million boys have experienced sexual violence worldwide. Gender-based violence comes in different forms, including physical, sexual, and psychological or emotional violence. Different forms of gender-based violence include: physical violence, sexual violence, psychological or emotional violence, economic violence.

Women in North and South East Asia

India

In the Rig Vedic, Puranic and Buddhist times women were not the chattels that they became in the dark medieval ages.

They enjoyed a fair amount of personal freedom. They were the equals of men in their rights and privileges

in society. They had access to education, high learning and training as well as participation in all functions. The Rig Vedic period produced women seers who were the products of cultivated disciplines. In that simplistic society, women took active part in agriculture, in manufacturing bows and arrows, and, in weaving cloth. By and large, monogamy was the rule. Re-marriage of widows was permitted. The position of the wife was an honoured one in the family. The Aryans, after inter-marrying the locals denied their women the benefits of education, equality and freedom. Buddhism, however, renewed the Vedic tradition of giving a place of honour to women. This period also produced women missionaries and intellectuals. After the Buddhist period, confusion prevailed. Women were honoured and protected in the family but were given no freedom. They were not allowed to inherit property, or to remarry, but were entitled to mere maintenance, which amounted to a dole. Manu, the law-maker, declared that women were to be protected and honoured, albeit in an inferior position. Then came the Muslims, and women's position further worsened. The invention of practices such as purdah, child-marriages, female infanticide and sati marked this deterioration. Southern India, not suffering from Muslim invasions, remained largely free from these malpractices.

China

As indicated by the Encyclopedia of Sexuality: "In its most punctual history, China was a matriarchal society, until Confucius and Mencius characterized the predominant

sub-par connection among people as paradise appointed in excess of 2,000 years back. In customary Chinese society, women ought to watch the Three Obediences and the Four Virtues. Women were to be faithful to the dad and senior siblings when youthful, to the spouse when hitched, and to the children when bereaved. Hence the Chinese women were controlled and overwhelmed by men from support to grave. For over 2,000 years, for by far most of Chinese women, having a place with a house was the main way to financial endurance, however they reserved no option to choose a spouse, not to mention the option to separate or to remarry whenever bereaved. They reserved no privilege to their physical bodies. The individuals who opposed such systematized mistreatment were abused, shunned, and in some cases headed to self destruction. The practical significance of all women in customary China lay in their conceptive job. In a man centric and tyrant society, this conceptive capacity appeared as imitating male descendents. Since drop was patrilineal, a women's situation inside her natal family was brief and of no incredible significance. The overwhelming patrilineal family model, in blend with early marriage, implied that a little youngster regularly ventured out from home before she was of huge work an incentive to her natal family. Consequently, training or advancement of openly valuable aptitudes for a young women was not supported at all. Marriage was orchestrated by the guardians with the family interests of congruity by bearing male kids and running a proficient family unit as a main priority. Her position and security inside her better half's family stayed vague until she created male beneficiaries. Notwithstanding the spouse's regenerative obligations, the exacting sexual division of work requested that she attempt complete duty regarding kid care, cooking, cleaning, and other homegrown undertakings. Women resembled slaves or merchandize

Japan

The degree to which women could partake in Japanese society has fluctuated after some time and social classes. In the eighth century, Japan had women rulers, and in the twelfth century during the Heian time frame, women in Japan could acquire property in their own names and oversee it without anyone else. Women were additionally permitted, if discrete, to take sweethearts. From the late Edo time frame, the status of women declined. In the

seventeenth century, the "Onna Daigaku", or "Learning for Women", by Confucianist creator Kaibara Ekken, explained desires for Japanese women, expressing that "such is the ineptitude of her character that it is officeholder on her, in each specific, to doubt herself and to comply with her significant other". During the Meiji time frame, industrialization and urbanization diminished the authority of fathers and spouses, and yet the Meiji Civil Code of 1898 (explicitly the presentation of the "ie" framework) denied women lawful rights and enslaved them to the desire of family heads.

In the Thai understanding, women are normally observed as lower on the pecking order of legitimacy since they can't be appointed. As indicated by the Theravada see, "a being is conceived as women on account of terrible karma or absence of adequate great legitimacy. As indicated by the Encyclopedia of Sexuality: Thailand: "There isn't a lot of inquiry that Thailand is a male-ruled, man centric culture, as political and corporate administration has consistently been in the possession of men. Then again, the intensity of Thai women, particularly in provincial social orders, lies in their homegrown function as the mother-nurturer.

The 11 countries of Southeast Asia incorporate more than 550 million individuals. In spite of extraordinary semantic and social assorted variety, the locale is portrayed by the moderately great situation of women in correlation with neighboring East or South Asia. This has been clarified by a few elements: customarily, connection was followed however both maternal and fatherly lines; a little girl was not a monetary weight due to the boundless act of women of the hour value; a wedded couple frequently lived with or close to the in-laws; women had noticeable functions in indigenous custom; their work was fundamental in rural, and they overwhelmed neighborhood markets. After some time, notwithstanding, the ascent of unified states and the spread of imported ways of thinking and religions (Confucianism, Daoism, Buddhism, Islam, and Christianity) progressively advantaged guys and focused on female subjection. Albeit such impacts were generally recognizable among the first class, the quality of neighborhood customs was consistently a directing power.

The finish of World War II flagged the destruction of European imperialism in Southeast Asia. Hypothetically, the free expresses that rose throughout the following

15 years were focused on sex equity, yet this has once in a while been converted into the real world. As of late the quantity of women holding public office has expanded, particularly in nearby government, however just in the Philippines has female portrayal in public government transcended 10%. At the point when women do figure out how to enter the political field, they regularly end up minimized in a male-overwhelmed culture, with genuine force staying in men's grasp. The couple of people who have accomplished the most elevated political workplaces, (for example, President in the Philippines and Indonesia) have done so on the grounds that they are the girl or spouse of a popular man. They have not become promoters of women's issues, for this would chance estranging their male partners or the male electorate. A portion of the remarkable model featuring the enslavement of women in South East Asia is examined in succeeding sections:-

(a) Infanticide of Baby Girls-In South Asia, more female fail horrendously in the process of giving birth - 500 for each 100,000 live births - than in some other part of the world beside Sub-Saharan Africa. The degree of movements went to by skilled birth experts is as low as 18% in Bangladesh, 19% in Nepal, and 20% in the Lao PDR. In specific social orders, a male youngster is alluring over a women newborn child. Genuinely, in India considering the offer system, and in China, because of the one-kid technique, this was especially the circumstance. Sex-explicit hatchling expulsion and youngster murder in these countries have lead to exceptionally unbalanced sex extents. In India, for example, there were 927 female births for every thousand male births in 2001, as demonstrated by the examinations of essayist Mara Hvistendahl.

(b) Afghanistan- Inconsistent Child Rights in numerous nations, young women are not shipped off school at similar rate as young men, or they are taken out ahead of schedule. In 1999, the Taliban restricted training for young women - just 4 percent of young women were enlisted. While things have improved, still 1 out of 5 young women in Afghanistan doesn't go to class. The new narrative film "Young women Rising" highlight the situation of nine young women in nine nations (counting Afghanistan, Peru, and Haiti) as they seek after essential schooling. Meryl Streep, Selena Gomez, Alicia Keys and

others gave voiceovers to recount the young women's incredible stories.

(c) Brutality- Many Asian women report experiencing physical violence from their intimate partners - 30% of women in Viet Nam; more than 40% in Bangladesh, Samoa, and Timor-Leste; and more than 60% in Kiribati, Solomon Islands, and Vanuatu. The quantity of women abused by their spouses or parents in law as a result of their folks' inability to pay the normal settlement nearly multiplied from 2004 to 2012 in Bangladesh. These are grim figures; tragically, genuine numbers are likely considerably higher, the same number of episodes of savagery may go unreported. During the Vietnam War from 1955 to 1975, Vietnamese women and young women, some as youthful as 13 or 14 years of age, brought forth a large number of youngsters in the wake of being attacked by Korean officers. Censoriously called "Lai Dai Han" (in a real sense "blended blood"), a large number of these kids live in disgrace and contemptible neediness today. In Cambodia, savagery against women shows up so standardized that it has become a normal element of media diversion. Media checking research did by The Asia Foundation in 2016 uncovered that a stunning 33% of TV programs circulated by the five biggest public telecasters highlighted scenes in which women or young women were the objectives of physical, sexual or psychological mistreatment.

(d) Employment/Wages - Only 20 % women are employed as non-agriculture wage employment, in South Asia - the lowest among the world's regions. Nearly 50% of women in South Asia are still concentrated in agriculture. Unpaid work on family agricultural enterprises accounts for 34% of informal employment for women in India. Gender inequality in wage differentials remains entrenched, with women typically earning 70%-90% less of the male wage (50% in Bangladesh and 80% in Mongolia).

Women in Arab World

Under the standard ancestral law existing in Arabia at the coming of Islam, women when in doubt had essentially no legitimate status. They were sold into marriage by their gatekeepers at a cost paid to the watchman, the spouse could end the association voluntarily, and women had almost no property or progression rights. A few essayists have contended that women before Islam were more freed, drawing regularly on the principal marriage of Muhammad

and that of Muhammad's folks, yet additionally on different focuses, for example, love of female icons at Mecca. Different essayists, unexpectedly, have concurred that women' status in pre-Islamic Arabia was poor, referring to practices of female child murder, boundless polygyny, patrilineal marriage and others. In pre-Islamic Arabia, women' status fluctuated broadly as per laws and social standards of the clans in which they lived. In the prosperous southern locale of the Arabian Peninsula, for instance, the strict declarations of Christianity and Judaism held influence among the Sabians and Himyarites. In different places, for example, the city of Makkah (Mecca) - where the prophet of Islam, Muhammad, was conceived— an ancestral arrangement of rights was set up. This was likewise evident among the Bedouin (desert tenants), and this code shifted from clan to clan. In this way there was no single meaning of the jobs played, and rights held, by women before the coming of Islam. In a few clans, women were liberated even in correlation with a large number of the present principles. There were examples where women held high places of intensity and authority. The custom of covering female babies alive, was genuinely broad in pre-Islamic Arabia. The intentions were twofold: the dread that an expansion in female posterity would bring about financial weight, just as the dread of the mortification much of the time brought about by young women being caught by a threatening clan and along these lines favoring their captors to their folks and siblings.

Islam was presented in the Arabian landmass in the seventh century, and improved the status of women contrasted with before Arab societies. As indicated by the Qur'anic orders, the two people have similar obligations and duties in their love of God. As the Qur'an states: "I won't endure to be lost crafted by any of you whether male or female. You continue one from another".(Qur'an 3:195). Notwithstanding, the imbalance of females in the Arab culture has more than one angle, and can expand very far. Models may change from one nation to the next, yet they all mirror a similar mentality, and speak to a typical subject of disparity. One such model that can be referred to here is the industriousness of Saudi government on forbidding women from the option to drive vehicles. Numerous a voices had been raised calling to eliminate this boycott, and therefore it has been permitted as of late.

A more genuine oppressive practice is found in the inflexible disposition against allowing citizenship rights to offspring of a local woman who is hitched to a non-local spouse. Bedouin nations hold a severe situation in this regard. The one nation that has prevailing with regards to accomplishing a liberal mentality towards women is the main express that permits the mother to give the citizenship to her youngsters - specifically, Tunisia. A Tunisian woman can pass the citizenship right to her kids, for the situation when she is hitched to a non-Tunisian. Egypt has been battling hard toward this path, yet there is a solid resistance against this right, from the legal circles, yet more thus, at the top administrative level. Contentions, generally, revolve around inquiries of unwaveringness/energy. In a patrilineal/man centric culture, it is the dad's citizenship that matters, and decides the kids' dedication to the nation. The battle actually goes on in Egypt, and women' associations are campaigning firmly in this regard.

One different models as an away from of common liberties where women are concerned is the negative practice which is accused on Islam, and gets wide media inclusion outside the Islamic world, female circumcision, also called extraction of the clitoris. The non-Muslim world considers the religion primitive, unfeeling, barbaric, in light of the fact that it incorporates this custom, and expects females to go through this demonstration of viciousness. At the network level, there is as yet the generally engendered conviction that female circumcision is an Islamic ceremony, which prompts the solid conviction of a huge fragment of the number of inhabitants in its holiness. Field contemplates uphold this circumstance. (EISafty). Is amazing that women what themselves' identity was circumcised are quick to have their little girls circumcised, accepting that it is Islamicly off-base in the event that they are definitely not.

The terms of separation actually stay lopsided in numerous nations, including Egypt. While women picked up the option to start separate in Egypt in 2000, through the section of the Khula law, women actually should repay their share in full to their spouses. Moreover, in the most recent year a few individuals from parliament have attempted to present enactment which would upset the Khula Law, contending that Sharia Law precludes women starting a separation.

Kafala - Female homegrown specialists, keep on encountering a scope of maltreatments in inlet nations. The maltreatment and abuse are encouraged to a limited extent by government frameworks that give bosses an unreasonable measure of command over their homegrown specialists. The absence of security for homegrown specialists living and working in private homes with no oversight leaves them helpless against misuse. The Gulf States, including Saudi Arabia, keep up a prohibitive visa-sponsorship framework, known as Kafala. This framework attaches transient homegrown laborer to their managers for the term of their agreement and much of the time bars them from changing positions without their boss' assent. Homegrown specialists who leave their bosses are viewed as wanderers, and can be captured and extradited. In Saudi Arabia and Qatar, a laborer can't leave the nation without a leave grant from the business. A large number of these nations unequivocally prohibit homegrown specialists from work laws. At the point when homegrown specialists have announced maltreatment, the businesses infrequently deal with criminal indictments, and courts have just seldom sentenced bosses. In cases Human Rights Watch recorded, Saudi specialists neglected to give predictable admittance to transients to mediators and legal counselors at police headquarters and during lawful procedures and the specialists deny homegrown laborers from working until the finish of criminal cases, which may take years.

Women in Western Culture

A prominent Greek general Meno, in the Platonic dialogue of the same name, sums up the prevailing sentiment in Classical Greece about the respective virtues of men and women. He says:

"First of all, if you take the virtue of a man, it is easily stated that a man's virtue is this—that he be competent to manage the affairs of his city, and to manage them so as to benefit his friends and harm his enemies, and to take care to avoid suffering harm himself. Or take a woman's virtue: there is no difficulty in describing it as the duty of ordering the house well, looking after the property indoors, and obeying her husband."

—Meno, Plato in Twelve Volumes

Crafted by Aristotle depicted women as ethically, mentally, and genuinely second rate compared to men; considered women to be the property of men; asserted that women' part in the public arena was to repeat and to serve

men in the family unit; and considered male to be of women as regular and righteous. Gerda Lerner, creator of The Creation of Patriarchy, expresses that Aristotle accepted that women had colder blood than men, which made women not advance into men, the sex that Aristotle accepted to be great and prevalent. Maryanne Cline Horowitz expressed that Aristotle accepted that "spirit contributes the structure and model of creation". This suggests any defect that is caused on the planet must be brought about by women since one can't secure a blemish from flawlessness (which he saw as male). Aristotle had a progressive decision structure in his speculations. Lerner asserts that through this male centric conviction framework, gone down age to age, individuals have been adapted to accept that men are better than women. These images are benchmarks which youngsters find out about when they grow up, and the pattern of man controlled society proceeds with much past the Greeks.

From ancient times it has been standard in western culture to characterize "women," in relationship to man, as a restricted and unforeseen piece of dimorphic animal types. Western societies have set weighty imperatives on female lives, now and again advocating these limitations by crediting to women, for example, Pandora and Eve, obligation regarding human mishaps coming about because of their supposedly more fragile restraint or more noteworthy obscenity. In spite of the presence of uncommon women in fantasy and history, most women in most recorded social orders have been kept to places of reliance. At last, regardless of whether based on their ability for pregnancy and coming about actual weakness or the utilization of women' ripeness in producing connections of social and financial worth, women, similar to youngsters, have been denied a free voice. Seen as "lesser men" by the dads of Western way of thinking, women have been seen as "Other," as not-man, through a talk where individual was encapsulated in the male sex. The situation of women in various pieces of Europe is examined in succeeding passages.

(a) Albanian ladies dwell inside a traditionalist and male centric culture. In such a traditional society, the ladies of Albania have subordinate parts in networks that believe in "male transcendence". This is regardless of the appearance of popular government and the adoption of an unregulated economy in Albania, after

- the period under the socialist Party of Labor. In light of the 500-year-old Kanun of Leke Dukagjini, a conventional code of conduct, the fundamental part of Albanian ladies is to deal with the youngsters and to take care of the home.
- (b) Due to the patriarchal nature of traditional Armenian culture and society, women in Armenia are often expected to be virtuous and submissive, to safeguard their virginity until marriage, and assume primarily domestic tasks.
 - (c) Traditional social norms in Azerbaijan and lagging economic development in the country's rural regions continue to restrict women's roles in the economy, and there are reports that women have difficulty exercising their legal rights due to gender discrimination.
 - (d) The history, characteristic, evolution, and genealogies of present-day women in the Czech Republic can be traced back from many centuries before the establishment of the country now known as the Czech Republic. They have originated from ancestral Slavic settlers who had an economy that was based primarily on agriculture.
 - (e) In some parts of Italy, women are still stereotyped as being simply housewives and mothers, also reflected in the fact of a higher-than-EU average female unemployment.
 - (f) Swiss tradition also places women under the authority of their fathers and their husbands.

Medieval England was a patriarchal society and the lives of women were heavily influenced by contemporary beliefs about gender and authority. Notwithstanding, the situation of women shifted by factors including their social class; regardless of whether they were unmarried, hitched, bereft or remarried; and in which part of the nation they lived. Women had a lot of casual force in their homes and networks, despite the fact that they were of formally subordinate to men. Huge sexual orientation imbalances persevered all through the period, as women normally had more restricted life-decisions, admittance to business and exchange, and lawful rights than men. After the Norman attack, the situation of women in the public eye changed. The rights and functions of women turned out to be all the more forcefully characterized, to a limited extent because of the improvement of the primitive framework and the

extension of the English overall set of laws; a few women profited by this, while others missed out. The privileges of widows were officially set down in law before the finish of the twelfth century, explaining the privilege of free women to claim property, yet this didn't really keep women from being persuasively remarried against their desires. The development of administrative establishments under a progression of ministers diminished the function of sovereigns and their families in conventional government. Hitched or bereaved aristocrats stayed huge social and strict supporters and had a significant influence in political and military occasions, regardless of whether recorders were questionable if this was suitable conduct.

As in earlier centuries, most women worked in agriculture, but here roles became more clearly gendered, with ploughing and managing the fields defined as men's work, for example, and dairy production becoming dominated by women. In medieval times, women had responsibility for brewing and selling the ale that men all drank. By 1600, men had taken over that role. The reasons include commercial growth, guild formation, changing technologies, new regulations, and widespread prejudices that associated female brewster's with drunkenness and disorder. The taverns still use women to serve it, a low-status, low-skilled, and poorly remunerated tasks. While the Early Modern Period of England -Tudor Era presents an abundance of material on the women of the nobility especially royal wives and queens, historians have recovered scant documentation about the average lives of women. There has, however, been extensive statistical analysis of demographic and population data which includes women, especially in their childbearing roles. The Queen's marital status was a major political and diplomatic topic. It also entered into the popular culture. Elizabeth's unmarried status inspired a cult of virginity. During the Modern Period Of England, according to "The Guardian" Britain has made zero progress in tackling inequality between the sexes in the past decade and lags behind Sweden, Denmark, Finland, the Netherlands and France .The UK joins Slovakia and the Czech Republic among the EU's 28 member states in having made no significant advances in reducing levels of inequality when taking into account a range of fields including the workplace, income, education, health or political engagement. Britain's performance declined in the field of

educational attainment between 2005 and 2015, according to the Gender Equality Index, although the country remains one the EU's three best performers in that area. The gender gap in employment in the EU is "wide and persistent", the index report says, with the full-time equivalent (FTE) employment rate of 40% for women and 56% for men. Income gaps have narrowed, but on average women still earn 20% less than men, and the average masks huge disparities across the EU. Only every third man in the EU engages daily in cooking and housework, compared with nearly eight in 10 women. Almost every second working woman spends an hour or more caring and educating children or grandchildren, elderly or disabled people during the day, compared with only about a third of working men.

The United States has verifiably been a male centric culture where women' privileges were very restricted. Maybe the soonest women's activist was Susan B. Anthony who built up the Women's Suffrage Association in 1869. Despite the fact that women were not conceded the option to cast a ballot broadly until 1919, Anthony assumed a basic function in achieving this appropriate for American women American women have battled verifiably against specific ideal models of mediocrity that all women experience. The female character is diverse as per each culture and their traditions; however numerous societies depend on a male centric past where men employ more force than women. American women have strived to defeat these generalizations and have increased a place of close to equity in numerous cultural develops. In the United States today, people appreciate practically equivalent social standing. Women can and do cast a ballot, own organizations, hold political office and have a full range of rights. They have conceptive and social rights to separation, fetus removal and anti-conception medication. They can wear whatever they pick. Laws are set up shielding them from rape and physical maltreatment. There are, nonetheless, media developments of sexual orientation that depict away from of people. Women are depicted in the media as sexual items: dainty, huge breasted, coy and perfect. Despite the fact that they hold amazing positions and assume important parts in an assortment of social develops, the worldview of the American housewife.

Conclusion

Today as we stand at the threshold of the 21st century, we are still unable to boast of a society where there is total gender equality or gender equity. Until recently, the question of gender equality or gender equity is merely a topic of theoretical discussion. Things are changing but rather slowly. Greater female involvement in politics and other fields is impeded by the way candidates are recruited as well as entrenched attitudes that see women's primary role as that of wife and mother. Gender stereotypes that favor males over females are often reinforced in school textbooks and are sometimes encouraged by religious teachings. For example, Buddhists still believe that rebirth as a woman rather than a man indicates that less merit was accrued in past lives.

In fact, women through history have gained and lost power at different times and they had to struggle hard for recognition as equal to men in every culture, race, creed and social status, yet inspite of their urge for equality they were not able to lead a life exactly at par with men.

In reprisal as a correctional note – A gender-equal society would be one where the word "**gender**" does not exist, where everyone can be "**themselves**"

- Gloria Stinem

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