

Assessment of Women Empowerment of Hindu Religion: Case of Rural Bangladesh

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Abstract

Women empowerment and equality are the concerning issue all over the world. The aim of this paper is to identify the real condition of Hindu women in society according to their religion. Qualitative approach focusing case study has been conducted in Koil village under Bogura district of Bangladesh. An attempt has been made in this study to highlight on the nature of Hindu women's rights to inheritance. Hindu women face various difficulties in their way of life since traditional values are deeply rooted in their life. This study reveals that Hindu women are deprived from their rights due to traditional social culture, ignorance, unawareness, and unemployment. Government should consider this issue with the view that they are a significant part of population; hence a duty of care and essential obligation must be there.

Keywords: *constitutional right, women empowerment, poverty, inequality, inheritance*

1. Introduction

Hindu women's life is bounded by their religious norms and traditional systems. Most of the respondents knew about the inheritance rights but they cannot and do not claim for it. They are depended on their family and especially husband (Jinnah, 2013). Hindu women in Koil village go through their general understanding of inheritance system. In spite of having some knowledge of rights, they do not claim (Agarwal, 2009). They think that their present situation is pleasant enough to lead their life that's why rarely they raise their voice against any injustices done to them (Zahur, 2016). They are peace loving women and they want to be so without conflicting with the traditional rules (Sarker & Jie, 2017). Whatever happens to them, they consider it natural. Dowry given to daughters during marriage is considered their custom and it has become natural to them. They cannot think of their daughter's marriage without dowry. Their perception of traditional inheritance system has

deep roots to their socialization process (Sarker, 2019c). They consider their traditional inheritance system as customary laws and it cannot be denied or changed so easily (Sarker & Sultana, 2017).

It was found that there is middle class value among the respondents and they know about the inheritance system but do not implement the rights (Sarker, Bingxin, Sultana, & Prodhan, 2017). Middle class family gives emphasize on cultural norms and Hindu women in Koil village do it as well (Dejaeghere & Lee, 2011). They are concerned about their traditional rules and they think constitutional rights should be applied but none is concerned enough to take initiatives. Patriarchal structure is dominant in Hindu society and patriarchal domination keeps Hindu women silent and they do not claim for their equal rights (Sarker, 2016). If they do, they think they can hardly achieve their rights. Moni and Sumaiya (2013) argues that Hindu women face more discrimination than men because of three unequal treatments: as member of a patriarchal society, as member of a patriarchal family and as a member of a patriarchal nationality (Sarker, Ali, & Islam, 2015). They also state that besides constitutional denial, minority women are also deprived of beneficial personal laws. Hindu women do not get any right from their customary law; rather they suffer from discrimination (Adams, 2015).

Women had no right in ancestral property and married women had no right in father's property or on dwelling home. In case of property rights of women, laws were biased towards men. There was no equal treatment or equal distribution of property to females. They were just mere survivors. Bangladesh has always been a male dominant country where rights of women have been neglected. Along with these lines, Hindu women in Koil village do not claim for their rights to inheritance for several reasons. Therefore, this study is intended to identify the empowerment of Hindu women.

2. Methodology

2.1 Research design

Qualitative method has been adopted for exploring in-depth discussion about the topic. We used qualitative methodology because we want to interpret the topic in-depth. Moreover, we wanted to see the social condition from respondent's perspectives.

2.2 Data collection

Our study site is a village named Koil in Bogra district in Bangladesh. To conduct my research, we need details information about my topic. We think I will get details information easily since all of my participants were villagers of my own area and they will help me a lot. The study population of my research is married women of Koil village in Bogra district. It is not possible for me to collect information from the entire married female of Koil village. That's why sampling is inevitable. We used convenience sampling under non-probability sampling to get details information about my topic. The sample size was 16. To collect the data we used mobile recorder, paper and pen. Semi structured interview schedule was followed to collect data. Data collection is an important part of research. Since this research is based on qualitative method, interview method was selected for data collection. Within interview method, semi-structured interview was applied for data collection. Along with interview, direct observation was also applied.

2.3 Data processing and analysis

We collected information in Bengali language for the convenience of my respondents. We recorded the data on my mobile and for my academic purposes, we transcribed those data. Then we translated them in English language. We read these translations again and again and tried to make summary of the writings. Then data has been analyzed according to objectives.

2.4 Afraid of breaking relationship

Women want to own land but they do not want to inherit it because women who state that they do not wish to inherit land are primarily afraid of straining relationships with their families or being rejected by their communities. In the absence of a will, when the Hindu Succession Amendment Act is applicable, women are generally forced to give up their share in favor of their brothers for various reasons (Sarker, Wu, & Hossin, 2019). One of the main reasons is the fear of breaking familial bonds. Mahmud et al. (2012) states that women often have to forgo their claims with regard to agricultural land to ensure the support of their natal family in case they encounter marital problems or their marriages breakup, even though such support may not actually materialize.

Kalpna Karmakar (25) argued that “if they claim for their rights, their brothers misbehave with them and do not want to give them any share.”

2.5 Dowry

Hindu women do not claim for their property rights since they are given with bequest during their marriage. In many cases, parents sell their daughter’s share of property to provide marital cost. That’s why women do not claim for their rights. Singh K, (2012) reported that there exists the customary and traditional belief that after marriage a girl belongs to her husband’s family and not to her natal family (Nasrin, Sarker, & Huda, 2019).

Namita karmakar (35) argued that “Hindu groom’s family owns 8 -9 lakh TK. during marriage and bride’s family provides it that’s why I want to distribute property in accordance with traditional system. In many cases bride’s family spend 2 bigha lands for daughter’s marriage and in such case, it is valueless to demand for further property rights. If my daughter gets married without such bequest or dowry then I could think of giving her a share of property.” She further told that since daughters are provided with bequest, boys should have more share of property and hence she does not accept equal rights for property.

2.6 Traditional systems

Hindu women do not claim for their equal rights since traditional system is deeply rooted in their society. It is not their tradition to claim for paternal property. Srimati Dulali karmakar (25) told that “Hindu women do not claim for their equal rights because of traditional system which is going on.”

Conversely, there are also some situations in which Hindu women claim for their rights. These are extreme cases in which Hindu women cannot but claim for their rights (Sarker, 2019b). In most of the cases, poverty forces Hindu women to claim for their rights (Patel, 2006). In case of abandonment of wife by their husband, Hindu women claim for their rights to inheritance. In this way, they want to secure their position in society and find a way of earning. Sonali Karmakar (26) wished to claim for her rights to inheritance because she is left in her father’s house and had to earn by her own to lead her life (Sarker et al., 2019). Namita Karmakar (35) told that many women claim for their equal rights if their economic condition of in law’s house is miserable. In this case, poverty is the main reason for claiming equal rights to inheritance rather than awareness.

Sonali Karmakar (26) faces problems since she is bound to live in her father’s house after marriage. She told that “if husband is addicted to drugs and do not work for family; Hindu women cannot do anything to survive and claim for their rights to inheritance.” In case of husband’s disability, Hindu women search for income and they think if they could have property from father, their life would have been different. In such cases, Hindu women claim for their rights. Rupali Karmakar (28) described her situation this way “Hindu women do not claim for their equal rights because of traditional system which is going on and if father had little property and husband is unable to work, Hindu women face severe problems. They cannot do anything to develop their condition.”

From these discussions, it is found that, Hindu women generally do not claim for their rights to inheritance because of traditional systems and even if they do, it is because of poverty or any other cause rather than their awareness about legal rights to inheritance (Sarker, Rahman, Cao, & Xu, 2019).

3. Problems faced by Hindu women for inheritance rights

Most of the Hindu women interviewed reported that they did not face any problems for rights to inheritance since they conformed to traditional system of inheritance. Although the traditional system of inheritance is itself a problem in present time, most of the respondent cannot recognize the situation (Sarker, Islam, Ali, et al., 2019). Due to lack of knowledge, Hindu women do not understand their problems rather they stick to old traditional system of inheritance. The ownership of property reduces women’s vulnerability to and enhances their ability to deal with the domestic violence (Guhathakurta, 2012).

In Sri Lanka, the study highlights notions of patriarchy and social norms that operate in the context of the Sri Lankan society, making women passive subjects to the violence inflicted on them. Lack of political will of the state government is clearly visible as there is hardly any pro-active effort on their part to enforce women’s right to inheritance and succession

(Khan, Sarker, Huda, Nurullah, & Zaman, 2018). In contrast, what is striking is that women universally expressed the desire to own land, implying that they fully recognize the value of land and property for their wellbeing. Their lack of action to claim is partly due to their ignorance of law, but more importantly perhaps out of their belief in the same patriarchal practices and lack of social support system that is needed in order to help them come forward (Rahman et al., 2018). Barriers that women face in inheriting land and property are: gender discriminatory practices such as dowry being considered a ‘one time settlement’ to women; insufficient knowledge of the Hindu Succession Act and its 2005 amendment; women’s reluctance to enforce their land ownership rights; and, lack of proactive implementation of the law by revenue department officers who tended to follow the department requirements which were not necessarily in compliance with the provisions of the Hindu Succession Amendment Act 2005.

Lack of assets enhances vulnerability and poverty and those women who do not own any assets are subject to violence, threats of violence and allocation inequalities within the household. In contrast, those who owned both land and house reported considerably less violence. The study found that one respondent named Sonali Karmakar (26) was bound to abandon her husband since he was addicted to drugs. In this case, that Hindu woman has no other source of earning and survives by tailor. She leads a miserable life and wished to have rights to inheritance. In another case Sondha Rani Karmakar (42), reported that her father had huge number of property and she did not get anything. This woman had to take care for her father but could not achieve anything. She also wished for equal rights to inheritance since daughters do care for their parents. Kalpana Karmakar (26) also reported of having possibility of misbehave if Hindu women claim for their rights. Since traditional systems are deeply rooted in Hindu women’s life, they cannot but face problem.

3.1 Rights of Hindu women and application of rights

It was found that there is positive co-relation between the educational level and Hindu women’s understanding of the rights to inheritance. The study indicates that the higher the educational level, the better the knowledge and understanding of inheritance rights. Women aged between 25-40 were more likely educated than those of older women. Literate women were more likely to be aware of their rights and wanted to distribute property equally (Sarker, Wu, Shouse, & Ma, 2019). Hindu women generally do not claim for their rights to inheritance. Most of the respondents recognized their rights to inheritance but cannot claim for it. Hindu women have to be pleased with what they were given during their marriage. If Hindu women claim for their inheritance rights, they cannot achieve it because of their traditional system of inheritance (Schuler, Lenzi, Badal, & Nazneen, 2018). Many women argued that Hindu women do not claim for their rights but they should. Rights to inheritance are granted by the constitution but it is not socially approved in Hindu society. As Surochi Karmakar (35) quoted that “They have to be pleased with the inheritance system that is going on because if they claim for their rights, they do not get anything. They are bound to accept the traditional inheritance system”. Srimati Adori Rani karmakar (26) argued in the same manner that “Constitutional rights do not get that much importance in Hindu society and that’s why women cannot demand for their rights to inheritance.” Although most of the respondents favor constitutional rights to inheritance, they do so because constitution is also undeniable and as government has granted it, they accept it. Srimati Adori Rani Karmakar (26) further argued that “constitutional rights to inheritance as granted by government is also important and cannot be denied.” This statement also indicates that in many cases, Hindu women are bound to accept constitutional rights although it contrasts to their traditional systems.

In this case, their roots stick to the traditional understanding of inheritance system. Although many women wanted to distribute their property equally, it is a debate that how much effective their action will be. Since traditional rules have become deeply rooted to Hindu women’s life, Hindu women cannot implement their wishes (Sarker, Wu, Alam, & Islam, 2019). Men in Hindu family are not concerned about women’s equal rights. Even if they know about constitutional rights, they are indifferent to implement the laws since this will decrease their power to own property exclusively (Mahmud et al., 2012). This indicates the patriarchal social structure that dominates over women’s life. Patriarchal social structure as emphasized by radical feminists is also responsible for women’s deprivation of rights to inheritance (Sarker et al., 2020). With the increasing importance of education and rising awareness among Hindu women, this situation is changing day by day in a very slow motion.

3.2 Application of constitutional rights

At the heart of Hindu society, there is predominance of traditional rules and customs. Although the constitution of Bangladesh grants equal rights to inheritance to every citizen, in Hindu society there is little application of it. Traditional system is so deeply rooted in Hindu society that in every aspect of their life, it has profound implication. Most of the respondents accepted constitutional rights but there is little application of it in their daily lives. In Hindu society,

constitutional rights are not being applied because of traditional rules; what is going on from ancient time is going on till today. Women are dominated in our society and in case of Hindu women, this situation is severe (Patel, 2006). Hindu women cannot do anything to change their rights.

As we know from the theory of radical feminism, patriarchal social structure exploit women and in case of Hindu women, this is practically applicable. Men household of Hindu family do not realize women's rights to inheritance rather they make maximum use of their paternal property exclusively. From the ancient period women are found to be dependent on their male counterpart. Since then they have been deprived of the right to property of their father and husband (Waheed, Sayeed, & Mujtaba, 2014). They remain dependent on father during their childhood, on husband in youth and on son in old age. Traditional rules are so deeply involved in Hindu society that it is very difficult to apply constitutional laws. As one respondent named Srimati Adori Rani Karmakar (26) told that 'Traditional system is deeply rooted in Hindu society that's why constitutional right is not being applied in their society.'

3.3 Inheritance situation of Hindu women

In most of the cases socio-economic background played an important role to the rights of inheritance. Most of the Hindu women did not get any share from their parents. Hindu women in Koil village, who were interviewed, know about their inheritance rights that are traditionally going on. Although they know about their constitutional rights, they seem to be unaware. Traditional system of inheritance gives priority to men possession over property and daughter does not get any share of property (Uddin, 2015). There are several reasons for which constitutional inheritance system cannot achieve importance. These are:

3.3.1 Domination of traditional system

Hindu society is based on their religious values. Religious values and norms shape the life of Hindu women in Koil village. In Hindu religion, law is considered as a branch of Dharma. Hindu women do not get any right from their customary law; rather, they suffer from discrimination. Traditional system of inheritance gives priority to men possession over property and daughter does not get any share of property. Most of the respondents said that in Hindu society, women do not get share of paternal property because it has become their tradition (Sultana & Subedi, 2016). Although they acknowledge that women should be given their rights, most of the women are pleased with their traditional system. There were found three kinds of explanation regarding traditional system of inheritance. These are:

Even in case that parent own lots of property, women do not get anything because of their traditional culture. Hindus considered their law to have come from God. Law as understood by the Hindus is a branch of religion, which is not subject to any modification or alteration. Holding such view, they prefer to apply traditional law in all personal matters, which does not give much concentration on woman's right (Mohsin, 2004). Daughters are bound to live their life with their in-law's house and they cannot demand from their father's property even if father owns lots of property. Hindu daughters do not have rights to inheritance. Kalpana Rani Karmakar (30) told that 'Hindu women do not get any share of their paternal property even in case that their parents have lots of property. They have to be pleased with their father- in law's property.' Another respondent named Rina Rani Karmakar (30) told that 'She did not get any property from her parents because there is no tradition of distributing property among daughters in their society.'

Another explanation for traditional system of inheritance is that if parents do not have son, then daughter gets little share of paternal property. As one respondent named Dipali Rani Karmakar (40) told that, 'Hindu women get little share of their paternal property if they do not have brothers. She got little share of paternal property (2 decimal) since she does not have brother.' Another respondent Srimati Dulali Rani Karmakar (26) told that 'In the Hindu community, if mother owns property then daughters get share of it and if father owns property then sons get share of it. She herself did not get any share of parental property.' Being the absolute owner, a woman can dispose of stridhana at her pleasure. But in respect of other property she is merely a qualified owner and enjoys a very limited right. Surochi Rani Karmakar (50) described the same situation and told that 'Daughters generally do not get share of their father's property but if mother owns property, daughters can demand on that property to some extent.' This situation is further described by another respondent named Sonali Karmakar (26), 'If father wishes to distribute property to daughter then they can have property and if mother owns property, they can have rights to mother's property in their society'

Another explanation of traditional system of inheritance is that, if parents distribute property among daughters and sons intentionally, daughters can have a share of parental property. Even when the women receive land in inheritance, it is invariably much less than an equal share. Most Hindus in India and Nepal and Muslims in India, Pakistan and Bangladesh are governed by patrilineal kinship systems. As social identity is secured from the father, a son is a permanent member of the

natal household and a daughter is considered transient. She has moral rights to periodic gifts but largely denied inheritance, seen as a dependent of her husband. One respondent named Namita Karmakar (35) argued the situation this way, 'Daughters do not insist on their parents for having share of property. She did not get any share of paternal property till now and there is little hope to get but if parents give her a share intentionally then she can have'. Although constitution of Bangladesh grants rights to inheritance irrespective of religion and cast, Hindu women do not get their right in Koil village. Kalpana Karmakar (30) argued that, "Hindu women do not get rights to own paternal property and even if they have rights, they are not given any share of property."

3.3.2 Prevalence of Dowry

In the Hindu community, there is prevalence of dowry. Although dowry is prohibited in our country, it is still going on in Hindu society. It is deeply rooted in their customs and hence it has become their law. Dowry has become their traditional rule that hinders Hindu women's rights to inheritance. Dowry has important impact on the understanding of Hindu women's rights to inheritance. In the study, it was found that dowry has replaced the rights to inheritance. Hindu parents are bound to provide dowry in their daughter's marriage and groom's family receive it. In many cases, dowry seems to have replaced the present inheritance system. One respondent named Adori Rani Karmakar (25) describes the situation arguing that 'I did not get any share of my paternal property since my parents sold my share of property during marriage to provide marital dowry. For this reason, I will not get any share of my paternal property.'

Most of the women interviewed reported that since daughters are given marital gifts, it is valueless to demand for their property rights. To get married of their daughters seem to be very important to Hindu people. It has become a social practice that at the wedding of a daughter the father had to spend a lot of money and huge gifts in the form of ornaments and furniture. All such things are presumed to be given her in lieu of property (Sarker, 2019a). To provide daughter with property might cause the loss of ancestral property as she goes to other family; such attitude of Hindu society is also responsible for exclusion of women from their right to inheritance. One respondent Surochi Karmakar (50) described the situation arguing that 'In accordance to their religion, daughters mostly get their paternal resources during marriage and after giving birth to 1st child. Parents fulfill their duty during these periods and daughters generally do not get share of their father's property but if mother owns property, daughters can demand on that property to some extent'

It was found that Hindu groom's family owns 8 - 9 lakh TK. during marriage and bride's family provides it that's why Hindu women wanted to distribute property in accordance with traditional system. In many cases bride's family spend 2 bigha lands for daughter's marriage and in such cases, it is valueless to demand for further property rights. Namita Karmakar (35) described the situation arguing that 'if my daughter gets married without such bequest or dowry then I could think of giving her a share of property'. Another respondent Ashalata Karmakar (50) described the same situation this way 'Hindu women's parents get their girls married and it is the most important duty to be done to their daughters. I did not get any share of property from my parents. She told in the same manner what her parents did to her that "my property would be distributed between my sons and daughters would not get any share."

3.3.3 Development of inheritance system

Most of the respondents accepted and supported Hindu women's rights to inheritance as granted by the constitution of Bangladesh. Many women could not tell about how to develop inheritance rights because of their lack of education and knowledge about rights. Few women, who were educated and had knowledge about the constitutional rights, could tell about the development of inheritance rights (White, 2009). All of them asked about the development of inheritance rights told that they will distribute their property equally between their son and daughter to develop the inheritance rights. This reflects the idea that nowadays Hindu women are being aware of their rights and they are being influenced by constitutional rights. To develop inheritance rights, awareness must be raised among Hindu women. Kalpana Karmakar (30) told in the same manner that, 'Constitutional rights are not socially recognized in their society'. She further told that "Government cannot do anything unless parents themselves acknowledge equal rights". From above these findings it is clear that radical feminism, liberal theory and structural Marxism are relevant in this study. These theories have profound implications in this study. Traditional systems along with patriarchal social structures are largely responsible for women's deprivation. As being the minority, Hindu women lack voices to establish their rights in society (Sourav, 2015). In order for their rights to be established, social recognition is inevitable. The whole social structure has to realize Hindu women's rights to inheritance.

4. Conclusion

In this century when women in the world are enjoying all sorts of civil and political rights and economic, social and cultural rights the states are adopting laws to remove gender discrimination and inequality, a Hindu woman must be provided with the exclusive right to inheritance. No civilization can prosper without ensuring the rights of women. Most of the problems that are associated with Hindu women's rights to inheritance are rooted in their traditional system and religious values. If enough steps are taken to aware Hindu women about their rights to inheritance, they can enjoy their rights. The women belonging to other religion like the Muslim enjoy their property exclusively, though the share in inheritance is less than their male counterpart. The national development of the country cannot be achieved leaving a large number of people, like Hindu women behind. In order to ensure their active participation in every aspect of national life, the Hindu women should be given exclusive right to property, which will ensure development and social security. It should be realized by the mass people in Bangladesh that without having any property right a Hindu woman has no room in the society. Government should consider this issue with the view that they are a significant part of population; hence a duty of care and essential obligation must be there.

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