

STATUS OF WOMEN IN PRE-INDEPENDENCE INDIA

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ABSTRACT

In the pre-independence period, the status of women within the country was in a deprived state. The major cause of this was, there was prevalence of male dominance. Due to this, the position of women was undermined. The major responsibilities of the women were dedicated towards the implementation of household responsibilities and they were not allowed to participate in the implementation of other tasks and activities, nor were they allowed to express their ideas and viewpoints. In addition, they were overwhelmed by the practices of polygamy, sati, child marriage, and female infanticide. Improvements came about in their conditions with the advent of Islam and they were given rights. The main areas that have been taken into account in this research paper include, status of women in the medieval period, position of women before the advent of Islam, human rights of women in Islam, position of women during the Mughal period, and position of women during the East India Company.

Keywords: Medieval Period, Mughal Period, Islam, Status, Women

The status of women in India, before the country attained independence experienced numerous problems and challenges. With the prevalence of the male dominance, there were constraints imposed upon women in terms of number of aspects, these include, acquisition of education, employment opportunities, forced child marriage, purdah system, sati and so forth. The status of women in pre-independence India was primarily dependent upon their upbringing and the society in which they lived (What is the status of women before independence? n.d.). Before independence, there were women, who mastered skills and abilities and fought for their rights. Women also struggled for the achievement of independence against the British rule. Whereas, there have been women, belonging to lower castes and socio-economically backward sections of the society, who did not enjoy equal rights and opportunities and their living conditions were not adequate. They were dependent upon the male members and were required to follow the rules, policies and norms, implemented by them.

The position of women was low. During this age, wherein different codes of conduct, which prescribed various norms and behavior traits for the women made them implemented. This period observed the exclusion of women from rendering an effective contribution in social, economic, religious and political spheres. They were confined merely to the households and were required to carry out all the household responsibilities and take care of the needs and requirements of their family members. During this period, number of systems were put into operation, which imposed unfavorable effects upon women. These include, child marriage, restraints were imposed upon widow remarriage, female foeticide, female infanticide, purdah system, sati and polygamy. Within the course of time, with the efforts of social reformers and social workers, measures were

being formulated that bring about improvements within the status of women (Status/Position of Women in Society, n.d.).

STATUS OF WOMEN IN THE MEDIEVAL PERIOD

Within the course of time, the position of women deteriorated during the medieval period. During this period, the systems of purdah and jauhar were being introduced by the Rajput and Muslim communities. The purdah system means that women were to remain within the curtain and keep themselves covered, they put a veil over their face, especially in the presence of the male members. Whereas, the jauhar system was the one that women with their own consent, immolate themselves, for their own as well as the protection of their wealth and property from enemies. This is particularly, if they belong to the defeated family of warriors. In both these systems, the liberty of woman was curtailed by the community. During this period, women rendered an active participation in social, political, cultural, educational and religious fields. In this period, the Bhakti movement also rendered a significant contribution for leading to improvement as well as impoverishment in the status of women. This movement primarily focused upon enhancing the status of women in society (Chapter 2, n.d.).

During this period, the purdah system, which was prevalent among the royal families, nobles and the merchant class of the individuals, prior to the Muslim empire, began to have an influence upon the other classes of individuals too. The major practices that have an unfavourable influence upon the lives of women have been stated as follows:

Polygamy

The meaning of polygamy is having multiple spouses, i.e. having more than one husband or wife at the same time. Polygamous marriages were common in pre-independence India. There are two types of polygamy, i.e. one is polygyny, when a man marries more than one woman and the other is, polyandry, when a woman marries more than one man. In ancient India, the practice of polygamy was prevalent. But whether, they were acknowledged within the society is still not known. This practice was prevalent among the warrior communities and the wealthy merchant class. In ancient India, this practice was influenced by various factors, these were personal opinion of the individuals, status symbol and social, moral and religious obligation (Polygamous Marriages in India, n.d.). Marriage in traditional Hinduism was primarily meant for progeny and implementation of duties and responsibilities. Apart from the performance of household responsibilities, the spouses made provision of support and assistance to each other.

In the present existence, the laws for marriage are well defined in terms of every religion. In accordance to The Hindu Marriage Act of 1955, it is unlawful for a man to have more than one spouse. Islam is another religion that is practiced by a large number of individuals within the country. In the pre-independence period, the system of polygamy did not prove to be advantageous towards enrichment of the family life of the individuals, hence, it was later that Hindu priests restricted the number of wives to one (Polygamous Marriages in India, n.d.).

Sati

One of the serious challenges that are experienced by all the activists and reformers was the prevalence of the system of widow immolation or sati. In this system, the Hindu widows climbed upon the funeral pyres of their husbands and get burned along with them. This system was also prevalent in ancient India. The individuals and the communities possessed the strong belief that if women would burn herself on the funeral pyre of her husband, then the sins of their husbands and ancestors would get removed. When women were to perform this system, they depicted confidence and did not show any apprehensiveness or vulnerability. Furthermore, it was also strongly believed that she would attain heaven, on performing sati. During this period, the condition of the widows was not in a good state and they experienced mistreatment. They experienced social pressures and were regarded as a source that would bring bad luck (Status/Position of Women in Society, n.d.).

The system of sati was abolished in Calcutta in 1798. It was a territory that was under the British. Raja Ram Mohan Roy was a great reformer, who rendered a significant contribution for improving the status of women. He struggled for the abolition of the system of sati, along with assistance from Lord William Bentinck. A ban was imposed upon this system in 1829 in the British territories of India (Status/Position of Women in Society, n.d.).

Child Marriage

Child marriage was regarded as a serious concern that imposed negative effects upon the overall quality of life of the individuals. Girls and women were the ones, who suffered to a much greater extent as compared to boys, as a result of this problem. In communities, where there has been prevalence of this problem, girls were usually discouraged from the acquisition of education or get engaged in any form of childhood activities. From the initial stage, they were trained in terms of implementation of household responsibilities and taking care of the needs and requirements of the family members. The main reason was, they were to get married at an early stage. Early marriage has a severe impact upon the growth and development of children.

During the middle of the 19th century, the activist started raising their voice for the determination of the minimum age of marriage for the girls and boys. Due to the efforts made by Ishwar Chandra Vidyasagar and Keshab Chandra Sen, who conveyed that early marriage not only deprives children from getting involved in all kinds of childhood activities, but also imposes negative consequences upon their health conditions. These individuals, along with Mohandas Karamchand Gandhi made efforts to abolish the practice of child marriage and child marriage restraint act was put into operation in 1929 (Status/Position of Women in Society, n.d.).

Widow Remarriage

The conditions of widows was detrimental. They were required to experience numbers of problems, which made their lives despondent. The major challenges and problems that they experienced were, they were not allowed to participate in any social, religious, cultural or political activities; they were not allowed to express their ideas and viewpoints and did not have any say in the decision making matters; they did not have any right to property and were deprived of number

of rights and opportunities; they were not allowed to take part in any functions and therefore opted for sati. The widows belonging to the upper caste families were not affected by the norms and customs. Prohibition against widow remarriage was observed among the upper caste communities.

Laws were formulated that promoted widow remarriage by the British and Hindus were the ones, who opposed these laws. The Hindus, who possessed conservative viewpoints and perspectives were the ones, who believed that remarriage of widows involved guilt and dishonour on earth and exclusion from heaven. Ishwar Chandra Vidyasagar, Mahadev Ranade, and Dayanand Saraswati are the ones, who rendered a significant contribution in the reform movement of widow remarriage. The efforts made by them resulted in the enactment of the Hindu Widow Remarriage Act XV of 1856. There was less respect shown towards the act by the individuals (Status/Position of Women in Society, n.d.).

Right to Property

As far as right to property is concerned, there was ambiguity and laws were also not implemented that would put emphasis upon the rights of women. When these issues and concerns were not being resolved, then it became difficult for the widows to remarry. Before the Hindu Women's Right to Property Act XVIII of 1937 and the Hindu Succession Act XXX of 1956, came into effect, then the Dayabhaga and the Mitakshara laws put emphasis upon the concept that widow could become a successor to her husband's property, on the death of her husband, in case she does not have a male child or a grandson. The property that she has succeeded to her husband can be retained by her, only during her lifetime. After the woman, her property goes back to the nearest living legal representative of her late husband (Status/Position of Women in Society, n.d.).

The property rights of the Indian women have evolved out of the continuing struggle between the status and progressive forces. The property rights of the Indian women have been unequal and unfair. Improvements came about in their right to property, only with the implementation of laws. As it has been stated that position of Indian women were not appropriate and they were deprived of many rights and opportunities, hence, they were entitled to less rights, both in terms of quality and quantity (Pandey, n.d.).

Female Infanticide

Female infanticide is referred to the killing of the girl child, after she has been born. Right from the time of birth, the girl child was considered as a liability by her parents. It was believed that she would only make demands and would yield no returns upon investment. When the girls got married and went to their marital homes, then parents normally possessed the viewpoint that they have to eventually get married, therefore, resources should not be spent upon them. With the prevalence of this viewpoint, they are deprived from the acquisition of education. The poverty stricken and marginalized families also deprive them from obtaining other materials such as, good clothes, food etc. Hence, it can be stated that girls were neglected at each state of their lives. At the time of marriage, huge dowry demands were made, hence in order to prevent these problems, preference was given to male children. It was believed that male children would bring cash,

jewellery and other items as dowry. These are the major causes that led to prevalence of the practice of female infanticide (Status/Position of Women in Society, n.d.).

The practice of female infanticide was common among certain castes and tribes in India, especially in the north and north-western states. This practice was particularly prominent among the communities, which normally experience problems and difficulties in finding suitable matches for their daughters. When the daughters were unmarried, it was regarded as a degradation and dishonour for the family. The poverty stricken families or the individuals, belonging to deprived and economically weaker sections of the society normally did not possess adequate financial resources, hence, fulfilment of the dowry demands is regarded as a major problem for them (Status/Position of Women in Society, n.d.).

In the year 1795, female infanticide was declared to be a murder by the Bengal Regulation XXI. There were measures formulated by the British government to abolish this practice. The Native Marriage Act of 1872, was passed by the efforts made by Keshab Chandra Sen, which abolished early marriages, polygamy was regarded as an offence and widow remarriages and inter-caste marriages were permitted. In 1901, the Government of Baroda passed the Infant Marriage Prevention Act. This Act determined the minimum age of marriage for the girls to be 18 years and for the boys to be 21 years. However, in the present existence, the act remains primarily in the form of paper on account of various factors (Status/Position of Women in Society, n.d.).

POSITION OF WOMEN BEFORE THE ADVENT OF ISLAM

In the 6th century, the greatest event in the history of mankind, which was influenced by the basic ideals and concepts of the individuals, brought about a complete transformation in norms, values and ideals. As a result a complete change was brought about in the character of the individuals. Before the advent of Islam, women have experienced degradation and mistreatment. They were not given recognition within the society. Islam boldly focused upon the injustice that was done to women, and put emphasis upon the perspective that women also need to be provided with equal rights and opportunities and allowed to achieve their desired goals and objectives. In addition, instructions were given that women should be treated with respect and deference. Any kind of discrimination should not be imposed upon them on the basis of factors such as, family status, caste, class, race, ethnicity, creed, language, occupation and socio-economic background (Chapter II, n.d.).

The teachings of Islam revolutionized the thinking and perspectives of those men, who buried their daughters alive and felt no disgrace in doing so. On the other hand, they began to show appreciation and reverence towards the girl children, whose fathers refused to give shelter and care to their own daughters. Hence, in this manner, they became the guardians of other's daughters. In this manner, the men, who did not appreciate the girl children began to show reverence for them. The most important thing in Islam is, women are been assigned a prominent position at the social level. In this way, rights and opportunities also were provided to her, so that she can lead a life of

honour and dignity. Islam does not differentiate between men and women and both are equal in law (Chapter II, n.d.).

Human Rights of Women in Islam

Men and women are regarded to contribute an equal part in humanity having equal dignity in the social and religious status. Before the advent of Islam, women were not treated as human beings, who have independent identities of their own. They were deprived of almost all kinds of rights. Islam brought a complete change in the status of women and prevent discriminatory treatment against them. In accordance to the Islamic teachings, women should not be entirely dependent upon men and should have their own identity and independence (Chapter II, n.d.). The main human rights of women in Islam have been stated as follows: (Chapter II, n.d.).

Right to Live

The birth of the girl child was considered as the matter of dishonour and social stigma. The practices of female foeticide and female infanticide were regarded as the ones that deprives the girl children of the basic right, i.e. the right to live. Unfortunately, this practice was not confined to the dark ages of the pre-Islamic Arabia, it is still being implemented in the modern period. By making use of advanced technology, the gender of the foetus is determined and foetus of the female child was killed in the mother's womb. The parents were not charged anything for taking the lives of their daughters. Islam condemns this crime to a major extent. This practice was completely eradicated in Islam and women were provided with equal rights and opportunities as men (Chapter II, n.d.).

Right to Education

Islam puts major emphasis upon the acquisition of knowledge and information (Chapter II, n.d.). Women and girls were deprived from the acquisition of education. It is vital that education of women is considered indispensable to enable them to sustain their living conditions in a well-organized manner. Education is not only regarded as the fundamental right of the girls, but also it is essential for not only leading to progress of the individuals or the community, but also the entire nation. It was stated that girls should be provided with education, they should be treated well and marriage should be arranged, when they have attained the right age. It was believed that an educated woman would be able to carry out the household responsibilities in a well-organized manner. The tasks of health care, child development, preservation of the environment and so forth would be carried out by educated women in an appropriate manner.

Right to Equality

Both the spouses are considered equal to each other. In the implementation of household responsibilities, both men and women need to collaborate and work in integration with each other. Men usually go out and work and generate a source of income, whereas women performed the household chores. The involvement of women in the household management, usually deprived them from acquisition of education and employment opportunities. Hence, they were primarily

considered to be the individuals, who acquired training only in terms of household management. In Islam, husband is regarded as the protector of his wife. Wives are provided with the same rights as their husbands, mainly concerned in terms of bringing about improvements within the overall quality of life. When any major decisions are to be made regarding an issue or a problem, then both were allowed to give their ideas and suggestions.

Right to Property

In accordance to Islam, the property of the spouses is regarded as separate. The husband and the wife also have the right to manage their property independently. Though husband is responsible to bear the cost of the wife's subsistence, but he is not supposed to merge her property with his own. The Islam completely acknowledges the right of independent ownership of women. Women have complete right to buy and sell property or give it on contract. The right of the independent ownership of the wife was not accepted even in the English law of the nineteenth century. Within the course of time, English courts devised means to forbid a husband's transferring real property without the consent of his wife. Islam does not forbid the women from participating in employment opportunities. But considers that their role as householders is more important. When the income of the husband is not enough to sustain the living conditions of the family, then wives are permitted to take up suitable jobs (Chapter II, n.d.).

POSITION OF WOMEN DURING THE MUGHAL PERIOD

The position of women within the Indian society underwent transformations within the Mughal period. The evolvement of social laws and customs, brought about changes within the aspects, which depicted improvements in the status of women. The intellectual culture of women varied in accordance to the class. In rural areas, women were residing mostly in backward conditions and there was not any room that would promote their cultural and social development. The rural women were primarily occupied with their family responsibilities. In most cases, they were engaged in agricultural and farming practices, implement household chores, took care of the needs and requirements of their family members and got engaged in some recreational and leisure activities. The women belonging to upper classes got involved in enhancing their skills and abilities. They also got enrolled into educational institutions and training centres to acquire education (Shamim, 2010).

Under the Mughals, a healthier tradition came into existence to prevail among the Indian aristocracy. The women belonging to royal families of the Mughal emperor Humayun used to communicate with friends and visitors. They got engaged in number of tasks and activities, which included, music, sports, physical activities and so forth. They were well aware of the use of pellet bow and other practical arts. The information regarding women, belonging to lower castes, mainly states that they approximated themselves to the standards of women, belonging to high castes. The purdah system was given significance under the Mughals. The women, especially belonging to the aristocratic class remained behind the purdah. During the time of the Mughal emperor Akbar, if a woman was observed in dance performances or in the marketplaces of the towns, she became a

prostitute. There was not any kind of coercive purdah system, observed among the Hindu middle classes and certainly not among the Hindu masses. The poverty stricken or non-aristocratic women were required to keep themselves covered, especially while going out of the houses. Whereas, Hindu women could move out of their homes with less or no restriction (Shamim, 2010).

The purdah system was not prevalent among the women, belonging to lower classes, such as, peasants, artisans, and manual labourers. The nature of their occupation prevented them from remaining indoors behind the purdah. Girls were regarded as burdens for the family and there was prevalence of the practice of female infanticide. Child marriage was also regarded as the universal feature of the society and it was prevalent among the Hindu and Muslim communities. The Mughal emperor Akbar did not approve early marriages and formulated the law that girls, below the age of 14 and boys, below the age of 16 should not marry. In this period, the system of dowry was prevalent. It was not possible to arrange the marriage of the daughters, without paying a suitable bride price to the family of the groom. The system of polygamy was also prevalent, which was having more than one wife. It was believed that the prestige of a man got enhanced within the society, if he had more than one wife (Shamim, 2010).

Prostitute was considered to be the necessary social evil. The women, who were prostitutes, normally participated in festivals, marriages and other occasions as singers and dancers. Among them, some of the women were skilled to a major extent. Music, poetry, sorcery and spying are some of the aspects, in which they were engaged in. They also provided leisure to the inmates, which have been maintained by the Muslim rulers. These public women might have been responsible for the increasing moral permissiveness within the Indian society. The habitation of these women was established outside the city. Emperor Akbar insisted in sending all the women, who were of ill-reputation. These women were particularly the ones, who did not observe purdah or found to get involved in conflicting situations and disputes (Shamim, 2010).

In the Muslim period, the death of the husband was regarded as a major misfortune in the life of the woman. Widow re-marriage was not permitted among the Hindus, except for some of the lower classes in the Mughal period. It was the custom among the Hindus that upon the death of the husband, the women burned themselves on the funeral pyre of their husbands, hence, sati was prevalent. Those widows, who did not practice sati, were mistreated within the society. The mistreatment that they experienced were in various forms, these include, shaving of the heads, they were not allowed to wear ornaments, or any coloured clothes, they were not allowed to participate in any social or religious functions and experienced discriminatory treatment. Widowhood was regarded as the punishment for the previous sins of one's life. Within the society, women received social status and recognition because of their husbands. Whereas, upon the death of husbands, they lose social status within the society (Shamim, 2010).

The Hindu women were divided into five classes with regards to expressing grief regarding the death of their husbands. First is, those who expire upon learning about the death of their husbands and were burnt by relatives; second is, those who out of the feelings of respect for their husbands, voluntarily consign themselves to flames; third is, women who possess the feelings of

fear from criticism and mistreatment, prefer to burn themselves; fourth is, women undergo death, regarding it as a sanction by custom and fifth is, who were forced into burning by their relatives, against their will. When the women are expecting, then they were not supposed to be burnt, until after delivery. When the husband dies on a journey, then the wives were supposed to burn themselves along with his garments and other materials that belongs to him. The practice of sati was performed by women, primarily belonging to Brahmins, Kshatriya and Bania communities (Shamim, 2010).

The practice of sati even prevailed before the advent of the Mughal Empire and was more or less compulsory in nature. Emperor Akbar made efforts to ban this practice that widows should not be burnt against their wish. The criticism of sati by the Mughal emperor Akbar could perhaps have been endangered by the protest of Jesuit Father in 1580, at his appearance at widow burnings. Just like sati, jauhar was the practice that was primarily performed by women, belonging to Rajputana communities. On the occasion of the capture of the whole village or town, the modesty of the women was outraged. Many widows did not depict any reluctance and gladly attended the funeral pyre of their husbands. The women in the Mughal period, were entitled to right to property. They received a share in movable and immovable property by the law of inheritance and payment of gifts (Shamim, 2010).

POSITION OF WOMEN DURING THE EAST INDIA COMPANY

During the period of the East India Company, many social reformers such as, Raja Ram Mohan Roy, Ishwar Chandra Vidyasagar, and Jyotiba Phule had undergone numerous challenges that were associated with bringing about changes in the status of women within the Indian society. Peary Charan Sarkar began the first school for the girls in 1847 in Calcutta. During this period, with the assistance obtained from the Governor Bentinck, Raja Ram Mohan Roy had succeeded in abolishing the sati system. Due to the efforts made by Raja Ram Mohan Roy, improvements were brought about in the status of women and the system of widow remarriage was also introduced. Many of the women social reformers such as, Pandita Ramabai began the movement that put emphasis upon the freedom of women within the Indian society. During this period, there were many ladies, who mastered the art of martial arts. Rani Lakshmibai fought for the independence of the country. Though, there were presence of number of aspects that led to promotion of abilities among women, but women were not regarded equal to men (Chapter 2, n.d).

Though women inculcated skills and abilities among themselves in various art forms, but their status within the society was in an underprivileged state. They were not having any right to claim succession in the property of their own family members. Therefore, as far as property matters are concerned, the position of women was not given recognition, as they were not given any inheritance rights. They were dependent upon the male members of the family for fulfilling all their needs and requirements. When the East India Company was present, then women were treated as slaves, their position and status was inferior as compared to men and they were not given any significance (Chapter 2, n.d).

It has been comprehensively recognized that women rendered a significant contribution in India's struggle for independence. Before the rise of the 20th century, Mohandas Karamchand Gandhi, the father of the nation started a movement that was focused upon elimination of incapacities and frailties against women within the Indian society. In this manner, in the medieval period, attempts were made by the social workers, freedom fighters, Bhakti movement individuals and other individuals to bring about improvements within the status of women in India. Another aspect that was focused upon is, women should be given equal opportunities and equal treatment as men. Many legislative enactments were enforced by the legislators for protection and promotion of women, like the Act of Sati (Abolish) 1829, The Hindu Widow Remarriage Act, 1856, The Child Restriction Act, 1929, The Woman Property Right Act, 1937, The Hindu Marriage Act, 1955, The Hindu Adoptions and Maintenance Act, 1956, The Dowry Prohibition Act, 1961 and so forth (Chapter 2, n.d).

CONCLUSION

In India, in the pre-independence period, there has been a decline in the ratio of women. The sex selection abortion was regarded as the major factor that has led to this decline. In the Vedic period, women were given respect and recognition within the society, but within the course of time, their position suffered a degradation. It is evident from the Indian culture that women are treated as the form of Goddesses, Lakshmi, Saraswati and Durga, whereas, on the other hand, they were mistreated, experienced the practices of female infanticide and female foeticide, and other forms of verbal and physical abuse. In the medieval period, the various forms of problems that women experienced were, polygamy, sati, child marriage, widow remarriage, right to property, and female infanticide. Before the advent of Islam, women were not treated well within the Indian society, but with the advent of Islam, improvements were brought about in their status, regarding right to live, right to education, right to equality and right to property.

Position of women during the Mughal period also experienced number of problems and challenges, these include, child marriage, sati, female infanticide, and prostitution. During the Mughal period, education of women is regarded as less important, as compared to education acquired by men. The Mughal emperors were cultured and educated, therefore, they were aware that even girls should be educated, so they are able to promote better livelihoods for themselves. During the period of the East India Company, there were many social reformers such as, Raja Ram Mohan Roy, Ishwar Chandra Vidyasagar, and Jyotiba Phule. These social reformers had undergone number of challenges and rendered an effective contribution towards enhancing the status of women in society. Improvements were primarily dedicated towards abolishing the practice of sati, promoting widow remarriage, abolishing child marriage, allowing women right to property and prohibiting dowry. These acts brought about improvements in the status of women.

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