

HISTORICAL PERSPECTIVES AND KEY MILESTONES TOWARDS WOMEN'S RIGHTS IN 20TH- CENTURY

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Abstract

Women are likely to attain empowerment when gender equality and justice are established, and women's rights are acknowledged as human rights that are upheld. Conversely, justice and gender equality can only be realized in practice in daily life when women are really liberated. For the same, the study aimed to examine the influence of cultural, familial, and societal factors on the diverse struggles and milestones of women's rights movements in 20th century India and to examine the effectiveness of constitutional provisions and special laws in improving the socio-economic status and protection of women's rights in India. The study employed a qualitative research design to obtain secondary data which is then analyzed to unearth significant events in the women's rights organizing in the 20th Century. The study used descriptive and explanatory research approaches to offer clear insight of the developments, challenges as well as resistance encountered by these movements. The major research finding of the study stated that the women's rights movement of India during the twentieth century, acted based on the cultural, social and religious and family norms. Thus, despite numerous peculiarities of Indian nationalism, such as the predominance of patriarchy and misogyny, women actively and effectively participated in the construction of public domain, or at least, in the struggle for the transformation of the existing structures.

Keywords: Women's Rights, Empowerment, Gender Equality, Socio-Economic Status, and Cultural Norms

1. Introduction

In a civilized country, respect for fundamental rights is an essential prerequisite for human existence. The UN Human Rights Centre defines the rights of humans as "those rights inherent to our nature, essential for living as human beings." These rights pertain to life, equality, liberty, personal security, equal legal protection, and freedom from all types of discrimination (Kaur, 2009).

Despite women being a majority of the global population, no civilization exists where women experience complete equality alongside men (Sen, 2000). Women often encounter distinct prejudice; even in nations that provide legal equality for both genders, they typically experience economic hardship and discrimination. National and local governments ought to prioritize this matter, as women's rights to possess land, property, and housing profoundly affect their standard of life and the future prospects for their children. The inclusion of women in human rights emerged from a gradual cultural transition, as women's roles developed and their participation in public life increased.

In India, women have progressed significantly from the era of Rig Vedic sages and academics to their current participation in the military forces, technology sector, politics, business, and other vital domains, all while fulfilling their responsibilities as daughters, wives, and mothers (Kumar, 2023). The path to modernization has been arduous. Women have had to contend with the conventional male-dominated culture in India to become stronger and more autonomous individuals. Despite these encouraging advancements, incidents of rape, workplace harassment, and dowry-related fatalities remain pervasive. A significant number of women continue to experience illiteracy and a lack of awareness of their rights (Tyagi & Tyagi, 2021).

The empowerment of women commences with their recognition of the sociopsychocultural injustices inflicted upon them, as well as the detrimental impact of gender inequality and sociocultural, economic, and political pressures across all facets of their lives (Mishra, 2014). It starts when she attains a comprehensive awareness of her positive self-image, self-esteem, rights and responsibilities, as well as her talents and potential.

Consequently, the matters of Gender Law and Justice, Gender Equality, Women's Rights, and Women's Empowerment are intricately interconnected, influencing and interacting with each other (Htun & Weldon, 2010). Women are likely to attain empowerment when gender equality and justice are established, and women's rights are acknowledged as human rights that are upheld. Conversely, justice and gender equality can only be realized in practice in daily life when women are really liberated.

The campaign for altering women's position was set to intensify in the 20th century across all domains. During British colonial control, this was attributable to the women's own initiatives to organize for advancement and to engage in the national battle for liberation from colonial domination (Krishnaraj, 2012). This was facilitated by the competent assistance provided by Indian males in leadership roles, both as reformers as well as political leaders. The British government was not devoid of sympathy. The “Stri Bharat Mahamandal” was established in 1901 by Sarla Devi Chowdharani. “Mahilla Samajas” were established in Gujarat in 1908 and in Karnataka in 1913.

The Women's Indian Association was established in 1917, the "National Council for Women in 1925", and the "All India Women's Conference in 1927" (Mukherjee, 2017). The "All India Associations" maintained branches in the majority of states. Their leadership mostly originated from the affluent upper and middle classes. Their first effort was to promote female education. These organizations started advocating for women's rights to inheritance and property ownership, as well as opposing the unethical trafficking of women. At the beginning of the 20th century, women began to engage in all facets of the "National Movement for Independence" (Raju, 1997). In the first phase of the fight, Sarla Devi and Kumudini Mitter in Bengal, Sushila Devi and Har Devi in Punjab, together with women affiliated with the Arya Samaj, actively contributed to advancing the national cause.

The Indian women have emerged into a prominent role in the 20th century itself because of the legal and social changes. The fight for independence led women towards freedom movement and establishing them as an important part of the society. They included the “Hindu Succession Act of 1956” that wanted to give women a right to inheritance and the “Prohibition of dowry Act of 1961” that aimed at banning dowry to help cure problems of

violence related to dowry (Kishwar, 2005). From feminisms women movements emerged demanding education employment and health demanding equality with men which transformed tradition cultures. These changed the Indian society to be dominated by women, yet they benefited the whole society of the Indian masses by giving way to future amendments.

It also would be helpful to get acquainted with the women rights in the historical point of view and the key results in the 20th century to shed a light on the subject of the gender equality and how it changes the modern society. This analysis shows how women campaigners influenced receiver systems in accomplishment these changing legal, unconventional, and cultural paradigms of gendered roles. The important events like the suffrage movement, the establishment of reproductive rights, the fight against discrimination, etc, can be analyzed and the milestones as well as the struggles of women's rights can be appreciated. Furthermore, this paper discusses women's issues based on socio-economic, race and cultural issues hence broadening our understanding of such factors that surround women. Appreciating these accomplishments is a great way to acknowledge previous activist and equals important opportunities in comparing the present problems and the fight for gender balance. Last but not the least, it will make people wake up from the anarchy and make the next generation to fight for women and equity in the society.

The paper is divided into seven sections. Section 1 comprises the introduction of the study. A literature review on Historical perspectives and key milestones towards Women's rights in 20th- century is presented in section 2. Section 3 & 4 delineates the research methodology and objectives of the study. The results are presented in Section 5. It has been succeeded by findings and discussion of the results in section 6. Section 7 contains conclusion of the study. References have finally been included.

2. Review of Literature

Women have a unique position in modern society, and their crucial contribution to societal development and progress is indisputable. The importance of their participation in shaping the national identity is seen in almost every location worldwide. The Indian public traditionally recognized their homeland as Bharat-Mata, but without a thorough understanding of its actual significance. Bharat-Mata denotes the mother embodiment of every Indian, whom we are duty-bound to protect and revere. Consequently, although political equality is acknowledged, economic equality is not, since a significant majority asserts that males should possess superior job rights compared to women. A significant majority of the Indian populace (81%) holds the belief that maternal employment adversely affects children.

Domestic violence has historically been a significant issue for women's groups worldwide. The right of women to live free from violence is supported by international treaties, including the "Convention on the Elimination of All Forms of Discrimination against Women (1979) and the UN Declaration on the Elimination of Violence against Women (1993)". It is essential to acknowledge the varied experiences of vulnerable groups within SC women and implement appropriately designed individualized programs to reduce the high incidence of "intimate partner violence (IPV)" among this population. Criminal justice and family law

changes confer to women the status of independent, rights-bearing, property-owning individuals within legal frameworks. A significant domain in which women's rights have progressed markedly in recent decades is women's political representation. Legislative changes, particularly the implementation of political quotas for women, have often supported these favorable tendencies (Berry & Lake, 2021).

Before the nation's independence, rights for women were significantly constrained. The primary reason of this was male domination. A significant percentage of women commenced their political careers at the municipal level before advancing to the national arena. Irish women such as Annie Besant as well as Margaret Cousins, with Indian women, recounted their experiences of British oppression in Ireland to contribute to the discourse on Indian rights for women (Bhat, 2022). Post-independence women's rights movements have prompted alterations in conventional gender norms and spurred legislation that fosters women's empowerment and safety, hence impacting the position and responsibilities of women in society (Bhat, et al., 2023).

The media is expected to consistently advance in education of women and raising their awareness of their capacity for improvement, empowerment, and advocacy for their rights and well-being globally. The division between women & the media not only denies women access to education and knowledge but also obscures the egregious distortion of their experiences (Bhat, 2022). Literacy and education augment a woman's knowledge and awareness, empowering her understanding of her rights and facilitating work opportunities. Likewise, women's empowerment has been characterized in many ways. The freedom of movement and power to make decisions of women are key indicators for assessing women's empowerment (Kumar & Lakhtakia, 2021).

Explicit regulations restricting women from particular significant activities and limiting certain rights were present. Pandita Ramabai, in 1889, a proponent of women's rights in the late nineteenth century, provides a perceptive depiction of the true condition of women in high-caste families via an autobiographical narrative of a widow from the esteemed "golden age" (Sivakumar & Manimekalai, 2021). To advance gender equality, these measures have concentrated on enhancing women's economic participation via financial empowerment (World Bank, 2013), political involvement, and equitable land and property rights (Sedai, et al., 2022).

Child marriage indeed engenders several issues, particularly with the erosion of women's rights inside home spheres. Barkah et al. (2022) shown that the manifestations of the neglect of the rights of women in child marriage situations include three categories: the neglect of financial rights, human rights, and reproductive rights. Social conventions and the lack of discourse around sexuality education foster ignorance, sexism, prejudice, discrimination based on gender, and patriarchal views among youth in educational institutions. These silences thus result in inadequate understanding of sexuality, enjoyment, safety, bodily rights, and legal changes (Pitre & Lingam, 2022).

Although a vast body of literature has emerged on examining the women's rights movements and the issue of gender equity, more specifically and most importantly, there is a scholarly lack of research in elucidating the complex relations between socio-cultural patterns, legal changes and economic processes in women's embracement in different world regions with

particular emphasis on India. Although the political and legal progress of women around the globe has been discussed in several scholarly works, few have examined how strong-headed traditional worldviews and prejudice still affect the abilities of women to become effective economic and social actors. Furthermore, the findings highlight the need to understand the experiences of specific vulnerable groups, to include SC women and child brides to develop programmes that will benefit these groups in the community.

3. Research Objectives

- i. To examine the influence of cultural, familial, and societal factors on the diverse struggles and milestones of women's rights movements in 20th century India.
- ii. To examine the effectiveness of constitutional provisions and special laws in improving the socio-economic status and protection of women's rights in India.

4. Research Methodology

The study employs a qualitative research design to obtain secondary data which is then analysed to unearth significant events in the women's rights organizing in the 20th Century. This study uses descriptive and explanatory research approaches to offer clear insight of the developments, challenges as well as resistance encountered by these movements. The main type of data was the secondary data which include research papers, historical documents, reports from international bodies or treaties. This method also provides the opportunity to learn about trends in the world society and activities of international organizations on the protection of women's rights within the framework of the UN conventions and covenants. This methodology is devised to help bring out achievements and challenges that women's rights movement's face all over in India.

5. Results

a) Influence of cultural, familial, and societal factors on the diverse struggles and milestones of women's rights movements in 20th-century India

The obstacles encountered by women across various locations vary and are shaped by multiple factors: familial, social, racial, marital, economical, spiritual, ethnic, and personal awareness. Patriarchy and sexism are entrenched in both ancient and contemporary India. Indian women navigate survival within several repressive cultural frameworks, including age, ordinal standing, familial relationships with males, marriage, childbearing, and patriarchal characteristics (Raman, 2009). Examples of patriarchal traits encompass dowry, the preference for male progeny, closeness, caste, ethnic background, community, geography, business, and the state. Despite the challenges, India possesses a profound tradition of women who challenged conformity among substantial cultural limitations.

i. Pre-independence

Throughout this era, the resistance against colonial domination escalated. Nationalism emerged as the predominant motive. Mahatma Gandhi validated and broadened the public engagement of Indian women by including them in the nonviolent civil disobedience campaign in opposition to the British Raj (Verma, 2011). The feminine duties of nurturing, selflessness, sacrifice, and forbearance, establishing a prominent position for them in the

public sphere. Rural satyagrahas in Borsad and Bardoli were significantly influenced by peasant women. Women-exclusive organizations such as the "All India Women's Conference (AIWC) and the National Federation of Indian Women (NFIW)" were established. Women were contending with issues about the extent of their political engagement, suffrage, community rewards, and leadership positions within political parties.

- Established on 2 June 1916 by "social reformer Dhondo Keshav Karve" with an initial enrollment of only five students, "Shreemati Nathibai Damodar Thackersey Women's University" was the first women's college.
- The "Indian National Congress" backed the first women's committee that met with the Secretary of State in 1917 to push for women's political rights. The "Indian National Congress" had its first female president in Annie Besant.
- The "All India Women's Conference" first met in 1927.
- The legal minimum age for marriage for women in India was set at fourteen years old in 1929, when the practice of child marriage was outlawed.

ii. Post independence

A more critical understanding of women's rights and duties in a free India emerged among those women who fought for independence. There were already inequalities in society, and women in the decade of 1970 fought for change. Disparities in salary, the demotion of women to "unskilled" jobs, and their restricted role as a backup workforce were all forms of gender inequality (Viswanathan, 2008). The fundamental exploitation of women as cheap resources by ending their unnecessary labor. In response to growing awareness of gender inequality and other power hierarchies, including those based on caste, tribe, cultural background, geography, and socioeconomic status, women began to take action to guarantee that addressing the needs of a particular population would not worsen inequality for another. In the early years of the twentieth century, the emphasis for Indian women has shifted from just being seen as valuable societal contributors and seeking equality to possessing the autonomy to dictate their own life and the right to self-determination.

- For the purpose of prohibiting the trafficking of minors, the "Immoral Traffic (Prevention) Act" was passed in 1956.
- To make dowry demands in marriage contracts illegal, the Indian government passed the "Dowry Prohibition Act" in 1961.
- The "Equal remuneration Act in 1976" outlaws pay discrimination on the basis of gender in India.
- A change to the "Sharda Act of 1929" in 1978 increased the age of majority for female marriage from fourteen to eighteen.
- Women were first recruited into non-medical positions by the "Indian Armed Forces" in 1992.

b) Constitutional provisions and special laws in improving the socio-economic status and protection of women's rights in India

The position of women within the family, their lack of education, early marriages, and widowhood were significant concerns that the "Social Reforms Movement in

India" campaigned against for more than two centuries. The patriarchal culture in India has diminished the social standing of women from the esteemed positions they allegedly had during the Vedic era. Having attained liberation from foreign rule and encountered new ideas introduced by the UN, the constitution of India was developed with these principles firmly integrated into its structure. A designated area existed for women who shown equal patriotism and vigor in the quest for liberation. Since the establishment of the "Indian Republic in January 1950", women's suffrage has been acknowledged, and women have actively participated in voting thereafter (Khanday, et al., 2015). The "Constitution of India" guarantees equality for women in relation to males.

The Specific Provisions and Constitutional Laws of India established to ensure gender equality and prohibit discrimination are:

i. Marriage Related Laws

- **"Special Marriage Act of 1954"**: The act permits any girl aged 18 or older and any boy aged 21 or older to utilize this law, regardless of social class or religious affiliations.
- **"Hindu Marriage Act, 1955"**: Marriage is considered solemnized upon the execution of specific rites, particularly Saptapadhi; while the first marriage remains valid, a second marriage is prohibited; the right to judicial divorce or separation is granted on specific grounds such as mental unsoundness, conversion to another religion, and incurable or communicable diseases, among others (Pathare, et al., 2015).
- **"Dowry Prohibition Act of 1961"**: The act stipulates that the giving, betting, or receiving of dowry constitutes a cognizable, non-bailable criminal against the state, punishable by a minimum of 5 years of detention and a fine of Rs. 15,000 or a sum equivalent to the value of the dowry.
- **"Hindu Adoption and Maintenance Act of 1955"**: An unmarried woman, a widow, or a divorcee of sound mind may also adopt a child.

ii. Property Related Laws

- **"The Hindu Succession Act, 1956"**: It confers upon women equal rights regarding inheritance and property alienation, comparable to those of males (Gopal, 1956).
- **"Equal Remuneration Act of 1976"**: This act was intended to ensure equal pay for men and women, hence preventing discrimination against women based on sex.

iii. Violence Related laws

- **"Immoral Traffic (Prevention) Act of 1986"**: This Act was enacted in India as a response to the International Convention against Immoral Traffic, 1950. This legislation has undergone multiple amendments and is currently known as the "Immoral Traffic (Prevention) Act of 1986". This legislation seeks to outlaw illicit trafficking for the purposes of sexual exploitation or abuse. It delineates the method for the rescue of a woman or girl.
- **"Sati (Prevention) Act, 1987"**: This Act aims to prevent the occurrence and glorification of sati (Ahmad, 2009). The Act delineates comprehensive measures to prevent attempts to abet or glorify sati. A district collector / District Magistrate (DM) is authorized by statute to address offenses pertaining to Sati.

6. Finding and Discussion

The major research finding of the study states that the women's rights movement of India during the twentieth century, acted based on the cultural, social and religious and family norms. Thus, despite numerous peculiarities of Indian nationalism, such as the predominance of patriarchy and misogyny, women actively and effectively participated in the construction of public domain, or at least, in the struggle for the transformation of the existing structures. Some of the important steps include that women should join organizations of women only, women political rights, some laws such as Dowry Prohibition Act and Equal Remuneration Act. There were attempts made during the post-independent India to fight for equality in employment, marriage, inheritance too along with emergence of problems of composite oppression on the basis of caste, tribe, religion etc. Nevertheless, whereas the law has made some strides, there are contractual and social barriers resulting from multiple and unjust personal laws and prevailing culture that hinder women from exercising their political and other rights enshrined in the constitution fully. But the general analysis proves that the fight for the rights of women in India can be seen as a liberal change to a considerable extent.

Sedai, A. K., et al., (2022) discussed the effects of the quality of electrification on women business enterprise to access economic resources and make decisions and exercise agency. LikeWISE, the present research surveyed the women's emancipation movement for the way cultural and social phenomena define their public and personal domain experience. They also centered their discussion on continued gender struggle, and the need to see more systemic changes for women. By concentrating on the construction of masculinity and the subject of women as inferior to men, Chandrasekhar, S., & Rajan, A. (2021) described how patriarchal systems eliminate sex and enhance violence against women. Scholars among them want the court to declare that societal-cultural practices perpetuate definite roles for the opposite gender deserving affirmative action. Our analysis, however, focuses on the advancement of women's rights movements which demonstrate acts of parliament and the continuing fight for justice even when societal structures and the legal systems are against them and especially due to the presence of different colored personal laws.

In the study by Bhat, R. M., et al., (2023) the ideological differences and organizational dynamics of revolutionary movements were reviewed paying particular attention to the changes affected on societies. Likewise, our study is on the women's rights movement, explaining how cultural and familial socialization has influenced women leadership roles in civil society and the laws. It is also evident that with regard to each work, the struggle against discrimination based on the gender of persons is also being waged, as it remains particularly acute today. These two studies prove that there are socio-political factors that influence movement within the India region. Women's employment within the judiciary domain, with special attention to the problems of women as lawyers and their struggle to change patriarchal tendencies in this field. However, our study is a more general one – we consider the women's rights movement throughout the twentieth century, stressing the cultural and political context here. Like both examine issues that women face, the first examines legal capacity while the second analyses social transformation over time.

7. Conclusion

The study concludes that the Women's Rights Movement in the India till the end of twentieth century was deeply conditioned with cultural, social, family and religious factors. It took ages for Indian women to come out of the shell of patriarchal dominance while they actively participated in nationalist struggle. Some legal changes include the Dowry Prohibition Act and Equal Remuneration Act indicated better practices, but deficiency persists because of dissimilar personal laws and existing gender stereotype.

It is recommended that future studies should also work towards identifying and analysing gender liaisons with caste, tribe and religious impacts on women. Furthermore, a more critical review of women in rural areas and other females in low classes in the society could reveal that barriers to gender equality remain unbroken. Extending research to the post 21st century legal changes and their impact on enhancing women's status across different fields will also provide insights for continuing and future mobilizations.

Last but not least, a cross-cultural comparison study of the women right's movements of India with other countries having similar culture and tradition would help to identify the developing trends and strategies for eradicating the gender inequalities in Women rights movements in India.

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